



POST OFFICE BOX 110034 BROOKLYN, NEW YORK 11211

Updates for May 24th

7 May - Trans Pride Initiative and More by Marius Mason

Many of you are aware of the horrendous HB2 law recently passed in North Carolina that targets transgender people from using the bathroom of their choice. Recently the mayor of Rockwell Texas proposed a similar bill, which was rejected by the city council as trans rights activists packed the meeting.

MORE:

Marius has been in touch with the small group Trans Pride Initiative in Dallas/Rockwell that has been organizing against this proposal. He asks that people support the group, and consider making a donation to their group, or to send them an encouraging message.

If you're unfamiliar with the issue, check out these videos:

https://www.youtube.com/watch?v=k_IGK7d5HbA

<https://youtu.be/6s3Fx0lq9Ws>

May 13th - Skin in the Game

I am in the middle of a shit storm without a scrap of toilet paper
Trans and token and barely tolerated in Texas,
Though way past school-age
The news these past few days like a Jerry Springer marathon on one topic
Unhinged angry-faced bullies, Rainbow hearts and brave allies
Accusations and absurdities fly around the room like spitballs
All about who can do what where in the bathrooms at school
We all gotta pee, it's a commonality
In history, predictably, there's always the backlash
Every tortured step forward in civil rights progression towards equality, humanity
Is met with tragedy
From battered Medgar Evers' body
And Billie Holiday's strange hangin' fruit
To secret sailors flung overboard at sea and
Harvey Milk gunned down for being gay
How many years of little white signs on Bathrooms, drinking fountains, busses
Throughout the taciturn South
That said that to share this American life as equal citizens
Was to be contaminated
Those thugs worried about safety, too
They were protecting Southern womanhood by killing four little girls at church
What a load of crap, a tsunami of filth
A backed-up toilet of ignorance, no less dangerous
For its lack of common sense
But here's the clincher
We all have skin in this game
No matter what color you are
We all gotta pee, it's a commonality
and just like those wily old Nazis
Who knew to go for the edges, then cut to the middle
If they can make laws shaming and blaming and curtailing the rights
Of people like me, now

Then they can make a law stick to your sore spot, too
It's all about power and precedent,
And really, we all gotta pee
That's just human.

7 May - Is the Doctor In? Why Leonard Peltier and Other Aging Prisoners Lack Adequate Medical Care

The Federal Bureau of Prisons (BOP) is responsible for incarcerating federal prisoners and is required to provide them with medically necessary health care. However, a recent report by the Office of the Inspector General of the US Department of Justice, found that staffing shortages limit prisoners' access to medical care.

MORE:

by Members of the International Leonard Peltier Defense Committee (*Truthout*)

As of September 2014, the BOP had 3,871 positions in its institutions' health services units to provide medical care to 171,868 inmates. Of those 3,871 positions, only 3,215 positions (83 percent) were filled ... Although BOP policy states that the vacancy rate shall not exceed 10 percent during any 18-month period [the Office of the Inspector General] found that only 24 of 97 BOP institutions had a medical staffing rate of 90 percent or higher as of September 2014. Further, 12 BOP institutions were medically staffed at only 71 percent or below.

Despite critical health care shortages throughout the vast prison system, medical professionals (nurses, physical therapists and other senior medical staffers) are reportedly being routinely assigned guard duties and other security-related shifts (for which they have never been trained) to fill other chronic personnel gaps.

The Office of the Inspector General's recommendations for increasing medical staff in federal prisons aren't likely to correct the problem any time soon, if ever. The United States faces a shortage of as many as 90,000 physicians by 2025, including a critical need for specialists to treat an aging population that will increasingly live with chronic disease.

What does the shortage of medical personnel mean to the aging prison population?

According to Human Rights Watch, aging prisoners are the most rapidly growing group in prisons in the United States. The increase of elderly prisoners has been brought about by mandatory minimum sentences, "three strikes" laws and life sentences (with or without the possibility of parole). Parole was eliminated in many places, including the federal system. Even for those who are eligible for parole, the criteria for release are too narrow, and officials continue to release prisoners at a low rate. Consequently, the number of prisoners in the US age 65 and older has doubled since 2007, even as the overall prison population fell slightly.

Multiple studies have found that a prisoner's physiological age averages 10 to 15 years older than his or her chronological age, due to the combination of stresses associated with incarceration and the conditions a prisoner may have been exposed to prior to incarceration.

Last year, the Office of the Inspector General found that aging federal prisoners are costlier to incarcerate than their younger counterparts due to their higher rates of illness and impairments. Older prisoners incur medical costs that are three to nine times as high as those for younger prisoners.

One such prisoner is Native American Leonard Peltier, who is now serving two life terms, and is currently held in a high-security federal prison in Coleman, Florida. Peltier remains incarcerated for a crime we

believe he did not commit, having been wrongfully convicted in 1977 in connection with the shooting deaths of two FBI agents. Peltier has been designated a political prisoner by Amnesty International. Nelson Mandela, Desmond Tutu, 55 members of the US Congress and others -- including Judge Gerald Heaney, who sat as a member of the court in two of Peltier's appeals -- have all called for his immediate release. Widely recognized for his humanitarian works and a seven-time Nobel Prize nominee, Peltier also is an accomplished author and painter.

Appellate courts have repeatedly acknowledged evidence of US government misconduct in the Peltier case -- including evidence that the government knowingly presented false statements to a Canadian court in 1976 to extradite Peltier to the US and forced witnesses to lie at trial.

In an April 18, 1991, letter to Sen. Daniel Inouye, chair of the Senate Committee on Indian Affairs, Eighth Circuit Judge Gerald Heaney wrote:

The FBI used improper tactics in securing Peltier's extradition from Canada and in otherwise investigating and trying the Peltier case. Although our court [for the Eighth Circuit] decided that these actions were not grounds for reversal, they are, in my view, factors that merit consideration in any petition for leniency filed ... We as a nation must treat Native Americans more fairly ... Favorable action by the President in the Leonard Peltier case would be an important step in this regard.

Heaney had previously also written this statement in 1986 in the Eighth Circuit's *United States v. Peltier* (800 F.2d 772, 775):

We find that the prosecution withheld evidence from the defense favorable to Peltier, and that had this evidence been available to the defendant it would have allowed him to cross-examine certain government witnesses more effectively ...

Judge Donald Ross also made this claim in 1978 in conjunction with the Eighth Circuit's *United States v. Peltier* (585 F.2d 314, 335 n.18):

The use of the affidavits of Myrtle Poor Bear in the extradition proceedings [of Leonard Peltier from Canada to the US] was, to say the least, a clear abuse of the investigative process by the F.B.I.

And in 2003, Judges Seymour, Anderson and Brorby issued this statement in conjunction with the Tenth Circuit's *Peltier v. Booker* (348 F.3d 888, 896):

Much of the government's behavior at the Pine Ridge Reservation and in its prosecution of Mr. Peltier is to be condemned. The government withheld evidence. It intimidated witnesses. These facts are not disputed.

The federal prosecutor, Lynn Crooks, admitted that the government "can't prove who shot those agents" during oral argument on appeal before the US Court of Appeals for the Eighth Circuit on October 15, 1985, and again on November 9, 1992. In spite of this stunning admission, Peltier's conviction has not been overturned, nor has he been granted a new trial.

Eligible since 1986, Peltier also is long overdue for parole. The US Parole Commission has yielded to the objections of the FBI and Justice Department in denying Peltier's applications for parole at every turn -- most recently in 2009 when he was told he will not receive another full parole hearing until 2024, when, if he survives, he will be nearly 80 years old.

Peltier is more than 71 years old and suffers from diabetes, high blood pressure and a heart condition. In the past several years, frequent and sometimes long-term prison lockdowns have exacerbated these conditions. According to an affiliate of Physicians for Human Rights, Peltier risks blindness, kidney failure, stroke and premature death, given his inadequate diet, living conditions and health care.

Indeed, in his review of Peltier's medical records in 2000 and 2015, a physician concluded that his overall medical treatment had already been below a reasonable standard of care.

Decades before that review, Peltier suffered a stroke which left him nearly blind in one eye -- damage independent physicians say could have been prevented had he been treated sooner.

For many years, Peltier had a seriously debilitating jaw condition that left him unable to chew properly and caused consistent pain and headaches. The BOP medical facilities could not properly treat this condition. In fact, two prison surgeries only worsened Peltier's condition. A physician from the Mayo Clinic in Rochester, Minnesota, offered to repair Peltier's jaw free of charge but was turned down again and again by prison authorities until the United Nations sharply rebuked the United States for subjecting Peltier to inhumane conditions. Surgery was performed and Peltier's condition improved somewhat. Subsequent surgeries are required, however, to fully address his condition. To date, such treatment has not been approved by BOP officials. In recent years, Peltier has again begun to experience severe discomfort related to his jaw, teeth and gums.

Peltier began exhibiting symptoms commonly attributed to prostate cancer in 2009. Medical experts agree that the cure rate for prostate cancer is high, but only if detected early. Pressured by Peltier's attorneys, the BOP ran standard blood tests in June 2010. Peltier received the results over four months later. On November 9, 2010, a prison physician ordered that a biopsy be performed. The biopsy wasn't performed until February 2011, and Peltier wasn't allowed to know the findings until late March 2011. While the biopsy did not reveal the presence of cancer, Peltier's symptoms persist and BOP physicians have failed to determine the cause.

Late last year, during a physical examination, Peltier was diagnosed with an abdominal aortic aneurysm. Two weeks went by before the necessary equipment was brought into the prison to perform a MRI scan and thereby verify the diagnosis. Again, weeks went by before Peltier was given feedback regarding the scan. BOP physicians at the prison could not definitively determine that surgery was needed. Peltier was taken to an outside physician, many miles away from the prison, who opted to only monitor his condition. The aneurysm, if not repaired, could rupture at any time. Lacking access to immediate care, Peltier would bleed to death in a matter of minutes.

More recently, Peltier has been diagnosed with a pulmonary granuloma. Again, he was seen by an outside physician after a considerable delay.

As various human and civil rights organizations have argued in recent years, it isn't only expensive to keep the elderly confined; it's unnecessary. In many cases, the prisoners have served lengthy sentences already, and, as the Office of the Inspector General determined, aging prisoners not only engage in fewer misconduct incidents while incarcerated, but have a lower rate of re-arrest once released.

Simply put, the continued incarceration of elderly prisoners doesn't serve justice, isn't financially sustainable and doesn't protect the public.

Peltier has already served a major portion of his sentence and is being unnecessarily held in prison. His continued imprisonment will not ensure his safety and well-being. The recent Office of the Inspector General report on medical staffing shortages makes it clear that he will continue to be deprived of adequate health care when he needs it, if he receives care at all. Peltier's increasing age and infirmity, chronic illnesses and conditions of confinement should be reasons enough to give Peltier a compassionate release.

But it's doubtful that the BOP will concur.

The US Sentencing Commission provides criteria that warrant a reduction in sentence -- in this case, compassionate release. The BOP identifies those prisoners that qualify based on the criteria laid out by the Sentencing Commission and brings a motion to the court for their early release. The courts hold final responsibility to judge whether a motion for compassionate release is appropriate or not.

In 2013, the Office of the Inspector General found that the BOP's compassionate release program had been poorly managed and implemented inconsistently, likely resulting in eligible prisoners not being aware of the program and not being considered for release, and terminally ill prisoners dying before their requests were decided. Two years later, despite changes made by the BOP, the Office of the Inspector General found that still more could and should be done to improve the compassionate release program.

However, according to testimony offered during a February 17, 2016, Sentencing Commission hearing on compassionate release, the BOP too often impedes progress. Mary Price, general counsel for Families Against Mandatory Minimums, stated:

The BOP has effectively hijacked the process and enforced its authority by withholding compassionate release motions, even for people who squarely had extraordinary and compelling reasons, if it felt for other reasons the prisoner should not be released. This bias has infected the process ... undermining the judicial role by effectively usurping it.

Those "other reasons" are likely to be the barriers to Peltier's release on compassionate grounds. The BOP includes factors in its determination, such as the nature and circumstances of the prisoner's offense and whether release would undermine the deterrent effect of the punishment (or be an affront to law enforcement). These are the same considerations that have repeatedly prevented Peltier's release on parole.

Being ill-equipped to cope with life in a dangerous maximum-security prison, and in light of his deteriorating health, in recent years, Leonard Peltier has repeatedly requested a transfer to a medium-security facility close to family and ready access to medical care that best meets his needs, but to no avail.

Frustrated by the federal government's refusal to release some 70,000 files related to his case, and lacking any new evidence, the only avenue to freedom for Peltier is a grant of clemency from President Barack Obama. Ironically, Peltier filed his formal application to the Office of the Pardon Attorney and the White House for commutation of his sentences on February 17, 2016, the same day the US Sentencing Commission held its hearing on compassionate release.

There are many valid reasons why President Obama should grant Peltier clemency -- the process and circumstances that led to and contributed to his wrongful conviction, in particular. But compassion should be no less of a consideration.

May 10th - It is Time for Leonard Peltier to be Freed

by Jasmine Heiss (*Amnesty International*)

"Only one thing's sadder than remembering you were once free, and that's forgetting you were once free."
–Leonard Peltier

This weekend I made the 850 mile trip from the Nation's Capitol to the sprawling Coleman Federal Correction Complex in Wildwood Florida to visit a man who has been in Federal custody for more than half of his life – Leonard Peltier. As I wound my way past barbed wire and concrete, the words above weighed heavy on my mind.

Peltier's case brings together many disparate themes that wind their way through the larger criminal justice system: the role of human rights principles in addressing the crisis of mass incarceration, the responsibility of the the Judicial and Executive branches to address decades-old cases, questions of mercy and compassion for an aging population of incarcerated people, and finally deep contradictions in the perceived nature and purpose of the U.S. prison system itself – whether it is meant to correct and rehabilitate or simply to punish.

One central truth remains, however – at the center of such lofty questions, a 71 year–old man spends his days in a Maximum Security prison facing the real prospect of dying behind bars, struggling until the end to prove his innocence. Tweets can never capture the impact of sitting with another person who has spent four decades refusing to forget freedom, but that can serve as an urgent reminder: justice so long delayed has a human cost. It is time for Leonard Peltier to come home.

May 18th - He Killed Two FBI Agents. Or He Was Framed. After 40 Years, Will Obama Free Leonard Peltier?

by AJ Vicens (*Mother Jones*)

Leonard Peltier, a member of the Lakota tribe who was convicted of murdering two FBI agents in 1977, has spent 40 of his 71 years in federal prison. During that time, some have come to view him as an international symbol of the mistreatment of Native Americans by the US criminal justice system; others see him as the murderer of two FBI agents who should continue to pay his debt to society. Recently a group of prominent lawyers—backed by world leaders, civil rights activists, and several members of the US Congress—have renewed efforts to win his freedom by filing a formal appeal for clemency to the Department of Justice and requesting that President Barack Obama intervene on Peltier's behalf.

In February, Martin Garbus, a well-known New York City trial lawyer and the lead attorney of the group, joined by former Assistant US Attorney Cynthia Dunne and attorney Carl S. Nadler, wrote a five-page letter to Obama urging him to grant Peltier clemency.* "[T]he time has come for the interests of the law enforcement community to be balanced against principles of fundamental fairness, reconciliation, and healing," they contended.

They also submitted a 44-page petition for clemency to the Justice Department's Office of the Pardon Attorney on behalf of Peltier, who suffers from various medical conditions, including diabetes, high blood pressure, and a heart condition. All of this, the petition notes, impairs "his ability to walk, to see, and to conduct normal life activities...He is ill-equipped to cope with life in the maximum security prisons in which he has been jailed for many years." The petition includes more than two dozen letters from supporters including Archbishop Desmond Tutu, Coretta Scott King, several Native American tribes, and Amnesty International.

"Mr. Peltier has exhausted all appeals and is next eligible to apply for parole in 2024, in the unlikely event that he lives that long," the letter to Obama states. "The Parole Commission has yielded to the objections of the FBI and DOJ in denying Mr. Peltier's applications for parole at every turn. Effectively, this Petition represents the last chance in Mr. Peltier's lifetime for the Government to take curative and/or reconciliatory action."

Peltier's case has long been a flash point in the strained relations between federal law enforcement and Native Americans. The killings occurred on the the Pine Ridge Indian Reservation in South Dakota, about 18 miles from Wounded Knee, where 300 Sioux were massacred by the US military in 1890.

In 1973, about 200 Sioux, led by members of the American Indian Movement, occupied Wounded Knee for 71 days to protest injustices against Native Americans and what they perceived as the corrupt leadership of

the reservation's president. By the end of the standoff, two Native Americans had been killed, 12 were wounded, and 12 were "missing" but suspected of having been killed by tribal leadership, according to Peltier's petition.

The three years after the Wounded Knee occupation became known within Native American circles as the "Reign of Terror," a period during which dozens of Native Americans were murdered and hundreds were assaulted by a private militia that was aligned with Oglala Lakota Souix chairman Dick Wilson and known as the "GOON squad." Two years after that, with the Reign of Terror fresh on the minds of everyone in the area, the deadly shootout with the FBI agents occurred.

Many of the facts about the deaths of FBI agents Jack Williams and Robert Coler are disputed. The FBI says the agents were on the reservation to arrest a different man wanted for robbery and that they were not looking for Peltier, who was wanted on a separate warrant related to an alleged attempted murder of an off-duty police officer in Milwaukee. When the agents came to the reservation that day, according to the FBI, they encountered a vehicle carrying Peltier and found themselves under fire. Williams and Coler each died as a result of point-blank shots to the head.

Peltier's version of the story is presented in detail in his petition. He maintains that after the FBI agents came on to the private property, "I heard shooting, grabbed my rifle, and ran towards a residence where there were women and children, but quickly ran in another direction because my presence had attracted additional gunfire to the area." He says the area was surrounded by more than 100 FBI agents, SWAT team members, Bureau of Indian Affairs police, and members of the GOON squad.

"Along with many other American Indians who were present that day, I fired shots in the direction of men whom I later learned were federal agents," Peltier notes in the petition. "At the end of extended gunfire, three men lay dead: Special Agents Jack R. Williams and Robert A. Coler, and American Indian Joe Stuntz."

Peltier says he fled the area, eventually ending up in Canada because he thought he wouldn't get a fair trial in the United States. Using affidavits from a woman later determined to have been either coerced or incompetent, the US government had Peltier sent back to the United States in February 1976 to stand trial. Two other Native Americans, Robert Robideau and Darrelle Dean Butler, were arrested for the deaths of the two FBI agents, but only Peltier was convicted in a trial that contained a number of irregularities, including sworn affidavits from witnesses who said they'd been coerced by the FBI. While Robideau and Butler were acquitted in 1976, Peltier was sentenced to two consecutive life sentences in June 1977.

Peltier and his supporters have pointed out the many problems with his trial, highlighting the fact that the government eventually admitted it did not know with certainty who had fired the point-blank shots that killed the FBI agents. Nevertheless, the latest petition for clemency flatly states that Peltier is not trying to re-litigate the case: "The finality of my conviction should not be interpreted as an endorsement of the means that were employed by the government to achieve the result" (emphasis in original).

Over the years, prominent figures such as Nelson Mandela, Pete Seeger, Harry Belafonte, and Robert Redford have called for Peltier's release.

Garbus tells Mother Jones that this is Peltier's second formal petition for clemency. The first, submitted in 2000 during the Clinton administration, was likely undermined by a protest of 500 active and retired FBI agents who marched in front of the White House after the petition was delivered. Garbus has now reached out to several members of Congress, including Reps. John Lewis and Barbara Lee and Sen. Patrick Leahy, to advance Peltier's cause.

"This is a different application than the one before Clinton," says Garbus. "We hope that we will not see the same kind of opposition at this point from these FBI families, given the passage of years, given his sickness, and given his very clear expression of remorse."

Garbus says he has not heard from any White House officials. A White House spokesperson and the FBI both declined to comment on the petition. The Office of the Pardon Attorney—the office within the Justice Department that handles requests for pardons and clemency—also didn't respond to requests for comment.

Garbus says he's trying to help Peltier for one simple reason: "Forty years is enough for a wrongful conviction."

9 May - MOVE Parole Update

Janet, Janine, and Debbie Africa were given just three days notice that they would be appearing before the parole board. Their appearance date fell just one day before the anniversary of the 1985 bombing and murder by Philadelphia cops of 11 MOVE members. We're including out of date posts to provide a more complete picture.

MORE:

We Just Received word tonight that Janet, Janine, and Debbie Africa will be seen by The Pennsylvania Parole Board this Thursday May 12th 2016. As usual The Pennsylvania Parole are trying to give yet another quick and short notice for these parole hearings as they have done in the past with Debbie, Delbert and Eddie Africa. This is done as a result of the pressure they are under over this issue and **THEY KNOW THE EYES OF PEOPLE FROM ALL OVER THE WORLD ARE WATCHING**. We already know they have been given their orders by The Fraternal Order Of Police but we as the people have our own job to do and that's to **BRING OUR FREEDOM FIGHTERS HOME TO THERE FAMILIES**.

Also we want to point out yet another example of The Mental Games of the parole board as they have decided to give ours sisters their long awaited hearing the day before The 31st Anniversary of The May 13th 1985 **BOMBING AND MURDER OF ELEVEN MOVE MEMBERS SIX ADULTS AND FIVE CHILDREN**. Two of The Children in that house on May 13th 1985 were The Children of Janet and Janine Africa. The Pennsylvania Parole Board has shown another level of callousness and how low they truly are. This is just another tactic by this system to try and hurt our Family but thanks to **THE TEACHINGS OF THE FOUNDER AND COORDINATOR OF THE MOVE ORGANIZATION JOHN AFRICA OUR SISTERS JUST LIKE OTHER MOVE PEOPLE ARE STRONG AND WILL NOT BE SWAYED BY THIS TACTIC LONG LIVE JOHN AFRICA FOREVER !!!!!**

May 10th - The Malcolm X Commemoration Committee Supports Parole For The Move 9 Sisters

The Malcolm X Commemoration Committee, an International NY based Human Rights Project, wishes to join the chorus of humanitarian voices from around the world imploring the release of the MOVE women, Janet Holloway Africa (006308), Janine Africa (006309) and Debbie Africa (006307), on parole at the prescribed time.

We believe that these women, who have been model prisoners and who have each served 38 years, should be released for humanitarian reasons and in the interests of justice.

It is clear that these women could not have killed Officer Rapp on that fateful day in 1978. His death was tragedy that appears to have more a consequence of an accident, or of what would now be called 'friendly fire.' To have these women and the other MOVE prisoners to continue to languish in prison is to clearly

and wrongheadedly bind us all to the polarizing biased environment that triggered that incident and others like it both before and after that fateful day. We say that the time for healing, tolerance and reconciliation is now.

For these reasons, and in the interests of justice, we implore you to grant them their release upon parole now.

May 10th - People's Organization For Progress Supports Parole For The Move 9 Sisters

The People's Organization for Progress, a social justice organization in New Jersey, respectfully wishes to implore you to grant the women of MOVE parole for both humanitarian reasons and in the interests of justice.

Debbie Africa (006307), Janine Africa (006309) and Janet Holloway Africa (006308) have been in prison since 1978, or 38 years each.

They have been model prisoners. They pose no threat to society. For these and other reasons, especially to need to move past the heavily biased circumstances that landed them in prison in the first place, it is our expressed view that these women should be paroled and allowed to return to their families.

May 10th - Update On The May 12th 2016 Parole Hearings For The Move 9 Sisters

Went to parole hearing, all 3 of us. It went good, as far as we're concerned. between the three of us, we got to talk, put out a lot of MOVE Belief from what started May 20th that lead to Aug. 8. To what our belief is about, to how MOVE DONT, DON'T HATE COPS. In fact a lot of cops were very supportive of MOVE during the May 20 confrontation, would listen to Move people talk about our plight, for hours and understood Move... The interviewees were Ms. Lebenne in person, and Mr. McCray, on the TV screen, who were very unantagonistic. That ain't no word, I don't think but, you get my meaning. They were not antagonistic at all, which made it easier to deal with all the way around, especially with tomorrow being May 13. We all felt satisfied that we did good.

May 22nd - A Special Thank You From The Move 9 Sisters

We want to let all of our supporters know that we appreciate the work y'all are doing is being felt, having an impact and putting pressure on this system to do right by MOVE. During our recent parole hearing, the board members commented on the letters, the calls, and emails they got from here and around the world in support of MOVE. Your calls and emails to the parole board and governors office on the day of our hearing shut their communications system down LONG LIVE JOHN AFRICA! It's motivating and encouraging having y'all in our corner. We will stay strong despite the parole board, despite this system. They will never stop THE MOVE ORGANIZATION.

On The Move,
Debbie, Janet, and Janine Africa

9 May - "Dean Rusk Also Missing, Feared Dead" by Barrett Brown

Here's the latest in Barrett Brown's column, The Barrett Brown Review of Arts and Letters and Prison.

MORE:

When we left off our discussion of Niall Ferguson's introductory chapter to Kissinger 1923-1968: The Idealist, the former Harvard professor had just finished making his case that Henry Kissinger is subject to a degree of criticism well beyond that encountered by other major political figures. As evidence, he noted that Kissinger had been described in disparaging terms by Hunter S. Thompson, who wrote about pretty

much every major political figure in disparaging terms, and that he'd been denounced as a practicing Satanist by David Icke, who's denounced pretty much every major political figure as a practicing Satanist; rather inexplicably, Ferguson himself even provided an incomplete list of over a dozen other prominent men and entire family dynasties against whom Icke has made this exact charge. It's the first time I can recall having seen someone actually screw up anecdotal evidence, and I've read pretty much everything Martin Peretz used to write for the New Republic back when he still owned it and no one could stop him. Speaking of which, I certainly hope the New Republic is doing okay.

Having returned from his cherry picking expedition with a basket full of rocks, Ferguson told us of the structural violence to which Kissinger has been subject at the hands of "the conspiracy theorists of the left." "In his People's History of the United States, Howard Zinn argues that Kissinger's policies in Chile were intended at least in part to serve the economic interests of International Telephone and Telegraph," Ferguson writes. As we saw last time, Zinn argued nothing of the sort — and neither did the section of the Senate committee report that Zinn had actually been closely paraphrasing, which merely provides examples of ITT's involvement without making any suppositions about anyone's motivations whatsoever. This didn't stop Ferguson from rather weirdly going on to denounce Zinn's dry restatement of the Church Committee's findings as numbering among the "diatribes" in which Zinn and his ilk provide "gratuitous insults" against Kissinger "in place of evidence;" the "insult" in question turned out to have been made years later, in another book. Then he did some other odd and dishonest things as well, all in the space of a single paragraph. Go back and read the full account if you haven't already; I'll be sitting here worrying about the New Republic, for without TNR, where will our nation's center-left hawks hammer out dynamic new solutions to the Arab Question?

But Ferguson, for one, is satisfied with his airtight case of self-contradictory selective evidence and demonstrably false necro-libel, so he invites us to share in his amazement that Kissinger, alone among men, has been insulted in the course of his public life even though anyone can see that he's a special, special princess about whom no ill must be uttered; and that Kissinger, and only Kissinger, has been made to figure into various conspiracy theories even aside from the one that Ferguson fabricated and attributed to Howard Zinn. "All this vitriol is at first sight puzzling," he writes. A bit later: "How, then, are we to explain the visceral hostility that the name Henry Kissinger arouses?"

In a comparatively extraordinary show of good faith, Ferguson now considers the possibility that there exist people who honestly disagree with some of the things that Kissinger did and some of the ways in which he did them. Just as remarkably, he engages on this point with Christopher Hitchens rather than David Icke or Lyndon LaRouche and refrains from lying about him even though he's dead. Hitchens' argument — which he put forth in detail in his 2001 book *The Trial of Henry Kissinger*, and which has of course been made elsewhere many, many times — is that Kissinger oversaw and sometimes directly committed war crimes and other misdeeds in half a dozen countries. And it is not a case that can be easily dismissed on its merits. Ferguson seems to realize this and wisely refrains from making any direct refutation. Instead, he appeals to our sense of fairness:

*This volume covers the first half of Kissinger's life, ending in 1969, at the moment he entered the White House to serve as Richard Nixon's national security adviser. It therefore does not deal with the issues listed above. But it does deal with the foreign policies of Nixon's four predecessors. As will become clear, each one of these administrations could just as easily be accused of war crimes and crimes against humanity. There is no doubt whatever, to take just a single example, that the Central Intelligence Agency had a direct hand in the coup that overthrew the elected government of Jacobo Árbenz Guzmán in Guatemala in 1954. It also played an active role in the subsequent campaign of violence against the Guatemalan left. Nearly a hundred times as many people (around 200,000) died in this campaign than were 'disappeared' in Chile after 1973 (2,279). Yet you will search the libraries in vain for *The Trial of John Foster Dulles*. According to a study by the Brookings Institution, the United States used military action or threats of military action three times more often in the Kennedy years than in the Kissinger years. Interventions*

ranged from an abortive invasion of Cuba to a bloody coup d'état in South Vietnam. And yet no great polemicist has troubled to indict Dean Rusk as a war criminal.

This is the sort of paragraph that reminds me of why I got into the mean-spirited essay business to begin with. Note that Ferguson starts by comparing casualties between Guatemala and Chile. Kissinger would indeed seem to come off better in this reckoning, because Chile resulted in fewer casualties, and surely casualty counts are as good a field of comparison as any, but of course what's important is that we stick to a single method of accounting and not just jump around from measurement to measurement willy-nilly whenever it suits our purposes, because that would be dishonest, and — oh, look — here comes the next sentence and now we're suddenly comparing rates of “military action or threats of military action” because that happens to make Kissinger look better in this particular instance, oh me oh my!

And amusing as it is to speculate over how many ways of measuring war criminality Ferguson must have considered and rejected in hopes of somehow making Rusk look worse than Kissinger before settling on some throwaway barometer that actually depends on “threats of military action” to accomplish its purpose, it's even more telling that this sort of quantitative switcheroo is still insufficient to rescue Ferguson's argument from Kissinger's record — because in that examination of Kissinger and Dulles, Ferguson compares Dulles's highest casualty operation, Guatemala, to Kissinger's lowest casualty operation, Chile, rather than to, say, Cambodia, where Kissinger's actions directly led to the death of several hundred thousand people. What Ferguson has proven here is that if you compare Kissinger's least murderous act of secret foreign intervention to Dulles's most murderous, Kissinger comes out as less murderous. This does not even rise to the level of trickery; Ferguson has here managed to invent some lesser, baser thing.

Screw it, though; let's follow Ferguson down his disingenuous little rabbit hole and pretend that Kissinger didn't kill far more people than did Rusk or Dulles, and let's forget for a moment that Kissinger tended to be much more heavily involved in the atrocities that occurred under his watch. For Ferguson is absolutely correct that this sort of thing preceded Kissinger, even if his own grand attempt to portray him as the lesser predator fails on its own terms (while the effort itself constitutes an implicit admission that a difference in degree does matter; he would have done better not to invite the comparison in the first place, as Lloyd Bentsen once explained to Dan Quayle). And Ferguson is undoubtedly correct that there is no such book as “The Trial of John Foster Dulles.” Ferguson believes this to be strong evidence of a “double standard” and hops off to look for dark motivations ranging from “professional jealousy” and “grudges” to the more generalized “envy of Kissinger's contemporaries” and onward and forward to “anti-Semitism.”

But perhaps you and I can find some other explanation — that is, aside from the other entirely adequate explanations we've already noted (plus the fact that Guatemala, for instance, was less the work of John Foster Dulles than it was of his brother Allen, of whom of course plenty has been written, including David Talbot's extraordinarily important recent work *The Devil's Chessboard*). After all, before 2001 there was no *The Trial of Henry Kissinger* either. Can you think of any reason, other than professional envy or Jew hatred or possession by demons, why someone might have been more inclined to spend time and effort arguing for Kissinger, rather than Dulles, to be put on trial back around 2001? Because I think I may have thought of one possibility, but I want to just run it by everyone here first before I send it off to the *Journal of the Proceedings of the Harvard Society of Disengenous Socio-Historical Meta-Analysis* for peer review since, again, this is all rather preliminary. Are you ready, though? Are you ready to hear my initial hypothesis regarding why Hitchens advocated for war crimes prosecution against Kissinger rather than Dulles? Here goes, then: I would submit that perhaps Hitchens chose to focus on arguing that Kissinger should be put on trial in 2001 rather than arguing that John Foster Dulles should be put on trial in 2001 because John Foster Dulles died in 1959.

Meanwhile, Ferguson has sniffed out further instances of anti-Kissinger microaggression: “To say that American Jews have been ambivalent toward the man who is arguably their community’s most distinguished son would be an understatement.” Here he actually has a point. Daniel Ellsberg in particular has always struck me as being ungrateful to Kissinger, but this may also be one of those “professional jealousy” things, too, since both started at Harvard, whereas only Kissinger would rise to such heights of success that he could get Nixon himself to help destroy Ellsberg, and you can see how that might have made Ellsberg envious.

Ferguson is also saddened to note that Kissinger is sometimes accused of not respecting the popular sovereignty of the voting public from which he once tried to hide the fact that he was personally using its military to bomb a country with which the U.S. was not at war. “A favorite theme of Kissinger’s critics was that he was fundamentally hostile, or at least indifferent, to democracy. ... Why a man who had fled the Third Reich and found success in the United States should be adverse to democracy is not immediately obvious.” Nor is it immediately obvious why a reluctance to be killed by the Nazis or to live unsuccessfully in Brunei should inoculate someone from suspicion as to their democratic credentials, particularly when the someone in question played a central and cheerful role in the overthrow of an actual democratic government in Chile — an effort for which, as he complained at the time in a phone call to Nixon that was recently made public, the administration was not given what he believed to be its fair credit. This “favorite theme” may also have something to do with the various things Kissinger is known to have done to subvert democracy in the U.S. itself, such as participating in a plan to murder a Washington journalist, or convincing Nixon to have administration thugs do things like break into the office of the ungrateful Daniel Ellsberg’s psychiatrist in a bid to dig up dirt on him and perhaps also figure out if they’d gotten to the root causes of those jealousy issues. Not that there aren’t very good reasons to despise modern American democracy and most every institution with which it’s become intertwined, but chief among them is that people like Ferguson remain unfired and people like Kissinger remain unchanged.

It has now been over a month since I demonstrated that Ferguson lied about Howard Zinn and then compounded the lie in such a way as to eliminate the possibility that it was merely an error. But it is, at the very face-saving least, clearly an error — and proof that it is also very much more than an error is that it remains unacknowledged. Ferguson knows about my accusations, after all, even if he’s left my questions unanswered, and even made a vague sort of non-reply after the column appeared, as we’ll see in a moment. And either he himself or his publisher would appear to have corrected his online bibliography shortly after I made note of a certain irregularity, as the then-broken bit.ly link which was supposed to lead to the allegedly “influential,” “left-of-center” website that he strangely declined to name either in the text or the endnotes now goes to the homepage of presstv.ir — confirmation, then, that Ferguson tried to pass off an obscure and goofy Iranian outlet as something akin to the New Republic (which reminds me that I’m still worried about the New Republic).

A plainly willful misrepresentation such as this should itself be enough to prompt an explanation from a senior research fellow at the Hoover Institution who until recently held a chair at Harvard. That Ferguson nonetheless continues to stonewall constitutes another distinct act of dishonesty altogether. An error one refuses to fix becomes a lie. And if it was already a lie to begin with, then it becomes a lie squared, and presently mutates into a sort of giant lie monster that runs off to gobble up the fairies of truth and concord. Why are you killing the fairies, Professor?

Anywho, here’s what Ferguson wrote shortly after several people tweeted my last column at him, rather microaggressively:

Always good to read a review by someone who has actually read the book and given it serious thought.

This was followed by a link to a positive review posted on some random WordPress page. The remark has been understandably taken as a reference to my column by a couple of my colleagues who have forwarded it on to me. As we prisoners lack access to Twitter — which, incidentally, is why we have so much spare time with which to check up on bibliographies and worry about the moral health of the nation at large — I'll simply provide a 140-character response here and perhaps someone out there can send this reply to him for me:

@NFergus Congrts on good review in WordPress :) Didnt finish ur book cuz sucked. Sad news Dulles died :(Im in prizr plz snd \$

He probably won't send any money. At any rate, the fellow needn't sound so pissy; it's not as if he's going to suffer any real consequences for his misdeeds. He need merely continue to refrain from directly acknowledging that he libeled another historian and intentionally misled his readers on several points, as the Hoover Institution will of course refrain from taking any action so long as the clamor for them to do so does not reach the threshold at which continued silence on their part begins to do more damage than would come from addressing the misconduct. This is how most of our institutions work, whether state or corporate or academic; each is aware of a ceiling of wrongdoing under which anything is effectively permitted against anyone. It is a realist position.

May 11th - Barrett Brown wins New York Press Club journalism award for Intercept column

Journalist Barrett Brown has won a 2016 New York Press Club journalism award for humour writing online for his Intercept column. The NYPC awards “excellence in skillfully applying humor, satire or irony in the interpretation of current events or personal experience.”

Brown's latest piece, ‘Dean Rusk Also Missing, Feared Dead’ is a continuation of his review of Niall Ferguson's biography of Henry Kissinger — a sequel to the rather aptly titled ‘I Do Not Care to Finish Reading This Mediocre Kissinger Biography By Niall Ferguson.’

Brown concludes the newest piece, after mocking the many contradictions and sleights of hand Ferguson must concoct to defend someone known to have “subvert[ed] democracy”, with a typically acerbic summation of how American politics and work:

At any rate, [Ferguson] needn't sound so pissy; it's not as if he's going to suffer any real consequences for his misdeeds. He need merely continue to refrain from directly acknowledging that he libeled another historian and intentionally misled his readers on several points, as the Hoover Institution will of course refrain from taking any action so long as the clamor for them to do so does not reach the threshold at which continued silence on their part begins to do more damage than would come from addressing the misconduct. This is how most of our institutions work, whether state or corporate or academic; each is aware of a ceiling of wrongdoing under which anything is effectively permitted against anyone. It is a realist position.

Earlier this year, Barrett was given a National Magazine Award for his Intercept column (awarded while he was in solitary confinement).

10 May - Seth Hayes Health Update

This is an update regarding Seth's health and parole situation. Seth has been breathing much better, but his sugars are not stable, and he still has congestive heart failure.

MORE:

The medical staff has decided that the heart situation was more serious than previously thought and have went forward with a pace maker for Seth. He has went under pre-operation tests last week and most likely today is undergoing the surgery.

Seth has been encouraged with the operation in conversation but we know it is a very serious one and we ask just please keep him in your thoughts and prayers.

May 12th - Medical Update on Political Prisoner Robert Seth Hayes

Robert Seth Hayes has had his pacemaker surgery and is currently in the infirmary at Sullivan. He spoke with Nate and Sheila on the phone and reports that he is feeling good right now.

This is the second time they have taken Seth to an outside hospital without informing Sheila [Seth's wife], despite a directive that outlines exactly how they are supposed to do this.

Also, despite being his HIPAA contact, they refused to tell Sheila anything about his medical condition or why he was at Albany Medical Center when she called them on Wednesday.

May 15th - Report on May 14th Visit with Robert Seth Hayes

When I [Anne from NYC Jericho] arrived at Sullivan, they took me to the infirmary to visit with Seth, but the COs at the infirmary said he wanted to come to the regular visiting room, so I returned there to await his arrival.

Seth looked very good, considering that he just had surgery. He showed me where they had implanted the pacemaker, which seems to be practically in his left armpit. At least, that's where the bandage was. The actual pacemaker is on the left side of his chest, fairly close to his heart.

Seth was in good spirits, looking forward hopefully to the upcoming parole hearing. He said he had a headache, and he didn't know if that meant his sugars were high or if it was just from being in pain. I massaged his head, but he said that it did not help.

His sugars have been very high since the surgery, and he was told this is a possible sign of infection, but on Saturday his sugars were 113 in the morning, which is very good. He did not have any fever that I could detect.

So, although the pacemaker is a help, the problem with the diabetes continues.

I told Seth that Eve Rosahn was coming on Wednesday for a legal visit, so he is looking forward to that visit.

Seth also said he did not see the doctor on either Thursday or Friday, and hopes to be out of the infirmary on Monday. He wants to get back to his cell and his friends and get on with his life.

10 May - Activists Convicted Of Terrorism Renew Challenge To Animal Enterprise Law

Animal rights activists, who conditionally pled guilty to conspiring to violate the Animal Enterprise Terrorism Act, have appealed a federal district court's ruling in their case and renewed their challenge against the law's constitutionality.

MORE:

by Kevin Gosztola (*Shadowproof*)

Kevin Johnson and Tyler Lang were indicted in 2014 after they released about 2,000 minks from cages, "destroyed the minks' breeding cards (necessary for their sale to a furrier), poured caustic substances over two farm vehicles, and spray painted the words 'Liberation is Love' on a barn," according to the appeal.

This action occurred on the way to a fox farm in Illinois, which they planned to damage. But the two activists were arrested by local police, charged with possession of burglary tools by the state of Illinois, and sentenced to 30 months in prison.

The two activists admitted in their conditional pleas that they caused anywhere from \$120,000 to \$200,000 worth of damage. This includes the cost of replacing minks and the profits the farm lost by not having minks to sell at “fair value.”

For the AETA conspiracy charge, Johnson was sentenced to 36 months in prison. Lang was sentenced to three months.

Lawyers from the Center for Constitutional Rights and the People’s Law Office, who represent Johnson, and a federal defender, who represents Lang, allege AETA is “substantially overbroad” and violates the First Amendment. They also argue the law “outlaws all interstate protest and advocacy against businesses that use animal products” and should be “void for vagueness.” It could be used against activists simply for engaging in nonviolent boycotts, which resulted in “economic damage.”

“The immense breadth of its prohibition invites, and has actually resulted, in arbitrary and discriminatory enforcement,” attorneys assert. “While thousands must violate their prohibition every year, only animal rights activists have ever been charged with violating the law.”

The appeal further maintains the terrorism law violates due process because “nonviolent damage to property cannot rationally be punished as animal enterprise terrorism.” Defendants have an interest in not being labeled “terrorists,” as this impacts conditions of confinement in prison.

“The AETA’s terrorism label matters: it carries significant stigma, and renders appellants eligible for placement in a Communication Management Unit,” the appeal declares. “Attaching this stigmatizing label to a law that primarily prohibits damage to property, and has never once been used to prosecute violence, is not rational. Nonviolent property damage is not terrorism.”

From prison, Johnson declared, “Aescheleman Fur Farm has been exposed as a site of unspeakable violence. Foxes on the farm went mad as they witnessed fellow foxes being anally electrocuted for their pelts. For his acts, Daniel Aeschelman was fined \$300 and went on with his business. For my peaceful effort to free those and other fur industry victims, I was sentenced to three years in federal prison. This is what passes for justice under the Animal Enterprise Terrorism Act.”

“The AETA singles out activists, who oppose violence against animals for special punishment,” stated Center for Constitutional Rights senior staff attorney Rachel Meeropol, who is arguing the case. “Those who damage property at non-animal enterprises have committed a property crime, while under this law those who damage animal industries have committed a federal crime of terrorism.”

“Designating people who release animals – in order to save them from being killed and made into coats – as terrorists is not only preposterous, it is unconstitutional,” Meeropol added.

The appeal specifically asserts “animal rights activists commonly seek to publicize the horrific treatment of animals at certain businesses and organize community campaigns in opposition to such treatment.”

Since the businesses targeted are “animal enterprises,” it can easily be argued “publicity and community organizing inevitably involves the use of a facility of interstate commerce.” Activists also have the intent to “damage” or interfere with the operations of a corporation. Their actions are launched to make the corporation suffer economically, force a change in practices, or make them cease their business. So, the attorney contend the terrorism law can unconstitutionally be used to criminalize such activism.

The appeal includes another example: the documentary, “Blackfish,” which exposed cruel and inhumane practices against killer whales at SeaWorld.

“Negative publicity from the film led to the company losing \$925 million in market capitalization and a subsequent securities class action for SeaWorld’s failure to disclose potential liability related to the company’s treatment of killer whales and the resultant negative publicity from the documentary,” according to the appeal. “The company also announced a multi-million dollar expansion of its orca tanks in response to the negative publicity generated by the film.”

“The film meets all of the requirements of an AETA violation. SeaWorld, which uses captive animals for entertainment, is undoubtedly an animal enterprise. The filmmakers’ admitted ‘purpose’ was to convince people to avoid patronizing SeaWorld’s parks and ultimately affect their bottom line. And the resultant damage caused SeaWorld more than a billion dollars in lost profits, loss of market capitalization, and money spent to construct its planned tank expansions. That the government is unlikely to bring a controversial prosecution against documentary filmmakers does nothing to save the statute’s overbreadth.”

In regards to the issue of being labeled a terrorist, the lawyers insist the activists have the “right not to have a misleading label attached to one’s serious crime.” They liken what the activists face to individuals placed on sex offender registries, when their crimes have no “sexual component” to them.

The impact of the terrorism label is that their cases are overseen by counterterrorism unit employees within the Bureau of Prisons. The defendants are potentially placed in Communication Management Units. (Note: The Center for Constitutional Rights has challenged these experimental prison units, which impose harsh restrictions on inmates’ contact with family and have been used in a retaliatory manner by the Bureau of Prisons.)

The Center for Constitutional Rights has previously pursued a separate lawsuit against the constitutionality of the terrorism law used against animal rights activists. A federal district court dismissed the lawsuit in 2013, and CCR appealed in 2014.

One of the lawsuit’s plaintiffs, journalist Ryan Shapiro, who has a history as an animal rights activist, previously wrote for Truthout, “In 2006, under heavy lobbying from the pharmaceutical, animal agriculture and fur industries, Congress passed [AETA].”

“The AETA is designer legislation that targets political dissent directed at any business that uses or sells animals or animal products – or any company ‘connected to’ such ‘animal enterprises.’ Simply hurting the profits of these businesses—by, for example, producing and screening a film that inspires people to boycott foie gras or other animal products—qualifies as a terrorist offense. Indeed, a distressingly high number of my closest friends have been convicted as terrorists for engaging in free speech and civil disobedience advocacy on behalf of animals.”

The terrorism law is designed to protect corporations when systematic animal rights abuses are exposed, and to empower the state to lock away activists who disrupt their business, whether it be through property damage or some other nonviolent direct action, which does not involve any property damage at all.

11 May - This 20-Year-Old Is Serving The Longest Sentence From The Ferguson Protests

Josh Williams was one of the youngest Ferguson activists protesting the police shooting death of unarmed black teenager Michael Brown in 2014. He was arrested during the ensuing unrest over social justice issues that engulfed the Missouri city.

MORE:

by Mariah Stewart (*Huffington Post*)

Now, he’s incarcerated in a prison where convicted killers are executed.

“Inmate, where is your name badge?” hollers a guard at Williams, as he enters the prison’s visitor center with a smile on his face. Instead of the neon-green sunglasses and American flag bandana he wore as he

protested in and around Ferguson during the protests, he's wearing a gray scrub suit with white tennis shoes. The 6-foot Williams towers over the guards and other prisoners in the room, as an officer gives him another name tag.

The 20-year-old who had never been incarcerated before has now been behind bars for five months. Many activists have moved on to larger platforms to stand against police brutality, and though Williams has more than 90 months left to serve, his passion for civil rights remains strong.

"Prior to everything, I had been working with youth and that's still in my heart," Williams told HuffPost. "I'm going to continue to fight for other people in the the world."

His sense of humor and willingness to confront authorities made him stand out during the protests. He yelled at officials at public meetings, and stood face-to-face with heavily armed police during the unrest. MSNBC and The New York Times wrote about him. He marched alongside the philosopher Cornel West and spoke at a rally in Washington, D.C., that the Rev. Al Sharpton organized.

Then, just before Christmas 2014 and a few months after Brown's death, a cop fatally shot a teenager who the officer said pulled a gun on him outside of a gas station in Berkeley, a town near Ferguson. Protests erupted at the scene and there were clashes with police officers. People looted a nearby QuikTrip convenience store and video footage showed Williams attempting to light a fire near the building's entrance. St. Louis County police arrested him on Dec. 26, 2014. His bond amount was set at \$30,000.

Many activists were in court to support Williams, as he pleaded guilty on Dec. 10, 2015, to first-degree arson, second-degree burglary and a misdemeanor for stealing. His attorney told the judge Williams had never been in any major trouble before and that the medical evaluation had labeled his then-teenage client as "child-like."

Yet Williams was sentenced to eight years in prison. That's longer than other Missourians who committed similar crimes, including a 28-year-old man who started a fire that caused \$1 million damage at the University of Missouri and Stephens College, who was sentenced to six and a half years.

Williams and his supporters believe that Judge John D. Warner Jr. sided with a prosecution request to "make an example" of him. Activists sang "Justice for Josh Williams, justice for all of us" while the judge broke to review information in another room. "The protesters came to support me and he didn't like that, so he gave me eight years," Williams told HuffPost.

Williams is now incarcerated in the Eastern Reception, Diagnostic and Correctional Center, about an hour's drive south of St. Louis is Bonne Terre, Missouri, set amid heavily wooded hills. The facility holds around 2,000 inmates and is where the state carries out executions. Missouri officials executed six people there last year — more than every other state save Texas — and 10 people in 2014. That same year, authorities charged three former officers with inmate abuse.

He said he regrets what he did and before the Ferguson protests, he had a normal life. Williams grew up in St. Louis County, a region now notorious for using police departments to ticket mostly black residents in order to gain city revenues. Going to church every Sunday made him want to be a youth minister.

"It was peaceful," he said. "I cut grass for most of my life, around my neighborhood. Helping my neighborhood out."

During the Ferguson unrest, Williams spent nights with other protesters to avoid sleeping in parking lots. Williams said he ran away from home in order to be more embedded in the protests. Those who knew him best during that time say his relationship with his mother was strained. However, Williams said he now talks to her every day.

Tony Rice, a fellow Ferguson protester, said he decided to welcome Williams into his home after seeing other demonstrators give the young man blankets and pillows for yet another night sleeping on the streets. Williams had been staying with Rice for a few months before he was taken into police custody.

“He would stay up all night on my iPad listening to gospel music and reading the Bible,” Rice told HuffPost.

“He was more comfortable around adults than people his own age. I think when he got around kids his own age he tried too hard.”

Before heading back to his cell, Williams’ asked if HuffPost could relay the message to back to Rice, that he needs his address in order to schedule a visit.

Williams said he wants his protest family to continue to speak-out against police killings. “Although I’m in here, I’m still fighting in here. Keep strong with it and I’ll be out soon,” Williams said.

But first he must complete 85 percent of his eight-year sentence — more than six-and-a-half years. If he serves his full sentence, Williams would be released in 2023.

11 May - Chelsea Manning honored with Whistleblowing Prize

On Monday May 9th, Chelsea Manning was honored for her heroic actions at a London ceremony hosted by Blueprint for Free Speech, a non-profit dedicated to supporting freedom of expression for all individuals and seeking improved government transparency.

MORE:

Chelsea received this year’s Blueprint Enduring Impact Whistleblowing Prize along with fellow whistleblowers John Kiriakou and Dr. Raj Mattu.

The honor included a cash prize of \$7,200; Chelsea confirmed to a Support Network representative that she is grateful she’ll be able to use these funds toward her forthcoming appeal legal fees.

“Whistleblowing is the right to dissent from wrongdoing,” said writer and academic Sulette Dreyfus, one of the three judges who awarded the prizes. “We are proud to publicly acknowledge the bravery of these tremendous people, who have endured persecution and great personal sacrifice because they chose to reveal wrongdoing and corruption in the public interest.”

Personal friend Aaron Kirkhouse accepted the award and read Chelsea’s prepared speech on her behalf:
Good evening from sunny Fort Leavenworth, Kansas.

I wish I could be there to accept this award in person, but since I cannot, I am delighted to have Aaron Kirkhouse accept it on my behalf.

As you know, I am held in an American military prison with only a small library and without access to the internet. In this time of rapid technological advances in social networking and the machine learning age, it’s quite an odd predicament to find myself in.

Today, when once obscure online refrains are now finding their way into the global lexicon—“pics or it didn’t happen”—it’s easy to feel disconnected from a world exponentially intertwined and dependent on technology.

As a military prisoner, my public persona is carefully controlled and enforced. Any interviews or statements that I make—such as this one—must be written or dictated through someone else who types it up on my behalf. I am not allowed to be recorded over the telephone, do any video interviews, or have any pictures taken—with the exception of the occasional grainy mug shot. For those living in my situation, it’s easy to start feeling invisible—left behind and dismissed by the rest of a fast-paced society.

Despite these obstacles, I know I need to keep going. It is important to stay vocal. To stay creative. Active. Motivated. To keep fighting.

I keep fighting to survive and thrive. I am fighting my court-martial conviction and sentence before a military appeals court, starting this month. I am fighting to make the full investigation by the FBI public. I am fighting to grow my hair beyond the two inch male standards by the U.S. military.

I keep fighting to warn the world of the dangerous trend in which the only information you can access is the kind that someone with money or power wants you to see.

And, I keep fighting to let people know that they too can create change. By staying informed and educated, anyone can make a difference. You have the ability to fight for a better world for everyone—even for the most desperate, those at the bottom of the social ladder, refugees from conflict, queer and trans individuals, prisoners, and those born into poverty.

Thank you all so very much for your support over the years, and thank you to Lady Hollick, Mr. Davis, and Dr. Dreyfus for selecting me to be the first person to receive this award. It is truly an amazing treat. I’m honored that my voice continues to be heard. Thank you for all for listening and choosing to fight alongside me. And of course, thank you to Aaron Kirkhouse for accepting this award for me.

I am grateful to you all—for being here tonight, and being there for me tomorrow. Think what we might accomplish if we do one thing—perhaps a grand undertaking or even what may seem to be a tiny, insignificant gesture—each day with the simple goal of making the world a better place.

Good night everyone =)

Blueprint specifies the award is, “specifically for a whistleblower whose revelations have had an enduring impact across a longer period of time. The intent is to highlight that some acts of whistleblowing have a profound impact across eras of time, not just geography. The whistleblower’s revelations may for example cause a longer-term shift in public thought or awareness.”

15 May - Missing FBI reports may have exonerated the Omaha Two

Confidential inspection reports of the Omaha FBI office from the COINTELPRO era are missing and the FBI doesn't know what happened to them. The inspection reports reviewed counterintelligence records and may have exonerated Ed Poindexter and Wopashitwe Mondo Eyen we Langa.

MORE:

by Michael Richardson (*The Examiner*)

A spokesman for the Federal Bureau of Investigation has admitted that six annual inspection reports of the Omaha field office cannot be located. “We were unable to locate records,” said David Hardy, Section Chief of the Records Management Division.

Hardy sought to find annual internal inspection reports for the Omaha FBI office during the years 1967-1973. Hardy said, “we conducted a search of the locations or entities where records...would reasonably be found.”

The missing FBI records span the tenures of Paul Young and Fletcher Thompson as Special Agents in Charge. Both Young and Thompson proposed counterintelligence actions against “Black Nationalists” in Omaha under the illegal counterintelligence operation code-named COINTELPRO. Young targeted the Omaha Two, Edward Poindexter and Wopashite Mondo Eyen we Langa (former David Rice) of the National Committee to Combat Fascism. Thompson targeted Charles Knox of the Black Revolutionary Party.

The missing inspection reports would have shed light on clandestine dirty tricks. J. Edgar Hoover, the director of the FBI for nearly a half-century, kept tight control of the Bureau and the COINTELPRO program. To avoid documenting the more serious crimes committed by FBI agents, Hoover established a sophisticated “Do Not File” system for the most “sensitive” operations. Counterintelligence measures that needed to be kept secret were documented on temporary files captioned Do Not File. The Special Agent in Charge would keep the documentation in an office safe instead of the regular filing system. During the annual office reviews the contents of the safe would be examined, verified, and destroyed with the inspectors making summary statements in the inspection reports.

Mark Felt, the “Deep Throat” of Watergate infamy, was in charge of the Inspection Division and functioned as a quality control officer. Felt did not object when FBI agents broke the law with counterintelligence actions. Instead, Felt's task was to make sure the misdeeds were being done efficiently and effectively. A typical office review would consist of an inspection team drawn from FBI headquarters and other field offices and could take several weeks. Files would be studied, the safe examined, and interviews conducted during the inspections. The inspection reports were detailed and comprehensive.

The FBI has posted the annual inspection reports of the Domestic Intelligence Division which are hundreds of pages long and catalog counterintelligence actions all over the country. Two of the national inspection reports mentioned Omaha. One discussed the name change from the United Front to Combat Fascism to the National Committee to Combat Fascism. The other inspection report told of FBI collaboration with Omaha police against Charles Knox.

The Omaha Two targets were ultimately convicted of the 1970 murder of an Omaha policeman after the FBI Laboratory withheld a report on the identity of an anonymous 911 caller who lured the officer to a bombing. Both Poindexter and Mondo denied any role in the crime. Poindexter remains imprisoned at the maximum-security Nebraska State Penitentiary. Mondo died at the prison in March. FBI files on the two men were both redacted and withheld. The missing inspection reports may have exonerated the two Black Panther leaders but now the extent of FBI manipulation of the case will likely never be known.

After Paul Young obtained the conviction of the Omaha Two he was promoted to the Kansas City FBI office. Fletcher Thompson followed Young and sought Hoover's approval for a COINTELPRO action against Charles Knox who had moved from Des Moines, Iowa to Omaha. FBI records do not disclose if Hoover approved of the plot against Knox. The specifics of the proposed counterintelligence action are redacted so it is unknown what Thompson had in mind for Knox, who is now deceased.

The missing inspection reports of the Omaha FBI office, in light of known clandestine activity by Omaha FBI agents, raise new questions about the supposed guilt of Ed Poindexter, who continues to maintain his innocence.

17 May - Oso Blanco's Sentence Could be Reduced!

The Supreme Court recently ruled that the Armed Career Criminal Act is too vague under certain sentencing procedures. Well, whaddya know, Oso Blanco was sentenced under this.

MORE:

Thanks to fundraising efforts and donations from people like you, Oso Blanco was able to receive a partial assessment from a law firm [see details below]. Through this, and help from an awesome volunteer, we were able to figure out that Oso Blanco must file his appeal by June 25, 2016! As you may have heard, the "residual clause" of the armed career criminal act (ACCA) was declared "unconstitutionally vague" by the u.s. supreme court in Johnson v. u.s. Just last month, in April 2016, this ruling was declared "retroactive", meaning that it can apply to old cases like that of Oso Blanco. However the deadline for appeals based on the Johnson decision is approaching.

What this means for Oso Blanco and his outside family and community is that he has a chance to reduce his sentence and he has just under two months to do it. Meanwhile, he has very limited funds and USP Hazelton is basically holding him incognito pending transfer, with few letters getting in or out, despite all of our emailing in protest.

From some lawyers to Oso Blanco:

"Based on the research that I was able to complete in your case, I encourage you to file motion under 28 USC § 2244 in the Tenth Circuit Court of Appeals seeking authorization to file a successive § 2255 motion based upon the new rule of constitutional law articulated in Johnson v. United States, 135 S. Ct. 2551, 192 L. Ed. 2d 569 (2015). The Johnson Court declared that a key clause defining violent offenses in the Armed Career Criminal Act ("ACCA") violated "the Constitution's prohibition of vague criminal laws." Id., 135 S. Ct. at 2563. Since that time, numerous courts have applied Johnson to other statutes containing a similar clause defining crimes of violence and granted relief to those inmates. This includes inmates who received the Career Offender enhancement under U.S.S.G. § 4B1.1 and inmates convicted of using a firearm during a crime of violence under 18 U.S.C. § 924(c)(3). In fact, a district court in the Eastern District of California recently dismissed charges under § 924(c) on the grounds that § 924(c)(3)(B) is unconstitutionally vague. See United States v. Lattanaphom, Case No. 99-cr-0433 (E.D. CA, Feb. 16, 2016).

And, Just 10 days ago, the Supreme Court conclusively found that the rule in Johnson applies retroactively to defendants like you, seeking post-conviction relief. See, Welch v. United States, No. 15-6418 (April 18, 2016). You were convicted of use of a firearm during a crime of violence under 18 U.S.C. § 924(c). As a result of a combination of the above cases you can make an argument that your § 924(c) conviction and the 40 year sentence, could be vacated. Therefore, it makes sense for you to try and seek relief based on Johnson in a motion under 28 USC § 2244. Importantly, our research shows that under the AEDPA, inmates have only one year after a decision issuing a new rule of constitutional law to file a post-conviction motion. The decision in Johnson was delivered by the Supreme Court on June 26, 2015. Therefore, if you are going to file a motion attacking your conviction and sentence, make sure to file a § 2244 motion in the Tenth Circuit Court of Appeals no later than June 25, 2016."

May 18th - Oso Blanco Update

Amazing support in week one for Oso Blanco with a major donation coming from an anonymous donor in Atlanta.

Let's make this week even better!!! Only three weeks left. Time is running out. Please dig deep and give what you can. This is for someone to find freedom. To free someone willing to rob banks to fund what he believes in. To help the poor.

You could donate to a charity but with this donation you can directly affect a life right now! Want more information before donating? Please check out his site and look at his art and writings:
freeosoblanco.blogspot.com

People have written Oso Blanco for years and years. He has stood up for the weak and what is right while inside prison too. This has gotten him in a lot of trouble but he stood tall every time.

Thank you for those who have donated or shared this or who have researched lawyers or who will donate in the future. Oso Blanco never wants money and hates to ask for these funds to be raised. But avoiding his current life sentence and getting him free is a one time shot. Thank you everyone.

17 May - Russell Maroon Shoatz Update

The following is an excerpt from the April newsletter for supporters of Russell Maroon Shoatz.

MORE:

Maroon's Goes to Court in Pittsburgh this July – You Coming?

As we mentioned last month, a trial date of July 11, 2016, has been set for Maroon's suit against the Pennsylvania Department of Corrections for violations of his 8th and 14th Amendment rights during his over two consecutive decades in solitary confinement. If you missed some of the recent coverage on Federal Judge Cynthia Reed Eddy's ruling that Maroon's suit must be decided by jury trial, check out Victoria Law's article, "How a Former Black Panther Could Change the Rules of Solitary Confinement," published in The Nation, to get up to speed.

We're hoping to have a big turnout of supporters in Pittsburgh, Pennsylvania, in order to generate broader support for and press coverage of Maroon's case. Please let us know if you're thinking of coming. We're trying to gauge interest and pull appropriate resources together. The trial is set to start on July 11th and will probably last three days. We will probably set up a press conference the morning of the 11th and hope to pack the courtroom on the 12th. We imagine jury selection will take place on the 11th and would rather have you attend on Tuesday, the 12th. More information to come...

Abdul Majid Joins the Ancestors

We send our heartfelt condolences to the family and supporters of Abdul Majid, who died on April 3, 2016, after serving over 30 years at Five Points Correctional Facility in upstate New York. Abdul was involved in many of the Black Panther Party's community-based survival programs, including free health clinics, free breakfast for children, the fight to decentralize the New York City public schools and police department, and more. For this reason, he was targeted by COINTELPRO, charged and convicted of murder and attempted murder of a police officer. Abdul and his co-defendant, Basheer Hameed, were forced into three separate trials. The first trial ended in a hung jury – divided along racial lines; the second trial was declared a mistrial by the judge immediately after the jury acquitted Basheer of the murder charge; both were finally convicted in a third trial. Abdul was sentenced to 33 years to life. Basheer Hameed made his transition in prison in 2008. Abdul was scheduled for a parole hearing next month.

While incarcerated, Abdul was well-known and respected for his work with the Lifer's Organization, both inside and out of the New York State Department of Corrections, for facilitating classes, along with his leadership and counseling skills. In addition, he was active in helping young male prisoners cope with long sentences, conduct legal research, and provide civics training.

Rest in peace and power Abdul! We LOVE you!

18 May - Untitled Poem by Eric King

For some reason in my mind
thinking this would be just fine
Take a few years to relax & unwind
I've never eaten well enough to
fret on what's not there
been ages since I've slept
peacefully anywhere
sadness is a cliff top I sometimes think
and moods change as often as I blink
just like I miss the busses burning by
I long for every star burning holes in the sky
passion is fleeting like a tornado
existence is brief but impacts everywhere
that it goes
my memories a strobe light
bouncing back and forth to rhyme
thinking maybe I won't fuck it up this time
my eyes have no reason to stay dry
they remember every good-bye
they burn with every good cry
thinking the door won't close
this time

25 May - Boy With A Knife: The Need for Youth Prison Reform

WHAT: Discussion

WHEN: 7:00-9:00pm, Wednesday, May 25

WHERE: Bluestockings - 172 Allen Street New York, New York 10002

COST: FREE

MORE:

Join Jean Trounstine, one of the leading prison activist authors in the US, as she discusses her new book on the need for youth prison reform, *BOY WITH A KNIFE*. Jean will be in conversation with Mujahid Farid, a leading parole and prison expert.

Participant Bio:

Jean Trounstine is the author of the highly praised *Shakespeare Behind Bars: The Power of Drama in Women's Prison* about her decade directing plays and teaching at Framingham Women's Prison in Massachusetts. She has written numerous articles on prison issues for publications including the *Boston Globe*, and has been the subject of many radio and TV programs, including NPR, and the *Today Show*.

28 May - Akai Gurley March

WHAT: March

WHEN: 1:00pm, Saturday, May 28

WHERE: Barclays Center (at Atlantic & Flatbush Avenues)

COST: FREE

MORE:

On April 19, 2016, Judge Chun ruled no jail time for Peter Liang for murdering our brother Akai. Judge Chun also reduced the jury's manslaughter charge - which had a minimum of 7 years to maximum 15 years - to criminally negligent homicide. And our response? To take the streets for Akai! Members of Akai Gurley's family have put out a call for all oppressed communities to stand with them and other NYC police brutality families- demanding justice.

WE ARE ALL AKAI GURLEY!

The family asks that everyone wears the color black in solidarity.

28 May - Letter-Writing and Prisoner Family Support Night

WHAT: IWOC Solidarity Event

WHEN: 4:00-6:00pm, Saturday, May 28

WHERE: Bronx Social Center - 970 Prospect Avenue Bronx, New York

COST: FREE

MORE:

This month we will be reaching out to incarcerated workers producing products for CORCRAFT, an evil company that contracts prisoners to create cheap goods for the state, including (seriously!!) the courtroom benches! Come through and help build for the Sept 9th strikes!

Join IWOC, an organization devoted to organizing all people inside and their communities outside to fight abusive conditions in prison, and harassment on the street.

We'll be continuing our work reaching out to people currently incarcerated across the state of New York.

All materials provided, just bring yourself!

29 May - Oscar López Rivera in Brooklyn/Loisaida festival

WHAT: Celebration

WHEN: 4:00-4:35pm, Sunday, May 29

WHERE: Loisaida Avenue/Avenue C - NYC (ProLibertad@hotmail.com for details)

COST: FREE

MORE:

The ProLibertad Freedom Campaign is asking our friends, allies, and supporters to join us on Sunday May 29th, the 35th anniversary of the arrest of Puerto Rican Political Prisoner Oscar Lopez Rivera, as we support the 35 Mujeres NYC por Oscar rally at the Loisaida Festival!

Join us for an afternoon of solidarity, education, mobilization, and fun!

We will be distributing literature, talking about Oscar, and BUILDING A PEOPLE'S MOVEMENT FOR HIS LIBERATION!

Also, the food, dancing, and music is going to be amazing!

JOIN US SUNDAY MAY 29TH FOR FUN AND SOLIDARITY!