



POST OFFICE BOX 110034 BROOKLYN, NEW YORK 11211

Updates for March 13th

27 Feb - In Reality Winner's Case, Defense Seizes Upon FBI Testimony To Bolster Motion To Suppress Statements

FBI agents who questioned Reality Winner while they were executing search warrants never told her she was “free to leave,” a fact that could determine whether statements she made are suppressed.

MORE:

by Kevin Gosztola (*Shadowproof*)

Winner is an NSA contractor accused of mailing a classified document on alleged Russian hacking of voter registration systems to The Intercept. She was charged with violating the Espionage Act and is currently in detention awaiting trial.

Back in August, Winner’s attorneys filed a motion to suppress statements made to FBI agents hours before she was arrested because Winner was never read her Miranda rights,

Judge Brian Epps convened a five-hour hearing at the Federal Justice Center in Augusta, Georgia, where the defense and government cross-examined two FBI agents who were present on June 3 during the raid. He gave the defense and government quite a bit of latitude to ask the agents whatever questions they wanted.

Special Agent Justin Garrick, who authored an affidavit for Winner’s search warrant application and the criminal complaint, testified that he never told her she was free to leave. He also never dissuaded her from asking FBI agents permission when she wanted to move about her home while they were present.

There was an email the night before search warrants were executed that indicated the Counterintelligence and Export Control Section (CES) of the Justice Department approved of agents arresting Winner if she happened to plea or admit to an unauthorized disclosure. Another email stated agents would effect the arrest and search of her home.

Matthew Chester, one of Winner’s defense attorneys, argued the agents made a “tactical decision” not to arrest her so she would talk with them.

Epps asked Garrick if he ever received any instructions on when to Mirandize someone in the context of their home. In the context of executing a search warrant, Garrick never considered the need to inform Winner that she was “free to leave.” He told the judge he never contemplated Mirandizing her.

The prosecutor, Jennifer Solari, repeatedly emphasized the friendliness or politeness of the FBI agents, as well as the “voluntary” aspects of the encounter, to argue Winner’s rights were not violated.

Solari consistently reminded the court that a battering ram was not used, guns were never brandished, agents did not use abusive language, Winner was never told to get down on the ground, and Garrick and another agent, Wally Taylor, never were in her face demanding she answer specific questions.

It was almost as if the government wanted the judge to overlook the agents’ conduct because there were worse ways they could have violated her rights that did not occur.

The defense emphasized the fact that Winner’s movements were controlled at all times, and she was the FBI’s only suspect, even though the document at issue was printed six times. They also referred to the

position of the government—that Winner is a “flight risk,” a potential target of foreign adversaries, and a possible danger to the community, who should remain in jail until trial.

A number of times, Chester raised the following issue: If Reality Winner is a danger to the community and potential target of foreign adversaries, which was true before the searches on June 3, why would FBI agents ever have allowed her to leave?

In fact, Garrick indicated that a surveillance team was stationed and ready to follow her if she left her home.

The government firmly maintains any “reasonable person” would have felt free to terminate the encounter, but Winner was never informed of her custodial status. Garrick testified that she was never told she was not in custody.

During closing argument, the government went through a laundry list of factors the defense claimed as evidence her rights were violated and said very few of these factors were relevant to the issue. Yet, Solari stated it certainly would have been helpful if agents had informed her she was “free to leave.”

When the proceedings concluded, Epps called the proceedings a “shining example of how the adversarial process is supposed to work.”

Defense attorneys will submit another brief with further arguments based on the day’s proceedings. The government will respond. That means it will be about a month before the judge rules on the motion to suppress statements.

If the defense manages to win, it could be pivotal. She made several incriminating statements, including what appeared to be a confession. The defense would certainly benefit if the government was unable to use what she said because FBI agents failed to respect her rights.

27 Feb - Sundiata Acoli Updates + Petition

The Sundiata Acoli Freedom Campaign is asking that folks print off petitions calling for the commutation of Sundiata’s sentence, get them signed by people in your community/organization, and then send them in.

MORE:

You can find the petition at sundiataacoli.org/wp-content/uploads/Sundiata-Acoli-petition.docx

When petitions are filled out, you can return them to:

Florence Morgan
120-46 Queens Boulevard
Kew Gardens, New York 11415

Funds to support Sundiata’s legal efforts can be sent to the above address. Make checks payable to Sundiata Acoli Freedom Campaign (or SAFC) or PayPal to SAFC766@gmail.com

On September 2014, a New Jersey Appellate Court ordered Sundiata Acoli’s release, resting its decision on the eligibility requirements under the New Jersey Parole Act of 1979. The New Jersey Parole Board immediately announced it would appeal the decision and request a “Stay” of Sundiata’s release until the appeal was heard. The “Stay” was granted which resulted in Sundiata remaining incarcerated while awaiting a decision from the New Jersey Supreme Court. The case was argued before the New Jersey Supreme Court which held that the Appellate Court exceeded its authority in ordering Sundiata’s release because a procedural process had not been followed. It’s important to note that the NJ supreme Court did not disturb the Appellate court’s decision on the merits.

On November 16, 2016, the board sent Sundiata a decision informing him that it had set a Future Eligibility Term (FET) of 180 months! An appeal will again be taken to the Appellate Division that ordered Sundiata's release in 2014.

Financial contributions are needed so that Sundiata's attorney may continue to pursue his freedom. Transcripts, briefs, printing, binding are but some of the cost. The brief to the NJ Appellate court is being prepared. Sundiata needs funds—at least \$10,000. He is most grateful for your help and sends his thanks for whatever you can contribute.

Finally, to hear Sundiata read the poem Affirmation by Assata Shakur, visit prisonradio.org/media/audio/affirmation-project/affirmation-read-sundiata-acoli

1 Mar - Mumia's Legal Case Update

The punchline from the court proceeding on Monday, February 26 is that March 27 is now the date for another “status report” from DA Krasner.

MORE:

by Rachel Wolkenstein

April 30 is the date for a court hearing and hopefully to get a position from Krasner on how they are proceeding.

In terms of protests etc, discussion after the court hearing is that organization that have/are planning actions for March 27 to proceed. But the full mobilization in Philadelphia will change from March 27 to April 30. More to come from Suzanne Ross (NYC), Pam Africa, Joe Piette, Betsy Piette (Philadelphia).

Here is a summary of where the legal case is, with some history thrown in.

Mumia's legal action was filed on August 7, 2016, but the first court date was not until April 24, 2017. The District Attorney's Office (DAO) opposed Mumia's petition, arguing for dismissal and that reinstating Mumia's appeal rights would be “too much justice.”

Instead, since then Judge Leon Tucker, who is the supervisory judge of criminal division of the Court of Common Pleas, issued six discovery orders to the DAO, each in response to DAO filings that there are no documents related to former Philadelphia District Attorney Ronald Castille's personal involvement in Mumia Abu-Jamal's appeals from 1986-1991.

One of those orders was for the DAO to deliver all of Mumia's files (some 31 boxes) to the judge for him to do an in camera review. Prior to that, the DAO disclosed a document (found in some unidentified file), which is a March 27, 1990 memorandum by Deputy DA Gayle Barthold McLaughlin to DA Castille listing some 70 pending capital cases and providing a status report on the stage of prisoner appeals—how far each case was in the appeal process. (Capital appeals in Pa. go from the trial conviction stage directly to the Pa. Supreme Court and then an attempt for review in the U.S. Supreme Court.)

After a week or so with the 31 boxes, Judge Tucker ordered the DAO to produce the letter by Castille to Deputy DA McLaughlin that resulted in the capital case status report.

The DAO responded two times that they “cannot locate” that Castille letter.

On November 27, 2017 Judge Tucker ordered a court hearing for January 17, 2018 for the DAO to “produce former Deputy District Attorney Gayle Barthold McLaughlin to present testimony regarding the content of the [Castille] documents the DA's office cannot locate.” Judge Tucker threatened sanctions against the DAO, but there is no order for Ronald Castille to testify, although he is living in the Philadelphia area.

As of January 2, 2018 Mumia's case and fourteen other similar cases have been in the hands of District Attorney Larry Krasner, newly elected on a "progressive program." As a reminder, retired Justice Castille was appointed to DA Krasner's post-election advisory board.

In court on January 17 and again on February 26 Krasner's DAO, the DAO requested time for "further investigation" and "to "formulate an office policy for their approach to these cases." On both occasions Judge Tucker cut back the time requested for a continuance, noting that the case had been going on for a while and the DA needed to locate the Castille document or provide the witness (Gayle Barthold McLaughlin) to testify as to content of Castille's instructions to her to compile the list.

On February 26, the DAO was also talking about the case of Robert Wharton, another Williams case, for whom this Castille letter is relevant. (Note: Of the Williams cases before Judge Tucker, he has granted new appeal rights to seven prisoners, dismissed two for no evidence of Castille involvement, two prisoners withdrew their petitions.)

On February 26 the DAO said they still couldn't locate the Castille letter, although they said they had looked. No details about where they looked were provided, nor were they asked. But now the DAO planned to review the files of all the 70 capital cases pending as of March 1990, which were listed in the March 27, 1990 status report. (This is likely hundreds of file boxes.) Judge Tucker was focused on locating this particular Castille letter.

Mumia's attorneys agreed to the initial DAO request for 90 days, but Judith Ritter put on the record that she wanted the DAO search to include looking for any other relevant document regarding Castille's involvement in Mumia's case.

Also put on the record by Ritter was that the DAO agreed that if no new documentation is found in these files, there will be a deposition of former Deputy DA McLaughlin.

Judge Tucker ordered another status report on March 27 and a hearing on April 30.

Judge Tucker wants Krasner's DAO to decide its policy on the Williams' cases.

After court adjourned, Judith Ritter and Sam Spital of the NAACP LDF talked with us in the court corridor. They didn't want a public statement in front of press and on the record. They repeated what had happened in court and that they hoped there would be a positive decision from Krasner's office. They are also aware that if they don't get a positive decision from Krasner, and if the judge rules for Mumia, there will be an appeal by the DAO.

After the presentation, I was able to ask the lawyers about two items, one was another document that was released by the DOA back in October 2017: a June 15, 1990 letter from DA Castille to then-governor Robert Casey. This letter urged the governor to issue death warrants in 16 Philadelphia capital cases where the appeals process was completed. DA Castille's letter states: "I urge you to send a clear and dramatic message to all police killers that the death penalty actually means something."

This letter was disclosed by the DAO with the caveat that it does not apply to Mumia because he is not specifically named. But Mumia's appeals were still pending in the U.S. Supreme Court, so a death warrant could not be requested for him. The "all police killers" was an unmistakable reference to Mumia Abu-Jamal.

I learned about this Castille letter from an October 19, 2017 letter from Sam Spital to Judge Tucker, which is part of the public record. In that letter Spital writes: "The [June 15, 1990] letter makes clear that Mr. Castille made a policy decision—which would include Mr. Abu-Jamal's case—to expedite litigation in capital cases so they would 'move forward to their ultimate conclusion.' Indeed, under the

Commonwealth's own reasoning, Mr. Castille actively tracked Mr. Abu-Jamal's case ... Those facts, in and of themselves, show Mr. Castille's 'significant, personal involvement...in a critical decision regarding Mr. Abu-Jamal's case."

In other words, the March 27, 1990 status report on capital cases and Castille's June 15, 1990 letter to Gov. Casey meet the standard required by Williams that Justice Castille's participation as a justice in Mumia's appeals deprived Mumia of a fair and impartial tribunal. Mumia's appeal denials from 1998-2012 should be vacated and his appeal rights restored.

Both Spital and Judith Ritter said that they would go back to this letter, combined with the status report on capital cases after this next round of searches. They said this was strong evidence of Castille's significant personal involvement in Mumia's case.

Operationally, in the letter from Pam Africa and Joe Piette of Mobilization 4 Mumia. to Krasner, the March 1990 capital case status report and the Castille letter to governor Casey are cited, making the argument that the evidence is already out that Castille was personally involved as the DA in Mumia's case. Based on this Krasner should withdraw the DA's opposition to Mumia's petition and agree to granting Mumia new appeal rights immediately. At the same time making clear we want Mumia free and released from prison.

I also made the point that Mumia's pro se petition to the U.S. Supreme Court was included in full in the initial 71 pages of discovery released. This was a sharp document against fundamental practices and policies existent in the DA's office, practices found to be unconstitutional by the U.S Supreme Court. Also of note, was the fact that the very day after the DAO received Mumia's pro se petition Deputy DA McLaughlin filed her own notice of appearance in the U.S. Supreme Court to represent the DAO, substituting for a more junior assistant DA. (McLaughlin is the signatory on the March 27, 1990 memo and the attorney assigned by DA Castille to represent the DAO in Mumia's U.S. Supreme Court proceedings.)

Suzanne raised her suspicions about the delays from Krasner's office.

Also Pam and others have gone to a couple of Krasner's "community reach-outs" to challenge him. If there is video to post on a web site or on facebook, that would be terrific. We have no reason to trust Krasner will "do the right thing."

March 25th - Demonstration for Mumia Abu-Jamal

WHAT: Demonstration

WHEN: 12:00-4:00pm, Sunday, March 25th

WHERE: Meet at US Mission (799 United Nations Plaza)

COST: FREE

MORE:

Demands of the demonstration:

Release Mumia's case files

Free Mumia Abu-Jamal NOW

Free all political prisoners

End mass incarceration and police violence

Liberation and reparations for all oppressed and occupied communities

2 Mar - Ruchell Magee, longest held political prisoner in the world, heads to parole hearing

Check out the latest by Ruchell Cinque Magee.

MORE:

by Ruchell Cinque Magee (*San Francisco BayView*)

On Jan. 26, 2018, I was served papers informing me that the California Board of Parole Hearings granted my application for hearing to determine if it meets the standards for release in accordance with the federal three-judge order requiring release of elderly prisoners who are 60 years of age or older and have served 25 years or more.

On or about Oct. 10, 2014, the federal judges ordered the California governor and Parole Board to reduce the prison population. That's what prompted the plan to release elderly prisoners.

The Board commissioners and the governor entered into a delaying agreement to stall for time, toying with their old loophole howl of suitability for parole and protection of public safety. That loophole put pressure on judges for a long time to refrain from correcting prison overcrowding and upholding the three-judge order.

The loophole worked as a stalling tactic, but they never changed the law. The Board and governor remain mandated to respect the law against de facto denial of parole for elderly prisoners with a life sentence.

In 1963, I was sentenced by the Superior Court judge in Los Angeles County to seven years to life upon conviction for kidnap to rob for \$10.

On Aug. 7, 1970, I attempted to bust out of San Quentin Prison upon joining others who seized the Marin County Courthouse for approximately 20 minutes. It's a long story regarding the Marin County Courthouse Rebellion, and it's never been told. That does not make me pose a threat to the public if I'm released in accordance with the three-judge order.

On Jan. 23, 1975, a Superior Court of Santa Clara County judge sentenced my person to seven years to life for kidnap to run together with the L.A. County sentence.

I was sentenced under the old law, Penal Code 1168, where 17 years was the maximum prison term.

I have served more than 54 years in the California state prison, the longest held political prisoner in the world.

In order to hold me beyond the court's sentence, the two deputy prosecutors, Timothy A. Reardon and Pete Flores, both out of the California Attorney General's Office with family in high judicial places, were able to loophole pressure the parole commissioners to avoid complying with the old matrix, which mandates release after a 17-year prison term for kidnap.

These two corrupted prosecutors will not show their face in any open court where pending habeas and other civil action shows documented jury acquittal, which eliminated the 1970 de facto indictment charge of kidnap. Therefore, they were able to manipulate the Board commissioners for decades with loopholes lip service about the nature of the 1970 kidnap offense. In court, the evidence shows the January 1975 sentence is DOUBLE JEOPARDY PROSECUTION, used to criminalize my person.

I am not in prison as a result of posing a threat to public safety. I'm in prison because of so many injustices carried out by these two racists, Reardon and Flores, dragging other law enforcement into the racist circle or box that includes committing assault on the jury system. All this has gone unnoticed by the public.

Even with the acquittal supporting my actual innocence, proving me not the criminal these racist clowns made me out to appear, but not considered by the Board, the three judge order mandates my release based on my age and the prison term I have served.

Theft of liberty is one thing, but theft of health is another that requires some independent investigation for corruption out of hand. Other prisoners require release pursuant to the three-judge order.

In my case, it has been a loophole secret keeping the jury acquittal suppressed and manipulating the Parole Board for compiling lip service about the nature of Magee's 1970 offense. There is no evidence that Magee would pose a threat to public safety if released by the Board.

Imprisonment for decades by racists with a law badge is a mind boggling high level conspiracy to hide the truth and deny my freedom. It says a lot about the meaning of the word justice and its use as a tool of slavery practiced under color of law, which must be enforced and respected.

Many of us know what kind of justice the racists with a law badge believe in. Their racist talk is like a terrorist bomb thrown into the middle of a crowd.

I know how the language is worded in the three-judge order, requiring release of elderly prisoners. Accordingly, we are suitable who are 60 years old or older and have served 25 years or more.

It is taking years for the Board commissioners to understand the federal judges' order requiring prison population reduction, because the commissioners refuse to refrain from listening to the prosecutors, whose lip-service in my trial was 99 percent fraud and one percent law words misapplied.

Prisoners' supporters can learn a new education regarding the Parole Board's operation by focusing on who carries the most weight – the federal judges or the racists controlling the Parole Board when it comes to public safety and the law.

The Board commissioners know the impact of my release would end the loophole hiding the jury's acquittal.

Peoples concerned can write a plain letter to: Board of Parole Hearings, CMC-1 Hwy, Office of the Board, San Luis Obispo, CA 93409. Your letter must be titled: File No. A92051, Magee, R. Make a plain claim that Ruchell has a three-judge order right to release – as opposed to whether the Board should or should not find him suitable based on loopholes and a misplaced sense of fair play.

People's lives are worth more than racists' lip-service about protecting the public.

5 Mar - Medical Campaign for Political Prisoner Robert Seth Hayes

As people know, ensuring that Robert Seth Hayes receives adequate medical care has been an ongoing struggle over the past 20 years.

MORE:

Seth reports that, when he went to change the sensor on his insulin pump (sensors must be changed every 6 days) on February 23, 2018, he was informed that Sullivan did not have any sensors at the facility.

So for almost two weeks now, Seth does not have a continuous glucose monitoring device (the sensor continuously reads interstitial glucose levels and relays them to the monitor) and has had to rely on his daily finger sticks to determine his sugar levels. Once again, NYS DOCCS is violating Seth's constitutional and human right to adequate health care, in addition to being in stark violation to the United Nations Nelson Mandela Rules on the treatment of prisoners.

The whole point of Seth's having the insulin pump/monitor is because he can no longer tell when his sugars are high or low. It is hard to believe that "medical" personnel at Sullivan have once again failed to order the necessary sensors in a timely fashion.

NYC Jericho visited Seth on Saturday, March 10, 2018. Seth reports that sensors did arrive at Sullivan on Thurs., March 8. However, the sensor currently taped to his body is not functioning. The pump and sensor

need to have an electronic "handshake" in order for everything to work properly. That "handshake" has not occurred. The pump was still seeking the sensor during our visit on Saturday.

So Seth is still relying on his 4 daily fingersticks to know what his blood glucose level is. All "medical" personnel at Sullivan have to do is discard the nonfunctioning sensor and insert another one, but this has not happened and probably will not happen until Monday, March 12, 2018

Please call, write and fax the following people to demand that all supplies for Robert Seth Hayes #74A2280's insulin pump be adequately stocked at the Sullivan clinic. Be polite but firm. Feel free to email nycjericho@gmail.com to let us know what response you receive. Staff at Sullivan usually state that Superintendent Keyser will not take phone calls and that all complaints must be in writing. If that is the case, ask to speak with guidance and ask for Seth's counselor.

Carl J. Koenigsmann M.D.
Deputy Commissioner/Chief Medical Officer
NYS DOCCS Division of Health Services
Harriman State Campus, Building #2
1220 Washington Avenue
Albany, New York 12226-2050
Phone: 518.457.7073
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Carl.Koenigsmann@doccs.ny.gov

Anthony J. Annucci
Acting Commissioner
Harriman State Campus, Building #2
1220 Washington Avenue
Albany, New York 12226-2050
Phone: 518.457.8126
commissioner@doccs.ny.gov

Superintendent Keyser
Sullivan Correctional Facility
325 Riverside Drive
Fallsburg, New York 12733
845.434.2080

6 Mar - Metropolitan Anarchist Coordinating Council General Assembly and Events

The General Assembly is a great opportunity to get plugged in with MACC, its various working groups, and other NYC based anarchist projects.

MORE:

MACC assemblies are open to all anarchists, antifascists, anti-authoritarians and those interested in anarchist ideas and organizing, so please invite your friends and share widely! As with all assemblies, we encourage everyone to come with ideas about what they would like to see for future campaigns or actions and what direction they'd like MACC to take in terms of building a more powerful, militant anarchist movement.

The agenda will include:

- Report-backs from MACC working groups
- How to get involved with MACC's direct action group
- Breakout discussions on upcoming projects and actions
- Announcements about other events and projects

An orientation will precede the assembly starting at 6:30 PM for those interested in familiarizing themselves with MACC/general assemblies/anarchist ideas and in meeting other newcomers.

Other upcoming events:

- Rally for Afrin / Rally for the YPJ (Thursday March 8th at 5 pm @ Washington Square) - For this International Women's Strike, support the #Rojava Revolution and their revolutionary, directly democratic, anti-capitalist, feminist struggle.
- MACC Organizing Meeting (Saturday March 10 @ Columbia University [time and room TBA]) - We'll be coordinating projects between working groups, planning the upcoming GA, and dealing with administrative matters. Open to anyone who has attended a MACC GA.
- Cocktails & Conspiracy: Learning to Resist (Monday March 19 at 7:30 pm @ Starr Bar) - On the 50th anniversary of the global uprisings of 1968, subMedia pays homage to the insurgent youth who helped kick things off a half-century ago by taking a look at some contemporary student-led movements that are still tearing things up around the world.
- Anarchists Care About Books (Sunday March 25 at 4 pm @ Bluestockings Bookstore) - We'll be discussing The Fifth Sacred Thing by Starhawk at our monthly book discussion.
- MACC Direct Action Planning (Saturday March 31 at 2 pm @ The Base) - We'll be learning about planning direct actions.

MACC's full event calendar is available on our website <macc.nyc>

6 Mar - Prosecutors Say A Woman Who Went Undercover With An "Anarchist Extremist Group" Will Testify At Inauguration Protest Trials

The witness, who prosecutors referred to as "Julie McMahon," spent two years undercover infiltrating an "anarchist extremist group" in New York, according to court filings.

MORE:

by Zoe Tillman (*BuzzFeed News*)

In the next round of trials against people charged with rioting during President Donald Trump's inauguration, federal prosecutors want to put a witness on the stand under an alias who spent two years undercover with "an anarchist extremist group" in New York.

Prosecutors said in court papers filed March 2 that the witness, referred to as "Julie McMahon," is no longer working undercover, but they warned that revealing her identity could jeopardize ongoing "covert operations" and also put her security at risk. McMahon will testify about the use of the "black bloc" tactic during protests on Jan. 20, 2017, according to the government.

There are 59 people still facing criminal charges in connection with the mass arrests in Washington, DC, during anti-Trump demonstrations on Inauguration Day. Following the full acquittal last year of the first six defendants to go to trial, the US attorney's office announced in January that it would drop charges against 129 of the 188 remaining defendants.

The prosecution told the court at the time that it planned to focus its efforts on defendants who allegedly engaged in "identifiable acts of destruction, violence, or other assaultive conduct," participated in planning violence and destruction, or who knowingly participated in what's known as "black bloc" tactics in order to aid violence and destruction.

The next trial is scheduled to begin on March 26, although four of the five defendants have asked to delay the trial for various reasons, including personal conflicts and difficulties going through all of the evidence in time. The government is opposing the request.

The government plans to call "Julie McMahon" to testify about the "black bloc" tactic, according to its latest filing. A black bloc is commonly described as a group of protesters who wear all black clothing, along with black masks or other gear that makes it harder to identify them as individuals. The government's theory in the Inauguration Day cases is that the defendants conspired to participate in a black bloc to make harder for police to identify individuals who engaged in violence and property destruction.

The government has said the Jan. 20 demonstrations caused more than \$100,000 in property damage across downtown Washington. Throughout the protests, individuals would run out, break the windows of stores and cars, and then rejoin the crowd. Most of the remaining 59 defendants face at least eight criminal counts — one felony count of inciting a riot, two misdemeanor counts of engaging in a riot and conspiracy to riot, and five felony counts of property destruction.

The government said in its latest court filing that it intends to call "Julie McMahon" to testify about how a black bloc typically works, and how she believes it was used on Jan. 20, including the clothing demonstrators wore, objects that were later found on the scene — including crowbars and other weapons — and the use of "marshals, scouts, and medics."

"Ms. McMahon will further opine that, in her training and experience, the 'black bloc' tactic is only used when individuals within the group intend to engage in acts of violence and destruction, and that the 'black bloc' tactic is a known term within the anarchist movement," prosecutors wrote.

McMahon worked undercover — though the filing does not say for whom — infiltrating an "anarchist extremist group" in New York from 2008 to 2010 and took part in a black bloc during protests in Pittsburgh in 2008 during the G20 conference, according to the government. She was going to participate in a black bloc as part of the Occupy New York movement, but that "did not materialize as expected," prosecutors wrote.

Prosecutors said McMahon also worked undercover in public corruption and foreign counter-intelligence operations, and previously had been allowed to testify in court under an alias in criminal cases in federal court in New York.

The Confrontation Clause of the US Constitution gives defendants the right to face and cross-examine witnesses against them in court. Prosecutors said they would provide the defense with McMahon's real name and job history so they could prepare questions for her, under the condition that they not be allowed to reveal her identity to anyone else.

The government said the precautions were needed not only to protect operations that McMahon had been part of, but also to protect her — prosecutors said the lead prosecutor, Assistant US Attorney Jennifer Kerkhoff, and the lead detective had been harassed as personal information about them spread last year. According to the government, Kerkhoff received a "targeted mailing" at her home that included a picture of her with the letters "CFM" on her body, which the government said often refers to the phrase, "Come Fuck Me."

A spokesperson for the US attorney's office declined to comment. The government filed notice about its intent to introduce McMahon in the cases set for trial March 26 and April 17; defense lawyers in those cases either declined to comment or did not return requests for comment.

Dylan Petrohilos, one of the defendants in the April 17 trial group, told BuzzFeed News that the description of McMahon's work was proof of a "long-term strategy where the state has ... clamped down on civil liberties in the name of trying to go after this anarchist bogeyman."

"This is part of a long-term trend of surveillance of activists that is unfortunately becoming more and more the norm," Petrohilos said. He declined to comment on whether he would challenge allowing McMahon to testify under an alias.

7 Mar - Old, Sick and Dying in Shackles

“Compassionate release” has bipartisan support as a way to reduce the federal prison population and save taxpayer money. New data shows that it’s rarely used.

MORE:

by Christie Thompson (*The Marshall Project*)

Kevin Zeich had three and a half years to go on his prison sentence, but his doctors told him he had less than half that long to live. Nearly blind, battling cancer and virtually unable to eat, he requested “compassionate release,” a special provision for inmates who are very sick or old.

His warden approved the request, but officials at the federal Bureau of Prisons turned him down, saying his “life expectancy is currently indeterminate.”

Congress created compassionate release as a way to free certain inmates, such as the terminally ill, when it becomes “inequitable” to keep them in prison any longer. Supporters view the program as a humanitarian measure and a sensible way to reduce health care costs for ailing, elderly inmates who pose little risk to public safety. But despite urging from lawmakers of both parties, numerous advocacy groups and even the Bureau of Prisons’ own watchdog, prison officials use it only sparingly.

Officials deny or delay the vast majority of requests, including that of one of the oldest federal prisoners, who was 94, according to new federal data analyzed by The Marshall Project and The New York Times. From 2013 to 2017, the Bureau of Prisons approved 6 percent of the 5,400 applications received, while 266 inmates who requested compassionate release died in custody. The bureau’s denials, a review of dozens of cases shows, often override the opinions of those closest to the prisoners, like their doctors and wardens.

Advocates for the program say the bureau, which oversees roughly 183,000 inmates, denies thousands of deserving applicants. About half of those who died after applying were convicted of nonviolent fraud or drug crimes.

“It makes sense to release prisoners who present very little danger to society. It’s the humane thing to do, and it’s the fiscally responsible thing to do,” said Senator Brian Schatz of Hawaii, a Democrat. “The Bureau of Prisons has the theoretical authority to do this, but they basically do none of it.”

Case files show that prison officials reject many prisoners’ applications on the grounds that they pose a risk to public safety or that their crime was too serious to justify early release. In 2013, an inspector general reported that nearly 60 percent of inmates were denied based on the severity of their offense or criminal history. The United States Sentencing Commission has said that such considerations are better left to judges — but judges can rule on compassionate release requests only if the Bureau of Prisons approves them first.

Late last month, Schatz introduced legislation — co-sponsored with Senators Mike Lee of Utah, a Republican, and Patrick Leahy of Vermont, a Democrat — that would let prisoners petition the courts directly if the bureau denies or delays their requests.

Many are turned down for not meeting medical requirements. Zeich, who was serving 27 years for dealing methamphetamine, requested compassionate release three times, but was repeatedly told he was not sick enough. On his fourth try, his daughter, Kimberly Heraldez, finally received a phone call in March 2016 saying her father would soon be on a plane, headed to her home in California.

Early the next morning, she was awakened by another call. Her father had died.

Zeich's ashes now sit in a container in her closet alongside the splitting cardboard box of the possessions he had in prison: an insulin pump, glasses, stacks of medical records, and an album filled with photos of Heraldez and her three children.

"We brought him home," Heraldez said, "but not the way we wanted to."

When Anthony Bell applied for compassionate release in October 2014, he had served all but one of a 16-year sentence for selling cocaine.

Prison doctors treating his lupus and liver failure estimated that he had less than six months to live. It took about that long for the bureau to hand down its response: Denied.

After reading Bell's medical records, officials concluded that he had more than 18 months to live. Two days later, he died.

"I begged them to please get him home," said Bell's sister, Denise Littleford, of Gaithersburg, Md. "And while the blood was still warm in his body, instead of sending him home in a body bag."

Compassionate release dates back to an overhaul of federal sentencing laws in the 1980s. While abolishing federal parole, Congress supplied a safety valve, giving judges the power to retroactively cut sentences short in "extraordinary and compelling" circumstances. But a court could do so only if the Bureau of Prisons filed a motion on an inmate's behalf.

For years, the agency approved only prisoners who were near death or completely debilitated. While nonmedical releases were permitted, an inspector general report found in 2013, not a single one was approved over a six-year period.

The report said the program should be expanded beyond terminal illness cases and used more frequently as a low-risk way to reduce overcrowding and health care spending. The Bureau of Prisons widened the criteria to explicitly include inmates over 65 and those who are the sole possible caregiver for a family member. Then Attorney General Eric H. Holder, Jr., promoted the changes as part of his "Smart on Crime" initiative to "use our limited resources to house those who pose the greatest threat."

But the bureau, which is part of the Justice Department, has yet to fully embrace those changes. Of those inmates who have applied for nonmedical reasons, 2 percent (50 cases) have been approved since 2013, according to an analysis of federal prison data. And although overall approval numbers increased slightly between 2013 and 2015, they have since fallen.

At a 2016 sentencing commission hearing, Bureau of Prisons officials said they believed the program should not be used to reduce overcrowding. And even the principal deputy assistant to Holder, Jonathan Wroblewski, said the program was not an "appropriate vehicle for a broad reduction" in the prison population. "Every administration has taken the position that part of our responsibility is to ensure that public safety is not undermined," he said.

After the hearing, the commission released new guidelines encouraging prison officials to determine only whether inmates fit the criteria for release — that is, if they are old enough, sick or disabled enough, or if they are the sole possible caregiver for someone on the outside. Whether the prisoner poses a risk to the public should be left to a judge to decide, the commission said.

Mark Inch, who was appointed director of the Bureau of Prisons by Attorney General Jeff Sessions last August, has made no public statements about the program. The bureau declined to make Inch available for an interview and did not respond to emailed questions.

The inmates who meet the criteria for compassionate release tend to be among the oldest and frailest in the federal prison system, whose population is getting older and more expensive. The Bureau of Prisons spent \$1.3 billion on health care in fiscal year 2016. Roughly 12 percent of prisoners are 55 or older, and of those, many will spend their final years behind bars. Some are dying in shackles.

When Andrew Schiff arrived at a medical facility for inmates to say his goodbyes, his dying 87-year-old father was unconscious and on a respirator. Yet he was cuffed to his hospital bed and under 24-hour watch by an armed guard, according to Schiff. “There’s no humanity in there,” he said.

His father, Irwin Schiff, had less than two years left on his sentence for tax fraud. He had tried and failed for two years to win compassionate release.

To win approval, an inmate must get the blessing of the prison warden, and must have an acceptable home waiting. Doctors at the facility assess whether the applicant meets the medical criteria, such as being completely disabled or having fewer than 18 months to live.

If the warden signs off, the application gets passed on to the Bureau of Prisons’ central office, which has its own medical director review the records. Even after the central office approves, the deputy attorney general may object. If approved, the request is passed on to a judge, who makes the ultimate decision. An analysis of federal prison data show that it takes over six months on average for an inmate to receive an answer from the bureau. Almost 400 of the applications the bureau received between 2013 and 2017 are still awaiting a decision.

Most state prison systems have some version of compassionate release, sometimes known as medical parole. Nationally, prisons are facing an explosion in elderly inmates, but officials can still be wary of the idea of letting them out early. Recently, a Senate committee in South Dakota turned down the prison system’s request to create a similar program, citing concern over releasing violent offenders.

In recent months, both Democratic and Republican lawmakers have called on the Bureau of Prisons to speed up the federal process and grant more requests. Senator Richard Shelby of Alabama, a Republican, pressed the bureau for details on how it was improving the process in a report he submitted with the 2018 appropriations bill. A bipartisan group of senators, led by Schatz of Hawaii, wrote a letter last August saying they were “deeply concerned” that the bureau was failing to carry out its duties under the program.

The Justice Department’s Office of Legislative Affairs issued a response in January, citing approval rates that were slightly higher than those reflected in the data provided by the Bureau of Prisons to The Marshall Project and The New York Times. The bureau did not explain this discrepancy.

The January letter stated that cases were most commonly denied because inmates did not meet the criteria or lacked a stable place to live if they were released. But in 2016, officials turned down one of the oldest federal prisoners, 94-year-old Carlos Tapia-Ponce, on the grounds that his crime, a role in a large-scale cocaine trafficking operation, was too serious. He died the following month.

Tommy Leftwich died in prison last September. He had been serving 12 years for making meth when he was diagnosed with advanced liver cancer. The bureau said in October 2016 that his early release would “minimize the severity of his offense and pose a risk to the community,” noting a history of drug offenses and impaired driving.

Wayne “Akbar” Pray, 69, who has served nearly 30 years of a life sentence for running a New Jersey cocaine operation in the 1980s, first applied for compassionate release under the elderly inmate provision in 2013. His supporters included his warden, the current and former mayors of Newark, the local N.A.A.C.P., and several former members of Newark law enforcement.

In January, the bureau denied his request, pointing to the severity of his crime and his conduct in prison.

According to his disciplinary history, Pray's last violation was 20 years ago, for "improperly storing property and failure to follow sanitation procedures."

7 Mar - Police Targeted Anti-Racists In Charlottesville Ahead of 'Unite The Right' Rally, Documents Show

Leading up to the "Unite the Right" rally in Charlottesville, Virginia on August 12, numerous foot soldiers of the "alt-right" openly broadcast their intention to create bloodshed in the genteel southern town.

MORE:

by Will Parrish (*Shadowproof*)

A white supremacist group in California posted online videos glorifying physical assaults they had perpetrated on their ideological opponents. A post by the neo-Nazi Daily Stormer called for "military guys" to "crack skulls" of black people.

Many of the white supremacists traveling to Charlottesville had violent criminal histories and were well-known to law enforcement. They included: a former Green Beret and Ku Klux Klansman who went to prison for stealing weapons and explosives, a former Marine who went to prison for assaulting a cab driver he thought was Iraqi and participated in violence at the Berkeley protests before coming to Charlottesville, and a Baltimore Klansman who was charged with three separate assaults and a rape (but not convicted).

But an August 9 assessment by federal and local law enforcement officers of the potential for "domestic terrorist violence" at the August 12 rally mainly focused on the possibility that violence would emanate from anti-racists, who were described as "anarchist extremists."

"We assess that anarchist extremists' use of violence as a means to oppose racism and white supremacist extremists' preparations to counterattack anarchist extremists are the principal drivers of violence at recent white supremacist rallies," the bulletin from the Department of Homeland Security's Office of Intelligence and Analysis declares.

The intelligence bulletin—first reported by POLITICO but published here for the first time—alludes to six instances where "anarchist extremists" allegedly attacked white supremacists at previous "lawful white supremacist rallies." In one case, the memo claims white supremacists "made plans to defend themselves" only after becoming aware "of the threatened violent opposition" by anarchists.

The fear of lethal violence became a reality on August 12 but not because of "anarchist extremists." A car, allegedly driven by white nationalist James Alex Fields, plowed through a crowd of anti-racist counter-protesters, killing 32-year-old civil rights activist Heather Heyer. Nineteen other people were injured.

The DHS and Virginia Fusion Center bulletin is among numerous fusion center documents obtained by Shadowproof, which show law enforcement agencies kept close tabs on anti-racists while largely ignoring or downplaying the activities of white supremacist groups. They also provide new details on intelligence agencies' focus on "anarchist extremists" and "black identity extremists," an investigative category developed by the FBI last year.

Always Known Police Treat Leftists Different Than White Supremacists

As anti-fascists respond to President Donald Trump's administration and the United States' resurgent white supremacist movement, they have frequently been targets of aggressive policing and prosecution. Yet, prior to the "Unite the Right" rally, white supremacist groups, who also participated in violent demonstrations, largely avoided prosecution. They often escaped the sweep of arrests and prosecutions typically reserved for anarchists and left-wing protesters.

In fact, allegations of police bias and collusion with neo-Nazis have simultaneously surfaced in several parts of the country.

“We’ve seen a pattern of classic content-based discrimination in violation of the right to freedom of speech and assembly, coupled with selective prosecution,” says Yael Bromberg, a supervising attorney and teaching fellow at the Civil Rights Clinic of Georgetown University Law Center, who has written critically about disparities in policing of white supremacists and leftists. “The state has only been cracking down when it disapproves of the reasons a protest occurs.”

Charlottesville is a case in point. Leading up to the “Unite the Right” rally, those who stood off the city’s growing cadre of white nationalists sustained months of intimidating surveillance and harassment from law enforcement, including a string of politically-motivated arrests and prosecutions.

“We’ve always known the police treat leftists and others who seek to disrupt the current systems of power differently, although it’s shocking to experience it directly,” says Pam Starsia, an attorney who represented activists in Charlottesville that were arrested and spied on by local police.

Michael German, a former FBI agent now affiliated with New York University’s Brennan Center for Justice, told Shadowproof the DHS’ framing of altercations between anarchists and white supremacists is “absolutely shocking.”

“It presents the white supremacists as victims of an attack defending themselves, with absolutely no evidence to support that,” German said.

In written remarks submitted to the House Homeland Security Committee on November 30, Acting DHS Secretary Elaine Duke referenced the memo as a positive example of the agency’s cooperation with local police. Duke noted her agency’s commitment to targeting both “violent racial supremacy and violent anarchist extremism,” describing each as “a danger to our communities.”

The DHS declined a request for comment on the memo.

Heavy-Handed Policing Of Leftists Coupled With Failure To Address White Supremacist Threat

Home of the University of Virginia, Charlottesville was initially targeted by white supremacists because it is a liberal bastion that proposed removing Confederate monuments from city parks.

On August 11, the evening prior to the “Unite the Right” rally, the world was stunned by images of tiki torch-bearing mobs of angry white men marching across the university campus while chanting “Blood and Soil” and “Jews will not replace us.”

President Donald Trump’s contemptible response to Heather Heyer’s death the following day, which implied moral equivalence between Nazi and anti-Nazi motivations, dominated the news in the days that followed. So, too, did the actions of law enforcement and city officials.

Despite numbering 1,000 strong, police stood aside throughout the day as white supremacists repeatedly charged and pummeled their ideological opponents, before retreating behind lines of heavily-armed militia members.

Seeking answers, the city of Charlottesville hired a consulting firm led by former U.S. Attorney Tim Heaphy and released a comprehensive report on the police’s failures on December 1.

The report assigned much of the blame to Charlottesville police for “planning and coordination breakdowns.” In an interview, Heaphy told Shadowproof he hoped the report would become a “template and a primer for how small cities around the country deal with these kinds of events.”

But many of the comments Heaphy's review team received are arguably more insightful than the report itself. Jalane Schmidt, a University of Virginia professor of religious studies and a founder of Charlottesville's Black Lives Matter group, wrote a nine-page, single-spaced letter. It detailed months of heavy-handed policing of leftists and anti-racists, coupled with the thoroughgoing failure of police and city officials to consider seriously the threats posed by white supremacists.

"Law enforcement and city officials view with suspicion leftist activists who are their own neighbors (we live here, have children and mortgages, go to our jobs, pay taxes, and have a stake in community defense), and appear to regard us as an equal or greater threat as attacking alt-right hoards," Schmidt wrote. "Even when we covered our tattoos, wore suits, researched and wrote documents of the sort I am here providing, and presented these at city forums and press conferences, we were seen as an annoyance rather than an ally in protecting the community."

The police's monitoring and suppression of anti-racists noticeably ramped up before a Ku Klux Klan rally at the city's Justice Park on July 8.

In June 2017, the Charlottesville Police Department arrested artist and activist Veronica Fitzhugh at her home based solely on an allegation by Jason Kessler that Fitzbaugh had shaken his chair. The following day, they arrested civil rights attorney Jeff Fogel, this time because Fogel tapped Caleb Norris, who is a friend of Kessler's.

Later that month, a Charlottesville police officer made unannounced visits to the homes of Fitzbaugh and another female activist of color, ostensibly to inquire about their plans to demonstrate at Loyal White Knights of the Ku Klux Klan rally in the on July 8. The police also contacted left-wing and white liberal activists based on posts they made on Facebook to inquire about plans for a July 8 Ku Klux Klan rally.

The police's conduct reached a low-point at the rally itself. Minutes after escorting roughly 50 Klan members from the park, the police fired tear gas into a crowd of 1,000 counter-demonstrators and arrested 27 people. The officers were clad in riot gear and flanked by two armored personnel carriers.

Targeting Left-Wing Activists Who Warn City Officials Of Violence

In advance of the "Unite the Right" rally, the group Solidarity Cville presented significant evidence to city officials concerning threats of violence against left-wing activists, city officials, and people of color. But documents obtained by the Virginia-based blog "Restore the Honor" show police failed to monitor far-right groups that were likewise heavily relying on social media to broadcast their activities.

Instead, a law enforcement emergency operations center known as VOST monitored left-wing activists and local journalists both during the July 8 KKK rally and on August 11 and 12.

One alt-right tweet, which someone at VOST forwarded, stated, "Charlottesville is about to see record levels of violence and it all will be from #Antifa and the #defendcvillecrowd. #UniteTheRight."

"This seems to be a growing sentiment," the officer added.

Shadowproof reached out to VOST for comment on the officer's email, but a representative of VOST did not respond.

According to Heaphy's report, a Charlottesville police detective approached a Kentucky FBI agent regarding the neo-Nazi Traditionalist Workers Party's plans for the rally. The FBI agent responded that neo-Nazis were "not likely to cause problems" but that "the counter-protesters might."

The report also mentions that a New York City Police Department detective contacted the Charlottesville police to warn that Black Lives Matter New York members planned to travel to the rally, indicating that the NYPD had the group under surveillance. It does not say whether any local police departments volunteered intelligence on white supremacist groups.

The FBI did not respond to a request for comment on this story.

White Supremacists As People Bothered By ‘Nasty Anarchists’

U.S. law enforcement’s contemporary focus on anarchists, as well as those it labels as anarchists—largely dates back to 1999, when militant protests partially shut down a World Trade Organization summit in what became known as the “Battle of Seattle.” The protests dealt a brief but powerful setback to the U.S.-led global economic agenda.

Under Trump, prosecutors have carried on this tradition by aggressively targeting leftists and anti-racists, including the more than 200 demonstrators who were charged with felonies for protesting Trump’s inauguration in Washington, D.C. Fifty-nine of those charges are still pending.

This wave of repression has been accompanied by an ideological campaign that has attempted to demonize the Black Lives Matter movement and the network of anti-fascists known as “Antifa,” many of whom are anarchists. In late-November, FBI Director Christopher Wray announced a federal probe focused on individuals who are inspired by “kind of an antifa ideology.”

Last August, the FBI’s counter-terrorism division set forth its new focus on counteracting “Black Identity Extremism” in a memo obtained by Foreign Policy.

The “Black Identity Extremism” rubric spread quickly, fusion center documents obtained by Shadowproof show.

An August 16 report by northern California’s fusion center, Northern California Regional Intelligence Center, lists four “Major Anti-Racist/Antifa Affiliated Groups in CA” and five “Major Black Identity/Separatist Groups” in California by name.

Under the former category, the document lists “By Any Means Necessary (BAMN),” “Anti-Fascist Action Bay Area,” “Northern California Anti-Racist Action,” and “Regional Antifa Groups.” Under the latter, it lists “Black Riders Liberation Party, Israelite School of Universal Practical Knowledge,” “Israel United in Christ,” “Nation of Islam,” and “New Black Panther Party.”

Other California fusion center documents acquired by Shadowproof focus almost entirely on the purported threats posed by anti-racists.

A July 15 State Threat Assessment Center report calls “Violent Radical Interactions in California” reviewed four different violent clashes in California since February 2016. It claims “Antifa extremists” were responsible for instigating the violence at each.

“Within the last year, anti-fascist organizers have effected unlawful violence against their political opponents and non-aligned bystanders,” the report states. It makes no corresponding statement concerning white supremacists.

Mike German, who as an FBI agent infiltrated Nazi skinhead and white militia organizations, sees a clear pattern of bias in the California fusion center documents and in broader police behavior. “It’s just astonishing to me that in so many cases law enforcement is presenting the white supremacists almost as these very fine people, as Donald Trump said, who are bothered by these nasty anarchists.”

In an interview with Shadowproof, Northern California Regional Intelligence Center Director Mike Senna denied that his agency disproportionately focused on investigating left-wing groups. “We are always going to deal with people as equally and fairly as we can,” Senna said.

Senna agreed that it was likely his agency’s reports had helped inform the August 9th Department of Homeland Security and Virginia Fusion Center report on violence by “anarchist extremists.” “They probably read a lot of the stuff we were putting out there,” he said.

Prosecutors Respond To ‘Unite The Right’ Rally

Prosecutors have filed several charges against white supremacists in the wake of the “Unite the Right” rally.

James Fields, Jr., the alleged driver of the car that killed Heather Heyer, was charged with first-degree murder and nine other charges. Three other white supremacists, who were captured on video kicking, punching, and beating 20-year-old Charlottesville resident Deandre Harris, were charged with “malicious wounding” and “felonious assault.” Ku Klux Klan leader Richard Preston, who shot a pistol in the direction of Corey Long, a 23-year-old Culpeper, Virginia, resident, was charged with shooting a firearm within 1,000 feet of a school.

“Unite the Right” organizer Jason Kessler was indicted on a count of felony perjury stemming from his conviction on a misdemeanor assault charge in an unrelated incident in early 2017.

A handful of other white supremacists also faced lesser charges.

Still, three counter-protesters were arrested and charged by law enforcement since the “Unite the Right” rally. They are each black males from Charlottesville.

A Charlottesville magistrate levied a felony charge of “unlawful wounding” against DeAndre Harris, the 20-year-old man whose parking garage beating by white supremacists went viral. Corey Long, who improvised a blowtorch to keep Preston at bay during their stand-off, also caught two misdemeanor charges.

On January 19, the Charlottesville Police Department arrested Donald Blakney, a 52-year-old Charlottesville resident on the charge of “malicious wounding,” a felony that carries a five to 20-year prison sentence, based on the allegation that he assaulted white supremacists who had been harassing him. According to the Charlottesville chapter of the National Lawyers Guild, Blakney was interviewed by the FBI last year.

On the day of Heather Heyer’s murder, US Attorney General Jeff Sessions announced a federal investigation of the day’s racially-charged violence, which remains ongoing.

‘I Will Not Be Bullied By the Federal Government’

Several survivors of the car attack that killed Heyer were stunned last November when they received subpoenas compelling them to testify before a federal grand jury.

Blocked to press, public, and even attorneys for the subpoenaed, grand juries have often been used as tools to repress and intimidate movements led by people of color, leftists, and anarchists.

On December 13, roughly 30 people gathered outside Charlottesville’s federal courthouse on a bone-chilling morning, standing behind a banner denouncing a “grand jury witch hunt.”

Among those summoned to testify to the grand jury was Charlottesville resident Star Peterson, who spoke to the crowd assembled at the courthouse. Peterson was run over in the same car attack that killed Heyer. She underwent emergency surgery to install a metal plate to stabilize bones that had been shattered in her right leg. She stood before the crowd in a short black dress, defying the weather to reveal the deep, pink surgical scars from the operation.

Peterson refused to testify before the grand jury, she announced. “I was already run over by a car,” she said. “I will not be bullied by the federal government.”

In communications with the subjects of the grand jury subpoenas, representatives of the U.S. Attorney’s Office for the Western Virginia District maintained that the investigation’s purpose is to strengthen the charges they are preparing to bring against white supremacists. Shortly after the rally, the grand jury withdrew its subpoenas of most anti-racists, including Peterson.

In response to a request for comment on the status of the investigation ordered by Attorney General Sessions, an Attorney’s Office spokesman referred Shadowproof to an August 13 statement on the Justice Department website.

“The Richmond FBI Field Office, the Civil Rights Division, and the US Attorney’s Office for the Western District of Virginia have opened a civil rights investigation into the circumstances of the deadly vehicular incident,” it reads. “The FBI will collect all available facts and evidence and will ensure that the investigation is conducted in a fair, thorough and impartial manner.”

Fogel, the civil rights attorney arrested by Charlottesville Police last year, has represented Black Panthers and members of the Puerto Rican independence movement, who were targeted with grand jury repression. He says he expects the grand jury to result solely in indictments of white supremacists.

But the grand jury resistance can be read as part of a broader stand against a wave of political repression targeting left-wing activists and anarchists.

Conflicts between white supremacists and anti-fascists across the U.S. show no signs of abating. On March 5, fights broke out and authorities made multiple arrests as hundreds of anti-fascist blocked neo-Nazis from attending a speech by white supremacist Richard Spencer at Michigan State University.

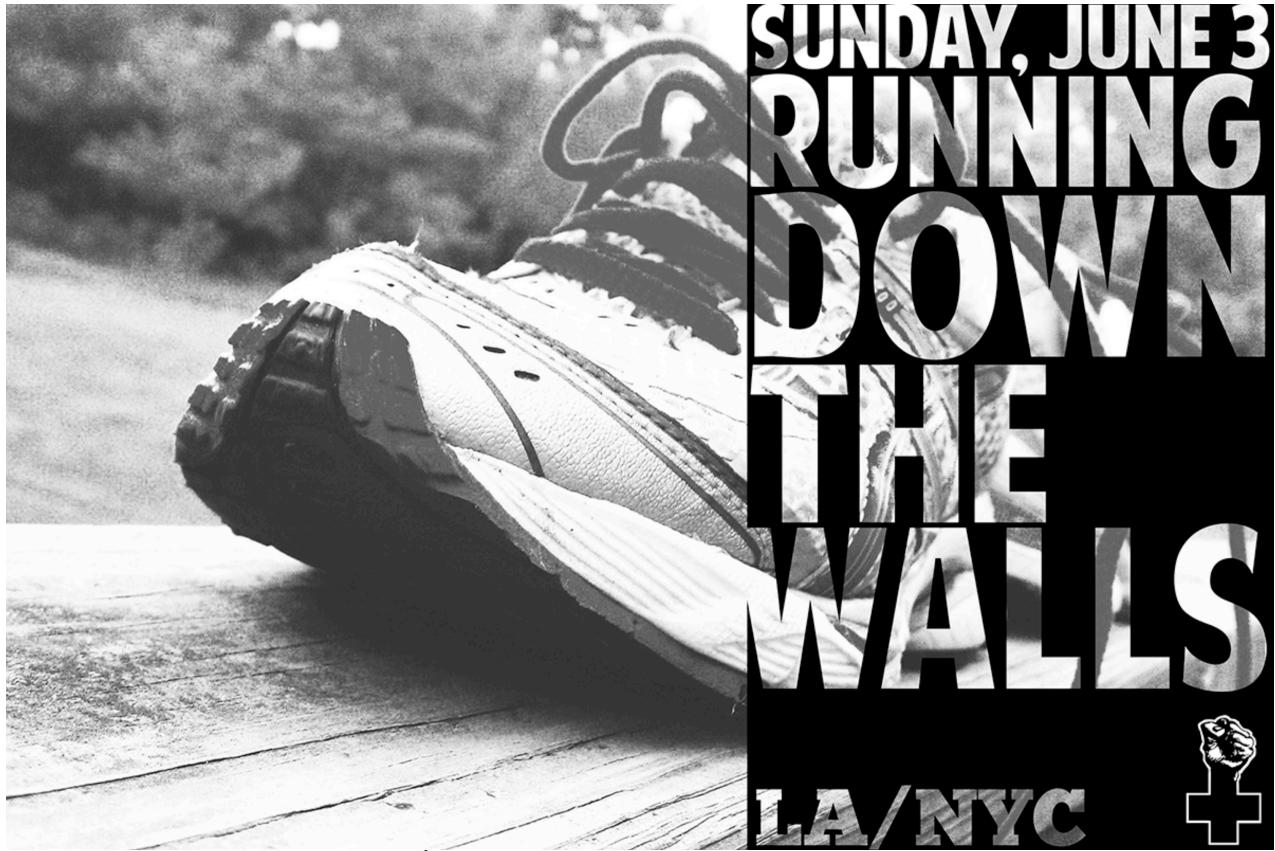
Jalane Schmidt, the University of Virginia professor of religious studies and co-founder of Charlottesville’s Black Lives Matter group, told Shadowproof the kind of intensive police scrutiny to which anti-racists have been subjected, even as they faced off against a resurgent white nationalist movement, is a perfect example of why boldly confronting white supremacy is necessary and must continue.

“Systemic white supremacy has been normalized in the U.S. as the familiar social order, so the alt-right is legible to the powers that be,” Schmidt said. “On the other hand, any organized effort to confront and topple white supremacy appears to the people who uphold these systems as a threat.”

7 Mar – Running Down the Walls 2018

The Anarchist Black Cross Federation’s annual Running Down the Walls 5k is moving up in the year and will now be held on the first Sunday of June.

MORE:



SUNDAY, JUNE 3
**RUNNING
DOWN
THE
WALLS**
LA/NYC 

This year's run will be held June 3rd and more details are soon to follow. For our imprisoned comrades, a letter encouraging you to organize runs behind the walls will be mailed out by mid-March. For prisoner supporters on the outside, start planning your events now and let NYC ABC or LA ABC know what you have planned.

24 Mar - Jericho Amnesty Movement 20th Anniversary in NYC

WHAT: Anniversary Celebration

WHEN: 5:00-9:00pm, Saturday, March 24th

WHERE: Holyrood Episcopal Church—715 West 179th Street, New York, New York

COST: FREE

MORE:

The Jericho Amnesty Movement will be celebrating 20 years of struggle to liberate all U.S. political prisoners and prisoners of war.

During these twenty years, Jericho has provided consistent support to our captured freedom fighters, including visiting them regularly and facilitating family and legal visits. Jericho has also formed legal and medical teams to help our freedom fighters. We have marched, held workshops, forums, and other events to educate people on our political prisoners and to provide much needed assistance to them and their families.

Speakers: Jericho National Co-Chair Jihad Abdulmumit; Freedom Fighter, Puerto Rican Patriot and Former Political Prisoner Oscar López Rivera; Pam Africa of International Concerned Family & Friends of Mumia Abu-Jamal (ICFFMAJ) and MOVE Organization

Cultural Warriors:

Mahina Movement • Baba Ngoma Osayemi