



POST OFFICE BOX 110034 BROOKLYN, NEW YORK 11211

Updates for February 16th

30 Jan - January News from Maroon's Global Network

Celebrating Two Years Since Maroon's Release to General Prison Population and a report-back from the Malcolm X Commemoration Committee's 20th Anniversary Political Prisoner Family Dinner.

MORE:

Hope the start of 2016 is treating all of you well. The Shoatz Family and Friends welcome you back to our monthly newsletter and extend our gratitude for your ongoing support of U.S.-held political prisoner Russell Maroon Shoatz. As we've said many times before, it's because of YOUR care, concern, and commitment that the struggle to free Maroon, and all political prisoners, advances.

February 20th, 2016, will mark two years since Maroon was released into the general prison population at SCI Graterford, after over 22 consecutive years in solitary confinement. This was a long-sought and hard-won victory, brought about by innumerable forces, and especially Maroon's legal team and the Abolitionist Law Center. As his legal team said at the time, "There are no words to adequately convey the significance of his release to the general population for him and his family. This is a significant victory for a growing people's movement against solitary confinement and the human rights violations inherent in mass incarceration. If we continue to work hard and support one another in this movement, these victories could very well become a habit." If you're new to our newsletter, or just want to refresh your memory on Maroon's case history and the factors at play in his return to general population, please take a moment to read our media release from the week of Maroon's transfer in 2014, available here.

While we of course continue to work for Maroon's full and unconditional release from prison, we are inviting supporters to celebrate this anniversary by writing to Maroon directly and letting him know what you've found most inspiring and informative in any of his own written work. He's especially interested in dialoguing with supporters around current social justice issues, and responding to any questions you may have with regard to the essays he penned in Maroon The Implacable or the ones that we periodically post on this site. He'd also love to hear what topics you think he should address in future writings. You can contact him at the below address, or tweet thoughts/questions to @RussellMShoatz using the hashtag #AskMaroon. He'll write back to your letters directly, while we'll collect, forward, and respond to your tweets with his replies. Don't be shy!

Russell Shoatz #AF-3855
SCI Graterford
Post Office Box 246, Route 29
Graterford, Pennsylvania 19426 – 0246

Malcolm X Commemoration Committee 20th Anniversary Political Prisoners Family Dinner

A couple weeks ago, Sharon Shoatz, Maroon's daughter, attended the 20th Annual Political Prisoners Family Dinner, a gathering that brings together family members of current and former U.S.-held political prisoners in order to maintain connection and garner support for those still locked up or recently released.

As Sharon writes in her reportback from the event:

"When asked to write this piece, I was transported back some two decades ago, when the Dinner was held in Harlem at the Adam Clayton Powell State Building. I began looking at pictures prominently displaying the many years of Political Prisoners Dinners shared with my brother Russell, sister Theresa, Sunni (Sundiata Acoli's daughter), and even Yuri Kochiyama, who during the era of the infamous Judge Sabo, was willing to give up her courtroom seat to my brother and I, so we could enter the room jam-packed by the F.O.P. (Fraternal Order of Police) during Mumia's trial. I of course have so many memories and pictures of comrades and cubs, far too many to name. ...

I began to think about the overwhelming support and outreach garnered for and from the Political Prisoners Dinner, and how this annual event has been and will always be one of the many great legacies of Iyualaa and Herman Ferguson. ...

Guest speakers included Sekou Odinga and Lynne Stewart. Sekou was released in November of 2014, and received a resounding standing ovation for his ongoing struggle, and his 14 months of freedom. He spoke about how the money garnered from the Political Prisoners Dinners sustained him during his incarceration. He went on to speak about how everyone could do something—anything—from monetary support, to transportation for family members, to visiting loved ones.”

To read Sharon’s piece in its entirety, including a list of ten things YOU can do for the freedom of political prisoners, drafted by Joan Gibbs, General Counsel for the Center for Law and Social Justice, please go to <https://russellmaroonshoats.wordpress.com/2016/01/30/report-back-from-the-malcolm-x-commemoration-committees-20th-anniversary-political-prisoner-family-dinner>

2 Feb - Jeremy Hammond Article From Maximum Rockroll Issue 382

We recently received a couple of articles written by Jeremy Hammond for mainstay punk magazine Maximum Rockroll. They are from older issues, so we're reprinting one in each of the upcoming packets of these updates and announcements.

MORE:

2,500,000 and counting: A column by Prisoners - Maximum Rockroll issue #382 (March 2015)

I never thought I'd be happy ending up in Kentucky, but after a year and a half locked down at the Metropolitan Correctional Center in NYC, I'd take anywhere with fresh air and sunlight. That's FCI Manchester, medium security federal prison where I'm doing the rest of my ten-year bid.

Pretrial jails are designed specifically with harsh conditions as a tactic designed to stress you out into pleading guilty or cooperating. The philosophy is different at prison: with thousands of convicts doing long stretches, a balance is struck between spending as little as possible, making our lives miserable, and the need to keep us sedated and compliant. Whatever programming or amenities provided is never done so out of rehabilitation but to placate and pacify us so we do not sit around with nothing to do but contemplate our conditions, stew in bitterness, and plot against our captors. Many of the gains prisoners have made have been because of riots and hunger strikes and the relentless efforts of jailhouse lawyers filing administrative grievances and lawsuits.

Being locked up renews your appreciation for shit you take for granted on the street—demos and mixtapes, printed zines, screaming at the police at protests, badass vegan food—and you realize how important those benefit shows to raise awareness and funds for folks behind bars really are.

Arriving in federal prison in Manchester Kentucky, I found the standard issue medium security amenities: a yard, track, sports, basic arts and crafts, GED classes, carpentry, weight pile, and lots of TVs that play movies all day. But most importantly, what I been craving since I've been arrested: the band program.

I taught myself how to play the guitar my first fed bid. After enduring the daily harassment of work assignments, stand-up counts, controlled moves, khaki uniforms and other petty ass rules, I would get a few hours a day with the guitar, learning from old Guitar magazines and the tabs to bands like Against Me! and Leftöver Crack sent in by my twin brother Jason (himself now serving a prison sentence). When I was released, we started a ska punk band called Dirty Surgeon Insurgency with some friends, which recorded a few albums, played shows, and was involved in the Chicago DIY scene all the way up to my most recent arrest in 2012.

"Prisons should be places of detention and punishment...prison perks are bad public policy and a waste of taxpayer dollars," New Jersey Republican Dick Zimmer told Congress in a "tough on crime" speech

arguing for the Zimmer Amendment, which has been passed as part of each and every federal Omnibus appropriations bill since the mid-'90s. It is the bane of federal prisoners: it says that federal money cannot be used towards upper body workout equipment (weights, pull-up bars), manuals, videos or classes on martial arts, in-cell TVs, hot plates, or coffee pots, rated R movies, and electronic instruments. The amendment was promoted as a way to prevent tax-payers from "wasting" their money on prisoners, but in the same year they opened up the new hundred-million-dollar federal supermax prison in Florence, Colorado—tax-payer money going to private prison contractors to build a 24x7x365 solitary confinement control unit, a practice considered torture by the United Nations.

The Bureau of Prisons went a step further and interpreted this to say that we cannot even spend our own money on these items as personal property. Existing equipment would be "phased out rather than eliminated," because "gradual change would minimize inmate reaction to the amendment"—knowing that prisoners would tear shit up if the weights were taken away. This was around the time many federal prisons went up in riots and lockdowns after Congress wouldn't approve the recommendations of the U.S. Sentencing Commission, who was finally admitting that the 100-to-1 crack/cocaine sentencing disparities were flawed—an ongoing racist atrocity resulting in non-violent offenders doing decades of prison for drugs that the CIA was bringing into the country during the Reagan administration when these draconian sentencing structures were passed.

There have been lawsuits against the Bureau of Prisons challenging the Zimmer Amendment. A federal prisoner, Brett C. Kimberlin (who once apparently sold weed to Dan Quayle and other Washington elites), sued on First Amendment grounds arguing that, amongst other issues, without electric guitars he could not write songs with "vibrato," "long-sustained notes," and other effects. The DC Court of Appeals shot him down, ruling that the "punitive and deterring" purpose of Zimmer was a valid penalogical interest that outweighed any free speech argument.

So no electronic keyboards, drum machines, synthesizers, and electric guitars. Many federal prisons allow you to check out nylon string acoustic guitars (steel strings are frequently stolen for tattoo needles). The prisons that do have band rooms with a decent setup use a combination of old-as-hell equipment that hasn't been phased out yet, or a loophole putting passive pickups on acoustic guitars.

The band scene here in FCI Manchester is as lame as you would imagine a small town in the hills of Kentucky. There are tight rules and schedules governing the use of the "electric" equipment band room, so you have to work your way in through the hierarchy and bureaucracy to get some time in. A few dozen people play out of ~1200 people here: like all prisons, the majority of the population are people of color, yet, the band program here is dominated by white boys. It's all shitty classic rock cover bands with sprinkles of '90s alternative and nu metal. No punk. No originals. It's like high school battle of the bands with grown ass men from Kentucky and Tennessee. Take my life, please!

The first band I played with, the coolest shit we did was covers of Rage Against the Machine. But I been showing 'em some punk. We've been writing some originals. Passing around copies of MRR (and other radical literature as part of ongoing effort to unite and radicalize fellow prisoners). Of course no one's heard of any of the bands mentioned in the magazine, nor will we ever be able to listen to them or record our own stuff (there's been no record or tape players for years), but it's all good, the whole point is to do it yourself.

In finishing up this article, some shit just went down here that resulted in a few people being locked up in the hole and a massive shakedown of the entire recreation area, resulting in the band room being torn up and shut down for weeks. Even though the incident had nothing to do with the band program, the officers are using it as an opportunity to literally throw away most of our stuff, while spending thousands on newer, less sophisticated equipment—quoting that bastard Zimmer amendment.

But are there signs that the Bureau of Prisons is entering the 21st century?: next column I'll review the BOP's MP3 player program and music store. (Hint: mad profits are being made by crooked alliance of private prison contractors and record corporations).

3 Feb - Nebraska 2 Updates

Death penalty advocate Nebraska Governor Pete Ricketts might find himself reviewing the innocence claims of the Omaha Two if they apply for commutation for wrongful conviction.

MORE:

by Michael Richardson (*The Examiner*)

Governor Pete Ricketts unknowingly is headed toward a political test where he could both be tested over his support for capital punishment and his ability to be fair. Two prisoners, Edward Poindexter and Mondo we Langa, formerly David Rice, are serving life sentences for the murder of a policeman, and were the subject of a recent query by justice advocate Sandy Shevack. Spokeswoman Sonya Fauver wrote to Shevack in an email message, "Mr. Rice and Mr. Poindexter have not submitted an application to the Nebraska Board of Pardons requesting a commutation of their sentences."

Mondo we Langa and Edward Poindexter were targets of J. Edgar Hoover's clandestine COINTELPRO counterintelligence operation at the Federal Bureau of Investigation. The two men, Black Panther leaders, were marked for prosecution by the Omaha FBI office. With Hoover's approval, the FBI Laboratory withheld a report on the identity of the anonymous 911 caller that lured Patrolman Larry Minard, Sr. to his August 17, 1970 bombing death. The two leaders were blamed for the murder and convicted in a controversial April 1971 trial.

The Omaha Two, as the pair of prisoners are now called, had faced Nebraska's electric chair. Douglas County Attorney Donald "Pinky" Knowles sought the death penalty, however the men were spared electrocution by the jury that convicted them. If either man makes a commutation request based on wrongful conviction and is granted a hearing, Ricketts will be called upon to personally examine the merits and facts of their innocence claims.

Nebraska abolished capital punishment last year after a hard-fought battle by Ricketts to keep the death penalty. Ricketts vetoed the abolition of the penalty but was reversed by a 30-19 legislative override in the Unicameral.

Ed Poindexter disputes the Governor's office statement that he has not submitted an application. "I requested a commutation of my sentence in 1987 and 1993 to no avail. It's on record." Indeed, Poindexter even litigated his Pardons Board denials before the Nebraska Supreme Court in 2008, which upheld the denial of parole or a commutation of sentence.

The Nebraska Supreme Court added insult to injury, "We further conclude that Poindexter did not have a liberty interest in having his sentence commuted."

Mondo we Langa has never had a Pardons Board hearing, although the Parole Board has recommended commutation to the Pardons Board. In 1993, Nebraska Parole Board Chair Ethel Landrum informed the Pardons Board during a regular monthly meeting that Mondo we Langa was recommended for a sentence commutation which would make Mondo eligible for release on parole. The Pardons Board, then made up of Governor Ben Nelson, Attorney General Don Stenberg, and Secretary of State Allen Beermann, took no action. Landrum told the Pardons Board that the Parole Board had voted 5-0 to recommend a commutation of sentence for Mondo.

Mondo also took the Pardons Board to court in a constitutional claim over the composition of the board. The Attorney General is both a member of the board and represents the state against Mondo at the same time. The Nebraska Supreme Court turned down Mondo's appeal without even issuing a written decision, completely ignoring the Pardons Board issue altogether.

Ricketts has not announced if he was unaware of the earlier applications and appeals or if he was offering a fresh look at their cases. Both Ed Poindexter and Mondo we Langa continue to proclaim their innocence and say they were victims of perjured testimony, planted evidence, and withheld evidence.

Ed Poindexter and Mondo we Langa are serving life without parole, even though that was not their sentence. Given the history of both men with the Nebraska Pardons Board and Governor Ricketts' defense of the death penalty, there is some reason to wonder what will change with a new application. However, if either prisoner cites wrongful conviction in an application to the Pardons Board, Ricketts will be duty-bound to examine the case for federal tampering, with the knowledge the two men might have been executed.

February 4th - Federal probe of Omaha Two case called for over missing woman

by Michael Richardson (*The Examiner*)

An Arkansas man, Ed Clark, launched an online petition Feb. 1 to encourage President Barack Obama to investigate the facts surrounding the disappearance of his sister, Marialice Clark, from Omaha in August 1972. Marialice was a named informant in a federal search warrant affidavit filed by Alcohol, Tobacco and Firearms Division agent Thomas Sledge.

Sledge and his boss, Dwight Thomas, conducted a far-flung four-state conspiracy investigation over bombings in the summer of 1970. The Omaha ATF office tried to convince U.S. Attorney Richard Dier to prosecute twenty-two people, all black, for an alleged bomb conspiracy. Dier refused to prosecute and ordered the "Midwest 22" investigation terminated. Sledge suspected Black Panthers in Omaha were responsible for bombings in Minnesota, Iowa, Nebraska, and Missouri. To obtain a search warrant, Sledge filed an affidavit which named Marialice Clark as his informant.

Ed Clark related the sad story of his sister in a public statement: "In July of 1970, when I was 15-years old, my 12-year old sister Marialice Clark was named as the informant on an affidavit for a search warrant to raid the Omaha headquarters of a group called the National Committee to Combat Fascism, an off-shoot of the Black Panther Party. The chapter headquarters was near our house. We could see their back porch from our front porch. Our older sister Linda dated the head of the NCCF, Ed Poindexter. The young men who were members of the NCCF were a part of the neighborhood. We had no fear of them....Tom Sledge claimed my baby sister saw 10 boxes of machine guns with six guns in each box inside the NCCF. He said she described the guns so accurately he knew they were AK-47s. He also claimed Marialice saw 15 bundles of dynamite with 12 sticks to the bundle inside the house. He said that five men-- some of whom I knew-- made a bomb out of dynamite in front of my sister. I do not believe that is true. Sledge never told our mother that he put my sister's name on his affidavit-- and he spelled her first name wrong as "Mary Ellis," making me wonder if he even met her."

"However, the Omaha FBI had an informant in the chapter and they knew the information in the affidavit was false. An FBI agent contacted the Criminal Division of the Department of Justice around July 21, 1970 and asked that it intervene to stop the raid. The DOJ told a U.S. Attorney in Omaha it did not want a repeat of the raid in Chicago that killed Black Panthers Mark Clark and Fred Hampton in December 1969....Marialice never told anyone that she had met an ATF agent, and she never told anyone that she saw machine guns, dynamite or men making bombs."

Clark said, "Two years later, in August of 1972, Marialice disappeared. She was never seen again. My mother petitioned the court to declare her dead in 1980, never knowing Marialice had been named as Tom Sledge's informant....Marialice wasn't a militant. She was a school girl. How would you feel if this happened to your sister?"

Clark wants President Obama to direct the Attorney General and the Inspector General of the Department of Justice to investigate Tom Sledge and the Omaha ATF records from 1970 to determine if Marialice was a victim of the nationwide effort to eliminate the Black Panther Party. It is a crime to lie on an affidavit.

Although Sledge did not get his twenty-two suspects arrested, Sledge did work on convicting two of the men, Edward Poindexter and Mondo we Langa, formerly David Rice. The two NCCF leaders were blamed for the August 17, 1970 bomb murder of Omaha Patrolman Larry Minard, Sr. and convicted following a controversial trial. The men were also targets of a clandestine counterintelligence operation of the Federal Bureau of Investigation codenamed COINTELPRO. At the April 1971 murder trial, ATF agents testified and supplied evidence while the rival FBI withheld laboratory evidence as the two federal agencies competed to convict the Omaha Two, as the men are now known.

Both Ed Poindexter and Mondo we Langa deny any involvement in the policeman's murder or any other bombing. Poindexter knew Marialice, but hasn't seen her since 1970. "She was like a daughter to me. Her older sister was my girlfriend at the time, Linda Clark. The kid used to hang out around the premises, but I tried to keep her out of the actual interior of the place. She lived about three houses away from headquarters."

Clark says Sledge should have been investigated and fired in 1970 over his affidavit. "Everything Sledge did to investigate an August 1970 bombing that was blamed on the NCCF should be also be questioned and investigated. He may have fabricated evidence to convict two innocent men for a crime they did not commit."

February 13th - The Forgotten Panthers

The article at <http://www.buzzfeed.com/e6carter/the-omaha-two> is outstanding, but also 11,000 words long. We do not have the space to print such a long article, but encourage folks with internet access to read the article and print and send it to imprisoned comrades who might otherwise not be able to read it.

3 Feb - Report From Jay Chase Court Date

The presiding Judge had a sick day on February 3, so Jared "Jay" Chase now has a pre-trial hearing on February 18th.

MORE:

He is being targeted by the same prosecutor (Anita Alvarez) he faced during the Nato 3 trial for alleged assault charges pinned on him by guards while he awaited trial for two years back in 2012-2014.

These same guards were allowed to testify against him during the Nato 3 sentencing in a somewhat successful attempt to bring a harsher sentence and now they will likely testify against him in this case.

As some of you may know Jay was diagnosed with Huntington's disease while in captivity in Cook County Jail and the ongoing brutalization and isolation he has faced has contributed to a noticeable and alarming deterioration in his health. In fact, at his last court date, Jay came to court with noticeable bruises and a black eye. When the Judge asked him what happened, he said he 'had a bad week'.

This trial is not just about a few extra years being tacked on to his current sentence which is coming to an end in May. The State has made it very clear through this obviously vindictive prosecution that they want to ensure Jay lives out his days in their cage.

Please be there and show the State that we stand with Jay and let Jay know that we have not forgotten him or his struggle. He needs our love and support as he stands in defiance of this ongoing persecution.

3 Feb - Barrett Brown was in solitary when he won a National Magazine Award

We can report that Barrett Brown was placed in FCI Three Rivers' Segregated Housing Unit (SHU) last Wednesday, 27 January, and released Tuesday 2 February — meaning he was in the hole on Monday 1 Feb. when it was announced that Barrett won the National Magazine Award for his prison column in The Intercept.

MORE:

Barrett was moved to the SHU just two hours after he had done a telephone interview with radio producer Kenny Webster. Prison officials informed him that he was being “segregated” for “information-gathering purposes.” For the first three days in the SHU, Barrett was deprived of his daily antidepressant medication. Barrett has previously been in the SHU several times, including one stay more than a month long.

Solitary confinement, widely used in American prisons and long-derided as a form of psychological torture, is under increasing, overdue scrutiny. Last month, President Obama banned the use of solitary confinement for juveniles in federal prisons, affecting some 10,000 inmates. Obama noted,

Research suggests that solitary confinement has the potential to lead to devastating, lasting psychological consequences. It has been linked to depression, alienation, withdrawal, a reduced ability to interact with others and the potential for violent behavior. Some studies indicate that it can worsen existing mental illnesses and even trigger new ones.

Several Courage beneficiaries and other truth-tellers we support have been placed in solitary confinement, for varying reasons that are often connected to their political motivations. Jeremy Hammond has been specifically targeted and punished due to his support outside the prison walls. Many speculated that Chelsea Manning was being tortured in an effort to get her to flip on WikiLeaks and Julian Assange.

Despite the well-documented deleterious effects of solitary, the practice is even used on those with psychological needs — there is little practical distinction between ‘protective custody’ and disciplinary segregation — effectively torturing inmates because the prison cannot adequately provide mental health care. This puts someone like Lauri Love, who faces extradition to the US and who suffers from Asperger’s and depression, at a higher risk than most.

Obama’s action on solitary is a good small step in the right direction toward ending this abusive practice.

Meanwhile, we can also report that Barrett was quite excited to hear of his award.

3 Feb - Book Priorities from Connor (Cleveland 4)

Here is an abridged list of Islamic texts that Connor Stevens is looking for.

MORE:

They can all be found via Dar-us-Salam.com and they are at the top of my list in terms of importance and choice. Please pass the word on if you can.

1. Noble Qur'an (preferably with English transliteration)
2. Al-'Aqidah Al-Wasitiyyah, by Muhammad bin Salih Al-'Uthaimin (2 vols.)
3. Kitab At-Tauhid, M. Abdul Wahhab
3. Commentary on the Three Fundamentals of Islam, M. Abdul Wahhab
4. Summarized Sahih Al-Bukhari, trans. Muhammad Muhsin Khan
5. al-Waajibat: The Obligatory Matters, Umm Mujaahid Khadijah bint Lacina Al-Amreekeeyah
6. History of Islam, Akbar Shah Najeebabadi (3 vols.)

Dar-us-Salam offers a package deal of 7 books (including several on my list, and all 7 of which would be good for me), at a reduced price, but that would be something we would have to work out in greater detail. Please let me know.

Much love and a deep gratitude for all that folks do for me, Please pass this list on. I haven't been receiving very many books lately but I hope that that changes, as I put a lot of value on this current area of study (Islam) in which I am engaged.

6 Feb - 40th Anniversary Statement by Leonard Peltier

Below is the statement made by Leonard Peltier on the 40th anniversary of his arrest.

MORE:

Greetings friends, supporters and all Native Peoples.

What can I say that I have not said before? I guess I can start by saying see you later to all of those who have passed in the last year. We Natives don't like to mention their names. We believe that if we speak their names it disrupts their journey. They may lose their way and their spirits wander forever. If too many call out to them, they will try to come back. But their spirits know we are thinking about them, so all I will say is safe journey and I hope to see you soon.

On February 6th, I will have been imprisoned for 40 years! I'm 71 years old and still in a maximum security penitentiary. At my age, I'm not sure I have much time left.

I have earned about 4-5 years good time that no one seems to want to recognize. It doesn't count, I guess? And when I was indicted the average time served on a life sentence before being given parole was 7 years. So that means I've served nearly 6 life sentences and I should have been released on parole a very long time ago. Then there's mandatory release after serving 30 years. I'm 10 years past that. The government isn't supposed to change the laws to keep you in prison — EXCEPT if you're Leonard Peltier, it seems.

Now, I'm told I'll be kept at USP Coleman I until 2017 when they'll decide if I can go to a medium security facility — or NOT. But, check this out, I have been classified as a medium security prisoner now for at least 15 years, and BOP regulations say elders shall be kept in a less dangerous facility/environment. But NOT if you're Leonard Peltier, I guess.

As you'll remember, the history of my bid for clemency is long. My first app was with Jimmy Carter. He denied it. Ronald Reagan promised President Mikhail Gorbachev that he would release me if the Soviet Union released a prisoner, but Reagan reneged. George H.W. Bush did nothing. The next app was with Bill Clinton. He left office without taking action even though the Pardon Attorney did an 11-month investigation (it usually takes 9 months) and we were told she had recommended clemency. George W. Bush denied that petition in 2009. And in all of the applications for clemency, the FBI has interfered with an executive order. That's illegal as hell!

Today, I'm facing another dilemma — an abdominal aortic aneurysm (AAA). It's the size of an AAA battery. The doctor told me if it bursts, I can bleed to death. It's also close to my spine and I could end up paralyzed. The good news is that it's treatable and the operation has a 96-98 percent success rate. BUT I'm in a max security prison. We don't get sent for treatment until it is terminal.

As President Obama completes the final year of his term, I hope that he will continue to fight to fulfill his promises, and further the progress his Administration has made towards working in partnership with First Peoples. It gives me hope that this President has worked hard to affirm the trust relationship with the Tribal Nations. With YOUR encouragement, I believe Obama will have the courage and conviction to commute my sentence and send me home to my family.

Looking back on the 40 years of efforts on my behalf, I am overwhelmed and humbled. I would like to say thank you to all the supporters who have believed in me over the years. Some of you have been supporters since the beginning. You made sure I had books to read and commissary funds to buy what I may need to be as comfortable as one can be in this place. You made donations to the defense committee so we could continue fighting for my freedom, too. You all worked hard — are still working hard — to spread the word about what is now being called the most outrageous conviction in U.S. history. There are good-hearted people in this world, and you're among them. I'm sorry I cannot keep up with answering all of your letters. But thanks for the love you have shown me. Without it, I could never have made it this long. I'm sure of it.

I believe that my incarceration, the constitutional violations in my case, and the government misconduct in prosecuting my case are issues far more important than just my life or freedom. I feel that each of you who have fought for my freedom have been a part of the greater struggle of Native Peoples — for Treaty rights, sovereignty, and our very survival. If I should be called home, please don't give up on our struggle.

In the Spirit of Crazy Horse...

8 Feb - Jalil Muntaqim now has legal representation for his 2016 parole hearing

Once again, we are preparing for Jalil's upcoming parole hearing in June.

MORE:

Since the PBA, the FOP, and the Correctional Officers union are able to collect thousands of signatures against parole, we must work to gain as many signatures and letters of support for Jalil as possible. In addition to the online petition <<http://bit.ly/1QDQBFu>>, there is a hard copy that can be downloaded at http://www.freejalil.com/images2/2016_Jalil_Parole_Petition.pdf. Since many members of our community do not have regular access to the internet, it is important to use the hard copy and return it to us.

10 Feb - Mutulu Shakur Parole Update

We have very little information, but can relay that Dr. Mutulu Shakur was, according to the BOP website, due to be released on February 10. Instead, he has been given a date in early April for a parole hearing. We will provide more information as we have it.

13 Feb - Call for Letters of Support for Maliki Latine's Release on Parole!

If you are not familiar with Maliki Shakur Latine, now is a great time to learn his story. Now is a great time to get involved and claim a victory when he comes home. Letters should be mailed on or before February 29, 2016.

MORE:

Like so many people in correctional facilities in New York State and beyond, Maliki Latine has been going before the parole board year after year, with very little assistance or preparation, and little success. This time, with your help, we were able to fundraise and hire an excellent attorney to file an Article 78 over his 2014 parole denial, which will be decided on March 11th, 2016.

Now we are calling on you again, for letters of support for Maliki Latine's upcoming parole hearing in April 2016. Volunteers from the amazing and much needed Parole Preparation Project of the National Lawyers Guild, NYC are facilitating his parole package and eagerly awaiting your letters. Letters should be mailed to the NLG PPP, at the address provided in the document below, on or before February 29, 2016.

Download a Maliki Latine Parole Letter Guide as a word document at
<https://justiceformaliki.files.wordpress.com/2016/02/maliki-latine-parole-letter-guide.docx>

Or contact us to have the document emailed or snail-mailed to you.

Please take a little time to write a thoughtful letter. Refer to justiceformaliki.org/about to review his history.

After you write and mail your letter, please help spread the word about this call to action for Maliki Shakur Latine. Use hashtag #JusticeforMaliki on social media.

Thank you so much for supporting this effort to return Maliki Shakur Latine to his family, friends and community! He appreciates each and every one of you and is very optimistic about this opportunity. Thank you for being part of this journey.

Check out the RAPP campaign to Release Aging People in Prison for more information about aging, confinement, and parole in New York State and beyond.

Scroll through the left-hand-side panel of the NYC Jericho Movement website to learn about other people of movement backgrounds who are asking for help with parole letters.

14 Feb - The Criminalization of the Black Panther Party and Rewriting of History

Please take time to read this incredible article by attorney Bob Boyle.

MORE:

Introduction

The New York City Patrolmen's Benevolent Association (PBA), among others, have called for an anti-Beyoncé rally in response to her Super Bowl performance. During it, she and her back-up dancers performed a song and moves that have been labelled as glorifying the Black Panther Party. In its literature the PBA has posted pictures of Black Panther Party/Black Liberation Army political prisoners including Herman Bell, who happens to be my client and who is appearing before the Parole Board in March 2016. Convicted of murdering two police officers in 1971, he has now been in jail for 43 years.

No one in the mainstream media has challenged the PBA's characterization of the BPP. Nor has there been outrage over its call for a boycott of a mainstream artist for daring to favorably portray the BPP and its place in the Black Liberation Movement (if in fact, that's what Beyoncé was trying to do). This is so because the true story of the destruction of the BPP and the government's role in it has been suppressed. The BPP and the political prisoners from that organization have been successfully "criminalized".

This article is an attempt to correct the record and tell part of that history. It is not an exhaustive history of the BPP itself, something that can and should only be told by BPP members. The law enforcement documents quoted and referenced were obtained from the Federal Bureau of Investigation (FBI) and NYPD over a twenty-year period in a federal civil rights lawsuit brought on behalf of Dhoruba Bin Wahad. *Bin Wahad v. FBI, et al*, 75 Civ. 6203 (USDC/SDNY) Bin-Wahad is a former BPP political prisoner who was able to win his freedom in 1990 after proving – through the government's own files – that he was the victim of a carefully orchestrated law enforcement frame-up. The author was one of the attorneys in that case, along with Bob Bloom and the late Elizabeth Fink.

But this is not just a history lesson. Many other political prisoners from that period, including my client Herman Bell and his codefendant Jalil Muntaqim, remain in jail today. Many, especially the youth, do not know the history of the BPP, the government's role in its destruction or even the existence of political prisoners.

The Black Panther Party And Cointelpro

In 1966, the Black Panther Party for Self Defense was founded in Oakland, California. Its goals, enumerated in its ten-point program, were to achieve equality and self-determination for Black people. Among other things, the Party called for community control of institutions within the Black community, such as schools and the police, an end to police brutality and murder and an end to the military draft for Black people. The BPP set up programs whereby its members fed breakfasts to school age children, opened free health clinics and demanded quality education. The Panthers also advocated the right to self-defense, including armed self-defense when under attack, even when that attack came from the police.

Within a year, there were approximately 21 chapters of the Black Panther Party with at least 500 members nationwide. In New York City, Black Panther Party offices opened at 2026 Seventh Avenue, New York, New York and 108A Fulton Street, Brooklyn, New York. There was also a Bronx and a Queens chapter.

The BPP's militant advocacy for human rights and political empowerment alarmed the government, especially law enforcement. In 1967 then FBI Director J. Edgar Hoover had initiated a plan to "expose,

disrupt, and otherwise neutralize" the activities of Black organizations, their members, and leaders and targeted the BPP as his primary scapegoat. The initiating document of this program known by the acronym COINTELPRO described the goals of the FBI:

" For maximum effectiveness of the Counterintelligence Program, and to prevent wasted effort, long-range goals are being set.

- 1) Prevent the coalition of militant black nationalist groups. In unity there is strength; a truism that is no less valid for all its triteness. An effective coalition of black nationalist groups might be the first step toward a real "Mau Mau" in America, the beginning of a true black revolution.
- 2) Prevent the rise of a "messiah" who could unify, and electrify, the militant black nationalist movement. Malcolm X might have been such a "messiah;" he is the martyr of the movement today. Martin Luther King, Stokely Carmichael and Elijah Muhammed all aspire to this position. Elijah Muhammed is less of a threat because of his age. King could be a very real contender for this position should he abandon his supposed "obedience" to "white, liberal doctrines" (nonviolence) and embrace black nationalism. Carmichael has the necessary charisma to be a real threat in this way.
- 3) Prevent violence on the part of black nationalist groups...Through counterintelligence it should be possible to pinpoint potential troublemakers and neutralize them before they exercise their potential for violence.
- 4) Prevent militant black nationalist groups and leaders from gaining respectability, by discrediting them to three separate segments of the community. The goal of discrediting black nationalists must be handled tactically in three ways. You must discredit these groups and individuals to, first, the responsible Negro community. Second, they must be discredited to the white community, both the responsible community and to "liberals" who have vestiges of sympathy for militant black nationalist simply because they are Negroes. Third, those groups must be discredited in the eyes of Negro radicals, the followers of the movement. This last area requires entirely different tactics from the first two. Publicity about violent tendencies and radical statements merely enhances black nationalists to the last group; it adds "respectability" in a different way.
- 5) A final goal should be to prevent the long-range growth of militant black nationalist organizations, especially among youth. Specific tactics to prevent these groups from converting young people must be developed" (A 1-6).

Similar plans were instituted by local law enforcement. In 1966, the New York City Police Department commenced its own "investigation" of the Black Panther Party based solely on the Party's First Amendment activities. For example, the NYPD targeted the BPP's program for community control of schools in the African-American community. Reporting on an August 25, 1966 meeting of community organizations, the NYPD's Bureau of Special Services ("BSS") submitted the following memorandum to the NYPD's Chief Inspector:

The speakers were all in agreement that the schools in Harlem were inferior in curriculum and that the teachers had little regard for their students. They stated also that if this system is permitted to go on, the Negroes will continue to be lacking in education...Further details regarding this boycott on September 12, 1966 will follow in another report. There were 40 persons in attendance at this meeting which ended without incident.

The NYPD regularly communicated with police departments throughout the country, sharing information on the BPP, its members and protected First Amendment activities. On June 13, 1967, for example, Deputy Inspector William Knapp requested that the Colorado State Police provide him with all information on "Panther Publications" assuring Colorado that the request will be treated "with discretion" due to the "confidential nature" of the BPP investigation (A 202). In May 1967, the NYPD requested the "names, pedigrees, photos and other relevant information" on the BPP maintained in the files of the Los Angeles Police Department (A 205).

By July 1968, it was the opinion of the NYPD that the Black Panther Party “has the potential for great trouble...it is requested...that all uniformed and detective commands forward any information on the [Black Panther Party] to the Bureau of Special Services.”

The NYPD created “index cards” memorializing information on the protected activities of all BPP members, their associates, their families and their friends. In the Bin Wahad lawsuit the NYPD produced copies of over 30,000 index cards memorializing information on over 15,000 individuals and organizations.

By mid 1968, the FBI and NYPD were working to “neutralize” the BPP on a daily basis. On August 29, 1968 FBI Special Agent Henry Naehle reported on his meeting with a member of an NYPD “Special Unit” investigating the BPP. SA Naehle acknowledged that the FBI’s New York Field Office “has been working closely with BSS in exchanging information of mutual interest and to our mutual advantage.” The NYPD official noted that his unit is actually in “competition” with BSS but that given their goals, such competition is a “healthy thing”.

Documents produced in the Bin Wahad lawsuit show a pattern of mutual activity by the FBI and NYPD designed to destroy the Black Panther Party. For example, an FBI “Inspector’s Review” for the first quarter of 1969 shows that the NYPD, in conjunction with the FBI, had an “interview” and “arrest” program as part of their campaign to neutralize and disrupt the BPP. The NYPD advised the FBI that these programs have severely hampered and disrupted the BPP, particularly in Brooklyn, New York, where, for a while, BPP operations were at a complete standstill and in fact have never recovered sufficiently to operate effectively.

A series of FBI documents reveal a joint FBI/NYPD plan to gather information on BPP members and their supporters in late 1968. During an unprovoked attack by off-duty members of the NYPD on BPP members attending a court appearance in Brooklyn, the briefcase of BPP leader David Brothers was stolen by the NYPD and its contents photocopied and given to the FBI (A 11-14). Rather than seeking to prosecute the police officers for this theft, the FBI ordered "a review of these names and telephone numbers [so that] appropriate action will be taken." (A. 13).

That “appropriate action” included an effort to label Brothers and two other BPP leaders, Jorge Aponte and Robert Collier, as police informants. On December 12, 1968, the FBI’s New York Office proposed circulating flyers warning the community of the “DANGER” posed by Brothers, Collier and Aponte. The NYO proposed that the flyers “be left in restaurants where Negroes are known to frequent (Chock Full of Nuts, etc.)” BSS later told the FBI that its proposal was successful in that David Brothers had come under suspicion by the BPP. An FBI memorandum dated December 2, 1968 captioned “Counterintelligence Program” noted that “every effort is being made in the NYO to misdirect the operations of the BPP on a daily basis.”

On April 2, 1969, 21 members of the Black Panther Party were indicted and 13 were arrested in New York County on charges of conspiracy--People v. Lumumba Shakur, the so-called “Panther 21” case. An NYPD memorandum notes that the Panther 21 arrests were considered a “summation” of the overt and covert investigation commenced in 1966.

In a bi-weekly report to FBI Headquarters listing several counterintelligence operations the FBI reported that:

To date, the NYO has conducted over 500 interviews with BPP members and sympathizers. Additionally, arrests of BPP members have been made by Bureau Agents and the NYCPD. These interviews and arrests have helped disrupt and cripple the activities of the BPP in the NYC area. Every effort will be made to continue pressure on the BPP...

In the late 1960’s there was considerable support among white activists and some liberals for the BPP and its programs. When the Panthers came under attack committees were formed to aid in the legal and political defense of members. But these support efforts were often impeded by FBI/NYPD counterintelligence. For example, following a fund raiser at the home of conductor Leonard Bernstein, the FBI sent spurious letters

to those in attendance in order to “thwart the aims and efforts of the BPP in their attempt to solicit money from socially prominent groups...” This included sending articles from the BPP newspaper to the primarily Jewish attendees of the gathering expressing the BPP’s support for Palestinian self- determination.

In July 1969, the NYPD sent officers to Oakland, California to monitor the Black Panther Party’s nationwide conference calling for community control of police departments. As reported by the NYPD, the BPP’s plan “the residents in each precinct would elect a Police Councilman who together with the other fourteen councilmen would elect a commissioner of police for the division. That commissioner “would define policies within its department...” An NYPD memorandum candidly acknowledged that community control of the police, “may not be in the interests of the department.”

Ultimately, law enforcement’s most successful tactic was to create internal divisions within the Party itself. One example concerning Bin-Wahad is illustrative. He was among the 21 Panther arrested in April 1969 and held on \$100,000 bail. By March of 1970, the BPP had raised enough money to post bail for the most articulate leaders and chose Bin Wahad for release. The FBI ordered that he be immediately and continuously surveilled and that donors of bail money be identified. Director Hoover reminded his New York Office that the activities of Panther 21 defendants were of "vital interest" to the "Seat of Government".

For the next year Bin Wahad traveled extensively throughout the United States, speaking in support of the BPP and his incarcerated co-defendants. These activities resulted in his becoming a major focus of COINTELPRO. Mr. Bin Wahad was placed on the FBI's "Security Index", "Agitator Index," and in the so-called "Black Nationalist Photograph Album".¹

¹ As discussed in the 1976 Congressional Report commonly known as the “Church Committee”, the “Security Index” and “Agitator Index” were lists of dissidents who would be incarcerated in the event of a “national emergency”.

A series of COINTELPRO operations shows how the NYPD assisted the FBI in a sophisticated effort to discredit Bin Wahad within the Black Panther Party. Through their warrantless wiretaps of BPP offices and residences, the FBI became aware in May 1970 of dissatisfaction among New York BPP members, including Bin Wahad, with West Coast BPP members. It was felt that West Coast members were wrongfully taking money raised for the Panther 21’s defense. A COINTELPRO operation prepared by the New Haven Field Office and submitted to the FBI’s New York Office consisted of a spurious note whereby Bin Wahad accused BPP leader Robert Bay of being an informant. This successful operation resulted in Bin Wahad’s demotion within the BPP. (A 78) Aware of Bin Wahad’s disillusionment, the FBI disseminated information regarding BPP strife to the media and participated in a plan to either recruit Bin Wahad as an informant or have BPP members believe he was an agent for the FBI.

In August 1970, BPP leader Huey P. Newton was released from prison. A plethora of counterintelligence actions followed which sought to make Newton suspicious of fellow BPP members, particularly those, like Bin Wahad, who were on the East Coast.

By early 1971, the plan bore fruit. On January 28, 1971, FBI Director Hoover reported that Newton had become increasingly paranoid and had expelled several loyal BPP members:

Newton responds violently...The Bureau feels that this near hysterical reaction by the egotistical Newton is triggered by any criticism of his activities, policies or leadership qualities and some of this criticism undoubtedly is result of our counterintelligence projects now in operation.

COINTELPRO’s enormous success resulted in a split within the BPP with violent repercussions. In early January 1971, Fred Bennett, a BPP member affiliated with the New York chapter, was shot and killed,

allegedly by Newton supporters. Newton came to believe that Bin Wahad was plotting to kill him. Bin Wahad, in turn, was told by Connie Matthews, Newton's secretary, that Newton was planning to have Bin Wahad and Panther 21 co-defendants Edward Joseph and Michael Tabor killed during Newton's upcoming East Coast speaking tour. As a result of the split and in fear of his life, Mr. Bin Wahad, along with Tabor and Joseph, were forced to flee during the Panther 21 trial.

On May 13, 1971, the Panther 21 were acquitted of all charges in the less than one hour of jury deliberations which followed what was at that time the longest trial in New York City history. BSS Detective Edwin Cooper begrudgingly reported to defendant Michael Codd that the case "was not proven to the jury's satisfaction". Alarmed and embarrassed by the acquittal, J. Edgar Hoover ordered an "intensification" of the investigations of acquitted Panther 21 members with special emphasis on those who were fugitives (A 105).

"Newkill" and the Continuations of Cointelpro

On May 19, 1971, NYPD Officers Thomas Curry and Nicholas Binetti were shot on Riverside Drive in Manhattan. Two nights later, two other officers, Waverly Jones and Joseph Piagentini, were shot and killed in Harlem. In separate communiques delivered to the media, the Black Liberation Army claimed responsibility for both attacks. Immediately after these shootings, the FBI made the investigation of these incidents, which they called "Newkill," part of their long-standing program against the BPP conducted by their "Racial Matters" squad, and set up a liaison with the NYPD.

Before any evidence had been collected, BPP members, in particular those acquitted in the Panther 21 case, were targeted as suspects. Hoover instructed the New York Office to consider possibility that both attacks may be result of revenge taken against NYC police by the Black Panther Party (BPP) as a result of its arrest of BPP members in April, 1969 [i.e. the Panther 21 case] (A108).

On May 26, 1971, J. Edgar Hoover met with then President Richard Nixon who told Hoover that he wanted to make sure that the FBI did not "pull any punches in going all out in gathering information...on the situation in New York." Hoover informed his subordinates that Nixon's interest and the FBI's involvement were to be kept strictly confidential.

"Newkill" was a joint FBI/NYPD operation involving total cooperation and sharing of information. The FBI made all its facilities and resources, including its laboratory, available to the NYPD. Defendant Michael Codd, then NYPD Chief Inspector, was assured of "complete" FBI cooperation. In turn, NYPD Chief of Detectives Albert Seedman, who coordinated the NYPD's investigation, ordered his subordinates to give the FBI "all available information developed to date, as well as in future investigations". The FBI and NYPD held regular conferences during which all parties were fully briefed.

By mid-1971, many BPP members, particularly those from the East Coast, were "underground". Some went underground to flee FBI-instigated factional violence or further government attacks. Other chose to go underground to be part of the Black Liberation Army.

Over the next 4-5 years numerous BPP and/or BLA members were arrested and/or shot dead during street confrontations with the police. The latter include Twymon Meyers, Anthony Kimu White, Harold Russel and Zayd Malik Shakur. The former include Bin-Wahad, Herman Bell, Assata Shakur, Jalil Muntaqim and Robert Seth Hayes. Those arrested were charged with various offenses including the deaths of police officers killed in actions claimed by the Black Liberation Army.

Their trials were often a mockery of justice: evidence was fabricated and exculpatory evidence suppressed. Bin Wahad was convicted after three trials and served 19 years before being able to prove that he was the victim of a frame-up. Others have not been as "fortunate". Herman Bell and Jalil Muntaqim were able to obtain evidence of egregious prosecutorial misconduct. But the courts denied their efforts at winning new trials and they remain in jail today. Both have appeared before the Parole Board six times. Each time they

have been denied due to the “seriousness of the offense”. And each time they appear, the NYPBA submits, through its website, tens of thousands of form letters urging that they never be released.

Herman Bell appears again before the Parole Board in March 2016. Jalil Muntaqim and Seth Hayes appear in July 2016. Each has now spent more than 40 years behind bars.

20 Feb - Mark Cook at The Base

WHAT: Mark Cook Speaking Event

WHEN: 7:00pm, Saturday, February 20th, 2016

WHERE: The Base – 1302 Myrtle Avenue Brooklyn, New York 11221 (directions below)

NOTE: The Base is on the ground floor, is wheelchair accessible, and has a gender neutral toilet.

COST: Free, but donations greatly appreciated

MORE:

On Saturday, February 20th, join NYC Anarchist Black Cross as we host a talk with Mark Cook. Cook is a former Black Panther, member of the George Jackson Brigade, and political prisoner. Twenty four years in prison could not break his spirit or commitment to Black liberation and Mark Cook is as active an organizer now as ever. This will be an event worth traveling for, as Cook is only speaking on two dates while on the east coast, before heading back to the Pacific Northwest.

27 Feb - The Spaces Between

WHAT: Anarchist Speaking Tour

WHEN: 7:00pm, Saturday, February 27th, 2016

WHERE: The Base – 1302 Myrtle Avenue Brooklyn, New York 11221 (directions below)

NOTE: The Base is on the ground floor, is wheelchair accessible, and has a gender neutral toilet.

COST: Free

MORE:

All too often as anarchists in the U.S. we look to places like Oakland or New York for cues of how to get it done. The problem with this being that most of us don't live in anarchist-disney world, where anything is possible and everything is flammable, and we couldn't afford the rents in Oakland anyway.

This tour features friends from Denver, Colorado and Richmond, Virginia coming to your town to talk about what it looks like for anarchists outside those spaces with longstanding institutional left bases. We think there is a lot to learn from the less glamorous towns and small cities where anarchists continue fighting in spite of it all. Sharing our experiences of building, failing, rebuilding, fucking it up and sometimes winning, we hope to strike up conversations with friends. Let's talk community defense work, anti-police struggles, combating gentrification warfare, how not to let the liberals get us down and more.