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Updates for March 23<sup>rd</sup>

## 4 Mar - Defending Standing Rock, Combating State Repression: An Interview with Lauren Regan

*Interview between Perilous Chronicle and Lauren Regan of the Civil Liberties Defense Center.*

### **MORE:**

by Ryan Fatica (*Perilous Chronicle*)

On February 3, Standing Rock protester Steve Martinez appeared before a grand jury in North Dakota. The US Attorney's Office had subpoenaed Steve in an ongoing investigation into a 2016 incident in which another protester, Sophia Wilansky, was gravely injured. After refusing to testify, the Magistrate Judge overseeing the grand jury held Steve in contempt of court and ordered him imprisoned. After nearly three weeks in jail, Steve was released, but the government's attack on him continues.

In order to learn more about his case and the broader climate of repression against activists and protestors, I spoke with Lauren Regan, executive director and lead attorney with the Civil Liberties Defense Center in Oregon. The Civil Liberties Defense Center is an organization founded to give legal, educational, and strategic support to social movements that seek to dismantle the political and economic structures at the root of social and environmental destruction.

**Ryan Fatica:** We're here today to talk about the case of Steve Martinez. Steve is a former Standing Rock protester, and he was recently subpoenaed to a federal grand jury in North Dakota. He's refusing to testify and he's being held in custody. Tell us a little more about his case.

**Lauren Regan:** Yeah, so this is actually the second time that Steve has been subpoenaed to a federal grand jury in North Dakota. The first time was back in December of 2017. At that time he showed up and, consistent with his ethical and moral beliefs regarding non-cooperation with the federal government, he asserted his First and Fifth Amendment rights to not testify at that grand jury. And the US Attorney's office at that time, basically, just let him go and appeared to shut down the federal grand jury.

In the three years since then, we have really heard nothing about this grand jury or about any kind of alleged investigation. And, a few months ago, the federal court, in the case of Sophia Wilansky versus Morton County et al, the federal judge finally, after a couple of years, ruled that her case was allowed to move forward and that discovery was allowed to begin against Morton County. Soon thereafter Mr. Martinez received a federal grand jury subpoena for February 3<sup>rd</sup>. Right around that same time period, Morton County served a civil deposition subpoena on him for the very next day. So he had a federal subpoena to appear to a grand jury on one day, and then a civil subpoena to appear on behalf of these defendants in Sophia's case the next day.

All along, we've had our suspicions that Morton County and the federal government, the FBI in particular, have been colluding with each other to withhold evidence and information in their possession with regard to the injuries that Sophia sustained on the Backwater bridge.

**Ryan Fatica:** Lauren, let me interrupt you there and take us back a little bit for our listeners. Perhaps we should have begun the discussion with the case of Sophia Wilansky. Sophia is a young woman who was injured during a protest at Standing Rock in November of 2016. And in response to her injuries, she's filed a federal civil suit against the Morton County Sheriff's Office and various other law enforcement bodies and individuals. You're representing Sophia in that civil suit. That case is linked in some way to the federal grand jury that's now holding Steve Martinez in custody, is that correct?

**Lauren Regan:** Yes, which of course the government is entirely denying, but that we believe is undeniable. So, yeah, Sophia had traveled to Standing Rock to be in solidarity with the Indigenous-led water protectors. She was there for a couple of weeks to be present and to be part of history and to support the resistance to the Dakota Access Pipeline.

And, one night, there was a call for water protectors to go out to the bridge. And, she went out with others and sort of witnessed law enforcement using “less lethal munitions,” like rubber bullets and tear gas and pepper spray and water cannons on the water protectors. This is November 20<sup>th</sup> of 2016. And then things kind of died down and she left and went back to camp, and got some food and warmed up and got dry, warm clothes on. Around four o’clock in the morning, hours later, she decided to go back up on the bridge to see what was going on. And when she went back up on the bridge, everything was kind of wrapping up, water protectors were cleaning up trash and stuff from the bridge. People were sledding because the water cannons had kind of caused an icy situation. Everything was pretty mellow at that time, and Sophia basically took a turn holding vigil on the bridge. She replaced a couple of other water protectors that had been standing behind this makeshift shield. And at some point, the cops that had been eating donuts and hanging out by themselves behind the barricade made an announcement that was something like “get out from underneath the truck” and Sophia was not under the truck so she did not think that this address was directed at her. And all of a sudden law enforcement began shooting munitions toward her location. And at one point she was struck in one of her arms and suffers a painful injury that she still has a scar from today. And she basically decides that she can’t stay there any longer, so she yells to the police, “please don’t shoot me, I’m leaving.” She starts to leave from behind this truck when all of a sudden law enforcement launches an explosive device, most likely a flash bang grenade, at her and it explodes on her arm and basically blows her arm off. She thought she had lost her hand and she immediately falls down and is screaming and a handful of water protectors rushed to her, pick her up and rush her to a vehicle that had been cleaning up stuff on the bridge.

Steve Martinez had been assisting that vehicle. The person that owned the vehicle had locked the keys accidentally inside it, so Steve was helping that person to try to get into the vehicle so they could move it off the bridge. They get the vehicle open and here comes these people, carrying this woman who is in danger of dying, she is bleeding very badly, and is going into shock. So Steve drives this vehicle with Sophia and another person who’s rendering aid to her, and drive them off the bridge. And as he’s driving, he is calling the BIA and an ambulance to meet them at the casino so that she can be attended to by trauma medics. And so he drives the car that ultimately is responsible for saving her life. They get to this ambulance, the BIA medics ended up having to put a tourniquet on her arm. She’s ultimately taken in a helicopter to a trauma center in Minnesota, and they are able to reattach her arm to the rest of her body. But even to this day, after dozens of surgeries trying to rebuild the arm, she still really has very little use of the arm. So a very, very serious permanent injury caused by law enforcement. And the only role that Steve had in it was literally in trying to save her life in driving this car.

As a result of being a good Samaritan, he has now been facing two federal grand jury subpoenas. The second one, like I mentioned was for February 3<sup>rd</sup>, and when he showed up that day, there were a number of legal procedural problems with this grand jury and the subpoena that he received for it.

There’s two kinds of federal judges: an Article III Judge and a Magistrate Judge—and certain types of court procedures can only be conducted by an Article III Judge. Trials are the most common example, unless the parties consent to letting a magistrate judge preside over the trial. In these instances, normally it is an Article III Judge that conducts a potential contempt of court hearing along these lines. But in this case, Steve only had a Magistrate Judge, and the Magistrate Judge rushed through the civil contempt proceeding. Contempt hearings are supposed to be public but the public was not allowed into this hearing, and she quickly finds him in contempt of court, and he is ushered off to a jail in Bismarck where he remains today. [In what appears to be an acknowledgement that the contempt process was improper, Steve was subsequently released from jail on February 22, 2021, but was served an additional grand jury subpoena for March 3<sup>rd</sup> where it assumed that this process will repeat itself with an Article 3 judge this time].

There are a multitude of appeals going on right now, and requests to let him out of jail, which of course there is a massive surge of a COVID-19 global pandemic going on, particularly in jails. And so to put a Native American person with other health vulnerabilities into a jail for civil contempt of court, for refusing to testify to a grand jury that has a total illegitimate purpose to begin with, is incredibly problematic. And the reason I say that it's illegitimate is that grand juries are only allowed to investigate federal crimes or, in limited circumstances, they can be convened in order to seek information about a fugitive from justice. They're not allowed to use a grand jury proceeding in order to do civil discovery. They're not allowed to use a grand jury to try to bolster their B.S. narrative that somehow Sophia is responsible for her own injuries, which is some of the drivel that the feds and the defendants in the case are using to try to justify the almost deadly police misconduct that occurred in the early morning hours of November 21<sup>st</sup>.

**Ryan Fatica:** And just to be more specific, the government is alleging that protestors on the bridge that night were using what they're calling "improvised explosive devices" or "IEDs" constructed from propane cylinders. And so they're alleging that Sophia was not shot by a flash bang or other police munition, but that an IED exploded and that's what caused her injuries. And so the FBI, if I understand it correctly, came to the hospital where Sophia was being treated and they seized some shrapnel that had been removed by doctors from her arm. And so that shrapnel is either part of a munition that law enforcement are known to use, or it's part of a propane cylinder, but they're refusing to say what it is, or to release any information about it. Is that correct?

**Lauren Regan:** That is correct. In February of 2018, we filed a federal lawsuit against the FBI trying to force them to either turn over that piece of shrapnel to our forensic experts at a big, well-known lab in Michigan, or to force them to use their forensic experts and test this piece of shrapnel and provide the report, one way or the other. They have adamantly refused to do so for this entire time period. In fact, really recently we again requested that our expert be able to test the shrapnel or see their test results of the shrapnel. And they're continuing to refuse. In one of the recent discovery orders, the federal judge in Sophia's case basically agreed that the test results of this piece of shrapnel could conclusively determine the outcome of this civil case. And like you said, if it's a propane canister, then it would be a difficult argument to establish that it was shot by law enforcement behind the barricades. If it is anything but this Coleman propane canister, then the government has an uphill battle.

Also, just note that Sophia's injuries are in no way consistent with something that would have had flames or heat. Her medical records and the other evidence basically demonstrates that if a propane canister had exploded, she'd probably be dead right now, but she would also have burns, that a propane canister would have heat and flame involved in it. And there were no injuries to her clothing or to her body that would be consistent with that. So it does seem much more like a munition that basically shattered and pieces of it actually went through her arm and out the other side. Although the government claims that on the 21<sup>st</sup> the cops found a used propane canister on the bridge, they apparently were unable to find the fragments of metal with flesh hanging from them that would have been on the bridge as well. So, interesting investigative techniques being used in that circumstance.

**Ryan Fatica:** And so we don't know exactly why this grand jury is being conducted because these are shadowy secretive proceedings—lawyers are not allowed to be in the room with their clients during the procedures, judges aren't even present. But it appears that the grand jury is being convened to investigate this incident on the bridge. And ostensibly, they're trying to get some information from Steve. Or perhaps like many grand juries are, it's just a fishing expedition in which they're casting around, hoping to see if they can get any information that they can use to do further damage to this movement or to target any other activists.

**Lauren Regan:** It's unclear why they took so long to subpoena Steve again. At one point they tried to say that they couldn't find Steve to serve him with a subpoena, even though he's lived in the same location in Bismarck right under their noses for many years openly, with a residence, an address, with a job, et cetera.

I think there's a couple of points to kind of circle around to: number one, Steve has a cultural and moral compass that strongly instructs that you do not cooperate with grand jury witch hunts like this. And he fits into a long, long history of both indigenous and political activists who have held those convictions. And so Steve stands in a long line of movement heroes that have resisted grand juries in the past.

Another important thing to just keep in mind is that Steve has done nothing wrong. Steve has not been charged with a crime. But he is standing up on behalf of the movement and water protectors, which is important not only for himself, but for the movement as a whole. Steve was first grand jury subpoenaed a couple of years ago and nothing new has happened between then and now—they haven't tested the shrapnels there hasn't been any kind of informants that we know of. The only thing that has changed between the first time he was subpoenaed and now the second time is that Sophia's civil lawsuit against them has been given the green light to move forward. So that is certainly, on its face, concerning.

The other thing that I would say is that history repeats itself. And as I have worked on this case over the years with many other lawyers, and co-counsel, and awesome movement organizers, I keep remembering the case of Judi Bari. Judi Bari was a forest defender from Northern California who bridged the gap between forest activism and labor activism. And back in the nineties, she was driving with another activist to a rally that she was going to be performing at, when her car blew up. There had been a car bomb, a pipe bomb, planted under the driver's seat of her car. And she was gravely injured. And within minutes, FBI and other law enforcement swept in and started claiming that she blew herself up—that she had been carrying this bomb and it went off and she blew it up.

Fast forward 10 years later. She had filed a lawsuit against the FBI and Oakland police. She ends up getting cancer and ultimately dies while the case is still making its way through, but they actually go to trial against the FBI and Oakland Police Department. And ultimately, it ends up that the two law enforcement agencies were colluding with each other to basically cover up the fact that they were responsible for the bomb under her seat. And so we've seen, historically, activists, especially activist women, being blamed for their injuries caused by the state, and the FBI working with local law enforcement to cover up those crimes. There's a documentary that was made about her and her case. It's actually really illustrative and appropriate for folks to try to find that. Dennis Cunningham, who is a famous civil rights lawyer was Judi Bari's lawyer in that case, and his daughter is a filmmaker and made the documentary.

**Ryan Fatica:** Wow, yeah. Thank you for drawing that connection for us. So Steve's case is not the only case that has come out of the Standing Rock protests. There's been years of legal battles and all sorts of repressive tactics that law enforcement has used to respond to and to shut down the movement that emerged in response to the Dakota Access Pipeline. You've been involved in much of those efforts. Can you help us understand better what kind of tactics law enforcement used there and what the outcome of some of those cases have been?

**Lauren Regan:** Yeah, I think it's actually kind of timely and important to be having these conversations as things in Minnesota begin to also heat up, because like I just said: history does repeat itself. And especially with regard to the fossil fuel industry—they have a limited playbook that they continue to repeat over and over again. And so what happened in Standing Rock is important for activists to learn about and consider so that we do not repeat the same situations the next time around and so that we can be better prepared and more aware to strategically dance around the obstacles that we know the state will—once again—put in our way. When I used the word “the state,” I am referring to government, including law enforcement, but also corporations, especially fossil fuel corporations.

And so with Standing Rock, the first thing that I will say is that the whole playbook of standard activist repression was present. CLDC actually does really lengthy trainings on what is repression and how can you resist it. But one thing that's important to know is that every social justice movement has faced repression and will face repression. Repression is nothing new. It is expected that when we challenge the status quo, when we push against capitalism and the profit sharing mechanisms of the state, that they're going to come at us with everything they've got, and they've got quite an arsenal to fight back against us. We have people

power, we have the mass movement, we have passion and commitment and all of those good things, and they have things like guns and prisons—that whole litany of stuff.

So, with Standing Rock, first what we know is that large amounts of money were invested in surveillance, both infiltrators, as well as the ability to spy using things like sting rays and cameras and other things. We know that a huge amount of money was put into trying to map the movement, trying to study and psychologically profile this movement. How do you pick targets? What's the leadership structure, what's the funding structure? All of those things, our adversaries are keenly studying and aware of. And so when people are telling me it's okay for them to put all this crap on Facebook, "I'm not doing anything wrong," what they don't recognize is that a lot of that information is not necessarily relevant to whether you committed a crime or whether you're going to be prosecuted or you're going to go to jail, but it is being sucked up and used by our adversaries to make our jobs harder as movement activists.

And so surveillance, right off the bat. The next thing we saw is that hundreds and hundreds of water protectors were falsely arrested. Ultimately, their charges were dismissed, but they were still arrested and they went to jail and often, with the caravans of cars, their vehicles would also be impounded at that time. So, false charges and trumped up charges are also a standard part of repression, but also there was a money suck that was happening there because, at Standing Rock, every water protector that was arrested was cash bailed out. And the State was able to keep a percentage of all of that bail, even for the charges that were dismissed and that literally had no lawful basis to result in arrest to begin with. So, they made a ton of money off of falsely arresting water protectors, where if people had not been cash bailed out, which obviously some people do need to be cash bailed out for varying reasons...but if they hadn't been cash bailed out, and if solidarity tactics had been used, the jails would not have been able to hold everyone.

Eventually, people may have been released on their own recognizance and the state wouldn't have profited off of those false arrests in that same way. The state would have had to make some charging decisions. And then, of course, you have these tow companies, who made a mint off of towing away those vehicles and impound fees and all of this other stuff. So false arrests, trumped up charges: also part of state repression. The Water Protector Legal Collective—on their website—has the statistics of the outcomes of all of those cases. And it's a tiny fraction—I can't remember the exact numbers—but it was a very, very small fraction of the total number of arrests that actually resulted in convictions after trials.

A ton of them got dismissed. A lot of water protectors ended up taking slap on the hand plea bargains because they just couldn't and didn't want to return to North Dakota so long after the fact. A number of them resulted in minor plea bargains. And then, as you mentioned, a very small handful of, I think almost entirely indigenous water protectors, were prosecuted at the federal level for economic sabotage and ultimately took plea bargains and were convicted of those crimes. But, literally, it's like five of those cases. We're talking about Red Fawn Fallis, the only woman indigenous water protector who basically ended up taking a deal to being a felon in possession of a firearm. And the firearm was owned by this person that she thought was her boyfriend, but actually was an FBI agent posing as her boyfriend.

So that's a whole can of worms in and of itself. The other individuals that had federal charges were basically charged with economic sabotage for using arson as a tactic to damage Dakota Access Pipeline property in desperate attempts to try and stop that pipeline from doing irreparable harm. And, of course, we all know now that the federal civil courts have ruled that the pipeline was, in fact, illegal, it should never have actually been constructed, but there's no way to take back the damage and harm that this illegal corporation has caused, not only to the landscape and to the environment and to the climate, but also to these extremely valuable sacred sites: graves, cultural resources, et cetera.

Then, of course, we also had the form of state repression that is excessive force and police violence. So many different examples of police, police working with security, using illegal excessive force, sicking dogs on water protectors, shooting them up using tear gas and water cannons for the first time since the 1960s. And, of course, using explosive devices. They shot the eye out of a water protector. Dozens of non-violent

water protectors were indiscriminately, permanently, and seriously injured as a result of police violence being used against them for the exercise of their constitutional rights.

**Ryan Fatica:** Yeah, you've been doing anti-repression movement defense lawyering for a long time now, and you obviously have a lot of this history in your mind. Let's bring the discussion up to the present moment. This summer, there were nationwide protests, huge historic protests and uprisings, and that wave of rebellion has resulted now in this winter and in the fall in this huge wave of repression. Do you have a sense of how the current climate of repression compares to other moments in history that you've seen? And what can we say about this repression, and what do you expect?

**Lauren Regan:** Yeah, I mean, I think a lot of it is still unfolding and there are a lot of people doing really amazing analysis and statistics and data are coming out more and more. But what I would say, as a member of the Mass Defense Committee in the U.S., who is looking at this, these nationwide trends...

**Ryan Fatica:** That's the Mass Defense Committee with the National Lawyers Guild?

**Lauren Regan:** Yeah. A couple of things that I would observe, at least at this point, is number one: the use of curfews to shut down protests is pretty unprecedented. We don't see that in a lot of white-led movements very often. Number two, we saw overt police brutality and excessive force used against protestors. And my personal belief is that it is largely because those particular protestors were: a) of color, and b) chanting things like "ACAB," and these "professional police officers" completely lost all professionalism and retaliated against the speech, the content of the protest, rather than responding to actual things that would justify that level of use of force. The other thing that I would say that is pretty unprecedented in my more than two decades of defending activists around the country is the use of felony riot charges.

I think I could count on one hand in the last 20 years activists that were charged with riot that I have defended, and that is thousands and thousands of cases at this point. But now we have dozens and dozens, hundreds around the country or more of people facing these felony riot charges. And the definition of riot is three more or five or more people who are engaged in tumultuous or "violent conduct." And that happens all the time in activist-land where three or five or more people are doing some kind of mass action that could be described as tumultuous and/or result in property damage, but they are not charged with riot. But now we have this Black or POC led movement that's engaged in very similar tactics that we saw in the WTO or in other anticapitalist actions or movements, and they were not charged with those crimes. So, it's interesting that the state and the police are basically proving our point that the police and the justice system as a whole suffer from overt systemic racism and the disparate impacts on activists of color compared to non people of color has been incredibly obvious and overt. It's almost like they're proving our point for us. And yet they are so tone deaf. They don't actually realize what that looks like to the rest of us.

**Ryan Fatica:** Lauren, what advice would you give to activists today? Particularly young people who may have gotten involved in social movements for the first time this summer. A lot of people may have seen these protests as very powerful, as they were, and were very enamored and are now dealing with some disillusionment with all the repression that we're facing. What advice do you have for them?

**Lauren Regan:** The first thing I would say is: if you are going to engage in direct action, you have to take yourself seriously. And that means knowing what you're getting into before you get into it. That's not only regarding knowing your rights, which I do think are important. On our website since the pandemic started, we've been doing these weekly webinars for activists on all sorts of topics, including security culture, state repression, police misconduct, "know your rights" for climate activists, digital security, all these different topics. If you're going to engage in activism that involves property damage, for instance, you are basically offering yourself up to the state if you are not prepared for that level of risk. The amount of discovery that I have had to watch of people wearing very distinct costumes and clothing, breaking windows, walking into stores, that are obviously filming, and have video cameras everywhere, and they're not masked up or they're in very distinct clothing. And, even in Eugene, where I am, the cops just posted like 60 pages worth

of screenshot photos of people who were breaking windows and walking into stores and taking things or just walking around. And now there's warrants out for their arrest and the state is hunting them.

We actually need to take responsibility for making their jobs so easy and just making ourselves such easy targets. So, the first thing I would say is: take yourself seriously. Know what you're getting into and at least attempt to mitigate risk before you end up looking around and wonder why there's a warrant out for your arrest and then being shocked and appalled that you're being dragged into the state and prosecuted. We're going to defend those people like crazy. But, I think people sometimes get caught up in the moment maybe, and their brain kind of turns off for a hot minute and they end up in water that they were not prepared to swim in.

**Ryan Fatica:** I can empathize, I imagine it's hard to be always on the receiving end of that discovery and seeing video after video.

**Lauren Regan:** Yeah, it is. The other thing I would say is that although live streaming and citizens videography has been monumental with regard to holding police accountable for misconduct and abuse, it is also overwhelmingly being used by police and the state to incriminate and prosecute our side of the equation. People live streaming from actions and uprisings and showing the faces of people who are committing alleged crimes is working with the state.

Because there's cops sitting behind computers and their job is to screen capture and record your live stream. In fact, in one of the BLM cases we have going on right now, one of the pieces of discovery received from the cops is a cop using his cell phone to record a computer screen of an activist live stream, showing people allegedly breaking the law. And that is discovery being used against those activists. So people need to get a little more savvy about how they're using their phones and recording things on the streets. Way more savvy, fast, and then they also need to be much more aware of how social media is being used against them and the movements because the state is getting warrants and sending letters to Facebook and Instagram. In many cases, they don't even need search warrants in order for these social media companies to voluntarily hand over all your stuff, including your private Facebook chats and other things like that. So anything you put online, you should ask yourself, "how is this going to look as an exhibit being used against me at trial?" Because it's possible that that is going to happen.

So those are a few things that I would say that we really need to get a handle on really sooner than later, because there is vast damage being done to our movements by a failure to address these changes in technology and the way the state is capturing and using them against us.

**Ryan Fatica:** Thanks Lauren, for explaining all that, it's all really important. So let's circle back around to Steve Martinez. He's sitting in jail right now in Bismarck, North Dakota. Is there an end in sight? How long is he going to be held? [Steve was released from jail February 22, 2021].

**Lauren Regan:** Well, technically, a contemnor, a person who is refusing to testify to a grand jury, holds the keys to their jail cell. Meaning: at any time they could say, okay, I'll testify and they would be released from civil contempt of court and they would be brought to the grand jury room and once they testified they could go home. I have no indication that Steve Martinez is going to cooperate with this grand jury. And so in that alternative, number one, his lawyers are going to appeal all of the unusual shenanigans that landed him in jail to begin with.

Number two, there's something called a Grumbles Motion. The purpose of civil contempt is to coerce you into testifying. And if you can prove that you will not be coerced, that instead of being coercive, your confinement is punitive or punishment, then you should be released from civil contempt of court and that's called a Grumbles Motion. And I would expect sooner or later that that kind of motion would be made on Steve's behalf, that he's not going to testify and so it's not coercive, it's punitive and he should be purged from his civil contempt.

**Ryan Fatica:** How do you go about proving such a thing?

**Lauren Regan:** Well, normally you have to sit in jail for a while to basically establish that jail is not going to scare you into testifying. And then sometimes, your community will testify and say, “I know that this person has very strongly held ethical beliefs, and I don’t believe that they will ever testify.”

We can also attempt to say that the purposes of the grand jury itself are illegitimate and he should be purged because the grand jury itself is not lawful—that could be a basis. And then, finally, the federal grand juries have a maximum term of 18 months. And, unfortunately, it’s my understanding that this particular federal grand jury had been convened shortly before Steve was brought before it. So there are still 16 months left to go in this grand jury term, meaning that he could serve 16 or 17 months in jail for doing nothing illegal, for doing nothing wrong. He could sit in a prison cell for doing nothing other than refusing to participate in this illegitimate witch hunt of a federal grand jury.

**Ryan Fatica:** I can’t even begin to imagine the kind of economic damage, among other kinds of damage, being done to him and his family right now. Do you have any idea about Steve, about his life, and the kind of impact his incarceration is having on him and others?

**Lauren Regan:** I know that he’s probably gonna lose his job. He had a good job during a pandemic. If he hasn’t already lost it. I assume that he will lose all source of income...I don’t know a lot about his partner, but I do know that they have created a gofundme in order to try to help defray costs and expenses that will be incurred as a result of his resistance stance.

**Ryan Fatica:** And we’ll put a link to that in our show notes. Well, Lauren, thank you so much for your time. Is there anything else you want to add or anything that you want people to know before we let you go?

**Lauren Regan:** I guess I would say that the intent of state repression is to scare the people into submission. And so if you become so afraid that you sit on the couch and click the “like” button and do nothing more about all of the problems in our world right now, then the state wins without even having to do anything.

Paranoia is two steps behind, and awareness is two steps ahead. And one of the best ways to combat state repression is by proving to the state that their tactics will not silence us, will not make us inactive, and that it’s not an effective way for them to try and control society or protect the profits of corporations.

So I would just encourage people to figure out a way that they can contribute to a better planet, a better society, and then do it—whether that’s feeding people or doing free legal work or standing on a pipeline route in resistance—there are so many different ways to contribute. You don’t have to get arrested in order to be an effective activist, but you do need to be doing something right now because, otherwise, it may be too late.

**Ryan Fatica:** Wow, Lauren, thank you so much for your time and for the work that you do really appreciate it.

**Lauren Regan:** Yeah. Thanks so much for having me. I really appreciate your time too.

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### **8 Mar - Kings Bay Plowshares 7: Updates and Writings**

*The Kings Bay Plowshares 7 prisoners have been prolific in documenting their experiences and thoughts while locked up and we are happy to pass some of those writings along to you.*

**MORE:**

### **March 8<sup>th</sup> - from FCI Danbury, by Martha Hennessy, January 30**

Today is Gandhi's death day and I dipped into Robert Ellsberg's All Saints, of which there are two copies in the Chapel library here.

Gandhi brought nonviolence as political struggle to the modern world—just in case we missed the message as presented to us by Jesus!

Clearly Christianity has not brought us salvation.

The true essence of faith can only be seen and practiced through loving kindness and service to others.

My co-defendant Clare sent me a quote from Dorothy Day that was shared through Pace e Bene: "What does God want me to do? And what am I capable of doing?"

(Can I stand against state and church? Is it pride, presumption – to think I have the spiritual capacity to use spiritual weapons in the face of the most gigantic tyranny the world has ever seen)?

Am I capable of enduring suffering, facing martyrdom?

And alone?

Again, the long loneliness to be faced.

Dear Granny, you break my heart. Danbury Federal Prison is now breaking my heart.

Am I strong enough? Am I alone?

As Dorothy also said, we can't do this work alone. We have God and we have each other in community.

The power of the State is indeed a fearsome thing. What do Iraqis or Afghan or Libyan families have to say about this power reaching into their lives, crushing their lands?

My life here is safer than theirs: no bombs, a bed with sheets, running water, three meals a day.

I write in the early morning when it is quiet. The women try to sleep through their depression and sentences. They are here as sacrificial lambs. Their children wake up without their mothers.

Our government, businesses, and society are helpless in the face of human passion, arrogance, and addiction to the use of force.

Where is our collective gratitude for the achievement of the greatest material wealth in human history?

Where is our security, possessing the most powerful weapons on earth?

We wait in the pill line for the next dose of mass-minded thoughtlessness, chasing the American Dream to become part of the elite super class.

One of the first books to come in while I was on quarantine was Alfred Delp's Prison Writings, saving me from hours with nothing to read. He writes that in our loneliness is sown the seed of trust. In the desert we collect our thoughts, replenishing ourselves for the ghastly struggle. The only intervention is God's blessing upon us as we attempt to stay alert, listening to his word.

Today's reading from Mark 4:35 – 41 resonates with all the themes before us. For bible study and further education in the faith, I read commentary in The Interpreter's Bible, a twelve-volume series published by Abingdon Press.

"Let us go across to the other side."

I love Jesus' restlessness in being driven to save the sick and oppressed, to hearing the cry of the "untouched, the unreached." We must break from the false bonds of our religion or culture that deny basic human needs while we live well in this world.

"And leaving the crowd," – it is one thing to collect a great mass of people around you, but Christ practiced withdrawing from this scene, to retreat, pray, prepare. The ones who suffered, the small numbers in need of his hands were always on his mind.

To "go where no hosannas are heard, but where the shadow of a cross falls."

To the bunkers where we hide the nuclear war heads, the shrines of missiles put up to idolize the use of force.

And then, "Teacher, do you not care if we perish?" In our smallness and lack of ability to see the unseen, we panic. But God never panics, as much as we try to project our fears and our rages onto him. "Peace, be still?!"

How difficult I find this, the Martha that I am. We have created nuclear self – annihilation. The anxiety of which seeps into every level of our being.

Was it "pride and presumption" that made me willing to walk onto a U.S. military base to protest these weapons?

Do I have the spiritual strength to face a mentality that our beloved attorney Bill Quigley captures in the words “it’s as if you walked into a used car lot” in the eyes of the court. You cut a lock on a gate. Damaged or stolen private property is the golden calf to be protected. Not whole cities in other people’s countries.

It is a tremendous effort, to calmly walk into this raging storm.

“Why are you afraid? Have you no faith?”

The Sea of Galilee, in its unique geography, could bring forth quicksand and violent storms, as the ancient fishermen had known. “Who then is this whom even the sun and moon obey?”

Hebrews 11 is our other daily reading. “By faith he received power to generate,” – that is Abraham, with Sarah’s help, who fathers a child whose birth will lead to the springing forth of a whole nation. “Faith is the assurance of things hoped for, the conviction of things not seen.” This is the source of the Plowshares Movement’s inspiration, along with Isaiah 2:4 – “They shall beat their swords into plowshares.”

The Kings Bay action, along with the hundred others, speak to the sacramentality of a vision that abolishes nuclear weapons. We are convinced that God opposes what humanity has done in creating these weapons.

We do see a future where these weapons will no longer exist.

Meanwhile, we are part of the U.S. Catholic Church that doesn’t raise a strong enough voice against the nuclear state. Yet in our baptism we have been given the power to generate, to bring forth God’s will for us, that of divine will and true freedom.

So how shall we walk as disciples of the Christ in the 21<sup>st</sup> century? From childhood, I have had a sense of being lonely in a big crowd. My pilgrimage in life is to understand what this means as I now sit in my small cubicle in federal prison.

My next door neighbor is from Vermont, like myself.

My “rosary group” are women of deep devotion and love of Mary.

I received a beautiful card from a woman who is now in prison with me.

God works in amazing ways.

I feel small, old, fragile, and vulnerable. I understand the betrayal of both state and church in our lives. We are clearly in dire straits. But God’s promise and blessings are still with us. We are entering the sheepfold through the gate (Jn. 10:1) and it is oh so narrow. The Shepherd’s voice is known to us if we have ears to hear.

#### **March 10<sup>th</sup> - from FCI Danbury, by Martha Hennessy, March 4**

Albert Woodfox, in his book, *Solitary*, published in 2019, documents how the state of Louisiana was especially brutal in the treatment of prisoners at the infamous Angola prison. Mr. Woodfox and two companions were particularly targeted in their struggle for justice, carrying out the values and principles of the Black Panther Party.

The number of people engaged in freeing these men from cruel and inhumane punishment was staggering, and it took decades. The state and judicial system used every dirty trick ever conceived by human cruelty to keep the inmates and many others in solitary confinement, breaking down minds and souls.

Here is the Black Panther Party 10-point Program:

- We want freedom, we want power to determine the destiny of our Black community.
- We want full employment for our people.
- We want an end to the robbery by the capitalists of our black and oppressed communities.
- We want decent housing, fit for shelter of human beings.
- We want education for our people that exposes the true nature of this decadent American society.
- We want education that teaches us our true history and our role in the present-day society.
- We want all Black men exempt from military service.
- We want an immediate end to Police Brutality and Murder of Black people.
- We want freedom for all Black men/women held in federal, state, county, and city prisons and jails.
- We want all Black people when brought to trial to be tried in court by a jury of their peer group or people from their Black Communities, as defined by the Constitution of the United States.
- We want land, bread, housing, education, clothing, justice, and peace.

All of these points remain relevant and unfulfilled to his day. They echo the works of mercy and decent democratic values.

The leadership of this movement was systematically murdered, arrested, imprisoned, silenced, smeared, and eliminated by the FBI and the COINTELPRO program.

It is reported that on March 4<sup>th</sup> there was a call for anti-government militias to show up at the nation's capitol to take down the democratic party administration.

The functions of government will be closed down for the day as precautionary measures.

The shrieking double standard of how this is being handled is not lost upon citizens who have suffered under the violent racism of our state. We are now governed by two parties, one that is aggressive in its power grab, and one that dithers over taking a stand for the people.

The Catholic Worker tradition of claiming no faith in the political/economic systems long established on greed and fear is clear. We must tend to Lazarus at the gate, binding his wounds rather than defaulting to the dogs to lick them.

Even if someone were to rise from the dead, the wicked would still not be persuaded of what is good and truthful, of what comes from love.

The survival of Albert Woodfox under the worst of human depravity is a testament to the human spirit and what it is capable of, even without belief in God.

Mr. Woodfox believed in the human spirit, and that "human beings have a greater capacity than we understand." I believe there is evidence of this every day, all around us.

This Lenten season is especially poignant in the prison setting. Women's emotions are intensely expressed and held on to in our small community.

The fact that there are no locks on the doors (our cubicles are without doors) makes for an acutely unusual atmosphere. Self-regulation is required, and inmates respond to this.

Of course, those who are selected to live in the Camp setting are judged to have the capacity to comply with such a program. In my three months here, I have seen only one woman taken to a more restrictive environment.

A week ago, we were all awakened at 2:40 a.m., lined up along the wall in the hall, and screamed at for the next hour. A contraband package was dropped off at an assistant warden's house.

No one in the Camp admitted knowing anything about it.

One woman fainted, falling to the floor and banging her head, about ten minutes into the raid.

At one point, the assistant warden held his hand like a gun pointed at inmates for the count. After 40 minutes, I began to see stars and felt on the verge of passing out. I indicated to the C.O. that I didn't feel well and slowly slid to the floor. The spell was broken, and all the women were allowed to sit, then were sent to their rooms.

As a result of this breach of confidence with the contraband delivery (apparently it was food and liquor), we are now under more restrictions regarding movement, outside work, and schedules of work and sleep.

The COVID pandemic wreaked havoc with all routines and we are now trying to re-establish order.

The camp concept is a good one for non-violent offenders, and the program needs more funds and attention.

Re-tooling and diversion of resources is the only rational way to deal with the desperately needed prison reform.

Why couldn't the rich man in today's Scriptural reading just toss a few crumbs to starving Lazarus at the gate.

Even his brothers in their continued transgressions, were not going to receive the message to change their ways.

We are our brother's keeper and our way of living must reflect this if we are to survive.

Prisons help us to accept scapegoating rather than dealing with the problems and injustices.

We are called "girls" here.

If I were in charge, I would send all prisoners home with guaranteed minimum monthly incomes to care for their families, addiction rehab if needed, and access to friends on the part of any men in their lives.

Illinois has passed legislation that eliminates bail bond, great news for those most affected and impoverished.

The Texas debacle and human catastrophe clearly illustrates the capitalist agenda cloaking individual liberty rhetoric, and its failure.

The month of March came in like a lion with freezing wind but hopefully will go out like a lamb with spring weather.

I hear hearty laughter every day here among the women.

The assistance given to newcomers, and heartfelt goodbyes to those released is always encouraging.

We hold on to our humanity and respect for each other despite the structural retribution.

We remain COVID free, and safety infrastructure is being brought up to code.

Things are bearable, especially after reading about murder, rape, and beatings at Angola prison.

I may be released by mid-May having served 2/3 of my time and being elderly.

Each morning there is more birdsong outdoors, and the days are lengthening.

The pandemic appears to be ebbing with vaccines now available.

The economy should receive a bailout soon.

The nuclear button may be in the hands of more reasonable officials.

Let's keep our chins up for a better future soon.

### **March 16<sup>th</sup> - My prison cell view of the COVID-19 pandemic by Patrick O'Neill**

While the difficulties associated with COVID-19 are omnipresent, the hardships are even greater for those of us in prison. Matthew's Gospel notes the work of mercy: "I was in prison and you visited me." The problem for the thousands of men and women in prison is many of us are on "lockdown." That's a penal term for essentially keeping prisoners confined to small areas such as cellblocks or individual cells. During lockdown no visitation is permitted.

This can be done for disciplinary reasons or preemptively, as was the case in many prisons that locked down without cause the week of Joe Biden's inauguration.

Here at Federal Correctional Institution Elkton in Ohio, where I am serving a 14-month sentence for participating in the 2018 anti-nuclear-weapons protest at Kings Bay Naval Base in Georgia, the prison has been under lockdown for more than a year. What that means for the incarcerated is that we are confined to crowded cellblocks of 64 cinder block cubicles 24 hours a day, seven days a week amid noisy, overcrowded conditions and without privacy.

In my case, my block includes a range of 110-120 men living in a room with bodies always in constant motion as men move about looking to pass time in meaningful ways. Most shuffle around in slapping flip flops. Many guys speak too loudly and there's a public address system where guards make shrieking, sometimes shocking, announcements throughout the day. The sensory overload is relentless, something akin to low-level torture.

The lockdown means my wife, Mary Rider, and our eight children, two sons-in-law and two grandchildren are not allowed to visit me. But I've only been here since Jan. 14. The other guys on my block, many who have been here for up to 10 years or more, have not seen loved ones in more than a year.

We are let out for "rec" two or three times a week, but all we can do is walk or jog for an hour on a cement walkway or in the ice and snow that covers a gravel walking path that has been obscured since my arrival. The lockdown means we eat our meals in our cubicles, not in the chow hall; all programs, including 12-step programs, are shut down. The prison dentist is not offering teeth cleanings or fillings, and all religious services have been canceled for more than a year.

An end to the lockdown is nowhere in sight, and whenever I ask medical staff about the COVID-19 vaccine, I am told there's no plan in place to give inmates the vaccine. This, in spite the fact that hundreds of Elkton inmates and staff have been infected with COVID-19, resulting in nine prisoner deaths, according to an attorney representing prisoners with underlying health issues who asked to be moved last spring.

I turn 65 on March 27. I had filed a motion with my judge to delay my reporting to prison until after I received the COVID-19 vaccine; the motion was denied.

The lockdown also means Catholic prisoners have now been without the sacraments for more than a year. (This was confirmed by William Barber, coordinator of prison ministry for the Youngstown Diocese, who

told NCR in an email that due to COVID-19, “priests, deacons and volunteers have not been able to go into Elkton for a bit over a year.”)

Pastoral visits are by appointment only. I received one this week from the Lutheran chaplain, the Rev. Scott Kirchoff, in response to a written request I had filed two months ago. The chaplains do not come into the locked down units to make visits.

I asked Kirchoff if he could arrange for the Catholic inmates to receive the Eucharist on Easter. He said he doubted he could get anyone to come in to bring the Eucharist, and that the “administration” is not letting “anyone” into the prison anyway. He said if the Catholics got the Eucharist then all faith groups would have to also have their needs met as well. (He actually mentioned “sweat lodges” as one of the demands he might receive.) He was a nice man, but said it was out of his hands because of the lockdown.

Since prison guards and other staff pass in and out of this place on a 24-hour basis, I don’t see why a nun, deacon, priest, bishop or layperson can’t come into the prison with the Blessed Sacrament. It could even be in an open-aired setting for easy social distancing. Why should men in a low-security federal prison have to go through Holy Week without the sacraments for two years in a row?

Despite the risk of COVID-19, Pope Francis has traveled to Iraq. “I am the pastor of people who are suffering,” the Pope told Catholic News Service. “They will see that the pope is there in their country.”

Surely, there is some double-masked eucharistic minister who could come by Elkton to administer the sacraments to lonely prisoners who are suffering?

In addition, many of the nonviolent inmates made written requests to the warden asking that they be released to compassionate home confinement. There are men here who use canes, walkers and wheelchairs; many others have serious chronic medical problems.

In April and May, a federal judge ordered the prison to identify medically vulnerable inmates and arrange to have them removed, either to another prison, on parole or home confinement — a move the U.S. Justice Department opposed. In June, the U.S. Supreme Court blocked that order.

More than 2 million people languish in U.S. jails and prisons, and the word “rehabilitation” is scantily mentioned. Prison is plain and simply punishment. The more than 1,000 men at Elkton are being warehoused at great economic and moral cost to our nations.

I certainly pray and hope that President Biden, a man known for his harsh penal policies in the Senate, will do something significant to replace this racist and cruel system of mass incarceration.

This is “American exceptionalism” at its worst.

### **8 Mar - Across Prison Walls, I Felt My Parents' Love**

*For Chesa Boudin, his mother and father were radical not for their politics but for the extraordinary lengths they took to parent him while incarcerated.*

#### **MORE:**

by Chesa Boudin (*The Nation*)

Toward the end of a weekend trailer visit to my incarcerated father in New York State in 1992, when I was 12, I had an emotional meltdown—and not for the first time. Trailer visits are occasional overnight accommodations provided to family members of people serving long sentences who've kept a good disciplinary record. On that particular weekend, I'd brought a stack of homework that I had to complete before school on Monday. We'd had a couple of happy days together, cooking epic meals of fresh vegetables, tofu, and brown rice, playing chess and cards, watching movies—even as I refused his advice to do my homework the whole time. (Sound familiar?) On the second and last night, I had a temper tantrum: I

didn't want to do my homework, or at least that was the trigger for a lot of pent-up emotion. The joy of every prison visit was punctured by the grim realization that I was going to have to leave, and that my dad would not be coming with me. In a fit, I threw all my homework out the window into the dark, windy yard. In that otherwise banal act of rebellion, I created a terrible dilemma for my father. He could leave the trailer to chase down my papers in the dark before they blew away, violating a prison rule and risking a discipline violation, or "ticket," which would not only tarnish his perfect record but also forfeit future visits with me. Or he could protect himself and our access to the trailer visits by doing nothing, sending me home the next day without my schoolwork. He put me first.

When I was 14 months old, my parents, David Gilbert and Kathy Boudin, dropped me off with a babysitter. They never came back. That day, while I was playing, my parents drove a van used as a switch car in a bungled armed robbery. Though neither of my parents was armed or intended for anyone to get hurt, two police officers and a security guard were killed. My parents were arrested and charged with felony murder—an anachronistic legal doctrine that allows prosecutors to punish almost any participant in a serious crime resulting in death, no matter their role, with murder. In one of the countless capricious outcomes of the criminal justice system, my mother ended up serving 22 years while my father received a minimum 75-year sentence. Though they played nearly identical roles in the crime itself, my father refused legal representation and went to trial, ultimately getting convicted of all the charges and receiving the maximum possible sentence. By contrast, my mother had excellent lawyers and, on the eve of her trial, pleaded guilty for a negotiated sentence. After 39 years, my father remains incarcerated. Absent a change in law or a grant of clemency from New York Governor Andrew Cuomo, he will not be eligible for parole until he is 112 years old.

I don't remember that tragic day, of course—getting picked up by my grandparents or, weeks later, being taken into a new family that already had two young children, who were now my older brothers and would become, in time, my loving defenders and greatest supporters. But I do remember, from my earliest days, waiting in lines to get through metal detectors, steel gates, and pat searches just to see my parents, just to give them a hug. I did not understand that my parents' crime had been organized by the Black Liberation Army, and that they were in it not for money but because of a misguided vision of radical racial solidarity. Yet, even as a small child, I noticed that the lines at the prison gates were mostly made up of Black and brown women and children. Those kids and I had all paid a price for our parents' mistakes, and for our country's retributive obsession with prisons.

My parents' arrest in New York in 1981 came just as the addiction to incarceration was ramping up. Today, the United States leads the world in locking people up: With less than 5 percent of the world's population, we have approximately 25 percent of the world's prisoners—2.3 million people behind bars on any given day. What's more, the majority of people in prisons are parents, and there are far more children with an incarcerated parent than there are prisoners. Because of the constant churn of people in and out of incarceration, one in 12 American children will experience parental incarceration.

Parents and children fighting to overcome the distance created by incarceration must be determined, courageous, creative, and more. My father and mother were relentless in their effort to develop into the parents I needed, even as they negotiated the complex landscape of incarceration. Shortly after their arrest, while still in county jail awaiting trial, they were denied any contact visits. Not willing to accept a relationship with their toddler son through plexiglass, my parents filed a lawsuit in federal court. To be sure, most incarcerated families confront demoralizing obstacles like denial of visits or limits on phone calls, and far too few have the resources or social capital to effectively push back. We were luckier than most. In ordering the warden to allow us contact visits, a federal judge wrote, "The importance of contact visits to the detainees, their family and to the institution cannot be understated," and cited a renowned psychiatrist in explaining that "contact visits not only restore decency and humanity to the penal system, but also perform the critical function of reestablishing the prisoner's connection with the world existing outside the prison walls."

Over subsequent decades of prison visits, I learned that not all contact visits are created equal. After sentencing, my mother spent the rest of her sentence in New York State's only maximum-security prison for women: Bedford Hills Correctional Facility. Thanks in large part to a saintly Roman Catholic nun, the late Sister Elaine Roulet, Bedford Hills was a model of what a family-centered approach to visitation should look like, even if it happened inside miles of razor wire and steel gates. Bedford Hills is located just 40 miles from New York City and is accessible via public transportation. Geography matters, because while more than 60 percent of inmates in New York State prisons come from the New York City metropolitan area, most of the state prisons are located much farther away. Cuomo recently signed into law long-overdue legislation that will direct the state's Department of Corrections to place incarcerated parents in facilities closer to their minor children; the law is a critical part of recognizing the multifaceted identities of the people we incarcerate, most of whom are parents.

Sister Elaine established a parenting center at Bedford Hills that helps mothers arrange visits and maintain contact with their children. The prison has a large visiting room, part of which is dedicated to the Children's Center, designated exclusively for mothers and children. I have fond memories there of making piñatas, building with blocks, painting at easels, playing with a teddy bear my mom had sewn for me, and listening to her read *The Count of Monte Cristo* to me. Sister Elaine also spearheaded a summer program in which children from New York City visit every day for a week and engage in a range of group activities. During one precious week each summer, my mom and I played volleyball and had water fights on the visiting-room patio.

These visiting opportunities are not available in most prisons, and many states have nothing comparable. Far more common is what I experienced each time I made a normal day visit to one of my father's prisons: wall-to-wall tables with incarcerated people on one side and visitors on the other. No privacy. No carpets. No outdoor space. Limited contact, allowed only at the beginning and end of the visit. No space to move around or do much of anything other than sit there and talk until a correctional officer announces visiting hours are over. Until 2020, at least one state, New Hampshire, prohibited toys in the visiting room. Until 2013, Utah prohibited any language other than English from being spoken on visits. As my friend Emani Davis, who grew up visiting her father in Virginia prisons, put it, "We're told prison visiting rooms are set up for security and control; to kids, they feel designed to kill the human spirit and deter us from coming back."

My father has now served nearly 40 years, divided unevenly among six different prisons in upstate New York. Luckily for us, however, New York is one of just a handful of states that offer overnight visitation. For 48 hours, twice a year or so, I've gotten a taste of living with my dad—albeit under the shadow of razor wire, punctuated by regular prison counts. The two-bedroom trailer homes inside the prisons have a mostly functioning kitchen and, during daylight hours only, access to a tiny fenced-in yard. I usually made the long trip to upstate New York by flying on my own, and then a family friend or a local volunteer would take me grocery shopping and drop me off at the prison gates. It was these visits, more than anything else, that gave David a chance to be a father—my father.

Beyond homework and home-cooked meals, the trailer visits were a space for difficult conversations. Sure, we talked about the things sons talk about with their fathers, but more than that, we talked on every visit about how and why he was fathering from prison. There is no right way to tell your son that you participated in an armed robbery that resulted in three murders. My father consistently expressed deep remorse, took responsibility, and met me where I was emotionally—whether angry or sad or confused. In explaining the irreparable harm the crime caused, he told me that the men who were murdered had wives and children; some of those children were around the same age as I was and would never know their fathers because of the crime he'd participated in. Even though, as a child, I fixated on my father's limited role as an unarmed driver, I never made it easy for him. I insisted that he repeatedly tell me what happened and what he did. I wasn't interested in gore—my dad wasn't even present at the robbery—but I had questions: Why would you do something so dangerous? Didn't you worry that people might get hurt? And one question no words could ever answer: Why would you risk losing me?

Given how rare and expensive prison visits tend to be, what happens between those visits is critical. For my entire life, my parents have called me at least once a week—a luxury most families can't afford, no matter how determined the incarcerated parent is to maintain contact. As a child, I'd sometimes get off the phone and cry to myself, "If only I could have talked on the day of the robbery, I'd have told them not to go." But mostly, my parents managed to make the calls fun. For several years straight, my dad would tell me adventure stories. Each call was a new chapter in an ongoing saga starring me and my friends on escapades around the world and beyond. I relished the story time, and in those recorded collect calls, my dad found small ways to act out his love.

Though he couldn't always get access to the phone, my dad sent me letters nearly every day. Sometimes it would be nothing more than a piece of colored construction paper with a big heart on one side. Other letters included photos meticulously torn out of National Geographic. Even before I could read, those letters were a critical part of maintaining and building a bond beyond the bars. Writing letters is an often unattainable luxury for many incarcerated parents because of both the cost of postage and widespread literacy challenges: 40 percent of the people in prison never completed high school. Each stamp my father bought in the commissary cost more than an hour's worth of wages from his prison jobs—mopping floors and facilitating anti-violence trainings for other inmates—but he kept writing his love and regrets a million different ways.

Today, my father is 76 years old. He is one of the oldest and longest-serving people incarcerated in New York State's prisons. He is likely the only person who has been in that long without a single disciplinary violation on his record—even though he found a way to make sure I completed my homework on time. At my age, and his, I'm supposed to be taking care of him. Instead, in the midst of the pandemic, I have not been able to visit once in over a year, even as more than 100 people in his prison have tested positive for Covid-19. Yet every Saturday afternoon, when he calls, instead of complaining, he does what he has always done for me since that tragic day in 1981: parent. Even while confined to a cage, year after year, decade after decade, he has parented through letters and calls and help with homework. Most of all, my dad, David Gilbert—inmate number 83A6158—has parented by living a life grounded in principle, in accountability, and in love.

Prisons and jails do not promote parenting; they seriously impede it. When a parent commits a crime, the system largely overlooks their parental obligations—and the rights of the children left behind—in favor of punishment. Virtually every jurisdiction in the country requires sentencing judges to consider victim impact statements, but children of defendants are not considered victims, so the impact on them is systematically ignored. So-called family values are jettisoned in favor of draconian responses to all manner of crimes. While some prisons have marginally more child-friendly policies, none of that could ever make prisons appropriate places for parenting. Indeed, the reductionist labels of "felon" or "inmate" or "83A6158" can easily dwarf the nuanced identities of "mommy" or "daddy."

After more than two decades of mothering from prison, my mom was released in 2003. More than 17 years later, my father is still living in a cage. Some call my parents radicals because of things they did before I was born or because of their involvement in the tragic armed robbery when I was a baby. In my lifetime, in my experience, the most radical thing about my mom or my dad is their unwavering dedication to being loving parents.

### **9 Mar - Critical Mumia Abu-Jamal Updates**

*Mumia is suffering congestive heart failure, skin eruptions, and needs YOUR help.*

#### **MORE:**

No longer in an outside hospital, Mumia is back in the prison infirmary in excruciating discomfort and pain.

The message from his personal physician, Dr. Ricardo Alvarez, could not be clearer, "Freedom is the only treatment."

Mumia requires: TREATMENT - DIAGNOSIS – LIBERATION

We must not wait one moment, one day, one heartbeat. We must ACT NOW to treat these conditions:

- Congestive Heart Failure
- Covid-19 breathing difficulties
- Organ failure of the skin

Mumia is being denied diagnosis and adequate treatment for his skin condition. He is held in isolation in the prison infirmary without healing salves and ointments that he had in his cell. He is also denied regular access to a phone or access to his tablet which provides the connection to his email. This communication is a vital lifeline.

Make no mistake, phone calls do work - last week your phone calls meant that he was whisked to the hospital for four days. He was diagnosed and treated for congestive heart failure and they removed excess fluid in his body. Those treatments must continue to be carefully monitored.

He is now in the infirmary at SCI Mahanoy: the same infirmary where he suffered medical neglect in 2014 that sent him into renal failure. That year his medical care required careful blood sugar monitoring and when he did not receive that, he went into a diabetic coma. Abu-Jamal vs. Wetzel, a lawsuit over those conditions, is still pending.

The Fraternal Order of Police has stated that it intends for Mumia to die alone, inside this prison. We say no.

CALL TO ACTION call, write, tweet, post and fax to demand demand "freedom, treatment, diagnosis, and access to his lawyers, doctors, and family for Mumia Abu-Jamal at SCI Mahanoy."

### **PADOC**

Phone number: 717.728.2573

Contact form: [expressforms.pa.gov/apps/pa/cor/contact-us](https://expressforms.pa.gov/apps/pa/cor/contact-us)

Email address: [ra-contactdoc@pa.gov](mailto:ra-contactdoc@pa.gov),

Twitter page: @CorrectionsPA; Facebook page: @CorrectionsPA

John Wetzel, Secretary of Corrections - name Mumia Abu-Jamal, his number AM8335 and SCI Mahanoy in subject line

Phone number: 717.728.4109

Email address: [ra-crofficeofrds@pa.gov](mailto:ra-crofficeofrds@pa.gov) or [ra-crpadocsecretary@pa.gov](mailto:ra-crpadocsecretary@pa.gov),

Twitter page: @johnwetzel, @DOCSecretary

Tom Wolf, Governor

Phone number: 717.787.2500, pick option #3 for operator; Fax: 717.772.8284

Online form: [governor.pa.gov/contact](https://governor.pa.gov/contact)

### **Write:**

Office of the Governor

508 Main Capitol Building

Harrisburg, Pennsylvania 17120

Twitter page: @GovernorTomWolf, @GovernorsOffice; Facebook page: @governorwolf, @TomWolfPA

Instagram page: @governortomwolf

Larry Krasner, District Attorney  
Phone number: 215.686.8000, leave a message

Email: DA\_East@phila.gov, DA\_Central@phila.gov, DA\_Northwest@phila.gov, DA\_South@phila.gov,  
DA\_Southwest@phila.gov, DA\_Northeast@phila.gov

**Write:**

Main Office  
Three South Penn Square  
Corner of Juniper and South Penn Square  
Philadelphia, Pennsylvania 19107-3499  
Twitter page: @philadao; Facebook page: @philadao

Reach Philadelphia DA Krasner as he speaks - demand that he drop the case and free Mumia at once:  
April 20 Author event at 6:30 p.m. CDT, free to register: [eventbrite.com/e/larry-krasner-for-the-people-a-story-of-justice-and-power-tickets-142138954439](https://www.eventbrite.com/e/larry-krasner-for-the-people-a-story-of-justice-and-power-tickets-142138954439)

Vincent Hughes, State Senator  
Phone: 215.879.7777 (District Office), 717.787.7112 (Harrisburg Office)  
Fax: 215.879.7778 (District Office), 717.772.0579 (Harrisburg Office)

**Write:**

2401 North 54<sup>th</sup> Street  
Philadelphia, Pennsylvania 19131  
(District Office)

545 Capitol Building  
Senate Box 203007  
Harrisburg, Pennsylvania 17120 (Harrisburg Office)  
Online form: [senatorhughes.com/contact](http://senatorhughes.com/contact)  
Email: [hughes@pasenate.com](mailto:hughes@pasenate.com)

Twitter page: @SenHughesOffice, @SenatorHughes  
Facebook page: @vincent.hughes.7; Instagram page: @senhughesoffice

Cindy Bass, City Council of Philadelphia  
Phone number: 215.686.3424; Fax: 215.686.1937

Online form: [phlcouncil.com/cindybass](http://phlcouncil.com/cindybass) (contact field at the bottom)  
Twitter page: @cindybassphilly; Facebook page: @cindybassphilly; Instagram page: @cindybassphilly

Bernadette Mason, SCI Mahanoy Superintendent  
Phone number: 570.773.2158  
Office of Criminal Justice  
Email: [justice@phila.gov](mailto:justice@phila.gov), [rachel.eisenberg@phila.gov](mailto:rachel.eisenberg@phila.gov) (Director)

**March 11<sup>th</sup> - It is now freedom or death for Mumia!**

by Zayid Muhammad (*Amsterdam News*)

"I'm going help them fry the n---r..." Judge Albert Sabo

"There comes a time when silence is betrayal..." Martin Luther King, Jr.

Imagine all NNPA Black newspapers, for example, carrying regularly featured articles as a matter of priority on all of the evidence suppressed in Mumia's case.

Imagine Black clergy rallying at major news sites condemning the white-out and/or the demonization of Mumia through their media entities.

Imagine Black elected officials from Philadelphia and from all over the country rallying to denounce the continued ordeal of this man.

Imagine surviving '60s icons conducting civil disobedience at the governor's office and the DA's office in Philadelphia with an eager throng of two generations of action-hungry activists looking to bumrush it, en masse if it didn't yield results.

Even though Mumia has survived two execution dates, 30 years on death row and several recent dangerous medical challenges, thankfully with the force of a multiracial international campaign at his back and our ancestors, this hasn't happened yet.

It's time to ask 'why?'

As this goes to press, Mumia is in a prison infirmary dangling on a tightrope of both COVID-19 and congestive heart failure, a most deadly medical cocktail!

COVID-19 is most dangerous when it attacks the lungs, creates fluid in the lungs and then triggers fatal blood clots. Congestive heart failure, similarly speaking, creates fluid in the lungs, weakens the heart muscle and the kidneys. These two together are extremely deadly.

Not to mention Mumia's Hep-C weakened liver and skin. Remember that?

Mumia needs to be hospitalized at minimum and truly needs to be released!

If ever there was a time to step forward for Mumia, it is now!

The most tragic dimensions surrounding Mumia's current ordeal is that there is now so much ample evidence of his innocence, so much ample evidence of both prosecutorial and judicial misconduct to free him if he can just be allowed to get it in on an appeal and that evidence on the court record. In spite of Mumia clearly being on the verge of objectively vindicating himself, he can tragically die in prison if not enough of us turn it up now!

Wait! What about Philly's highly prized progressive DA Larry Krasner? Hasn't he moved to overturn more than a dozen bad convictions rooted in deep-seated Philly racism and corruption? Yes, but not for Mumia.

Even though his office 'found' six boxes of missing evidence in his case, which includes a letter from a star prosecution witness Robert Chobert seeking payment for his testimony, reeking of prosecutorial misconduct and granting Mumia a new trial, Krasner, up for re-election, went into court last month and said that no new appellate relief for Mumia ought to be granted because his trial and conviction were sound. From Judge Sabo vowing to help 'fry the n----r,' to suppressed eyewitness testimony that was not paid for by anyone totally contradicting Chobert's, to the illegal exclusion of Black jurors from the trial, to Sabo having Veronica Jones arrested on the stand for telling the truth on how she was coerced to testify against Mumia, to their being clear evidence of another person being the actual killer of Officer Daniel Faulkner and a whole lot more, Krasner showed his true 'white' color and is now seeking to block Mumia's real chance at justice and freedom at a time when it can genuinely cost him his life.

The time is now to turn it up and free this incredible human being who has become a breathing living gracious symbol of human solidarity like few others in the last several decades.

Let us all press Pennsylvania's other liberal 'fox' Gov. Tom Wolf to have Mumia and all aging prisoners who pose no risk to society released to help address this insidious pandemic. Over 100 people have died from COVID-19 in Pennsylvania prisons. All over 50 and with preexisting conditions.

Let's press Mumia's overseers John Wetzel head of Pennsylvania Department of Corrections and Bernadette Mason superintendent of Mahanoy Prison to get Mumia properly hospitalized.

### **March 17<sup>th</sup> - Linn Washington Response to Shaun King Interview with Krasner**

*"DA Krasner danced around the core issue of justice for Abu-Jamal during his interview with Shaun King. The misconduct that led Krasner to end the wrongful convictions of 19 persons is even more pronounced in Mumia's case. Krasner defends being unfair to Abu-Jamal as acting fairly."*

**--Linn Washington interviewed by the Jamal Journal, March 17, 2021.**

### **Transcript of Shaun King asking Larry Krasner about Mumia Abu-Jamal**

**Shaun King:** How do you balance that with the continued imprisonment of Mumia Abu-Jamal? Many of us, myself included, have always fought for the eventual freedom of Mumia, and we've learned over the past few days and weeks that he's actually been very ill, not just from COVID but also from a skin disease.

What is your role as district attorney with Mumia's case? For those of us who hope that USDA could do something about it, what are the barriers there? Now, I say that knowing that anything you say will be used against you politically, but too many people ask, Larry, for me to ignore it.

I'm curious as well as one of your biggest supporters, as somebody who not only do I have questions about Mumia's guilt, but even if we just assumed that he was guilty for a moment, is he to spend the rest of his life in jail even if he was guilty for that moment? How do we work that out?

**Larry Krasner:** It's a great question. I can answer a good amount of it. I can't answer all of it, because this is a pending case. The killing we're speaking of occurred on December 9<sup>th</sup>, 1981 that we are coming up on 40 years, I was in college in Chicago. I think I was a sophomore when that killing actually occurred even though I am from Philadelphia.

It has been litigated for many, many years before I ever got to the DA's office. The thing that fascinating to me is I have protesters who are in favor of Mumia Abu-Jamal come to the front office, and they protest. Some of them, frankly, take a very strong position that we must be terribly unfair.

Then about 10 minutes after they leave, I see a bus pulling up. It's full of retired police officers and friends of Mrs. Faulkner, who is the widow or the officer who was killed, and they all pile out and they hold up signs. "Krasner is a liar. Krasner is in the bag for Mumia. He's going to do everything to let them out."

They even went so far as something almost unprecedented, which is trying to get me removed from the case, because the Faulkner family insisted I'm so unfair, and I am so biased in favor of Mumia I couldn't possibly handle the case. That litigation went on for months. I had to sift through depositions and then answer questions on it.

Ultimately, the Supreme Court, depending on which justice, cursed me out but also said, "OK, well, I guess we can't really prove he's so terribly unfair." There are people on both sides of this issue who feel just as strongly that I'm completely unfair in opposite directions. I don't know if that means I'm bringing people together or not.

I don't want to make light of their concern, because I know it comes from a sincere place. as long as we're being direct and as long as we're being provocative, let me try to answer your question a little further.

Apparently, some people believe that I actually am the jailer for Mumia Abu-Jamal. I am not. I do not have the capacity to turn the key to let him out. I do not have the legal power to turn the key to let him out, and I do not have the legal power to control his medical care.

It is essential that all inmates receive proper medical care. It is essential that consistent with the law that all defendants have the opportunity to challenge a conviction.

The notion that we're somehow at the beginning, we're back in 1981, and we can just ignore the decisions that made now for decades including the decision that he not be executed because he originally had death sentence is just inaccurate. We do not have the power. What comes to my office is one decision at a time on a particular issue. Sometimes the law is crystal clear, and sometimes it is not.

We are always going to bend in favor of trying to get to the bottom of these issues. That's actually why we got attacked by the Faulkner family and FOP and their crew, because our bottom line was we thought we should get to the bottom of the issues before more witnesses who were involved in 1981 pass away.

This has already happened that a significant number of witnesses involved back in 1981 have passed away. That's how I got in trouble with them. When I get 2,000 texts suggesting that somehow I can take out my key and let him out of jail, it just shows a deep misunderstanding of how this works.

**Shaun:** Sorry to interrupt you, Larry. Help us understand what power you do have on the case. Where is the case now? As much as you can say it because it is an active case.

**Larry:** Let me address the medical issue. There is absolutely no motion that anyone has filed in which I have any say whatsoever in relation to the medical treatment of Mumia Abu-Jamal. There's been no phone call from his lawyers, whatsoever. What there have been are literally hundreds of emails and texts from people who apparently think I can somehow control this.

If a motion in which I had standing to respond was provided, I would respond appropriately given what the actual facts are. Sometimes, the facts are not clear. We have some people who are very adamant that there's been a diagnosis of a certain type, and then other people in the same camp say there has been no such diagnosis. There's simply a symptom, that sort of thing.

Whatever the facts are, we would respond and take an appropriate position. The Eighth Amendment to the US Constitution requires constitutionally adequate medical care. I think it should require more than that. Frankly, I've litigated this myself as a defense attorney in federal court for a woman who had cancer.

I think people in custody are entitled to good medical care. If there was a motion presented, if I had standing on anything, we would respond. I would like to think we would try to be as fair as we could with reference to the rest of the case.

There has been a lot of going around and around in which we essentially took the position that we were OK with getting to the bottom of certain issues and doing hearings. The whole system went nuts, and the family went against us. It all got tied up in the Pennsylvania Supreme Court for a long time.

As I mentioned earlier, they grudgingly said, "OK, I guess we don't have to take it away from you and give it to Josh Shapiro, our attorney general," who, by the way, has been sending people into court to advocate for the death penalty in cases where we are opposed to the death penalty, has repeatedly opposed pardons in cases where we have supported them, and has opposed commutations in cases where we supported them.

It is a very, very complicated process that will require us on a motion-by-motion basis to respond, and we will do so. I can tell you this. You may like what we do or you may not, but we are going to try to be fair with the facts and the law just as we have been fair when we exonerated 18 people on 19 cases -- 18 people, not as well known, not as famous as Mumia Abu-Jamal but 18 people nonetheless.

I heard none of this energy, none around those individuals. That's worth reflecting because, frankly, a prosecutor ought to treat famous and unpaid famous people the same; rich people, poor people, the same; smart intellectual people, the same as people who have low IQs. We should treat them all the same.

**Shaun:** I appreciate your thoughtful answer there. Part of my hope was that people who have decided that fighting for Mumia's freedom and care to hear from you on that. Thank you for allowing me to ask that question. For those of you who are here for Mumia, I hope you do see that Philadelphia as a district attorney who will engage us on hard questions.

### **March 21<sup>st</sup> - Legal Statement by Attorneys Judith Ritter and Sam Spital**

Yesterday we filed our reply brief in Superior Court in support of Mumia's claims in the re-opened appeals. We focused on four arguments:

- (a) the Court's jurisdiction to hear this case notwithstanding the Pennsylvania Supreme Court's decision in Reid that most petitioners seeking to re-open their cases post Williams v. Pennsylvania cannot do so because their claims are not timely;
- (b) trial counsel's ineffectiveness in failing to present evidence that Robert Chobert was on probation at the time of his trial testimony;
- (c) the admissibility of Yvette Williams's declaration reporting what Cynthia White said to hear about lying against Mumia; and
- (d) racial discrimination in jury selection in violation of Batson.

Also yesterday, Maureen Faulkner sought permission, again, to intervene in the Superior Court. Essentially her argument is that the DA is not in her view raising—or at least not vigorously raising—a jurisdictional/timeliness argument, which she says reflects ongoing bias and the need for disqualification.

### **13 Mar - A former member of the Black Panther Party seeks parole nearly 50 years after he was convicted of murder**

*As always, read corporate media with a critical eye...*

#### **MORE:**

by Caren Chesler (*Washington Post*)

A former member of the Black Panther Party, who went to prison when he was 36 and is now 84, will go before New Jersey's Supreme Court this Fall to try to win his release, arguing that he has been a model prisoner and eligible for parole for a quarter-century but has been repeatedly denied because his crime involved the killing of a state trooper.

Sundiata Acoli, born Clark Edward Squire, is serving a life sentence for the May 2, 1973, murder of Trooper Werner Foerster during a shootout on the New Jersey Turnpike. Acoli was driving just after midnight when another trooper, James Harper, stopped him for a defective taillight. Acoli and his two passengers, Assata Shakur, born JoAnne Chesimard, and Zayd Malik Shakur, born James Costan, were members of the Black Liberation Army.

Harper called for backup and was joined by Foerster, who discovered an ammunition magazine for an automatic pistol on Acoli, according to news reports of the trial and his appeals.

A gun battle erupted. Foerster was shot four times, twice in the head by his own service weapon, and Harper was wounded.

The three Black Liberation Army members drove five miles south on the Turnpike and pulled over. Assata Shakur was quickly arrested, and Zayd Malik Shakur was found dead near the car. Acoli fled into nearby woods, where he was captured about 30 hours later.

Both Acoli and Shakur, in separate trials, were convicted of the murder of Foerster.

Shakur has said she was shot and wounded with her hands up and couldn't have killed Foerster. Acoli said at the time that he was hit by a bullet, blacked out and couldn't remember what happened.

A jury convicted Acoli of first-degree murder in 1974 and sentenced him to life with the possibility of parole after 25 years. With prison credits, his parole date was pushed up to 1993 but he was denied. And he's been denied parole four times in all.

Shakur escaped prison in 1979 and fled to Cuba where she was granted political asylum. She is on the FBI's Most Wanted Terrorists list.

Attorneys for Acoli say nearly 50 years in jail is too long. Last year, their client contracted covid-19 and was hospitalized, they said. He also has hearing problems and suffers from early-stage dementia.

"You can have someone elderly who may still be dangerous in some rare cases, but that is not this man. I mean, he has not had a single problem of any kind in prison for 25 years," said Bruce Afran, Acoli's attorney. He noted that for years, the prison system — Acoli is in a federal prison in Maryland though he is technically a state prisoner — has trusted Acoli enough to allow him to teach a course to young inmates on avoiding recidivism.

Yet Afran said each time Acoli has been reviewed by the parole board, he has been denied on the same pretexts: He hasn't done enough psychological counseling; he doesn't fully admit to his crime; or he hasn't adequately apologized for it.

"It's virtually the same words every time," Afran said. "Frankly, the reason they're denying him parole is because a state trooper was killed. I can think of no other reason for this treatment."

The New Jersey Parole Board refused to discuss details of the Acoli case beyond confirming that he had previously been denied parole. Tony Ciavolella, a board spokesman, said, "Denials of his parole were decided upon impartially, fairly, and . . . in accordance with statutory and administrative regulations."

Acoli was close to winning his freedom in 2014, when after taking the parole board to court, a state appellate panel ruled he should be set free. The court cited his good behavior since 1996 and said the parole board ignored a psychologist's 2010 testimony that Acoli had expressed regret and remorse for his involvement in the death. The psychologist also said Acoli had a "low to moderate risk" of reoffending.

But the state Attorney General's office contested the appellate court's decision. The case was sent back to the board, which again denied Acoli's request, but when the case went back before the appellate panel a 2<sup>nd</sup> time, there were new judges hearing the case and the panel ruled 2-1 that Acoli should remain in prison.

Acoli is now appealing that second appellate decision, and his case is expected to go before the Supreme Court later this year. The New Jersey Attorney General's office declined to comment and the state police did not respond to a request for comment.

Joseph J. Russo, Deputy Public Defender in the New Jersey Office of the Public Defender's Appellate Section, said Acoli isn't the only inmate being denied parole repeatedly, in apparent violation of state law. New Jersey's Parole Act of 1979 contains a presumption of release at an incarcerated person's first parole eligibility date. Parole data the Public Defender's Office obtained from the parole board through an open records request shows that 91% of those serving life sentences are denied parole at their 1<sup>st</sup> eligibility date.

"This is in direct contravention of the presumption of release," Russo said, adding, "Sundiata's case is a glaring example of the need for parole reform in New Jersey and throughout the United States."

The data Russo's office received showed that of the 445 inmates who went before the parole board from 2012 to 2019 — all of whom had been sentenced to life for violent crimes — 39 were released. The remaining 406 inmates, 91 percent, were denied parole. And of those denied, 30 percent were told not to apply again for four to nine years, while 22 percent were told to wait 10 years. By contrast, in New York, inmates are statutorily allowed to apply for parole every two years.

There was no information on race in the released parole data, but in New Jersey “the incarceration rate for black people is twelve times the white incarceration rate, the highest disparity of any state in the nation,” according to the New Jersey Criminal Sentencing and Disposition Commission.

The Parole Board said the claim that 91 percent of parole cases resulted in denials is “inaccurate,” though officials did not explain how.

“All New Jersey State Parole Board decisions are made in accordance with statutory laws and properly implemented through the Administrative Code of New Jersey,” said Ciavolella.

The organization representing former New Jersey state troopers said it does not believe Acoli is ready to be released. Al Della Fave, spokesman for the New Jersey Association of Former Troopers, said that in its December 2019 decision, the New Jersey Appellate Court affirmed the parole board's finding that Acoli, “lacked insight into his criminal behavior, denied key aspects of his crimes and minimized his criminal conduct and anti-social behavior.”

“The Former Troopers Association of New Jersey finds it is extremely difficult to believe that in less than one-year's time, Inmate Acoli has miraculously found remorse, accepted rehabilitation, or even offered a sincere admission of his actions in the inhumane murder of Trooper Foerster,” Della Fave said.

Those who support Acoli describe him as compassionate and brilliant. He graduated high school in Texas at 15, earned a bachelor's degree in Mathematics by 19, and then landed a job with NASA at Edwards Air Force Base in California as a computer analyst. Around 1963, he moved to New York City, where he got involved in the civil rights movement and later moved to the South to help register Black people to vote. After Dr. Martin Luther King was assassinated. Acoli's ideas grew more radical, according to one of his attorneys, and in 1968, he joined the Black Panther Party.

“If you were a Black person living through the late '60s and early '70s, it wasn't a difficult decision,” said Soffiyah Elijah, an attorney who has known Acoli for three decades. “Thousands and thousands of young Black people joined the Black Panther Party at that time.”

Elijah, who is also executive director of the Alliance of Families for Justice, which fights human rights abuses in prisons, said shortly after joining the Black Panthers, Acoli was approached by members of law enforcement and asked to become an informant. He declined. A year later, he was rounded up in a predawn arrest with other leaders of the Black Panthers from Harlem and charged with conspiring to bomb department stores, railway and subway stations, police stations and the Bronx Botanical Gardens. Known as the Panther 21 case, most of those charged remained in jail for two years before trial. When the case was finally heard, a jury acquitted them in less than two hours. The shooting on the Turnpike occurred two years later.

## **18 Mar - VICTORY! Senate & Assembly SUPERMAJORITIES Passed HALT!**

*The New York State Senate passed the HALT Solitary Confinement Act!*

### **MORE:**

This follows the Assembly passing the bill earlier this week! We, as a campaign, are so grateful to everyone who has been part of years and years of organizing, advocacy, and action to make this happen!

Now is the moment! We must celebrate this victory and at the same time we must do everything we can to demand the Governor sign this bill into law! Please take the following four steps in the coming days: 1) call the Governor, 2) Tweet, and 3) thank your legislators!

### **1. Call the Governor Today!**

Call the Governor at 518.474.8390, and use this sample script:

*I am a New Yorker and I urge you to sign the HALT Solitary Confinement Act into law immediately. Solitary confinement is torture. It causes immense suffering and devastating harm. It makes prisons, jails, and outside communities less safe. It is predominantly inflicted on Black and Latinx New Yorkers. It should have no place in New York State. The people of this state and the legislature have spoken. Sign HALT now to promote racial justice and human rights.*

### **2. Tweet at the Governor Today!**

Sample tweet:

*By passing #HALTsolitary, @NYSenate & @NYSMA\_Majority followed the will of the people and said NO to torture! @NYGovCuomo: Do the same by signing HALT into law immediately. Far too many lives have been destroyed, primarily those of Black and Brown New Yorkers. No more!*

### **3. Thank our legislators for voting for HALT!**

Please take a moment to check if your legislators voted in support of HALT, and if they did give them a call to thank them so much for voting to end this torture.

You can find your legislators here: [openstates.org/find\\_your\\_legislator](https://openstates.org/find_your_legislator)

As we've seen before, there is likely to be push back against some of these legislators for their votes so it is important that we show them some thanks for standing up for HALT.

## **25 Mar - "Defending Our Communities, Defending Our Lives"**

**WHAT:** Discussion

**WHEN:** 8:00pm, Thursday, March 25<sup>th</sup>

**WHERE:** Online (details below)

**COST:** FREE

### **MORE:**

Join us for an International Women's History Month conversation with four courageous women who have stood up for their lives and their communities.

Register here: [bit.ly/DefendOurLives](https://bit.ly/DefendOurLives)

After registering, you will receive a confirmation email containing information about joining the meeting.

- Janet and Janine Africa - the MOVE 9
  - Siwatu Salama Ra - Freedom Team Detroit/Grassroots Global Justice
  - Laura Whitehorn - RAPP (Release Aging People in Prison)
  - Possible surprise speaker!
- 
- Moderated by Aleta Toure' - Parable of the Sower Intentional Community Cooperative, Grassroots Global Justice (GGJ), People's Strike, and AfroSoc