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Updates for December 22<sup>nd</sup>

### **25 Nov - Judge Affirms FBI's Denial of Documents**

*The FBI need not turn over files sought by Marius Mason, an environmental activist serving a lengthy prison sentence for arson and other acts of property destruction, a federal judge ruled.*

#### **MORE:**

by Daniel W. Staples (*Courthouse News Service*)

Mason, a member of Earth Liberation Front, an environmental activist group, was sentenced to 22 years in federal prison after pleading guilty in September 2008 to arson against a research facility at Michigan State University, and other destructive acts.

New York City attorney Susan Tipograph then filed a Freedom of Information Act request on her client's behalf, maintaining the documents sought would shine a light on "Green Scare" program being carried out by the government to the speech rights of environmental activists.

The FBI denied Tipograph and Mason access to the documents under exemption 7a of FOIA, which allows the government to withhold records or information that if released would interfere with law enforcement.

Tipograph then sued Department of Justice in Federal Court, seeking to compel the release of the records.

In her complaint, Tipograph described Mason's sentence as "Draconian," and said her client accepted a plea bargain in 2008 to avoid facing a life sentence for the role she played in "two acts of property destruction, which involved damage to a Michigan State University office conducting GMO (genetically modified organism) research and a piece of logging equipment."

Tipograph claimed Mason has been placed in a "control-management"-type prison unit because of her status as a political prisoner. "Ms. Mason is one of the hundreds of activists targeted by the government in its attempt to quell First Amendment protected activity related to animal rights and the environment, which has become known as the 'Green Scare,'" the complaint said.

The FBI did eventually release 199 pages of public source information and followed that up by releasing more documents that were released from a court sealing order.

In March, U.S. District Judge Christopher Cooper granted summary judgment to the government on the suit, ruling the FBI properly invoked Exemption 7(A) when withholding the documents.

Tipograph then asked the court to reconsider its grant in regard to the question of whether the government maintained a policy of invoking that exemption at the file level, rather than at the record level as courts have required. She argued the government hadn't addressed that issue in its motion for summary judgment, and Cooper agreed, vacating his order in regard to that narrow portion of the lawsuit.

On Tuesday, however, he once again granted summary judgment to the government.

"The government contends that (1) Tipograph's claim is moot because it has turned over all records to which she is entitled, and (2) Tipograph is without standing to bring her claim because she has not shown that she is likely to be injured in the future by any such policy," Cooper wrote. "The Court concludes that while Tipograph's claim has not been mooted by the release of records in this case, she has nonetheless failed to establish that her alleged future injury is sufficiently concrete or imminent to confer standing."

Cooper then turned more directly to Tipograph's claim of future injury, a complaint the judge dismissed as "speculative."

"Her complaint alleges in general terms that she 'intends to file additional FOIA requests in the future relating to records that are likely to be contained in investigative files, and as such is likely to be improperly denied records' based on the FBI's purported policy or practice 'in future requests.' ... Article III, however, requires Tipograph to provide more than generalized plans to file unspecified requests for information at some uncertain point in the future," he said.

"Due to 'the nature of [her] work - representing criminal defendants and activists being surveilled by the FBI,' it is certainly plausible that Tipograph will file FOIA requests in the future that could implicate the alleged policy or practice that she challenges here. The general statements in her declaration, however, do not "establish likely future injury 10 that is both concrete and imminent," Cooper wrote. "Therefore, Tipograph has ""to establish that [she has] Article III standing to bring [her] policy-or-practice claim.""

### **3 Dec - Man accused of slashing a fire hose during riots faces federal charges**

*A man charged with slashing a fire hose outside the Penn-North CVS that was set on fire during the riots last April now faces federal charges. Read the following corporate news article with a critical eye.*

#### **MORE:**

by Jessica Anderson (*The Baltimore Sun*)

Authorities allege Greg Butler Jr., 23, was the man who was seen on national television wearing a gas mask and cutting a hose that firefighters attempted to use to extinguish the burning CVS pharmacy. The store was later torn down due to the damage but is being rebuilt.

Neither Butler, or his attorney, J. Wyndal Gordon, appeared in court Thursday when a city assistant state's attorney announced the state was dropping local charges because Butler's case will be prosecuted federally. Butler had been charged locally with obstructing firefighters, reckless endangerment, and malicious destruction of property after riots erupted April 27 following the funeral for Freddie Gray, a 25-year-old who died after suffering a severe spinal cord injury while in police custody.

Gordon has maintained his client's innocence, and said, "it's a bunch of misdemeanors converted into federal charges, highly unusual." He said he has not learned what federal charges Butler faces.

Butler is a Polytechnic Institute graduate and once a standout basketball player who had pursued an NCAA scholarship but missed out due to quirk in the city's grading policy. Students in Baltimore taking Advanced Placement and honors courses received fewer points toward their weighted grade-point averages than students in other area school districts, putting them at disadvantage for college acceptance and scholarships.

The policy has since been changed. Butler was an example used in a presentation to school board members to revise the policy.

### **8 Dec - New Commentaries By, And Update On, Mumia Abu-Jamal**

*On December 18<sup>th</sup>, Mumia appeared in court via Skype. Read more about that, as well as his most recent commentaries, below.*

#### **MORE:**

**December 8<sup>th</sup> - And Now, Laquan**

With a name like Laquan, we can safely assume his Blackness. Of middling height, perhaps '5, 2", with a weight of 130 lbs., Laquan bounces down a Chicago avenue with typical teenage abandon.

He seems more like he's skipping than running, his right hand holding a pen-knife of some 3" or so. One can almost feel the buzz of youthful testosterone rushing through his veins. A subterranean river of strength assuring him that he is invincible, that he can punch through walls, get hit with a mountain and rise.

And then, without warning, a shot rings out, and it spins him like a top, 360°.

He falls, and unfamiliar pain grips him, curling him, folding him into a fetal position cradled by the cold earth. Then, like heartbeats, come death beats of bullets, and 17 year old Laquan McDonald is no more.

He is but the latest Black body blasted into oblivion by a white Klansman in blue.

His once unknown name joins a chorus of the dead: Tamir Rice, Mike Brown, Donald 'Dontay' Ivy, Eric Garner, Oscar Grant, Freddie Gray - and more: victims all of one of the oldest maladies on the American mainland" white fear, a 3 inch blade (legal by the way) and 16 shots burned into the body of a teenager.

For a year, the cameras go dark, until a free-lance journalist fights, and wins, a freedom of information suit against the City. The camera replays that savage moment, of a boy skipping his way into death.

There has been an arrest, yes; but don't be surprised by an acquittal.

Any city that can make a murder disappear for a year, can surely hustle up an acquittal.

Only sustained struggle can make a difference.

### **December 8<sup>th</sup> - Tale of 2 Men**

Sometimes, events occur which, although separate in locality, have features in common, or, when compared, reveal a clarity that they would not possess apart.

Cases in point: A} a young man, reportedly for the high crime of possessing a 3 inch knife, gets shot repeatedly, until dead. His alleged offense: Causing fear in a cop; B} A middle-aged man, armed as if about to engage in war, drives to a Colorado Springs abortion clinic, and engages in an hours long rampage, shooting 9, and killing 3 before quitting his tantrum --- and submitting to arrest.

Upon arrest, he is neither beaten, nor kicked, nor stomped, nor shot.

I am, of course, referring to the cases of Laquan McDonald, 17, late of Chicago, IL, and of Robert L Dear, 59, of Colorado Springs, site of a Planned Parenthood clinic.

It must be said that Black men receive hyper-attention when in the presence of cops, so much so that, as a rule, white guys fade into the background of normality, unseen, unchallenged - even when they are carrying arsenals.

Again, as in Dear's case, he drove to the clinic, and then carried arms into the site of Planned Parenthood.

One man - was virtually invisible.

Another man was hyper-visible.

In such cases as this, both paths led to disaster.

### **December 12<sup>th</sup> - The Wages of Fear**

In the wake of the carnage in Paris, and the subsequent events in San Bernardino, California, a wave of fear has swept through France and the U.S.

In America, prominent politicians have been trying to outdo each other in the most outrageous fashion, from attacking the families of suspected ISIS people, to planning for caging Syrian refugees in internment camps.

In a matter of days, American minds have echoed the same xenophobic themes that sent over a hundred thousand Japanese – mostly Japanese-Americans, I might add – to US concentration camps – men, women and children back in the 1940s.

In the succeeding decades, American presidents have apologized for these injustices, and reparations (albeit of modest amounts) have been paid to survivors.

But today, the sons and grandsons of those who clamored for Japanese interments now clamor for Syrian and Arab interments, proving the apologies and reparations were but yesterday's crocodile tears- empty as salt water.

For politicians, exploiting fear is as common as shells along the seashore. They can't help themselves.

After over a decade of failed and pointless war, why is there more (not less) fear?

What's wrong with this picture?

The politicians who are selling the toxin of fear for their own selfish ambitions are leading the nation down the yellow-brick road of disaster.

No good can come from this.

### **December 15<sup>th</sup> - Muslims Not Welcome**

The image of an imperious Republican presidential candidate, Donald Trump, speaks volumes as he calls for a ban on Muslims entering the U.S.

The comments flood the globe, the latest expression of American fear, hatred and stunning ignorance, for it is based on an illusion of American innocence. Many, many Muslims have been in America for centuries; they've been invisible largely because they already were stigmatized, for they were Black.

Africans captured from sites on the West Coast in places like Senegal, they brought these beliefs with them.

So, it's a little late for a ban.

Moreover, this call actually has little to do with Muslim immigrants and everything to do with Muslims born here, especially to white Americans who are anxious over their falling share of the American demographic -- and the precipitous growth in brown America.

By imagining themselves as Christians, instead of WHAT THEY REALLY ARE - white nationalists - they position themselves as enemies of Islam -- and the billion inhabitants of Muslim states in Asia, Africa and Mid-East.

Nor is it coincidence that this is a Republican endeavor, for the party has been racing toward its white self for over half a century, perhaps put best by sociologist Andrew Hacker, who, in his 1992 work *Two Nations: Black and White*, wrote:

*One of the two major parties - the Republicans - has all but publicly stated that it is willing to have itself regarded as a White party, prepared to represent white Americans and defend their interests. Of course, Republican administrations make sure that they appoint a few Black officials, either vocal conservatives or taciturn moderates willing to remain in the background. (And they are especially adroit in finding apt candidates for the Supreme Court and Chairman of the Joint Chiefs Of Staff.) An unwritten plank in the Party's strategy is that it can win the offices it wants without Black votes. More than that, by sending a message that it neither wants nor needs ballots cast by Blacks, it feels it can attract even more votes from a much larger pool of white American who want a party willing to represent their racial identity.[The words of Andrew Hacker.]*

Now, some 7 to 8 million Muslim voters needn't worry, their votes are no longer needed nor wanted by the Republican Party.

### **December 18<sup>th</sup> - Life or Death Dates for Mumia Abu-Jamal**

by Michael Coard (*The Philadelphia Tribune*)

Exactly 14 years ago from today on December 18, 2001, U.S. District Court Judge William Yohn (who was appointed by President George H.W. Bush in 1991) issued an order announcing that Mumia Abu-Jamal should not be executed after having been found guilty of the 1981 shooting death of Police Officer Daniel Faulkner.

That order resulted from jury instructions given by trial Judge Albert Sabo in 1982 that were so flawed they could have misled the jurors into thinking they had to be unanimous regarding mitigating factors justifying a life sentence instead of death. Put another way, Judge Sabo erroneously or intentionally made it very easy for the jury to illegally vote to kill Mumia.

On that date, the Commonwealth of Pennsylvania, through the Philadelphia D.A.'s Office, lost its decades-long battle to kill Mumia. Many people contend the Commonwealth is still trying to kill him, this time by Hepatitis C instead of lethal injection — in other words, by medical malpractice instead of murderous malice. Either way, Mumia would be just as dead. That's precisely why many of those people are encouraging Mumia supporters to attend a hearing Friday, December 18, 2015, at the William Nealon Federal Building in Scranton. The purpose of that hearing is for federal judge Robert Mariani to listen to sworn testimony from Mumia and from Pennsylvania Department of Corrections officials and staffers concerning his medical condition and prognosis.

Stated differently, the judge will listen to information about this Hepatitis C that has caused the following to Mumia: "Swollen lesions on his lower extremities, genital edema, dark scaly peeling skin, a spreading rash, eczema, severe itching throughout his entire body, gallstones, extreme pain, anemia, dehydration, diabetic shock, and loss of consciousness- all of which create an imminent risk of liver cirrhosis, liver cancer, untreated hyperglycemia, and death." And as reported by the National Medical Association, "In recent years, Hepatitis C has surpassed HIV as a cause of death in the United States."

Accordingly, Mumia's lawyers will argue today that, based on the Eighth Amendment's prohibition against "cruel and unusual punishment," as well as other federal law in addition to state law and even international law as set forth in the 1955 UN Standards Minimum Rules for the Treatment of Prisoners, he has an

absolute right to immediate lifesaving treatment. However, lawyers for the Department of Corrections will argue- and have already stated- his treatment should be withheld until the final stages of his condition. That's another way of saying he should be damn near dead first. Incredible!

The fact that the Commonwealth wants to kill an innocent man is outrageous. Yes, I said innocent. And, I meant innocent. Not only is Mumia "legally not guilty," which means the D.A.'s office didn't prove its case. He's also "factually innocent," which means he didn't commit the crime. But before setting forth the irrefutable facts regarding his innocence, allow me to describe the man himself. Mumia is an award-winning author, journalist, radio host, lecturer, human rights advocate, prisoners' rights activist, and former teenage member of the Black Panther Party. He was supported by the likes of Nelson Mandela and continues to be supported by Bishop Desmond Tutu, Angela Davis, Harry Belafonte, Dr. Cornel West, Danny Glover, Chuck D, Toni Morrison, and many others. Most important, he's a 61-year-old man who has served 34 years of wrongful incarceration with nearly 30 of them on death row.

Here are three of several irrefutable facts proving his innocence:

- The D.A.'s own ballistics expert performed standard tests to determine whether the gun that Mumia supposedly had was the same one from which the fatal bullet was fired. However, that expert conceded that the tests were "inconclusive." In other words, that gun was not shown to have fired the shot that killed Faulkner.
- The police — who had Mumia in custody at the scene of the crime that they say he committed — claimed that due to an oversight they failed to perform the standard gunpowder residue test on Mumia's hands. An oversight? In a high profile case involving the alleged cold-blooded execution of a heroic white police officer by a supposedly crazed Black revolutionary? Or is it more likely that they did perform the test but didn't get the results they wanted so they destroyed them because if there's no gunpowder on Mumia's hands then he couldn't have fired a gun? They certainly couldn't admit that. By the way, they did test his jacket and Faulkner's jacket and found gunpowder residue on both because they had been shot- so why not test Mumia's hands? Hmmm.
- The police alleged that Mumia confessed by saying "I shot the Mfer and I hope he dies." But no one had heard anything about this purported confession until a police officer mentioned it- not a few minutes into the investigation but- 64 days later. Also, another officer who had been with Mumia from the time he was found lying in the street until the time he was being treated in the hospital wrote that "the Negro male made no comment." And a physician stated that the life-threatening bullet wound in Mumia's chest made it medically impossible for him to have spoken at all.

Mumia's life was saved by a federal judge on December 18, 2001 after his supporters relentlessly held massive demonstrations all across the country and throughout the world. So what can those and other supporters do on (or after) December 18, 2015 to assist him? Well, the first thing is to go to Friday's hearing if possible.

### **December 18<sup>th</sup> - Round 1: We Crushed Them**

Today was historic.

Mumia Abu-Jamal testified to a packed courtroom on the critical need for life-saving hepatitis C treatment.

In opening arguments, the Department of Corrections' (DOC) legal counsel, Laura Neal, requested that today's hearing be dismissed. She claimed that Mumia had not exhausted all of the requirements for the grievance procedures, and that he hadn't specifically asked for hepatitis C treatment in his grievance.

Federal Judge Robert Mariani responded that it would have been impossible for Mumia to cite hepatitis C as he had not received a proper diagnosis to determine his hepatitis C was the cause of his conditions. Mariani then said to Neal, "That's a tortured view of what is required of an inmate in a grievance."

Notably, Mariani was dismissive of the DOC's attempts to further delay relief by dismissing the trial. He stated that the DOC had "in May of 2015 all the information at your fingertips in terms of his health issues".

By mid-day, Judge Mariani ruled that Mumia had exhausted his grievance process in full, and ruled from the bench against the motion to dismiss today's hearing. Our preliminary injunction moved forward.

Bret Grote of the Abolitionist Law Center and Robert Boyle presented a comprehensive and extraordinarily well-prepared case for why the First Amended Complaint, Mumia's original grievance for medical care, and the Preliminary Injunction should be granted.

Bret conducted Mumia's interview through video. Attorneys Ashley Henderson and Nikki Grant of the Amistad Law Project advised Mumia throughout the day from SCI Mahanoy.

*"On April 2<sup>nd</sup>, I had just spent three days in the ICU near death, and back at SCI Mahanoy I was in the infirmary unable to walk one step. I could not lift my arms, I was too weak to pull myself up off the floor .... I have received no treatment for active Hepatitis C, which has caused my diabetic shock, extra hepatic skin lesions, and my continuing exposure to organ damage",* Mumia said to Federal Judge Robert Mariani and the courtroom through video.

Robert Boyle then conducted the medical expert testimony from Dr. Joseph Harris, who noted that the standard of care for Mumia's present condition is the new antiviral drug for hepatitis C which has a 95% cure rate.

The hearing will continue on Tuesday with cross examination of Dr. Harris, and witness testimony from Dr. Johanna Fernandez and Dr. Suzanne Ross on how Mumia's condition has deteriorated over the course of this year.

Then the DOC will offer Dr. Jay Cowan to testify for their defense.

## **8 Dec - "Meeting a Man Like That, You Can't Help Wanting to Do More": A Visit With Political Prisoner Oscar López Rivera**

*Oscar López Rivera has served 34 years in US prisons for seditious conspiracy - in other words, for his commitment to the independence of Puerto Rico - though he wasn't convicted of hurting or killing anyone.*

### **MORE:**

by Jan Susler (*Truthout*)

Since 1898, when the US militarily invaded and occupied Puerto Rico, there hasn't been a single decade in which there hasn't been an independentista imprisoned. But it is unusual that López Rivera has served so many years - longer by far than any other Puerto Rican independentista in history, longer than his codefendants, longer than offenders convicted of violence and longer than the 27 years served by the world's most renowned political prisoner, Nelson Mandela.

In a united voice, Puerto Rican society has called on President Obama to release López Rivera. This call has come from the current governor of Puerto Rico, who made a historic diplomatic visit to see him, from

former governors, from the legislature, from the Puerto Rican Bar Association, from the archbishop and the entire ecumenical community, and from universities and artists and poets. Editorials from the island's main daily newspaper have channeled this support into consistent, strong expression, calling López Rivera's ongoing imprisonment "the symbol of a flagrant dishonor for his jailers and an affront to democracy that fails to respect human rights."

Members of the Puerto Rican diaspora and others in the US have also joined this campaign for his release: The AFL-CIO, AFSCME, SEIU, Labor Council for Latin American Advancement, Congressional Hispanic Caucus, American Civil Liberties Union, National Hispanic Bar Association and the National Lawyers Guild have all condemned the violation of his human rights. The international community has likewise embraced the call for his release, including the United Nations Decolonization Committee, the Non-Aligned Movement, the American Association of Jurists, the International Association of Democratic Lawyers, Nobel Peace Prize laureates, regional Latin American organizations such as the Permanent Conference of Political Parties of Latin America and the Caribbean, the Bolivarian Alliance for the Peoples of Our America and the Latin American Council of Churches, as well as the presidents of several nations such as Uruguay, Nicaragua and Venezuela.

As part of this growing support for his release, New York attorneys Juan Cartagena and Natasha Lycia Ora Bannan accompanied me on a legal visit in November with López Rivera.

Cartagena, president and general counsel of LatinoJustice PRLDEF (the Puerto Rican Legal Defense and Education Fund), is no newcomer to understanding the violations of the rights of Puerto Ricans in the United States. His long legal career is distinguished by his work on the political representation of poor and marginalized communities - especially Puerto Rican and Latino communities. Bannan, a staff attorney at LatinoJustice PRLDEF, recently became the president of the National Lawyers Guild, the most progressive bar association in the United States, which was formed in 1937 as the first racially integrated bar association to advocate for the protection of constitutional, human and civil rights.

Although these two attorneys were already involved in the growing campaign for López Rivera's release from prison, they wanted to meet this man whose resistance and integrity have become legendary. They were not disappointed.

"You do this work for so long, and then there are the momentous occasions," Cartagena said. "I was in Vieques, [Puerto Rico,] when the Navy left. I don't think I've ever been so proud of being Puerto Rican. Meeting Oscar was like that."

Although López is 72 years old, and passed more than 12 of his 34 years in solitary confinement at Marion and at ADX Florence, "he was gracious, smart, current on issues of the day," Cartagena said. "His mind [was] fresh with things that happened to him as a kid. I can't believe that someone who served 12 years in solitary has any kind of mind."

Bannan remarked on "his knowledge and deep understanding of the world, of human nature, of events, or the interrelatedness and intersectionality of our lives and events, and what he intends to do with the rest of his life." She added, "These 34 years aren't what define him. His life and vision is so much bigger than those walls that hold him. That's what he wanted to talk about."

Two particular expressions uttered by López Rivera impacted them. For Cartagena, it was "tengo mucha esperanza, pero tengo una mochila llena de preocupaciones," or "I have a lot of hope, but I also have a backpack full of preoccupations." For Bannan, it was "la lucha sin amor se muere," or "without love, the struggle dies."

Bannan added that López Rivera's book, *Between Torture and Resistance*, comes from this same deep place of love. She was moved when he recounted a story about learning how to treat farm animals as a child: He was taught that "our actions are a reflection of who we are, how we move through the world, how we treat each other, the most vulnerable among us." She added, "His story is to try to sensitize us to our humanity."

The attorneys' last image of the political prisoner made a deep impression. Cartagena said that upon seeing López Rivera wave as he headed to exit the visiting room, he felt "the overwhelming sense of injustice ... of my ability to leave and his inability to follow us. Of how he can describe the torture he went through in such a way that can only reflect his resiliency of surviving the torture and 34 years of resilience ... In many ways he personifies resistance in so many levels."

The visit gave them a sense of action and a sense of urgency. "What I got to live today brought me so much more committed to his release," Bannan said. "I need to communicate that, so that he's not just a worshiped figure. The reality of his confinement, waving to us as he went back in - the urgency of it somehow gets lost."

Cartagena added, "In some ways we have to figure out a way that more people can see and hear what we just saw and heard. Only if we can get some media in there to broadcast the sound of his voice, his mannerisms. Everything about him, his humanity. Meeting a man like that, you can't help wanting to do more."

### **9 Dec - Reportback on Jared Chase's courtdate**

*Jay's trial was postponed to April 11. He'll also have a status update before that on February 3.*

#### **MORE:**

Thank you so much to the awesome group of people who were there in solidarity. If you couldn't make it, I understand, believe me. Asking people to deal with the arduous process of getting to and into the courthouse here is no light request.

Going into that courthouse and being screamed at and even frisked by those pigs is triggering in so many ways. It always leaves it's mark, always opens up partially healed scars. Being back in that courtroom, watching that judge and those prosecutors carry out the States "justice" in that eerily mechanical way, so nonchalantly shitting on your life, brings back all the feelings of rage and despair better left buried alive.

Seeing Jay come out that door and looking out at us, managing a big grin through a fresh black eye and swollen face was the most bittersweet feeling. Bitter because I remember as though it was yesterday, what it's like behind that door. The memory of those cages and what goes on will be burned into my conscience for the rest of my life and I wouldn't have it any other way. Too many people either forget or just don't know. Jay is still deeply entrenched in that struggle, one of millions.

I also remember very clearly what it was like to walk through that door and see a crowd of supportive and loving people, there in solidarity and friendship. It's a rare occurrence and one of the closest things to a moment of happiness you'll ever feel for months and years at a time. Most go without that for longer.

It's a testament to his strength and to the strength of most people trapped inside that in spite of the obvious desperation and brutality of what they're going through, you can still manage a smile every now and then. Sometimes it's all you can do to cope. It's also one of the strongest forms of resistance available inside. A smile.

I'm glad I could be there for that like so many were for me. Thanks so much everybody for their continued support of Jay and I hope we can continue to fill up those seats and to keep the letters flowing, to keep Jay in touch with all that is happening outside. It's too easy to forget that life still happens outside the cage and a reminder is a small flicker of light and happiness in a dark place.

### **10 Dec - "Reject #OpIsh and the Co-Opting of Anonymous" by Jeremy Hammond**

*In this new writing, Jeremy shares his views on Anonymous, #OpISIS, and the recent wave of anti-immigrant sentiment that has been sweeping the nation.*

#### **MORE:**

The attacks in France were a terrible but unfortunately predictable response by desperate people who, after a decade of war and occupation, want the west to taste what we have been regularly dishing out. But we cannot allow them to be used to justify more war.

In the wake of the Paris attacks, the Western governments are provoking Islamophobic hatred in order to escalate military operations in the Middle East and push police state powers. It's a familiar script, and from prison, I've been following these developments, disturbed about the attacks on immigrant and Muslim communities and the resurgence of the fascist right.

I remember in the wake of 9/11, the waves of blind patriotism and xenophobia that the war-mongering politicians used to push police-state laws, mass surveillance, and rampant militarization. It was never about fighting terrorism or weapons of mass destruction, but about US empire: control over land, oil, and drug production, like all wars. Hundreds of thousands of innocents were murdered by the US military over the longest war in our history while we escalated drone warfare elsewhere in Syria, Yemen, Pakistan, and Somalia, creating the conditions which gave rise to ISIS in the first place.

That same post-9/11 hysteria is back and all the war-mongers are again frothing at the mouth with hate for immigrants and refugees, pushing for national Muslim registration databases, and for regime change in Syria.

But I never thought Anonymous would join in on their frenzied call for war. Apparently, GhostSec and others purportedly associated with Anonymous have been DDoSing forums, taking down Twitter accounts, and reporting IP addresses to law enforcement in collaboration with shady military contractors like Kronos Advisory. The naïve fools behind the operation are being manipulated by intelligence agents taking advantage of the emotional reaction to the Paris attacks to harness our skills to fight their hypocritical "war on terrorism."

As someone who hacked with Anonymous and marched against the war in Iraq, I completely oppose #OpISIS and any attempts to co-opt our movement into supporting the government's militaristic agenda. Escalated US military involvement is certainly going to result in more civilian deaths, as it already has. All deaths of innocent civilians are a tragedy, and we cannot value one life over another. (And you are still more likely to be shot down by police than in a terrorist attack.)

The same intelligence industry that runs their own NSA hacker operations against ISIS uses the same counter-terrorism justification to spy on everyday civilians with no regards for rights to privacy, encryption, or anonymity. They have always targeted Anonymous and other dissident groups as terrorists, and when they aren't trying to discredit or imprison us, they are attempting to co-opt us – sometimes openly by attending conference like DEFCON, seducing us with promises of money or calls for patriotic

duty, other times covertly lurking around IRC channels attempting to steer us unwittingly into supporting their agenda. Remember, Sabu asked me to hack government websites of Syria and Turkey, among others, which I did, unaware he was an FBI informant. They didn't want to talk about it at my sentencing hearing, but they did condemn my attacks against police and military contractors at length. The agents out there encouraging you to "hack the terrorists" will have no problem turning around and locking you up for years if you are not useful to their agenda.

We won't let Anonymous be unwittingly used to further the military industrial complex's imperialistic operations around the world. We don't work for the government – we are against all governments. We are on the side of the oppressed, not the oppressors. We support the victims of war, not the war-makers. If you want to report membership lists and IP addresses of suspected terrorists, go join the CIA or hang out with wannabes like Stratfor or the th3j35t3r. Call it state-sponsored hacking, patriotic hacktivism, whatever – just don't you dare call yourselves Anonymous.

I urge my comrades still out there in the trenches, sitting on some hot Oday, ready to loot databases and trash systems. If you want to stop war and terrorism, target who Martin Luther King Jr. called the "largest purveyor of violence in the word today" – the US government. So Anonymous, get to it – drone manufacturers, white hat infosec contractors, CIA directors, Donald Trump, and your local police department – they all have blood on their hands, they are all fair game.

### **15 Dec - Greetings From Casey Brezik**

*We haven't heard from Casey Brezik much since his imprisonment and are happy to relay the following.*

#### **MORE:**

What's up comrades?! Good to see you've taken at least a vague interest in my support site. I appreciate that. Some people might already know who I am, either through correspondence or possibly because they were unfortunate enough to have known me in the past, before I caught this case. Lol. For those of you who don't know me, or haven't heard from me in so long, I want to make this post for you. I want to tell you who I am now because, like everyone, I too have grown and matured through time. Hopefully, I'll continue to do so.

Currently, I'm serving 12 years for a botched/failed assassination attempt on Governor Jay Nixon's life. I'll spare the details for my next post. For now, it's only relevant that I'm serving 85% of those 12 years and will be eligible for parole in November 2020. Five years from now.

Who am I though? I'm an anarchist who doesn't believe in forcing one's self on any other, neither physically or ideologically. I don't believe in coercion as a means to get what you want, but I do believe in self-defense (again, I'll explain my case in my next post). I've identified as an anarchist for 7 years now. I was "radicalized" during my first extended stay (9 days) in jail, where I finally began to open my eyes and became conscientious of the deceptions taking place around me. I still have a scar above my left eye, courtesy of Lt. Scott.

Since my grandfather informed me that the ideas I was expressing were "anarchist" in tendency. I've only grown in my determination. I started by looking up "anarchy" online and found a site called anarchy.com. I remember I made flyers for the site and passed them around at my local mall and downtown area (I was living in Springfield, MO at the time). The site was essentially a discussion forum for ideas of an anarchist utopia. It was only the beginning of my activism.

The site was eventually abandoned and left to the spam-bots to overrun. Not knowing any other anarchists and because my life seemed to be on a steadily declining downhill slope, I decided to leave in search of other anarchists. At first, I had no idea where to go. I only knew it had to be somewhere bigger. So, I set off on a bus to Kansas City. My grandparents lived there and they were my only connection outside of Springfield.

Having spent a few days on the streets in Springfield already, it wasn't much different to spend a few nights on the streets in Kansas City. When you're on the streets, it never really seems to matter where you are. The streets are the streets. Eventually, I met up with my grandparents. However, because I was absconding as a "Fugitive from Justice" on my first "Possession of Marijuana" felony, I knew I couldn't stay long at all. My family are not anarchists and have found comfort relying on authorities, so it seems they feel some sort of responsibility to report to them about my going-ons. I knew I wasn't safe, so I began hitchhiking north.

Shortly thereafter, I wound up in Omaha. I'll discuss this more in a future post because it's deserving of its very own, but for now I'll let it suffice to say that I happened across a semi-annual conference against the U.S.s global militarization policies and the militarization of space amongst other things, held by the Nebraskans 4 Peace. News to me at the time was that STRATCOM was stationed just south of Omaha at Offit Air Force Base. This is where I met my first anarchist comrades. One from Italy and one from Romania. They gave me some leads for where I might go for more information. At the time, I was told about Re-Create '68 and the NYC Anarchist Bookfair. NYC seemed a little intimidating from my perspective, so I decided on Denver. Plus, a guy from Washington told me about a blockade the dock workers were going to pull on the military vehicles being shipped to Iraq out of the piers in Olympia. I wanted to be a part of that, if I could.

I didn't make it far. I was picked up by the police for hitchhiking westward along whatever interstate runs from Omaha to Denver. I had yet to learn how to "avoid capture" at the point. Lol. I owe that technique, which I'll share with you in a later post, to an old friend in Kansas City. I was arrested just west of Omaha and sent back to prison.

I paroled out to my grandparent's in Kansas City and renewed my search for anarchists there. I killed time by checking out books on anarchism from the library. Eventually I found Kansas Mutual Aid's online page. I emailed them and they directed me to something called an infoshop in Kansas City. I emailed the Crossroads Infoshop in Kansas City (no longer there) and found what time they'd be open.

It's funny because I remember it like it was yesterday. It was dark inside the bookstore and the doors were locked, so I just waited, sitting on the ledge of the flower bed outside the building. I'd ridden the bus and waited a very long time to even find another anarchist already, so I was patient enough to wait a little while longer. I was reading a book titled "Anarchy" and was trying to focus enough to comprehend what it was saying. Then, all of a sudden, people began pouring out of the building carrying bicycles! What the hell?! I'd been waiting to get in and there were people there all along?! Lol. They were friendly, though. I'll never forget how entertaining one of them in particular thought it was that I'd be reading a book titled "Anarchy." Lol. Anyway, I explained to them why I was there and we walked around back to speak for a little while. These were the first American anarchists I'd met. These were my comrades.

They invited me to a potluck that night at their friends' house. It was great! I felt I'd finally found what I'd been looking for. The start of a new beginning. It felt great. Ha! I even remember one of the more attractive women at the gathering that night calling me into the bathroom where she was talking with one of the guys I'd met earlier, while soaking in the tub! That was kind of cruel. Lol. I wanted to look but didn't have the

guts to. Lol. Anyway, the guys at the “party” even found me a place to crash for the night, knowing that I’d missed the last bus and would otherwise be spending the night on the streets (I felt it was worth it, for sure).

That began an acquaintance of which I’ve always wished could’ve developed into deeper bonds, but I’ve come too to understand that I was struggling with a lot of “demons” at the time, which I didn’t always readily recognize. It makes sense that there was a need to create distance. In the end, though, I was only left feeling abandoned.

Still, my communicating with these like-minded individuals gave me the courage and conviction to do more than just pass out fliers, stand in protest, or simply “resist.” They introduced me to a concept called Direct Action. My activism only increased from there on. Gradually, the intensity of my actions increased and eventually landed me in this cell, where I write to you from today.

I’m an anarchist because I’ve seen so much unnecessary suffering and recognize its roots in a system of deception and exploitation. I’m an anarchist because I feel I’ve opened my eyes and instead of simply conforming, I find more value and meaning in resisting. Frivolous on the grander scale, maybe, but relevant to my inner peace and being right with myself. I’m an anarchist because I have a lot of love for people and hate to see anyone being oppressed because of who they are, where they come from, or whatever other reason people come up with to justify their actions. I believe in the underdog because I am the underdog, as so many of us are.

### **15 Dec - Reportback from Josh Williams’ Sentencing**

*Keep an eye out for ways to contribute to Josh’s commissary, his address for sending letters, and other ways support him during his time in prison.*

#### **MORE:**

The court room was certainly packed. It was full to capacity, with a number of people waiting outside the courtroom doors. Our phones were taken as we entered, a strict manifestation of the “no cellphones in court” rule, probably because there were so many of us (and maybe because so many of the people entering were Ferguson famous “live streamers”). When Josh entered the court room, he looked around at everybody and smiled. His legs and arms were shackled, so when a number of people waved to him, he nodded his head to them. Even when the judge had started the proceedings, Josh was still looking around and smiling and nodding at people. He had been locked up for three and a half months already, so I imagine this was his first time seeing folks in awhile.

The judge said he would allow some argument to happen before he decided on a sentence. The prosecutor started, using intense words about how this young man was essentially responsible for the burning down of Ferguson, how he doesn’t care about community, and that he’s heralded as a hero for such things (given the number of people in the court room). Several people audibly scoffed at his words, and I was waiting for the judge to tell people to quiet down. He never did, and the prosecutor finally shut up after about 10 minutes, but not before suggesting that the judge sentence Josh to 15 years.

When Josh’s lawyer was given his turn to speak, he went and stood with Josh. He talked about Josh’s age (he just turned 20) and how he was swept up in the passion and rage of the moment, a mistake that responsible adults probably wouldn’t make. This argument made some people in the crowd roll their eyes, seeming condescending towards Josh’s involvement, but it seemed to be the most strategic defense. He then brought up the Civil Rights Movement, maybe in an effort to demonstrate that this current movement will hold a similar place in history. He appealed to judge in this way as well, asking him if he wanted to be seen as being against the protesters and what they were fighting for or if he wanted to side with them.

Occasionally during his 15 minute argument, people in the courtroom snapped or clapped or hollered a bit. Again, the judge never did anything to stop this. The prosecution and the defense were each given a couple more minutes to talk, and then the judge left the court room to deliberate.

He was gone for about 45 minutes, and I took part in or overheard several conversations there in the court room about how that had all gone and what the judge might say. I mostly heard a lot of, “fuck that dude,” in regards to the prosecutor. At one point, people started singing the “Requiem for Mike Brown” chant that some people used to disrupt a symphony concert over a year ago (the symphony was performing Mozarts Requiem). Instead of singing “justice for Mike Brown,” they put Josh’s name in there.

When the judge re-entered the court room, he started off by telling people that he understood that this was an emotional case, but if they thought they couldn’t control their emotions upon hearing his decision, he asked that they please excuse themselves at that time. A couple people did get up and leave at that point. He ended up sentencing Josh to 8 years for arson, 5 years for burglary, and 6 months for something else. As soon as he said 8 years, people got upset. Some people banged their way out of the court room, others started crying. Because of the outbursts, I missed the part where the judge said the sentences would run concurrently. After this was made clear, some people were trying to encourage each other with this information, but it seemed too late at that point. Josh’s mother screamed and fell to the ground where she was immediately surrounded by supporters. This seemed like an effort to keep the bailiffs at bay because the officers in the court room seemed on high alert. As Josh was led out, he looked over his shoulder. People had their fists in the air, yelling to him that they were gonna be there for him, no matter how long he was in there. It was heartbreaking, and most of us in the court room were in tears.

Once Josh left, more officers entered the court room, almost certainly because people were still in there yelling at the bailiffs and the prosecutor. One woman in particular could be heard yelling about how stuff like this had been happening her whole life and that she wasn’t 3/5 of a person. She was saying a lot, and I didn’t catch it all because so many folks were still in there voicing their anger. (I also lost track of the prosecutor during all of this, but I’m sure he got out of there quickly.) I heard a lot of, “How many more black sons are you gonna take?” This was mostly directed at the officers who had come in after Josh had left, while his mother was still crying on the floor. One person looked at those officers and shouted, “You did this! This is because of you too!”

As we were slowly leaving the court room, the bailiff in charge of our phones smiled at me and thanked me when I gave her my number to get my phone back. It was bizarre, as if she couldn’t see or hear all the people in the hallway outside of the court room, yelling and screaming at her and the other officers. I wanted to scream back at her, repeating the phrase I had heard moments before: “You did this! This is because of you too!” I walked away from her to stand with the rest of Josh’s supporters in the hallway. Eventually, more officers came out and started loudly telling people to leave, that this was a court of law, take your emotions elsewhere... And we did. It was a slow trickling out and people took their time leaving the area. Even as I was driving away, I saw some of Josh’s supporters on the steps across the street from the court house with their head in their hands.

Heartbreaking is the only word I have for the whole experience, from seeing Josh’s smile when he first walked in, to driving the 20 minute drive home with tears in my eyes after seeing the justice system do its horrific work.

## **16 Dec - “About Capitalism” a poem by Eric King**

*New poetry by imprisoned anarchist Eric King.*

**MORE:**

These walls  
silent as the dark & lost  
haunting as a ghost  
these walls  
will fucking crush us all  
if we ever give up hope  
these walls  
steal inches by the hour  
pressing down & smashing joy  
these walls  
will gladly break us all  
if we ever give them the power  
these walls  
snap shots of decaying minds  
cold and without mercy  
block out the sun, in case it shines  
shocks out the dark in case it's night  
these walls  
will kill us all  
if we don't have the will to bear it

**18 Dec - Support for Cove Point Defenders**

*Carling Sothoron and Heather Doyle, two activists associated with SEED (Stopping Extraction and Exports Destruction) are facing criminal charges after filing complaints with the Calvert County Sheriff's Office regarding their unsafe extraction and assault from a crane sit in February.*

**MORE:**

Please help support their fight against these charges.

Earlier this year, Carling Sothoron and Heather Doyle, two activists associated with SEED (Stopping Extraction and Exports Destruction), took action to support people living in Cove Point, along the western shore of the Chesapeake Bay in southern Maryland, Piscataway territory. This small, rural community is being threatened by Dominion, a large energy company that is building a liquefied natural gas (LNG) export facility to send gas produced by hydraulic fracturing along the Marcellus Shale for consumption across the globe. Carling and Heather wanted to draw attention to the issues of dangerous LNG exports, potential hydraulic fracturing in Western Maryland, and the likely catastrophic and chronic health effects of this facility on the people of Cove Point. They climbed onto a crane during a chilly morning in February on one of the export terminal's construction sites and completed a successful crane sit and banner drop in protest of Dominion's plans and against the extractive fracked gas industry that is impacting rural communities across the mid-Atlantic. During the extraction and arrest, both Carling and Heather, who are expert climbers, experienced an unsafe extraction by the Calvert County Sheriff's Office and Heather was assaulted during her arrest.

Both activists pled guilty to misdemeanor trespass charges in April. Carling is serving a three-year probation and was ordered to pay a \$500 fine. Heather served a 40-day sentence in the Calvert County Detention Center. After their legal proceedings were concluded, Carling and Heather filed formal complaints with the Calvert County Sheriff's Office about their mistreatment by the Calvert County officers. The Sheriff's Office has responded to the complaints by charging both Carling and Heather with

misdemeanor false statement to an officer. The sentencing guidelines for this new charge recommends a maximum penalty of up to six months in jail and/or a \$500 fine. In the next few months, both Carling and Heather are preparing to go to trial to defend themselves against this attempt by the Calvert County Sheriff's Office to silence activists and retaliate against people who are resisting the construction of this Dominion LNG export facility.

These new charges are a part of a larger pattern of intimidation and excessive force against people protesting Dominion's plans for Cove Point. The Calvert County Sheriff's Office is being paid by Dominion to act as a private security force and to suppress opposition of the project within Calvert County. Some of their tactics include extremely long probationary periods for people who were otherwise willing to serve jail sentences and harassment including suspicious vehicle searches for people commuting to peaceful protests. The Calvert County Sheriffs in their official duties and separately as contracted security officers for the corporation, are doing Dominion's dirty work in suppressing people willing to put themselves on the line to defend the community of Cove Point.

Carling and Heather acknowledge that the police violence they experienced was a direct result of the intentional political protest they were involved in and understand that their experience with the criminal justice system does not reflect how Black, Brown, and poor folks are treated by the justice system in Calvert County and throughout the US. They recognize that their ability to challenge the charges against them is greatly influenced by their privileges and the resources and support they have and will continue to receive.

SEED believes it is extremely important to stand up to these ugly tactics designed to distract us, exhaust our resources and our resolve, and that is why we are asking for your support. By fighting these charges we are committing to supporting the impacted community of Cove Point and to challenging the way the Calvert County Sheriff's Office has responded to activists. We won't back down. This work takes money, which is why we need your help. SEED fundraises for anticipated legal fees associated with our actions but these charges require additional resources.

We are immensely grateful for any amount you can give! Please share our story and amplify our message. If you can support this effort in a non-monetary way (such as hosting a fundraising event), please be in touch. Alternatively, if you are interested, in exchange for donations, SEED also would be happy to offer workshops about direct action or the fight at Cove Point. Have an idea for how we can work together? Contact us!

Thank you, thank you, thank you!

To learn more about our work, please visit SEED's website at [seedcoalition.wordpress.com](http://seedcoalition.wordpress.com)

### **31 Dec - NYC/NYE – Noise Demo Against the Prison Industrial Complex, In Solidarity with PPs and POWs**

**WHAT:** Noise Demo Against the PIC, for the Liberation of PPs + POWs

**WHEN:** 9:00pm, Thursday, December 31<sup>st</sup>

**WHERE:** Metropolitan Correction Center (MCC, the federal prison in downtown Manhattan); Pearl Street, between Cardinal Hayes Place and Park Row (J to Chambers Street or 4/5/6/ to City Hall)

**BRING:** Noisemakers, air horns, drums, anything that is loud!

**MORE:**

On the noisiest night of the year in New York City, come help us remind folks locked up that they are not alone. NYC Anarchist Black Cross, in response to an international call for noise demonstrations outside of prisons, is asking folks to join us outside of the Metropolitan Correctional Center (MCC) in lower Manhattan. Come, not to appeal to authority, speak truth to power, or any other contrivance, but rather to stand arm in arm with comrades and show direct solidarity to those on the other side of the wall.

The state, writ large, is targeting anarchists all across the United States and abroad. This will be both protest and celebration. To keep the cold at bay, comrades will again be on hand with hot cocoa to keep the vocal cords nice and warm.

### **8 Jan - Birthday Celebration for Oscar López Rivera**

**WHAT:** Happy 73<sup>rd</sup> Birthday, Oscar López Rivera!

**WHEN:** 7:00-10:00pm, Friday, January 8<sup>th</sup>

**WHERE:** Dr. Martin Luther King Jr. Labor Center - 310 West 43<sup>rd</sup> Street, 7<sup>th</sup> Floor New York, New York

**COST:** \$5-\$10 (No one will be turned away due to lack of funds)

#### **MORE:**

For the past 34 years, Oscar has spent his birthday (January 6th) in prison without his family or friends! Why is he in jail? For being a revolutionary who fought for the independence of Puerto Rico from U.S. colonialism.

Join us we celebrate life, work, and legacy of this extraordinary man!  
100% of the proceeds will go to Oscar's commissary fund!

Poetry by:

Rafael Landron and Jesus Papoleto Melendez

Special Invited Guests:

Representatives of the Cuban Mission to the United Nations and the Venezuelan Consulate.

Artisans:

Botanicafe and Jesus Mangual/Taino Cemí

Food, Music, Poetry, Birthday cards for Oscar and Fun

Sponsors:

The ProLibertad Freedom Campaign; Las 34 Mujeres NYC por Oscar; Call to Action on Puerto Rico; Frente Socialista NYC; PIP-NYC; NYC Jericho; Malcolm X Commemorative Committee; SODC; NYC Free Peltier; NYC Anarchist Black Cross; Daniel McGowan, Former Political Prisoner; The Campaign to Bring Mumia home; Freedom Socialist Party; Radical Women; International Action Center; Resistance in Brooklyn.