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Updates for October 10th

14 Sept - Change of Venue for Red Fawn Fallis Trial

Red Fawn Fallis, charged in January with firing a gun during a Dakota Access Pipeline protest in November, has been granted a change of venue.

MORE:

by J.R. Havens (*KFYR*)

A court document filed today says the trial for Redfawn Fallis will now be in Fargo in December.

The document says Fallis' motion argues that a change of venue is necessary to ensure she receives a fair and impartial trial due to "widespread prejudicial publicity regarding the Dakota Access Pipeline protests in general, and her arrest in particular."

19 Sept - Man accused of smashing Columbus statue held without Bail

A 27-year-old man was arrested for demolishing a bust of Christopher Columbus inside a Yonkers park late last month. Keep in mind the following is from a corporate news source and should be read critically.

MORE:

by Terence Cullen (*New York Daily News*)

Emmanuel Santiago Batista was charged with a count of criminal mischief — a felony — and appeared before a Westchester County judge on Monday, police said in a news release.

The Yonkers resident is accused of using a baseball bat to destroy the bronze-painted plaster monument of the 15th Century explorer sometime before 9:30 a.m. on Aug. 29.

Cops found the statue split in two — one piece at the base of its pedestal and the back portion on a hill nearby.

The discovery irked some residents in Yonkers, and came as communities debated removing statues of Columbus — who has a checkered history for his treatment of native populations.

Others have been vandalized during that time, including one within the boundaries of Central Park.

Yonkers police described the incident as "an act of spontaneous vandalism," however.

"Due to the steadfast hard work of our patrol officers and detectives, we were able to identify the person responsible for vandalizing this tribute to Christopher Columbus and he will be held accountable by the criminal justice system," Yonkers Police Commissioner Charles Gardner said in a statement.

Batista also had a warrant out for two misdemeanor counts for criminal possession of a controlled substance when he was arrested Monday, the Journal News reports.

20 Sept - Ramsey Orta, who filmed Garner video, files suit against NYPD from prison

The man who filmed the police chokehold that killed Eric Garner has filed a lawsuit from prison against the NYPD, alleging cops wrongly arrested him at a protest last year.

MORE:

by Stephen Rex Brown (*New York Daily News*)

Ramsey Orta, who is serving four years on gun and drug charges, says the NYPD unfairly targeted him for arrest at an anti-police brutality demonstration on Sept. 21, 2016, on Fifth Ave. near E. 29th St. He was slapped with a summons for disorderly conduct and blocking traffic, which was later dismissed, the suit says.

"The New York City Police Department and right-wing media have constantly harassed the plaintiff," the suit says.

The harassment is "in retaliation for his shining a national and international spotlight onto the misconduct of the NYPD in murdering an unarmed civilian," the suit alleges.

Orta, 26, is the only person present at the scene of Garner's death on July 17, 2014 who has gone to prison, the lawsuit notes.

"He is the person that videotaped the death of Eric Garner. As a result of that he was more likely to be a target by the police," Orta's attorney Andrew Plasse said.

The video shows Officer Daniel Pantaleo using the chokehold when he and other cops arrested Garner in July 2014 for allegedly selling untaxed cigarettes.

Garner, 43, helplessly gasped, "I can't breathe. I can't breathe," as he was restrained on a Staten Island sidewalk. He died after being taken to a hospital. Millions witnessed the fatal grip after Orta's footage was made public by the *Daily News*.

Garner's desperate last words became a powerful refrain for the Black Lives Matter movement and demonstrations focused on police killings of unarmed black men.

Last year, Orta sued the city for \$10 million, saying a June 2015 arrest on the Lower East Side was also in retaliation for the Garner footage.

A city Law Department spokesman said the new suit will be reviewed.

25 Sept - Man who threw flare into cop car during May 1 protests gets 5 years

A 23-year-old man who threw burning flares into a Portland police cruiser and the downtown Target store during May 1 protests that overran downtown Portland admitted guilt on September 25th and will be sentenced to five years in prison.

MORE:

by Aimee Green (*The Oregonian*)

A local TV station aired live footage of Damion Zachary Feller hurling a flare through a shattered picture window at Target, prompting employees to run with fire extinguishers to put out a burning section of carpet. TV and cellphone cameras also caught Feller throwing a flare through the shattered window of a battered police SUV parked across the street from Target, at Southwest 10th Avenue and Morrison.

Other people clad all in black or wearing masks can be seen on the videos kicking or whacking windows of the police car seconds before Feller swoops in with the flares.

Police identified Feller as among a group of about 20 anarchists who descended on downtown as peaceful May Day protesters spoke about a variety of social issues. Officers arrested 25 people that day for vandalizing property, setting fires, throwing rocks and other violence.

Feller wasn't arrested until two days later after officers who recognized his image from the videos spotted him on the streets of downtown.

Detectives showed him a photograph of the person who threw one of the flares and he replied: I saw that online, and I knew I was (expletive), according to a probable cause affidavit.

Feller admitted he was guilty and told detectives that he became part of the mob mentality, according to the affidavit.

On Monday, Feller offered no statements in Multnomah County Circuit Court. He wore a blue jail uniform as he stood beside his public defender, DeAnna Horne.

Feller pleaded guilty to first-degree arson, second-degree arson, riot and first-degree criminal mischief. He is scheduled to be sentenced to five years in prison during an October hearing.

He also was charged in federal court for his crimes. But as part of his plea deal, he won't be sentenced to any additional prison time.

Feller will be eligible for release from prison after four years, if he gets time off for good behavior.

Shortly after his arrest, Feller told authorities that he doesn't talk to his family, which includes his grandmother in Longview and his parents in Colorado. He said he'd been homeless for the past year, been diagnosed with bipolar disorder and attention deficit hyperactivity disorder and smoked marijuana daily.

He said he's unemployed, although he occasionally picks up odd jobs through the temporary job service Labor Ready.

Feller had no history of criminal convictions, although court records show he previously had been arrested five times in Oregon, Colorado and Texas on allegations of committing nonviolent crimes or failing to appear in court. He still faces pending charges of theft and criminal trespass in Umatilla County.

27 Sept - Letter from Herman Bell: Charges Dropped!

Herman Bell is now in general population and was told that the charges will be dropped! Visit freehermanbell.org for more information on how to best support him.

MORE:

Thank you for the outpouring of cards, letters, healing-love and energy that you sent me in response to the unprovoked brutal assault on me by NYS prison guards at Comstock, NY – a vicious slap aside the head from behind and shoved to the ground. I protected myself as best as I could. I sustained multiple kicks, punches to the face and eyes, repeated head slams into concrete, and 2 cracked ribs. They tried to bury me with raining blows, not knowing that I am a seed. But the burning pepper spray sprayed into my eyes and mouth is what did me in – and yet, here I am.

Now I know why visitors bring flowers and candy to the hospital. I was immediately sent, however, not to a hospital but to the Box for “assault on staff,” so the cards and letters and love you sent me were my flowers and candy. You did great!

I was astonished, not by the outpouring of your support, but by the enormity of it.

People are coming together and are standing up. They are finding that they are not entitled to the rights and freedoms they think they have as americans. Instead of the consideration americans – many of them voters – deserve, they are ignored by authoritarian and elected officials.

They lack healthcare, suffer from unrestrained police violence, mass incarceration, lack a living wage, experience poverty and homelessness, and suffer from a toxic environment. People are standing up against these injustices, insisting that their demands be respected and addressed.

The social injustice, jackboot repression, racist attacks, discrimination, wealth disparities, unemployment, lack of affordable housing (the list doesn't just end there), creates waves of fierce discontent which is gaining steady momentum, becoming a full-blown cleansing tsunami, the force of which is irresistible.

And that force is you, the People, coming together and taking a stand. My flowers and candy is your outpouring of support for me, our political prisoners, the mass incarcerated and the voiceless.

To write each of you (I've literally received hundreds of letters) a personal "thank you" at this time would be impossible. So, I send this "thank you!" instead.

Thank you! I thank you deeply one and all for the empathy, outrage, love and support you've expressed in the face of the assault on me. May our resolve to produce social change remain unshakeable.

28 Sept - FBI Agents Didn't Think Reality Winner Was Spy—Yet Government Is Prosecuting Her Like One

An FBI agent who entered former NSA contractor Reality Winner's house to execute a search warrant did not think she was a "big bad mastermind prolific spy." And yet, the government is prosecuting Winner under the Espionage Act, as if she is some kind of spy.

MORE:

by Kevin Gosztola (*Shadowproof*)

Winner is accused of "removing classified material from a government facility and mailing it to a news outlet." She allegedly mailed a classified document on Russian hacking to the Intercept and is in pretrial detention awaiting a trial that is currently scheduled for March.

Federal prosecutors filed a transcript in federal court on September 27 of an interrogation FBI agents recorded when they raided her home in June.

According to the transcript, the FBI agents acted friendly, like they may be able to treat what happened as a "mistake." One agent said, "Telling a lie to an FBI agent is not going to be the right thing," and convinced her to quit withholding information from them. She incriminated herself and gave the Justice Department all it needed to bring an Espionage Act case against her.

Winner was asked if she knew the Intercept was not authorized to access classified information. She said, "I am aware of that." She was asked if she was aware of that when she sent the document. She answered affirmatively.

When it comes to Espionage Act cases, especially the record number brought by President Barack Obama's administration, prosecutors only need to show an unauthorized disclosure and that the person who allegedly committed the act knew it was against regulation. They do not have to be a spy or agent of a foreign power.

The government could have charged Winner with "unauthorized removal and retention of classified documents or material," which is a misdemeanor. Indeed, when reading the transcript, it seems like the FBI agents would have been okay with such leniency.

Special Agent Justin C. Garrick said, "I'm not sure why you did it, and I'm curious as to that, but I think you might've been angry over everything that's going on, politics-wise. Because you can't turn on the-TV without getting pissed."

“I think you just messed up. Now, I’m not quite sure why you did it, and I’d like to hear from you on that,” and, “If you’re angry about what’s going on, if there’s something that—Look, you’ve had a good career. You have. If there’s something that just pushed you over the edge on this, now is the perfect time. This is a podium,” Garrick added.

Special Agent R. Wallace Taylor continued, “I think what we both think is that maybe you made a mistake. Maybe you weren’t thinking for a minute. Maybe you got angry, like he said. I mean, that’s what I’m hoping. If that’s the case, then that makes us feel a little better knowing that we don’t have a real serious problem here.”

Later in the interrogation, Winner shared, “I want to go out with our Special Forces. That’s why I got out of the Air Force. I mean, that’s why I’m here in Augusta. I wanted my clearance back so I could get a deployment, and it was just at a time when I wasn’t applying for deployments.”

Winner was working for the Iranian Aerospace Forces Office in her contracting job as a linguist. She knows Farsi, Dari, and Pashto.

“I had, you know, seven, eight months left of a job that didn’t mean anything to me, because it’s Iran, and I’m a Pashto linguist. Like, what am I doing translating Farsi?”

“I felt really hopeless, and seeing that information that has been contested back and forth, back and forth in the public domain for so long, trying to figure out, like, with everything else that keeps getting released and keeps getting leaked—Why isn’t this getting, why isn’t this out there? Why can’t this be public?” Winner recalled.

From that explanation, it appears to confirm Winner had whistleblower motives when it came to providing the document to the Intercept. She thought the contents of the document needed to be part of the larger conversation on alleged Russian interference in the 2016 presidential election.

Winner was clearly concerned the FBI agents might see her as another NSA whistleblower like Edward Snowden. She said, “I wasn’t trying to be a Snowden or anything.”

At one point in the interrogation, Garrick asked Winner why she installed the Tor browser, a privacy tool, on her computer. Her answer sheds some light on how feverish the military is about personnel who access WikiLeaks.

“There was one day when I was interested in WikiLeaks, and then I opened it up once, I shouldn’t have done,” Winner said. “I was in between jobs, just had gotten out of the Air Force, and when I opened it—I was at Starbucks. And I was just, I guess I was really underwhelmed. There was nothing there.”

“I don’t know how you can make use of this shit, but okay,” Winner told the agents. Still, as soon as she was out of the Air Force, she was going to see WikiLeaks for herself.

Winner was asked if she knew the document she allegedly released had sources and methods that would be valuable to adversaries. In her mind, the “sources and methods” in the document were already compromised and revealed to the public.

Her attorneys recently filed court documents to have her released from pretrial detention. They argue the government misled or deliberately lied to the judge to prevent her from receiving bail.

“In arguing for her to be kept in the Lincoln County Jail in Lincolnton, Assistant U.S. Attorney Jennifer Solari told a judge Winner was recorded in a jailhouse phone call discussing some ‘documents’ — plural — raising concerns she might have gathered other top-secret information beyond the NSA report she is accused of leaking,” the Atlanta Journal-Constitution reported. “Solari said she was also overheard

directing the transfer of \$30,000 from her savings account to her mother's account because the court had taken away her free appointed counsel.”

Neither was true. Solari emailed Winner's attorneys on June 29 and said she only referred to a singular “leaked document” in the phone call with her mom. In a separate phone call, her request for money was made because she was concerned authorities would freeze her bank account. She would not be able to pay bills.

The recorded interrogation shows the FBI agents had no suspicion she leaked more than one document. They collected quite a bit of evidence prior to the interrogation and would have confronted Winner over other documents if she disclosed more classified information.

Back in June, the government raised the issue of a flash drive that Winner allegedly plugged into a top secret computer to keep her in jail. She told FBI agents about this act during the interrogation. It was apparently done to see if the system—which was presumably instituted after Snowden or Chelsea Manning released information—would flag her for plugging in a removable device. This is not a criminal offense.

Winner would like to reside at her home in Augusta until trial. Her attorneys said the court could require her to remain in Richmond County and keep in contact with a pretrial services officer. Her parents could “post their property as bond,” and she could go back to teaching yoga and “spin classes as well as volunteering in a local animal shelter.”

A legal defense campaign, “Stand With Reality,” was launched to defend against an “overzealous prosecution.”

“Stand With Reality believes the charge against Winner is grossly disproportionate to her alleged offense, and is designed to create a chilling effect on investigative journalism by dissuading sources from sharing information that is critical to the public interest. The group is dedicated to raising public awareness of Winner's case, as well as the U.S. government's persistent abuse of the Espionage Act to silence its critics and stifle journalism,” the campaign declared in July.

It used to be the government settled leak cases administratively. The words of FBI agents, who interrogated her, suggest that would have been more sensible. But President Donald Trump's administration sees Winner's case as an opportunity to successfully win a high-profile leak case. They aim to make an example out of her, as evidenced by their commitment to keeping her in jail for months before trial.

October 6th - Alleged NSA Leaker Reality Winner Denied Bail Because Judge Believes She ‘Hates’ America

by Kevin Gosztola (*Shadowproof*)

Federal magistrate judge Brian Epps once again denied bail to alleged NSA leaker Reality Winner. This time, Epps contended Winner's “hate” for America and supposed admiration of NSA whistleblower Edward Snowden and WikiLeaks editor-in-chief Julian Assange make her a dangerous threat.

Winner is accused of “removing classified material from a government facility and mailing it to a news outlet.” She allegedly mailed a classified document on Russian hacking to the Intercept and is in pretrial detention awaiting a trial that is currently scheduled for March.

“By her own words and actions, defendant has painted a disturbing self-portrait of an American with years of national service and access to classified information, who hates the United States and desires to damage national security on the same scale as Julian Assange and Edward Snowden,” Epps wrote in an order [PDF]. “The nature and seriousness of the danger she poses to our nation is high.”

Her efforts to develop “stealth internet capabilities” strongly suggest “defendant was planning to leak classified information from the outset of her NSA employment while all the while swearing allegiance to the United States and promising to safeguard its national secrets.”

Epps further contended there were no “combination of conditions” that could “assure the safety of the community” because she presents an “ongoing risk to national security.” He suggested there remains a “potential for additional disclosures given her access to a wealth of classified information during her service in the Air Force and with NSA.”

“I am truly heartbroken and crushed. I am disappointed in the court’s decision and believe it is unfair. Her service to the country, and every community she has ever lived in, should have been weighted,” Billie Davis-Winner, Winner’s mother, said.

Her stepfather, Gary Davis, reacted, “A great miscarriage of justice has taken place today. Justice is supposed to be based on proof and evidence not unsubstantiated innuendo, fabrication, and misrepresentation of selected snippets of conversations taken out of context.”

Assistant U.S. Attorney Jennifer Solari was previously caught lying to Epps about jailhouse phone calls, which highly influenced this order. Solari claimed Winner said “documents” on a call and that indicated she gathered more than the report she is accused of leaking. But on June 29, Solari emailed Winner’s attorneys to say Winner only referred to a singular “leaked document” when talking to her mother.

Epps claimed that he considered Winner’s “service in the Air Force, clean criminal history, and loving/committed parents,” as positives weighing in favor of release from pretrial detention. However, he focused on text messages, jailhouse calls, and the interview FBI agents conducted when they executed a search warrant to harshly characterize her as a traitor.

“Based on compelling evidence presented by the government, the defendant admittedly ‘hates’ America, misused a top-secret computer during her Air Force career, admires Edward Snowden and Julian Assange, and began preparations to leak classified information from the very outset of her work as an NSA subcontractor.”

The argument that Winner “hates” America depends upon one singular text exchange that was not reproduced in the court order. The exchange is not explicitly quoted so it is hard to tell if this was language Winner used when sharing her frustration on a recent political development or perhaps something President Donald Trump said.

According to Epps, “On February 25, 2017, during training for her new NSA job, defendant wrote her sister that she would fail a polygraph because of questions concerning whether she had ever plotted against the United States government. On the same day, defendant wrote her sister she hated America. When her sister responded with incredulity, defendant proclaimed again she hated America and explained she feels this way because America is ‘literally the worst thing to happen to the planet.’”

Notably, Epps does not quote any emails or messages, where she specifically says she hates America. It seems far more likely—given what is known about Winner—that she meant she would fail a lie detector test because she has complex attitudes about the role of the United States in the world.

In fact, the FBI agents who interrogated Winner suspected that she allegedly leaked the document because she was “angry over everything that’s going on, politics-wise.” Special Agent Justin Garrick said, “You can’t turn on the TV without getting pissed.” Would Epps read that comment and say he “hates” America?

“On February 9, 2017, defendant messaged her sister through Facebook it was ‘hard not to laugh’ when an NSA security officer emphasized during training the enormity of the security threat posed by insiders such as Edward Snowden,” Epps added. “On March 7, 2017, in Facebook messages with her sister, defendant

lauded a recent WikiLeaks cache of classified information as ‘awesome’ because it ‘crippled’ a government program, and explained to her sister she is on the side of Assange and Snowden.”

Again, the full messages are not quoted. The order merely includes cherry-picked words that advance the government’s interest in demonizing Winner as a disloyal American so she remains in jail.

Pew Research Center found in 2014 that most young Americans believe Snowden “served” the “public interest.” That makes Winner’s attitude toward Snowden fairly typical, since she is 25 years-old, something Epps entirely ignored.

Winner was stationed at Fort Meade. On her last day, November 9, 2016, she inserted a thumb drive in a computer with access to classified information. She told FBI agents this was to see if it could be done without being detected. She wondered how personnel were getting “unclassified pictures onto the high side.” An administrative notice popped up and so she threw her thumb drive away.

The government has taken this admission in her interview and manipulated it into the following: “The government has been unable to determine why defendant inserted the thumb drive, whether she saved anything to the thumb drive, or where the thumb drive is located today.”

Epps relied on this fabrication and speculation to justify keeping Winner in jail.

Even though the government has her passport, Epps wildly argues “this obstacle provides little assurance given her self-described desire to ‘burn the White House down’ and ‘[f]ind somewhere in Kurdistan to live...or Nepal.” When she suggested that and why is not stated and how that “desire” would magically grant her the ability to flee the country before trial is unclear as well.

But the judge believes Winner would be able to create a “covert communications package,” as the FBI describes it, because she researched how to anonymously send information to news outlets, setup anonymous email, and unlock her cell phone for use anonymously. He says nothing about imposing heavy restrictions on communications and use of technology.

The support group, Stand With Reality, condemned the decision.

“This is the opening salvo in the new war on whistleblowers and sets an extremely dangerous precedent,” explained government transparency advocate Rainey Reitman, who is affiliated with the support group. “By this logic, anyone who has ever held a security clearance and disagrees with the U.S. government is a danger to society and should be in jail. But where does this end? Should Winner be in prison for life because of opinions and information she has in her head?”

Winner’s defense referenced the cases of Bryan Nishimura, a former Navy reservist who transported classified material from a base in Afghanistan to his home; David Petraeus, a former CIA director who improperly handled and disclosed classified information to his biographer with whom he was having an affair; Sandy Berger, a former Clinton national security adviser who removed classified information from the National Archives without authorization; and Shamai Leibowitz, a former FBI linguist who was prosecuted for showing classified information to a journalist on what he described as illegal and constitutional acts.

In those cases, there was a measure of leniency and discretion on the part of prosecutors, but Epps dismissed comparisons because Nishimura and Petraeus were only charged with misdemeanors and Berger and Leibowitz had plea agreements.

Winner was open to the court restricting her to Richmond County, Georgia, and her home in Augusta until trial. Her parents were willing to post property as bond so she could teach yoga and spin classes and also volunteer at an animal shelter. But now she is most likely to remain jailed until her trial.

28 Sept - DOJ demands Facebook info from 'anti-administration activists'

Trump administration lawyers are demanding the private account information of potentially thousands of Facebook users in three separate search warrants served on the social media giant, according to court documents obtained by CNN.

MORE:

by Jessica Schneider (CNN)

The warrants specifically target the accounts of three Facebook users who are described by their attorneys as "anti-administration activists who have spoken out at organized events, and who are generally very critical of this administration's policies."

One of those users, Emmelia Talarico, operated the disruptj20 page where Inauguration Day protests were organized and discussed; the page was visited by an estimated 6,000 users whose identities the government would have access to if Facebook hands over the information sought in the search warrants. In court filings, Talarico says if her account information was given to the government, officials would have access to her "personal passwords, security questions and answers, and credit card information," plus "the private lists of invitees and attendees to multiple political events sponsored by the page."

These warrants were first reported by LawNewz.com.

Facebook went through seven months of legal proceedings so it could make all three of the Facebook users aware that the government attorneys wanted their online details.

"We successfully fought in court to be able to notify the three people whose broad account information was requested by the government," a Facebook spokesperson said Friday. "We are grateful to the companies and civil society organizations that supported us in arguing for people's ability to learn about and challenge overly broad search warrants."

The American Civil Liberties Union, representing the three Facebook users, filed a motion to quash the warrants Thursday.

"What is particularly chilling about these warrants is that anti-administration political activists are going to have their political associations and views scrutinized by the very administration they are protesting," said ACLU attorney Scott Michelman.

Facebook was initially served the warrants in February 2017 along with a gag order which barred the social media company from alerting the three users that the government was seeking their private information, Michelman said. However, Michelman says that government attorneys dropped the gag order in mid-September and agreed that Facebook could expose the existence of these warrants, which has prompted the latest court filings. Michelman, however, says all court filings associated with the search warrant, and any response from Facebook, remain under seal.

The Justice Department is not commenting on these search warrants, but government attorneys have issued a similar search warrant to the web provider DreamHost seeking wide-ranging information about visitors to the website disruptj20.org, which provided a forum for anti-Trump protestors. In that case, DOJ modified its initial search warrant seeking millions of IP address for the visitors who merely clicked on the disruptj20.org website. But DC Superior Court Judge Robert Morin largely granted prosecutors' request to collect a vast set of records from the company, which will include emails of the users who signed up for an account associated with the website, and membership lists.

In addition to the account of Talarico and her disruptj20 page, the search warrant also seeks all information about the personal accounts of Lacy MacAuley and Legba Carrefour. Carrefour is a self-described political

activist and pushed back against the search warrant in court filings, saying that his Facebook account "contains a significant amount of private material concerning my personal life." Carrefour denied that he was involved in any of the riots in Washington, DC, on Inauguration Day, but acknowledged that he has "participated in or helped to organize dozens of demonstrations and events of various types in service of political causes."

October 2nd - Dane Powell: Mobilize To Support J20 Arrestees

The United Snakes government is about to start the trials on about 200 protesters who were in DC to resist the inauguration of our official shitlord, Trump. If the State starts getting convictions they will then be seeking years behind bars, in some cases more years than some comrades have been alive. What would happen to the United Snakes' prison system if 200+ radicals were suddenly introduced?

This type of criminalizing dissidence is by no means an unused tactic of the State. What is setting precedence in this case and in Standing Rocks' is the amount of felonies that were passed out like acres to peasants in an agrarian reform revolution. The State is so comfortable that it has become too numb to notice that the throne it once squatted upon has become a powder keg and they're passing out matches in the form of felonies.

The current federal system is over crowded as it is. The Fed's high conviction rate, drug sentencing guidelines, and mandatory minimums, imposed and enforced by Republicans and Democrats alike, ensures a high number of workers and buyers for corporations such as Keefe, GTL, Veritas Capital, Corizon, Aramark and Unicor whose profits are stolen from the production seized by the hands of the State.

The labor movements of the early half of the 20th century are all but a fraction of what they once were due to the rise of de-industrialization and capitalism on a global scale, consuming all that is sacred while committing acts of ecocide on our future generations. In a constant state of profit generation, large corporations must seek the cheapest labor pools they can find, with prisons being the most viable. The conditions inside these prison factories harbors such poor morale that organizing a new labor movement based on general strikes and solidarity would be easier than writing a bad Yelp review for Mar-A-Lago.

The commonality in most, if not all, slave revolts is the organization of the oppressed and the complacency of the oppressor. From the cotton fields of the United Snakes' southern states to the Underground Railroad leading to the occupied lands of the "Canada," tyranny breeds resistance. It has been a very long time since the United Snakes has felt the pressure of a revolt of this nature but it has been sowing the seeds while abusing it's gardeners.

Prisons, when first introduced, were reformatory in nature. Punishment prior to prisons was often a public spectacle involving death and/or dismemberment. Religious zealots sought to reform prisoners through enforced silent reflection with the bible. This book is still the first piece of mail an inmate receives and, not by coincidence; conversion to Abrahamic religions remains highest in prisons. What happens when prisoners are taught about the emancipation of their chains instead of how to polish them with the bible.

In their present state, the United Snakes' labor camps have been kept from too much public scrutiny. Prison reform conversations are still somewhat high but abolishment conversations have steadily been dwindling since the 60s and 70s, while State sponsored legalized lynching has increased for the black and brown men inside the system. The world's jailor has become complacent with its control over their institutions of punishment due to apathy from the overall population while "Everyday in AmeriKKKa the trek continues, a black march to death row," as felt by comrade Mumia Abu-Jamal.

The oppressed groups within the population have always been the ones to emancipate themselves from racist and discriminatory intuitions. The "white washing" of these movements through Hollywood has led to the belief of the "white savior" which seems to be the motivation of reform under liberal institutions all while the petite bourgeois class retain their privilege and preach universal love that is only acquired in their coffee shops. It was always the natives who freed themselves from boarding schools, women from their

“god given” domestic duties at home and as servants, and the slaves from their forced bondage and stolen labor.

The organization and eventual freedom of prisoners will have to come from within the prison population. “When the prison gates open, the true dragon flies out,” we’re reminded by Uncle Ho. If the State has it’s way, against all demands for justice, they will steal our comrades from us and there could soon be revolutionaries in every prison on the east coast. The power of revolutionary organization within prison came to fruit most famously in the Attica prison uprising. With over crowding in every prison, it’s not hard to imagine an Attica in every single major prison on the east coast.

The organization of communications will be essential for secure communications with stolen comrades yet must remain non-centralized. The communication networks between our stolen comrades will need to be of the highest priority to ensure success of their organizational methods. Acts of solidarity will have a greater impact if passed along these lines of communication as censorship will become likely.

We should make no mistake about it, we face the very real possibility of having 200 of our best comrades stolen from us with this number growing everyday from mass arrests in St Louis and Atlanta; to martyrs in the streets of Charlottesville; to every city that we dare ask for our dignity and respect only to be met by deadly force and kidnappings on an ever increasing scale that seems to never let up to the point that we can’t breathe. While our comrades are busy putting all effort into defense, the organization from those outside of the 200+ should be that of support and solidarity no matter the disposition from their trials. They will need organization in place, to turn a “glass is half empty” into a “glass is half full” scenario if our comrades find no justice.

Revolutionary books and zines will be needed and while drives for such should start immediately, a diversity of tactics historically gives us tools to produce other forms of solidarity with our stolen comrades. Comrade Franz Fanon once proclaimed, “Each generation must, out of relative obscurity, discover its mission, and fulfill it or betray it.”

With trials starting in late November, the time to create, plan, and act is now. While our comrades build their justifiable defense, direct action must start immediately. For far too long the State has sought to have their cake and eat it too but we will ensure it is full of the razorblades that they’ve encircled us with. Yes, we will teach them what cake tastes like again.

200+ of our comrades face being robbed of their freedom of movement, freedom of association, and freedom of controlling their own destiny by becoming political prisoners. They need to feel the solidarity that they rightfully deserve. I would take a bullet for any one of these comrades and likely, you would too; but what are we willing to do for 200+? Now is our opportunity to show the world what solidarity looks like in the most direct way imaginable. Organize for our comrades, as they have organized for you. Speak for our comrades, as they have spoken for you.

Most importantly, rage for our comrades, as they have raged for you.

October 3rd - “Drop the Charges!”: J20 Call-In Campaign Launched for US Attorney Liu

by Drop the Charges (*It’s Going Down*)

Join us in welcoming US Attorney Liu to office with a flood of phone calls demanding that the J20 charges be dropped! Sign up at call.usattorneyliu.org now! President Trump’s US Attorney nomination for DC flouted ethics rules before the ink was dry on her nomination.

Can we convince her to do the right thing for the 194 people being unjustly prosecuted by her office? As US Attorney for the District of Columbia, Jessie Liu has near-complete prosecutorial discretion to drop these charges! Sign up at call.usattorneyliu.org to reserve your time slot. We’ll send you an email with more details and a suggested call script. And SHARE widely!

Background:

On Jan 20th, hundreds of inauguration protesters were mass-arrested, held in inhumane conditions, and are now facing at least 8 felony charges each. Their cell phones were confiscated and searched, their homes were raided, and their social media data was seized.

Prosecutors in these cases have demanded vast troves of website data involving millions of unrelated people, sought gag orders forcing Facebook to silently hand over data without notifying users or allowing for legal due process, and ‘cracked’ over 100 defendant cell phones to extract terabytes of personal data.

At the same time, they requested a rare ‘protective’ order to keep defendants from sharing police body camera footage – shielding the police from public accountability, and complicating efforts to prepare a defense.

Most disturbingly, prosecutors have balked at their basic, constitutional duty to disclose individualized evidence – citing the workload of so many cases.

The irony of that complaint, given the disruption caused in over 200 people’s lives by their choice to bring these charges, appears lost on both the prosecution and the court.

Throughout these cases, prosecutors have engaged in vindictive, intrusive, and excessive behavior – from detectives sent to eavesdrop on attorney-client conversations in the courthouse, to offers of ‘wired’ pleas designed to coerce easy ‘wins’ for the prosecutor by pitting defendants against family and friends.

But who ‘wins’ when prosecutors abuse their power and disrupt lives?

If we let these cases continue uncontested, we empower one of the world’s biggest school-yard bullies – the modern American prosecutor – to set aside even the meager protection offered by everyone’s favorite 10 Amendments.

We make the next abuse easier; the next target more vulnerable.

As US Attorney for the District of Columbia, Jessie Liu has near-complete prosecutorial discretion to drop these charges!

It’s up to you to demand that she does!

For maximum impact:

1. Make it personal. *Why are you upset?*
2. Let them respond. *Make it a conversation.*
3. Ask them what they plan to do in response to public comment.
4. End with a clear call to action.

Hi! My name is _____.

I am calling to demand that you drop ALL pending charges against the Inauguration protesters.

I was horrified to learn that over 200 people were improperly arrested, mistreated, and threatened with excessive felony charges.

*Over the last 9 months, you have pushed every limit – making these prosecutions as **disruptive** as possible, and the investigations surrounding this case as **intrusive** as possible. Most defendants will wait more than a year for their day in court – under the constant threat of decades in prison.*

You have used massively inflated charges to coerce plea deals, and then used the fact of those guilty pleas in court as a justification for pursuing the cases.

You have used gag orders to protect the government from public accountability, and failed in your duty to share evidence with the defense.

Prosecutors have the choice of when or how to bring charges, and the responsibility to use it wisely. Your office has abused that power to punish, repress, and intimidate. Your office has wasted public resources, and harmed dozens of the people you're obligated to serve.

*Start out this new US Attorney's term on the side of **justice** – drop the charges. NOW.*

PHONE NUMBERS

OFFICIAL/OFFICE	INFO	PHONE NUMBER
US ATTORNEY'S OFFICE FOR DC	MAIN SWITCHBOARD (WEB PAGE)	(202) 252-7566
JENNIFER KERKHOFF	J20 MAIN PROSECUTOR (LINKEDIN)	(202) 252-7380
JOHN BORCHERT	J20 PROSECUTOR	(202) 252-7679

Share Widely!:

facebook.com/events/1914416641916815

twitter.com/dropj20/status/914356961780649984

instagram.com/p/BZomJyxljA5

1 Oct - Leonard Peltier Legal Update

We want to thank you for all the generous donations that have come in for Leonard's legal team, almost 9,500 dollars in the last two weeks.

MORE:

It is wonderful and shows what we can do to help Leonard's lawyers to move forward. Which means we must continue to raise funds to make this happen. I want to share with you part of the strategy the lawyers have put together to gain Leonard's freedom!

From the desk of the attorney:

"There are three paths to consider in an effort to obtain Leonard's release. The first is a renewed petition for habeas corpus on the grounds that Leonard's incarceration is unconstitutional. There are many obstacles here, both legal and logistical. New grounds (not previously raised in any appeal) would have to be discovered to be able to file a petition that is meritorious and would be considered by the 8th Circuit Court of Appeals. As a practical matter, locating the complete records of all previous appeals may be difficult, as it appears that over the years they have been distributed to different attorneys. It might become necessary to obtain them from the court clerks directly, but there is no guarantee they will be available.

Secondly, after consultation with experts in the area of federal parole, it may be possible to renew Leonard's petition within the next two years. This may be the most promising path as it would provide the most opportunity to present the factors related to racial discrimination, the illegal FBI counter-intelligence operations in the 1970's against AIM, the coercive and underhanded tactics of the FBI during the investigation leading to Leonard's arrest and conviction, his health issues and the sufficiency of his sentence at this point.

Third, is the possibility of a "compassionate release" based on his declining health. This is an administrative issue handled with the Bureau of Prisons. Again, I have spoken with experts in the area who advise that generally, compassionate releases are intended for prisoners with terminal illnesses. I am happy to say that Leonard in my view is far from the end of his days, however, he does have significant health issues, and that combined with the time he has been incarcerated may be a sufficient basis.

As I mentioned above, other than general guidelines that apply to all inmates there are no definitive regulations regarding the granting of a compassionate release from which we can determine that Leonard does, or does not, qualify. Each situation is weighed on a case by case basis. Leonard's medical condition does make a release on this basis possible, although the hiring of outside medical experts may be necessary as his present condition will undoubtedly be open to interpretation for any consideration of compassionate release.

I am including the URL link to an article that will provide additional information regarding efforts to pressure the Bureau of Prisons to expand its granting of compassionate releases.

reason.com/blog/2017/07/28/congress-wants-to-know-why-the-bop-wont

I hope this information will help you see the urgency of our request for donations to Leonard's legal team.

On the medical front, Leonard is recovering slowly from the heart surgery as lock downs, visits canceled and the new elder unit has him stressed. His grandson Cyrus & his son went to visit Leonard (Thanks to the Rosenberg Fund for Children) last weekend. Cyrus checked before he left to make sure visiting was on "YES, they said" but when Cyrus got to the prison on Saturday morning he was told visits were canceled for the day and he should call Saturday night to see if they would be open on Sunday. Sunday, it was closed, he called Sunday night for Monday, visits were canceled yet again. Both Cyrus, his son and Leonard missed a chance to be a family for the weekend. Leonard was very upset as he says "time is too short for me, and to not see my great grandson is very upsetting."

Leonard has very few pleasures in life; the most important is his visits with family and friends. It is imperative for us to continue to push his struggle forward. We need to stay focused and dedicated in order to right this grave injustice.

2 Oct - Interview on Certain Days Political Prisoner Calendar

Check out this interview with local comrade and former political prisoner Daniel McGowan.

MORE:

by Bloc Party (*It's Going Down*)

We're back. Remember when 2016 ended and we all thought it just couldn't be any worse? This year. Damn. We don't have to explain it, because we know you're feeling it too. That being said, we're back this week with a short interview with Daniel McGowan from the Certain Days Calendar.

One thing that has influenced and informed our politics, our strategies and our actions has been being deeply involved in prisoner support. We started doing prisoner support not just because it is the "right" thing, but because we genuinely believe that we owe it to others who are in the inside for us to be out here for them. Also, because we know we might be on the other side of those prison walls one day ourselves. Daniel McGowan, a former ELF political prisoner and homie of ours, takes prisoner support seriously. He's made it a tremendous focus in his life since his release from prison several years back.

We're continually inspired by his tirelessness and focus on getting folks free. We caught up with Daniel to talk about the Certain Days Calendar project:

Bloc Party: Can you tell us about the origins of Certain Days? How did it begin? How long has the project been running?

Daniel McGowan: Certain Days started in 2000 and the first calendar was released for 2001. The idea was conceived by political prisoner Herman Bell, who is still an editor (with David Gilbert and Robert Seth Hayes).

How did you get involved with Certain Days?

I started to contribute in around 2005 and wrote an article in 2008. I joined the collective after the 2015 calendar came out.

The artwork every year is both beautiful and incredibly varied in style. How do you curate the art for the calendar?

We come up with a theme for each year in consultation with editors inside and through discussions over the course of months. Once we have that theme, and write a call, we send it out all over the place and do a fairly large mailing to prisoners inside. Sometimes we also approach movement artists as well and we keep our eyes open all year for beautiful artwork. Once we have our submissions, we pick favorites and whittle it down from there. It is not easy to come up with 12 pieces when you get about 100!

How do you see art connected to anti-prison and prisoner struggles?

I think art is integral to anti-prison and prisoner struggles because it expresses ideas in a way words and dry essays about the prison system just cannot. I like to think art can be more accessible than the normal ways our movement(s) communicate our ideas. Street art, in particular, is much more accessible to me than something hanging in a gallery.

What do the proceeds from the calendar go towards?

We have two long standing organizations our proceeds go to: Release Aging People in Prison (RAPP) in New York City and Addameer Prisoner Support and Human Rights Association, in Palestine. They both do amazing work to support prisoners in their communities. This year, we will be donating to a third group or campaign that has not been decided yet. We wanted to maintain flexibility to be able to respond to new flashpoints. In the past, we have donated to the Unist'ot'en Camp, 4 Struggle magazine, TGI Justice Project and the Six Nations Land Defenders Legal Defence Fund.

How can people support Certain Days or potentially get involved in the future?

There are a few ways people can get involved. One of the best ways is to help distribute our calendar. Basically, people can buy bulk copies of our calendar for \$10 each and sell them for \$15 each, keeping the \$5 for your organization. We have many campaigns, friends and organizations that do just that and it helps fund their work.

We also have single copies of our calendar available via kersplebedeb.com, AK Press and Burning Books. Another way people can help is to sponsor copies for prisoners. We offer discounted copies to any prisoners for \$8 (postage paid). If you have friends inside you want to sponsor a copy for, you can email us at info@certaingroup.org Finally, people can reach out to us to help out with editing for next years calendar at the email and check out certaingroup.org

4 Oct - Three Water Protectors Acquitted of All Charges

The five charges included criminal trespass, engaging in a riot, obstruction of a governmental function, disobedience of a public safety order during riot conditions, and disorderly conduct.

MORE:

Defendants maintained they were engaged in lawful activity and the State had insufficient evidence to prove any criminal activity, Judge Hill agreed. Charges against Water Protectors, Kanahus Manuel from British Columbia, Canada, Dustin Seher from Jamestown, ND and Christian Howell from Asheville, NC, stemmed from one of the largest mass arrests that took place at Standing Rock on October 22, 2016.

“I’m relieved that all of the bogus charges were dropped against me,” said Kanahus Manuel. “I want to call on the state to now drop all charges for all Water Protectors and I want to thank all the people around the world who said prayers for us and support our resistance against pipelines and oil and gas that are destroying our indigenous territories.”

Manuel is from the Secwepemc territory and left her efforts in stopping the Kinder Morgan Pipeline to travel to North Dakota to appear in Court rather than take a plea deal she was offered earlier. Manuel exclaimed, "I want to thank the Tiny House Warriors for holding it down back in Secwepemc Territory by building tiny houses to stop Kinder Morgan Pipeline. Water is life!"

WPLC Cooperating Pro Hac Vice Attorney Dan Siegel who represented Manuel in court said of the verdict, "I think Judge Hill did the right thing, the State presented a weak case and he was right to dismiss it. I think it's terrible people have to go through this. Kanahus had to move heaven and earth to get here. The state should just dismiss all the remaining cases."

Christian Howell took a Greyhound bus to get here from North Carolina to appear in court in person as well. Howell said, "I didn't have any expectations today. It would've been easy not to come, I was offered a plea deal, but I didn't come here in the first place because I thought it would've been easy. I came here because it was the right thing to do." Howell was represented by Laura Reynolds, a Fargo public defender who worked cooperatively with WPLC.

North Dakota resident and Water Protector Dustin Seher said, "It was a pleasant surprise that Judge Hill made the right decision to acquit all defendants based on complete lack of evidence put together by Morton County. I encourage all Water Protectors with active cases to stand up and fight bogus charges."

Andrea Carter, Mr. Seher's counsel additionally commented, "This victory belongs to the whole movement, all who have and continue to work in solidarity, each of us contributing our own little grain of sand. When we have just rulings like this, more healing is possible and with it, we hope future transgressions on our Constitutional, Treaty, and inherent rights are discouraged and deterred.

5 Oct - Marius Mason Reportback from Running Down the Walls

Political Prisoner Marius Mason participated in Running Down the Walls and sent this reportback in.

MORE:

We were able to do a solidarity walk for the Running Down the Walls event, though only one of us ran (I was pushing a friend in a wheelchair). We talked a lot about prisons and the role they play in society, and about some of the political prisoners behind bars for so many years. We talked about conditions in prison, especially access to medical care, as that is a huge issue at Carswell, which is a medical facility and has a large percentage of prisoners who desperately need care. It was a beautiful day and we had a good walk. I hope that I will be able to get some of the follow-up notes about the events, where they happened and what was written for them.....it's not so easy to feel connected.

14 Oct - NYC For Peltier

WHAT: Speaking and Cultural Event

WHEN: 2:00-5:00pm Saturday, October 14th

WHERE: Holyrood Episcopal Church - 715 West 179 Street New York, New York 10033

COST: FREE, donations appreciated

MORE:

Join NYC Free Peltier, NYC ABC, NYC Jericho, and ProLibertad for an afternoon of education and appreciation for Leonard Peltier.

With Tarik Haskins, former BPP/BLA Political Prisoner, on his time with Leonard in the Federal Prison System.

OTHER SPEAKERS AND CULTURAL PERFORMERS TO BE ANNOUNCED!

More info: nycfreepeltier@gmail.com