



POST OFFICE BOX 110034 BROOKLYN, NEW YORK 11211

Updates for May 17th

16 Mar – Lore has Pleaded Guilty

This slipped right by us: Lore-Elisabeth Blumenthal's plea will spare her the seven-year mandatory minimum prison term she faced had she been convicted of torching squad cars during the unrest. As always, please read this corporate news article with a critical eye.

MORE:

by Jeremy Roebuck (*Philadelphia Inquirer*)

A Philadelphia woman charged with torching police cars during the 2020 racial injustice protests in Philadelphia has struck an agreement with federal prosecutors that will spare her the seven-year minimum sentence she would have faced had she been convicted on arson charges.

Lore-Elisabeth Blumenthal, 35, pleaded guilty Wednesday to two counts of a lesser offense — obstructing law enforcement during a civil disorder — each of which carries a maximum sentence of five years in prison.

Her attorney Paul J. Hetznecker called the deal “appropriate” after condemning the previous arson charges — and the harsh sentence they carried — as a “political decision” and an overreaction to crimes he argued should have been pursued in state court.

At the time of the arrests, Attorney General William Barr had urged federal prosecutors across the country to pursue stiff federal penalties against defendants who committed violence and property destruction during the unrest that roiled the country that spring.

Blumenthal’s case became a cause célèbre on both sides of the debate surrounding protests and policing.

Prosecutors described her as a danger to the community who put hundreds of lives at risk by setting fire to cars that could have exploded and endangered packed crowds of peaceful protesters nearby. Left-wing groups labeled her a “political prisoner” jailed for an act of dissent in response to police brutality. They vandalized the Federal Detention Center in Center City, where Blumenthal has been incarcerated since her arrest, calling for her release.

But Blumenthal — a massage therapist with a peace sign tattooed on her wrist — appeared to fit neither the profile of the violent firebrand nor the political martyr that she’s been made out to be as she stood meekly in court Wednesday before U.S. District Judge Barclay Surrick.

Hands clasped behind her back, she spoke slowly and deliberately as the judge ran her through a series of questions to make sure she understood the consequences of her guilty plea. She paused to shout “I love you” to her brother and mother seated in the courtroom gallery, as U.S. Marshals led her back to prison.

Federal agents have said they identified Blumenthal from surveillance photos and video of the chaotic scene that unfolded outside City Hall that day.

They showed a woman, dressed in a blue shirt and wearing flame-retardant gloves, grabbing a burning piece of police barricade that had already been used to set one squad car on fire and tossing it into a police SUV parked nearby.

More photos taken by amateur photographers at the scene helped them zoom in on the woman's distinctive peace-sign tattoo and T-shirt she was wearing with the slogan "Keep the immigrants, deport the racists."

Agents later located that shirt for sale on Etsy, the online marketplace for crafters, and traced a recent purchase back to an account linked to Blumenthal by following a trail across her various social media accounts.

At the time of her arrest, civil rights advocates worried the heavy monitoring of Blumenthal's internet traffic signaled a broader use of federal law enforcement power to surveil the social media networks demonstrators were using to organize their dissent.

Since then, the FBI has used similar tactics — trawling photos and video shared on the internet — to charge more than 760 people in connection with the Jan. 6 attack on the U.S. Capitol.

Hetznecker said he believed the charging decisions made in the Capitol attack prompted the Justice Department to reexamine the cases they filed against demonstrators from the May 2020 protests.

"The decision by the federal government to dismiss the indictment and allow my client to plead guilty to a lesser charge was not made in a vacuum, just as the decision to bring the arson charges back in 2020 was not made in a vacuum," he said, calling the latter choice "a blatant effort by the Trump administration to demonize the most important civil rights movement in a generation."

The U.S. Attorney's Office declined to comment Wednesday on whether plea deals similar to Blumenthal's had been offered to any of the five other defendants facing similar charges.

As part of her plea deal, Blumenthal has agreed to pay more than \$92,000 in restitution for the damage she caused. She is scheduled for sentencing in June.

2 May - Honoring the Life & Legacy of RAPP Co-Founder Kathy Boudin

It is with enormous grief that RAPP honors their beloved Co-Founder Kathy Boudin, who died May 1st at noon in the arms her life partner David Gilbert and son Chesa Boudin.

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Kathy created life-changing programs and organizations in and out of prison. She co-founded not only RAPP but also the Center for Justice at Columbia University, was a close advisor to the Parole Preparation Project, and helped lead the National Council for Currently and Formerly Incarcerated Women and Girls.

Kathy embodied RAPP, not only because of her own experiences with long-term incarceration and parole justice, but also because of her unconditional love for people and profound commitment to the struggle for justice. Our hearts are overwhelmed with grief and our minds full of the many wonderful memories we shared. RAPP wouldn't be RAPP without Kathy Boudin.

In the coming weeks, we'll share more news about the many ways we'll honor Kathy's life. In the meantime, anyone wishing to express their condolences to Kathy and her family can do so using this form: tiny.cc/Kathy_Condolence

3 May - Eric King Transferred To Prison With No Guarantee of Proper Designation

Eric received a response to his grievance filing within the Federal Bureau of Prisons (BOP) Friday April 29th at USP Atlanta about his improperly applied management variable forcing him into maximum security prison when in actuality he's a medium/low security designation.

MORE:

He was told by the BOP he has no maximum management variable.

Yet today, Tuesday May 3rd, Eric has been transferred on a bus heading east. Buses that leave Tuesday are known to head for maximum security prisons.

And USP Lee staff (in Pennington Gap, Virginia) have told Eric's supporters numerous times the buses head for Virginia on Tuesday.

But despite these correlations, the BOP has given contradictory information regarding addressing Eric's safety and his actual final designation, meaning Eric needs eyes on him now more than ever.

We cannot allow the BOP to knowingly put Eric's life at risk. Originally in 2018, Eric was told at USP Atlanta and USP Lee his life would be in danger by white supremacist gangs if he ever did a long stint at USP Lee, and Eric was originally told the dangers of USP Lee shortly after he was attacked by white supremacists at USP McCreary in 2018. The BOP is knowingly putting Eric at risk with these designated transfers 4 years later.

We need supporters to continue contacting the BOP every day, as well as your district's Congresspeople and your state's Senators, to demand Eric's right to finish his time at a properly designated prison, and to not ignore his safety concerns, his lack of mail, access to legal calls, and access to calls with his family.

More of the hypocritical responses from BOP's FCI Englewood, Mid-Atlantic Regional office, National office, and the DSCC:

- BOP directly told Eric he IS designated for USP Lee; Englewood's Associate Warden and multiple Lieutenants at Englewood (including Lt. Quezada) and USP Atlanta have said so
- But BOP told supporters they can't confirm his designation until he reaches USP Lee
- But BOP has also angrily told supporters this week they "know" Eric isn't designated for USP Lee and "it's not necessary for people to keep calling" and the number of calls from "concerned individuals" has been "overwhelming"
- BOP said Eric would be designated for USP Lee because it's his "parent prison" (meaning a prison he was originally residing in before being under Marshall custody) despite Eric never doing time at USP Lee until AFTER he was in Marshall custody for being attacked in a broom closet at FCI Florence, and "the only way" to address his designation is with his unit team assigned to him at "his designated facility" USP Lee
- But BOP also said Eric should request a case manager to contact the DSCC so they "can have a paper trail" despite not reaching USP Lee yet
- But BOP ALSO said Grady County should send information to various BOP offices on Eric's behalf before they COVID swabbed him to be transferred to USP Atlanta
- But BOP ALSO had medical offices express concern and say we should address the transfer before Eric ever reaches USP Lee
- But BOP ALSO said Senators and Congresspeople should address their offices before Eric reaches a designated prison
- BOP said Eric's court records of his March 2022 acquittal/not guilty for acts of self-defense when attacked by guards in a FCI Florence broom closet in 2018 wouldn't reach the BOP for another 45-60 days to address the management variable placed on him FROM THE ASSAULT HE WAS JUST ACQUITTED OF that's upping his security from low/medium to max security prison
- BOP confirmed Eric would be placed in segregation once reaching his designated prison due to COVID and his "security concerns"
- BOP numerous times has transferred calls to the wrong department, such as medical or financial, or simply hang up on us when attempting to make inquiries on Eric's behalf. Sometimes we've only been able to get past automated messages when other offices, prisons, or operators transfer us

Congressman Joe Neguse's office as well as Congresswoman Cori Bush's office have been given Eric's extensive history within the BOP to enable a Congressional inquiry.

Amnesty International has also contacted the BOP's director Michael Carvajal: "Transferring Eric King to a maximum-security facility across the country, far from his family and loved ones when he has such a short amount of time remaining on his sentence seems to be more retaliatory and punitive rather than necessary due to specific security concerns. Under Rule 59 of the UN Standard Minimum Rules on the Treatment of Prisoners, "Prisoners shall be allocated, to the extent possible, to prisons close to their homes or their places of social rehabilitation." The BOP must revisit the issues within Eric King's security profile which allow his eligibility to be at a maximum-security facility and the decision for him to be placed so far from where his family resides and where he intends to settle upon release."

May 4th - Eric King has been moved to USP Lee- please make calls and send emails today!

Despite claims by the Bureau of Prisons that Eric was not designated to USP Lee made to supporters this last week, Eric was moved yesterday from USP Atlanta holding facility to USP Lee. This move happened despite the fact that Eric should not have a maximum management variable on him and should be housed at a low or medium security prison.

It is imperative that we put pressure on the Bureau of Prisons and notify U.S. Senators and Congressional Reps about this today. Please urge the BOP to redesignate Eric to a low or medium security prison ASAP. They are already aware of threats made by white supremacists and long-term placement in the SHU is not an acceptable alternative to going into general population at USP Lee and being attacked by white supremacists.

Please make calls, send faxes and emails today to help keep Eric safe.

TALKING POINTS FOR PHONE CALLS AND VOICEMAILS:

- Eric has no pending charges, criminal history or disciplinary sanctions qualifying him for maximum security;
- Eric was found not guilty March 18, 2022 for assault on federal officer and merely wants to finish his original sentence as smoothly as possible as he's due for release December 2023;
- Eric being placed in segregation is not a guarantee for safety due to a history of being attacked by white supremacists in segregation;
- Eric has filed grievances to address his improper designation for maximum security and the threats made to him by white supremacist gangs at USP McCreary, USP Atlanta and USP Lee are documented;
- Eric, his family and legal team need proof he does not have an improper management variable and will be properly designated based on his actual security level of medium/low

CONTACT INFORMATION:

USP Lee

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Senators and Reps

Virginia

Tim Kaine

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231 Russell Senate Office Building

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Mark. R Warner

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Morgan Griffith, (Congressional Rep for Virginia's 9th District)

morgangriffith.house.gov/contact/contactform.htm | Twitter: @RepMGriffith

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Phone: 202.225.3861 | Fax: 202.225.0076

Missouri (where Eric was born, raised and indicted)

Senator Roy Blunt

blunt.senate.gov/contact/contact-roy

Phone: 202.224.5721 | Twitter: @RoyBlunt

Senator Josh Hawley

hawley.senate.gov/contact-senator-hawley

Office: 202.224.6154 | Fax: 202.228.0526 | Fax: 816.472.6812 | Fax: 417.869.4411 | Fax: 314.436.8534

Twitter: @HawleyMO or @SenHawleyPress

Congresswoman Cori Bush

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Washington, District of Columbia 20515

Phone: 202.225.2406 | Phone: 314.955.9980 | Fax: (202) 226-3717 | Twitter: @coribush

Colorado (Eric's release location and home)

Michael Bennett

bennet.senate.gov/public/index.cfm/write-to-michael

Toll Free: 866.455.9866 | Phone: 303-455-7600 | Fax: 720.904.7151 | Twitter: @SenatorBennet

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DRAFT MESSAGES / TEMPLATES

To whom it may concern,

I am writing about my friend who is a prisoner in the Federal Bureau of Prisons. His name is Eric King, inmate number 27090-045. He was recently found not guilty on all counts at a trial in the U.S. District of

Colorado. Eric was moved from FCI Englewood and was transferred from a private facility, Grady County Jail in Oklahoma, to USP Atlanta, where he was put on a bus yesterday and is now at USP Lee.

I am writing because I believe Eric is in danger at USP Lee. He is scheduled to be released from prison in December 2023, and wants to avoid anything that would infringe on this release date.

There is an active threat against his life. A few years ago, before being sent to Colorado, Eric was held in the Segregation Unit at USP Lee for approximately two weeks. Before that, at USP Atlanta, a white supremacist gang member told him he would be killed at USP Lee if he was released into general population. This was documented at USP Lee. Eric was originally transferred to USP Lee and Atlanta under the US Marshalls after he was attacked by white supremacist gangs at USP McCreary.

It is imperative that Eric not be put in harm's way. The Bureau of Prisons knows this and there is established case law regarding the BOP sending someone into dangerous and life-threatening scenarios. See *Fitzharris v. Wolf*, 702 F.2d 836, 839 (9th Cir. 1983); *Gullatte v. Potts*, 654 F.2d 1007, 1012-13 (5th Cir. 1981); *Roba v. U.S.*, 604 F.2d 215, 218-19 (2d Cir. 1979).

Additionally, Eric is in this situation because of a bogus maximum management variable on his security profile. This has him erroneously being sent to a facility beyond his actual security level. He has no pending charges and no incident reports. He has no criminal history or disciplinary sanctions qualifying him for placement at a maximum-security prison. He intends to be released to Colorado to live with his wife and his two children in just over a year. We need proof to Eric, his family and legal team the management variable is removed so that he can be sent to a medium- or low-custody prison close to home and begin preparing for release.

I am afraid for my friend Eric's life, and I am asking that you intervene with the Bureau of Prisons and ask them not to send Eric King into harm's way by sending him to USP Lee.

Please help my friend.

Sincerely,

4 May - Mutulu Shakur Legal & Health Update

On April 27th, Mutulu had a parole hearing.

MORE:

This hearing took place due to an order issued by a federal judge in California, which directed the US Parole Commission to rehear his case within 90 days. The order resulted from a petition for habeas corpus filed by members of Mutulu's legal team.

The Parole Commission has not yet issued a decision and we will provide further updates once they are available. Mutulu, his legal team and Friends and Family of Mutulu Shakur greatly appreciate everyone who has advocated for Mutulu's release and we value your ongoing support.

In terms of his health, since the early relapse in bone marrow cancer, he has to receive weekly chemotherapy infusions that come with serious side effects. On top of this, he has already contracted COVID three times. One of those times he developed pneumonia, so we are doing everything we can to support his release to help protect him from future exposures and other unnecessary health risks.

5 May - Gage Halupowski transferred

Antifascist political prisoner Gage Halupowski who's been locked up since June 2019 was recently moved.

MORE:

For more info on Gage Halupowski, check out antifasac.blackblogs.org/antifascist-prisoner-list and order Support Gage stickers at antifasac.blackblogs.org/merch

6 May - Statement from Dan Baker in solidarity with Toby Shone

Dan Baker just issued the following statement in solidarity with anarchist prisoner Toby Shone, who was facing a control order that has just been rejected by a judge.

MORE:

I express my solidarity and support for Toby Shone, who is being held by the same company, G4S, which captures and holds children in cages. The psychologist here at FCI Memphis asked me why I fast on new and full moons and I told her that I fast to train my body for hunger strikes because this is the only way to express bodily autonomy in a totalitarian, dystopian police state. Today is the anniversary of the death of Bobby Sands, Irish political prisoner who was on hunger strike. Up the Friends!

I am now receiving mail but friends like Toby Shone and Eric King are unable to communicate freely with the outside world, and kept in isolation with meaningless labels of elevated fear. Like Toby, I also faced a decade in prison, and was told I should be grateful for only receiving 44 months of captivity. But Abdullah Ocalan says, “There is nothing more contemptible than a slave who is grateful for their enslavement.”

After finishing my sentence, I will be on probation and observation for three years, which, as Toby said, could see us return to prison on the whims of unscrupulous cops who don’t follow their own laws. As Toby said, international solidarity cooperation and mobilization is fundamental to successful progress. Before we can dismantle and abolish human captivity, we have to examine our hearts and minds and uproot the chains of slavery that capitalism has conditioned us to perpetuate through widespread advertising and dependency. I would like everyone to remember Willem Von Spronson, who took a stand against G4S and their abusive enslavement of children, in the U.S., Palestine and the U.K. The Martyrs never die!

The human spirit that loves truth, freedom and beauty will never submit to systems of hierarchy and domination. I admire Toby’s statement that will not step back one millimeter!

7 May - Leonard Peltier To Joe Biden: ‘I’m Not Guilty. I Would Like To Go Home.’

In a rare interview, the imprisoned Native American rights activist said he is also “grateful” to Biden for giving tribes their sovereignty back.

MORE:

by Jennifer Bendery (*HuffPost*)

Leonard Peltier knows his time is running out.

The Native American rights activist is 77, has serious health issues, just survived an ugly bout with COVID-19 and is now serving his 46th year in federal prison — where the U.S. government put him without any evidence that he committed a crime.

Peltier and his supporters are holding out hope that President Joe Biden will finally send him home. Because, if anything has become clear with time, it’s just how troubling Peltier’s imprisonment has been from the start. Prosecutors in his trial hid key evidence. The FBI threatened and coerced witnesses into lying. A juror admitted she was biased against Native Americans on day two of the trial, but was allowed to stay on anyway.

Even some of the same U.S. government officials who helped put Peltier in prison in the first place have since admitted how flawed his trial was and how horribly the government has long treated Native Americans, and they have urged clemency for him.

There is reason to believe that Biden could, at last, give Peltier his freedom. He has already demonstrated a willingness to address past injustices against Native Americans. Since taking office, Biden has made it a priority to examine the government's ugly history of Indian boarding schools, to protect sacred Indigenous sites and cultural resources, and to address the crisis of missing and murdered Indigenous women. He also canceled the Keystone XL oil pipeline, a major win for tribes and environmentalists.

Biden also chose Deb Haaland to lead his Interior Department, making her the nation's first Indigenous Cabinet secretary. Haaland strongly advocated for Peltier's release from prison in her former role as a member of Congress.

In November, *HuffPost* pressed Haaland on whether she still supports Peltier's release in her role as interior secretary and whether she's talked to the president about him. Haaland said only, "My thoughts and feelings about this issue are well-documented."

If only Peltier had a few minutes alone with Biden himself. What would he say?

In a rare interview from his maximum security prison in Florida, Peltier recently told *HuffPost* that his message to the president would be simple.

"I'm not guilty of this shooting. I'm not guilty," he said. "I would like to go home to spend what years I have left with my great-grandkids and my people."

Peltier said he's been following Biden's efforts to support Native American rights and empower tribes, and if he had the president's ear, he would give him credit for that.

"I appreciate what you're doing by giving us our nationhood back, our sovereignty back," he said he'd tell Biden. "I'm very grateful for that, because that's what I was fighting for all my life."

Before he was put in prison, Peltier was a member of the American Indian Movement, or AIM, a grassroots group of activists focused on drawing attention to federal treaty rights violations, discrimination and police brutality targeting Native Americans. Back in the 1970s, the FBI was running a covert campaign to suppress the activities of AIM. In fact, as time has revealed, the FBI is at least partly responsible for the shootout that day on Pine Ridge Reservation, as it was intentionally fueling intra-tribal tensions there in an effort to disrupt AIM's efforts.

Today, the FBI remains the biggest obstacle to Peltier getting out of prison, for no clear reason other than wanting to shield itself from scrutiny over its past wrongdoings. The bureau simply doesn't want him to ever be released. It recently made that clear to *HuffPost* — even when we didn't ask. This was very weird. The unsolicited statement it provided was also full of misinformation, which signals the FBI's plan is to keep recycling a flimsy, face-saving argument for keeping Peltier in prison until he dies.

Peltier said he knows exactly what he would say to FBI Director Christopher Wray if he had the chance to talk to him alone for a few minutes.

"Stop killing my people. That's all I would tell him," he said. "Stop killing my people. Arrest the people that are guilty of crimes on the reservations."

Perhaps Peltier's greatest strength is something the FBI can't match: the staying power of his story. For decades, thousands of people have been protesting his imprisonment — including U.S. senators, members of Congress, Native American groups, celebrities and human rights leaders like Pope Francis, the Dalai Lama, Nelson Mandela, Coretta Scott King and Amnesty International, an organization otherwise focused on political prisoners in other countries.

Just last week, Sen. Brian Schatz (D-Hawaii), chairman of the Senate Indian Affairs Committee, pressed Attorney General Merrick Garland on the status of Peltier's clemency petition as Garland testified in an unrelated Senate budget hearing. The U.S. attorney general offered a surprisingly weak response, saying he didn't know about Peltier's case beyond what he's read in the press.

Pleas for Peltier's release are also happening at the international level. On Tuesday, North Dakota state Rep. Ruth Anna Buffalo (D) gave a statement at the United Nations Permanent Forum on Indigenous Issues demanding clemency for him.

"The case of Leonard Peltier demonstrates the failure of the U.S. criminal justice system to provide real justice for Native Peoples as well as the government-generated environment of racism that consistently leads to unjust convictions," Buffalo said in her statement, which she read aloud on behalf of the International Leonard Peltier Defense Committee. She urged the U.N. to push for "a means for relief and justice for Leonard Peltier."

Buffalo later told *HuffPost* she felt her remarks were "well-received" at the U.N. forum.

"I hope the reading of the statement on behalf of the ILPDC will have a positive effect on the release of our elder, Leonard Peltier," she said. "I'm thankful for the decades of advocacy in fighting for justice for Leonard Peltier."

Peltier is watching all of this play out from his prison cell. He gets regular updates from supporters on news stories that come out about him and rallies being organized in his name. He is surprisingly up to date on current news. Sometimes people mail him articles to read, and when he can't access a relevant news story online, he has friends who will call in and read it to him over the phone, line by line.

During *HuffPost*'s interview with Peltier, he did most of the talking. He said he was scared recently by chest pains he'd had when he was walking across the prison yard and that he hopes to get back to painting after being denied access to the art room for years because of pandemic precautions.

Asked if he thinks he'll make it out of prison before he dies, Peltier said he doesn't know. To date, the White House has either ignored *HuffPost*'s questions about the president's willingness to grant clemency to Peltier or talked only about the process a person must go through for requesting clemency.

"Sometimes it feels like, well..." Peltier said, trailing off. "I shouldn't even be here. ... I should have never been in prison to start with."

He is clearly still animated by the cause for justice for Native Americans that he was fighting for with AIM so many years ago. He told stories from his days in the 1970s, when he said Indigenous women were being routinely raped by white men who later got little or no punishment for it, and he and other AIM members would confront local law enforcement to do something about it.

Peltier specifically cited the case of former South Dakota Republican Gov. Bill Janklow, who allegedly raped a 15-year-old Lakota schoolgirl, Jancita Eagle Deer, at the Rosebud Boarding School on the Rosebud Indian Reservation. Eagle Deer was mysteriously killed by a car a few months after she testified against Janklow, who was never charged.

"Native people are humans and we had a society, a very advanced society of our own. We were generous people. We gave. That was our problem," he said. "When the white man first came here, we gave too much. That's what we did. We opened up because that's the way we were brought up. We have been nothing but abused for the last 300-some years."

Peltier said the fact that he has a strong base of supporters who are still fighting for him to get clemency shows that the more people learn about the way he was put into prison, the more people “are finally believing us” that the whole process was unjust.

“How do I feel about it? I feel good about it,” he said of people appealing for his release at the United Nations this week. “Maybe I’ll be able to go home and die now.”

He paused before adding, “I’m still pissed off about what they did. What they did to me was wrong. It violated the whole Constitution of the United States.”

May 8th - At the United Nations, an Annual Call for Leonard Peltier’s Clemency

by Native News Online Staff (*Native News Online*)

Native News Online publishes here Ruth Buffalo's prepared statement, delivered at the United Nations, demanding the release of Leonard Peltier:

I’m delivering this statement on behalf of Lenny Foster, Dine and the spiritual advisor to Leonard Peltier, Jean Roach, Lakota ILPDC Co-Director and a survivor of the incident and Carol Gokee co-director of the Leonard Peltier Defense Committee.

Each year we remind the forum that Leonard Peltier, Anishinaabe and Dakota, and a citizen of The Turtle Mountain Band of Chippewa Indians, has been in federal prison since 1976, although he was wrongly convicted for the deaths of two FBI agents. The U.S. representatives have wrongly asserted that the conviction was for murder, obscuring the complexities of Leonard’s charge of aiding and abetting, showing the lack of concern for understanding and remedying this great injustice.

Leonard Peltier is 77 years old and suffers from multiple serious health conditions for which he is receiving inadequate care. These conditions may be exacerbated due to Leonard’s contraction of Covid-19. The US has unjustifiably denied even transfer to a lower security level as recently as March 2019. He should be granted parole, executive clemency, or compassionate release immediately so that he may spend his remaining years with his family.

This case demonstrates how in the U.S. the courts and criminal justice system criminalizes dissent for purposes of political repression. The U.S. government has failed to address the staggering number of constitutional violations in the trial of Leonard Peltier including US government mishandling of key ballistics evidence and threatening of witnesses against Leonard who were coerced into signing statements used to convict him. Mr. Peltier was asked the Oglala community to come help defend them during a time of incredible state sponsored violence on the Pine Ridge Oglala Lakota Reservation.

The repeated denial of Peltier’s petition for executive clemency has clearly demonstrated that there is no mechanism for gaining justice for human rights defenders in the United States. These injustices have set a dangerous precedent, leading to the increased criminalization of land rights defenders.

The case of Leonard Peltier demonstrates the failure of the U.S. criminal justice system to provide real justice for Native Peoples as well as the government-generated environment of racism that consistently leads to unjust convictions

We reassert our request that the EMRIP exercise paragraph 2(c) of its revised mandate (A/HRC/RES/33/25) in seeking dialogue with the United States, appropriate human rights organizations, and indigenous peoples to bring about a means for relief and justice for Leonard Peltier, in furtherance of that, we invite UNSR Francisco Cali, members of the UNPFII and EMRIP, to visit Leonard at United States Penitentiary, Coleman I, in Florida. We are happy to work with you to accommodate such a visit.

8 May - A pivotal time in the campaign to Free Jessica Reznicek

On April 19th, Jessica's supporters had nearly 200 people from all over the world attend their webinar, "USA v Jessica Reznicek: fighting the criminalization of Water Protectors."

MORE:

On this webinar we heard attorneys, water protectors, and civil rights activists say in one voice that not only is the use of the terrorism enhancement in Jessica's case illegal but if allowed to stick has implications on all those fighting for justice. We also heard a unified voice from the water protector and climate justice movement call on all of us to support Jessica's fight for freedom.

If you missed the webinar you can watch it now on Facebook: [fb.watch/cvN5y1oIRP](https://www.facebook.com/watch/cvN5y1oIRP)

The webinar brought new energy and attention to our campaign to Free Jessica Reznicek and we are harnessing that into hope and prayers as we await the oral arguments for Jessica's appeal, taking place this Friday, May 13th.

The oral arguments will be at 8:30am in St. Paul, Minnesota in the 8th Circuit Court of Appeals. Jessica's attorney will be making the case on why the use of terrorism enhancement at sentencing was wrong according to the law. The arguments are closed in person to the public due to COVID restrictions. Supporters of Jessica can listen in by calling 888.363.4749 with the Access Code: 4423562 Jessica's case is the 5th case on the docket and will probably begin between 9-9:20am.

The same week as our webinar and *Earth Day ABC* published an 8-minute piece on Jessica's case. The piece highlighted that as we face a growing and deadly climate crisis, governments are increasingly criminalizing any action to address climate change. *ABC* quotes Sen. Markey from Massachusetts "What the oil and gas industry wants is for these protesters to be charged as eco-terrorists, so that they are sentenced to longer time in prison as a deterrent against legitimate civil disobedience. And that's wrong."

ABC News also brought to light that the 84 members of Congress who in 2017 asked the Department of Justice to call Jessica and the valve turners terrorists over the course of their careers received a combined \$36 million in campaign contributions from the oil and gas industry.

They also highlighted that The Department of Homeland Security grouped environmental activists, like the valve turners with mass killers and white supremacists in a description of domestic threats.

If we don't stand up and stop what is happening to Jessica, we may be next.

We will update you all after the oral arguments.

May 13th - Lawyers Argue Jessica Reznicek's Actions Do Not Constitute Terrorism

by Free Jessica Reznicek (*Popular Resistance*)

In a defining moment for the climate justice movement and for all civil rights, the court will decide whether or not to uphold a "domestic terrorist enhancement" that an Iowa court applied to Reznicek's prison sentence. Reznicek argues that the terrorism enhancement was both illegally and unjustly applied.

The appeal is supported by the Center for Constitutional Rights (CCR), National Lawyers Guild, Water Protectors Legal Collective, and the Climate Defense Project. "If Jessica Reznicek's acts can be punished as terrorism," says an amicus brief filed by CCR, "the United States will have moved so far past the international consensus as to be operating in a completely different realm."

Nearly 100 supporters of Jessica Reznicek dialed into the 8th Circuit Court of Appeals today to listen in as her attorney argued in front of a panel of three appellate judges, Hon. Jonathan A. Kobes, Hon. David R. Stras, Hon. Ralph R. Erickson, that the terrorism enhancement imposed at her sentencing by request of the Department of Justice by District Judge Rebecca Goodgame Ebinger was misapplied. The 8th Circuit Court of Appeal will release their decision in the coming weeks.

Reznicek's attorney Robert Richman argued that the terrorism enhancement does not apply in Jess' case since her actions were not "calculated to influence or affect the conduct of the government or retaliate against government conduct." The government prosecutor argued that even though Jessica's actions targeted private property, that the terrorism enhancement must apply since she referred to the government's regulatory failure of approving this pipeline in her public statement. In July 2020, a federal judge found this permitting process that Jessica was referring to illegal. Reznicek's attorney said "the court should find that the error resulted in a five-fold increase in the [sentencing] guideline range."

Robert Richman argued that under the prosecutor's position, every time there is a political protest that tries to generate public attention to affect policy (the way our democracy works, he notes), this may trigger the terrorism enhancement. In the appeal brief Richman states that Jessica's actions had, "at most an indirect and incidental effect on the government."

The amicus brief filed by the Center for Constitutional Rights details the misapplication of the "terrorism enhancement" to Jess' case. The brief notes "...the natural risk of a broad definition of terrorism is misapplication of the terrorism enhancement to traditional means of civil resistance: for example, a sit-in style protest near train tracks, a demonstration at a military exercise, or opposition to government immigration policies at airports around the country might next be subject to the label of terrorism." The brief's authors write "if Jessica Reznicek's acts can be punished as terrorism, the United States will have moved so far past the international consensus as to be operating in a completely different realm."

Following the hearing, the Campaign to Free Jessica Reznicek said, "we are extremely hopeful that the judges recognized that her actions were not terrorism. We are hopeful that Jessica's 8-year sentence will be overturned and her case will be sent back for resentencing. No matter what they decide, we are prepared for all outcomes and will be with Jessica until the very end."

In 2017 Jessica Reznicek and a partner from the Catholic Worker Movement publicly claimed responsibility for acts of vandalism against the Dakota Access Pipeline. In February, 2021 she pled guilty to a single count of Conspiracy to Damage an Energy Facility. In June, 2021 an Iowa judge imposed a "terrorism enhancement" at the prosecution's request and sentenced Reznicek to 8 years in prison with restitution of over \$3 million to be paid to Energy Transfer LLC. No one was injured by Reznicek's acts of civil disobedience.

Excessive punishment for water protectors is on the rise where more states are passing harsh laws that target protestors, which have been architected and funded by the fossil fuel industry. Jessica wrote in a 2021 statement to the court, "I am not a political person. I am certainly not a terrorist. I am simply a person who cares deeply about an extremely basic human right that is under threat: water."

10 May - Sundiata Acoli to be released from prison after 49 years

The oldest imprisoned Panther was eligible for parole 29 years ago but was repeatedly denied in spite of 'exemplary' prison record

MORE:

by Ed Pilkington (*The Guardian*)

Sundiata Acoli, 85, the oldest former member of the Black Panthers still to be incarcerated for acts of violence during the 1970s Black liberation struggle, is finally to be released from prison after the New Jersey supreme court ruled that he was no longer a risk to public safety.

Acoli has been held captive for more than 49 years for the May 1973 shooting of New Jersey state trooper Werner Foerster. He was found guilty the following year and sentenced to life plus 24 to 35 years.

The supreme court noted in its ruling that under the terms of his sentence, Acoli first became eligible for parole 29 years ago. On each occasion that he came before the panel his release was denied.

Yet for more than a quarter of a century his prison record has been “exemplary”, the judges said. He had completed 120 courses while in prison, participated in counseling, had a constructive rapport with prison staff and fellow inmates, and had positive evaluations from prison officials.

Twelve years ago, a state-assigned psychologist assessed Acoli’s progress in prison and concluded that he was deeply remorseful for Foerster’s death and that it was “time to seriously consider him for parole”. Despite that, his parole was denied; in his latest parole hearing he was still being classified a potential danger to society.

The parole board had “lost sight that its mission largely was to determine the man Acoli had become”, the supreme court judges concluded. It added that his age, at 85, was another important factor that the board had failed to consider given that elderly people released from prison have extremely low rates of reoffending.

Acoli, whose given name was Clark Edward Squire, was involved in an encounter with Foerster and another state trooper, James Harper, on 2 May 1973 after the car he was in was stopped on the New Jersey Turnpike for a broken taillight. He was traveling with two other members of the Black Liberation Army, Assata Shakur (previously JoAnne Chesimard) and Zayd Malik Shakur (James Costan).

In the ensuing melee, shots were fired, killing Foerster and Shakur. Harper was wounded and Acoli and Assata Shakur, also wounded, were arrested after a police chase.

In his defense, Acoli said that he was shot in the crossfire and had blacked out. When he came to, he found Foerster’s body on the ground nearby.

Acoli was one of at least 12 former members of the Black Panthers and their armed wing, the Black Liberation Army, who are still in prison. Many are now approaching, or exceeding, half a century behind bars.

Last year Acoli wrote to the *Guardian*, describing himself as an old man “who’s been imprisoned since age 36 for almost 50 years, who now poses a threat not even to a flea, let alone public safety. My sentence is obviously too long. I am rapidly disintegrating before my family and friends’ eyes.”

Soffiyah Elijah, a civil rights attorney and a lead advocate for Acoli, said that it was time now for him “to live the rest of his life in the loving care of his family and community”. She added that she hoped his release would bring attention “to the thousands of elders like him trapped in the New Jersey prison system.”

Bruce Afran, who has represented Mr. Acoli since 2011, including before the New Jersey supreme court, said: “After 50 years of imprisonment, the Supreme Court has brought an end to a tragic episode from the civil rights era and recognized that we have to be humane in our parole process and not practice vengeance.”

Though Acoli’s release brings to a conclusion one of the unfinished stories of the Black Panther era, in another regard the narrative remains unresolved. After her arrest alongside Acoli in 1973, Assata Shakur escaped and fled to Cuba, where she has been granted asylum by the Cuban government.

She remains on the FBI’s most wanted list as a “domestic terrorist”, with a \$2m reward on offer for information that leads to her capture.

12 May - NYC ABC Illustrated Guide Version 15.3 Uploaded!

We've finished the latest version of the NYC ABC "Illustrated Guide to Political Prisoners and Prisoners of War."

MORE:

It's available for viewing (and download) by visiting nycabc.wordpress.com/2022/05/11/guide_15_3. This update includes updated mini-bios, photos, and address changes for several prisoners.

12 May - New York Prisons Set to Ban Most Packages from Family and Friends

At the urging of the correction officers union, the prison agency is restricting packages to private vendors that charge steep markups and have limited selections.

MORE:

by Emily Brown and Rebecca McCray (*New York Focus*)

On Monday, more than 6,000 people incarcerated in New York prisons lost their right to regularly receive care packages by mail or in person from family and friends.

The state prison agency is piloting the new restrictions at eight prisons, with plans to expand them to the rest. Under the policy, family and friends are no longer allowed to bring their loved ones packages of food when they come to visit or to send them through the mail, and can't send more than two non-food packages each year. Everything else must be purchased and sent through private companies willing to ship to prisons.

Incarcerated people say the new restrictions will cut off a lifeline. "Am I going to be prevented from getting winter clothes if I get a book from my mom in the summer?" asked Jeremy Zielinski, currently incarcerated at Attica, in a phone call with *New York Focus* and *Bolts*.

An April 25 memo to the incarcerated population from acting Department of Corrections and Community Supervision Commissioner Anthony Annucci, obtained by *Bolts* and *New York Focus*, says the new policy is a response to "an increase in violence and overdoses due to the introduction of contraband through the package room, specifically, illicit drugs and weapons."

Whether or not mailrooms are a major entry point for contraband is the subject of much debate. There is ample evidence nationwide of corrections officers bringing drugs, weapons, and other contraband into prisons and jails; in the last two years, multiple New York City corrections officers faced charges for allegedly smuggling contraband into jails in exchange for cash. In 2020, Texas corrections officials limited mail to curb the contraband problem. One year later, an investigation revealed no impact on the amount of drugs circulating in state prisons.

A prison agency spokesperson declined to provide data on how often the security staff that screen packages in New York have identified contraband, or how that rate has changed over time. The new package policy is based on a recommendation from the agency's Prison Violence Task Force, composed of prison staff, administrators, and representatives of the correction officers union.

Annucci, who leads the prison agency, has been acting commissioner since 2013. Governor Kathy Hochul appointed him as commissioner, but he has yet to be confirmed as lawmakers from both parties raised concerns over high death rates and other issues in prisons under his watch. Hochul did not respond to a request for comment.

A Revived Program

The new restrictions are a revived version of a stalled 2018 initiative, the "Secure Vendor Package Program," which would have required all packages to be sent from six approved private companies. Those prison-specific vendors offered limited selections at steep markups, with prices as much as 130 percent

higher than on the outside. After immense pushback, then-Governor Andrew Cuomo directed the agency to halt the program after just 10 days.

“I did 12 years in prison. My whole time in prison, I’ve never received a package from a vendor,” says Michael Capers, who was incarcerated at Upstate, Franklin, and Fishkill Correctional Facilities. “And the reason being is because it’s too expensive. So my family, I told them I’d rather have nothing than to make them pay extra money.”

New York is one of the few states that still permits non-vendor packages to be sent to incarcerated people at all. The majority of state correctional departments have entered contracts with private package companies, including New York. “Reintroducing the secure vendor program is an unfortunate and avoidable step in the direction that so many other corrections agencies across the country have gone,” says Jennifer Scaife, executive director of the Correctional Association of New York, the state’s legally designated prison monitor.

While the 2018 program only allowed certain approved vendors, the new program doesn’t force people to choose from a limited list. Instead, it doesn’t define “vendor” at all. But Wilfredo Laracuenté, who was released from Sing Sing Correctional Facility in July, predicted that the new policy will offer little more choice than its predecessor.

“A lot of the families, they use Walmart, they use Target, they use Western Beef, they use Shoprite, they use Tops, they use Wegmans. The majority of these places don’t ship directly to correctional facilities,” Laracuenté said. “If we can’t really get the items that we need to go ahead and shop for our family members, then we have to use the six vendors that were originally introduced to use.”

Mainstream retailers sometimes send shipments in multiple packages, which can violate limitations on the weight and number of packages incarcerated people are allowed to receive. These logistical factors can compel loved ones of incarcerated people to use prison-specific vendors, in spite of high costs and extremely limited inventory. Families and friends will also have to shoulder costs associated with vendor packages beyond the markups: they won’t be able to use food stamps, coupons, donated food, or to avoid shipping costs by bringing packages during visits.

“I don’t get why they’re treating this population of people differently than the rest of the New Yorkers, like we don’t need every cent that we earn, every cent that we bring into our household,” says Indira Bowen, whose husband is incarcerated at Sing Sing. “Most of us can’t handle this extra expense out of nowhere.”

Food Shortages

The new restrictions will also make it harder for incarcerated people to access fresh and healthy food. “Food packages from family members, friends, and community groups are the primary way for incarcerated people to maintain a healthy diet while incarcerated,” the members of a group of farmers and family members that provides fresh food to incarcerated people wrote in an open letter about the new directive.

Food packages supplement the limited offerings in prison, which Zielinski describes as “meeting the constitutional minimum, just barely.” A 2021 survey by the Correctional Association found that more than 90 percent of incarcerated New Yorkers report that the food they’re offered is bland and tasteless, that they sometimes skip meals as a result, and that they prefer food received in packages or purchased through the commissary.

Even among commissary options, the pickings are slim. “The fresh vegetables currently offered in the commissary at Green Haven and Fishkill are limited to two: onions and garlic (we hear that these items are often rotten),” advocates wrote in the open letter. “The ‘fruit’ available is limited to one item: a fruit cup. Currently that fruit cup is on the ‘out of stock’ list at Fishkill.”

In a statement to *New York Focus*, DOCCS officials said they plan to expand fresh produce offerings in all prisons as they roll out the new package restrictions. They also highlighted the prices for prison commissary: at Attica, bananas are 16 cents each, heads of lettuce are \$2.63, a bag of onions costs \$1.20, tomatoes are 42 cents, a two-pack of garlic is 45 cents, and green peppers are \$1.12.

But incarcerated workers only earn between 16 cents and 65 cents an hour, making even seemingly reasonable prices out of reach for many incarcerated people unless family or friends deposit money into their commissary accounts — a financial burden that many are unable to shoulder. In the survey, more than 85 percent of incarcerated people said that the quality of food they can access is limited by their family's finances.

“There are so many people whose families live on paycheck to paycheck and are on food stamps,” wrote a woman currently incarcerated at Bedford Hills Correctional Facility in a letter forwarded to *Bolts* and *New York Focus*. Jennifer Fecu, who was formerly incarcerated at Bedford Hills, agreed: “It’s already hard to send things in when we’re not making any money. We’re just drawing from people that are already struggling.”

Jalal Sabur is a founder of Sweet Freedom Farm in Germantown, a group that grows and distributes produce to people in prisons. Sweet Freedom set up farm stands at the Fishkill and Attica prisons, where they hand out packages of fresh food for visitors to bring into the facilities. (The new policy includes an exception for licensed charities, but Sabur’s group is not a registered non-profit.)

“Now, no one can actually bring those packages in,” Sabur said. “So that whole program that we’ve been doing, we can’t do anymore.”

An Officer Backlash?

Before the memo hit prison cells, notice of the updated package directive appeared in the April 20 *New York State Register*, which provides weekly updates on rulemaking changes by state agencies. The new package restrictions were included in a series of amendments with the stated purpose “to revise regulations to be in compliance with the new HALT legislation and applicable laws,” referring to the enactment of the HALT Solitary Confinement Act, a law that ended long-term solitary confinement and took effect on April 1 of this year.

The correction officer’s union, which fiercely opposed HALT and is suing to overturn it in court, has argued that the new restrictions on solitary confinement are leading to an increase in violence against officers. In recent months, it has urged the state to revive the package ban as one way to protect officers against that violence — and participated on the task force that recommended the new policy.

“Despite the best efforts by security staff, contraband still filters into the hands of inmates at facilities, whether it be through drug-soaked papers or creatively hidden inside of candy wrappers and other packaged foods,” a union spokesperson told *New York Focus* and *Bolts*. “Through [the union’s] participation in the recently formed Prison Violence Task Force, we are working with DOCCS to pilot a new vendor program aimed specifically at curtailing drugs from entering facilities through the prison mail system.”

That has raised the suspicion among incarcerated people and advocates that the package policy may be a way for the state to placate a disgruntled union.

“I do wonder if there’s a way in which the department is attempting to roll out this secure vendor program as a way of quelling some of the concerns that they’re hearing from the union around the implications of, for example, the HALT solitary act,” Scaife said. “If [corrections officers] are expressing concerns about HALT and DOCCS can’t do anything about it because it’s the law, packages are something that’s within their control.”

“HALT stopped the Department of Corrections from weaponizing solitary confinement and weaponizing long term confinement,” said Joseph Wilson, who’s currently incarcerated at Sing Sing. “So now the officers inside are upset that they no longer can use these particular things as a deterrent for certain types of behavior. This package ban indicates that they’re trying to regain control.”

Packages have long been a thorn in the side of corrections officers. Sorting through each package is time-consuming, and package rooms are an additional role to fill in a prison system that officers say is understaffed. The process is subject to lengthy delays: Scaife said she often hears stories of incarcerated people receiving home-baked cookies or other perishable items weeks after they were sent, spoiled by the time they’re received.

When the secure vendor program was shut down in 2018, Zielinski said he often heard corrections staff express frustration. “For weeks you heard them saying stuff like, ‘I can’t believe they’re treating these guys like this, giving them all this stuff.’ It’s almost like they’re incensed or offended that we’re being treated like human beings,” he said.

In the absence of data on how much contraband is getting in through packages, measuring the policy’s impact will be difficult. Scaife is skeptical that it will meaningfully reduce the amount of contraband or violence in prisons.

“Are we going to see the same amount of contraband after the policy is introduced? I fear that we might,” she said. “Prisons are porous, and if you’re going to keep taking away privileges and pieces of people’s humanity, you’re still going to have the same problems of violence and unpredictable reactions to drugs inside, because these are a function of people being incarcerated.”

Zielinski suggested that restricting people’s access to packages could heighten the frustrations and tensions that lead to violence in the first place. “It would be an understatement to say that people are very upset about this,” he said. “It seems like a really dumb idea considering the history of this place. I don’t think they want Attica [uprising] 2.0.”

“I think DOCCS is grossly underestimating how important packages are to people,” he continued. “They’re going to cause more problems than they’re trying to solve. And the problems that they’re trying to solve aren’t going to be solved by eliminating packages from home, because anybody who wants to get stuff in is going to get it in anyway. All it’s going to do is make quality of life lower for everybody else.”

May 13th - TAKE ACTION Against NYS DOCCS Package Ban

The DOCCS Directive 4911A is an immediate threat to how incarcerated folks in NYS prisons are able to receive packages from loved ones and supportive organizations. 4911A requires that all packages be purchased from the DOCCS' list of vendors, which will directly impact RU's ability to send fresh, healthy food to our members of Friendly CSA.

4911A has negative implications for the health and wellness of our community members. Some folks inside rely on loved ones to send them fruits and vegetables to meet their needs for dietary restrictions and chronic health diagnoses. This effectively impedes people's ability to manage their health through diet. Interrupting the avenue for people to receive fresh food is violent.

4911A is predatory because it effectively severs active lines of support from loved ones and reroutes them to turn a profit for selected vendors. This directive makes friends, family support networks responsible for absorbing the cost of inflated items, especially in a time with historically low wages, high inflation and cost of living. It is an attack on the proletariat.

NEXT STEPS:

Since 4911A destabilizes the CSA, we have decided to add our CSA members to our list of folks who receive Friendly Commissary. This means we have expanded our ask for donations, in order to accommodate the newly added names.

Sign the petition at change.org/p/bring-back-food-packages-in-nydoccs

MAKE THE CALLS/FLOOD THE OFFICES:

Governor Hochul's : 518.474.8390 | Commissioner Annucci's: 518.485.2346 | 518.457.8134
Deputy Commissioner Jeffrey Mccoy: 518.457.5555 | Philip Palmesano: 518.455.5791

19 May - Multiple Events For Malcolm X's 97th Birthday

WHAT: Gravesite Pilgrimage/125th Street Shutdown/ Birthday Celebration

WHEN: 9:30am/1:00pm/7:00pm, Thursday, May 19th

WHERE: 125th Street at Adam Clayton Powell Boulevard/125th at Adam Clayton Powell/3940 Broadway

COST: FREE

MORE:

On May 19th, Malcolm's 97th birthday, Malcolm X Commemoration Committee is cohosting the annual pilgrimage to his gravesite at Ferncliff Cemetery with the OAAU and the Sons of Afrika. However, there are Covid19-related restrictions. The cemetery is not allowing buses on the grounds! This will be a cars only caravan. Later that day, we will join the 33rd annual shutdown of 125th Street for Malcolm. That evening we will participate in the annual birthday celebration of the Malcolm X & Dr Betty Shabazz Educational Center. Registration for the celebration: eventbrite.com/e/malcolm-x-day-2022-tickets-337540431517

20 May - Funerals for Future Lives Lost

WHAT: Rally

WHEN: 10:00am, Friday, May 20th

WHERE: 28 Wells Avenue, Yonkers

COST: FREE

MORE:

Please RSVP today to join the People's Campaign for Parole justice for a Funeral for Deaths to Come procession outside the district offices of Senate Majority Leader Andrea Stewart-Cousins and Assembly Speaker Carl Heastie to mourn future deaths behind bars that are bound to happen if they don't take action by the end of the State legislative session. We'll begin with a procession outside the Yonkers office of Majority Leader Stewart-Cousins, share a meal together, and then regroup outside the Bronx office of Speaker Heastie (1446 East Gun Hill Road) at 1:00pm. Food will be provided. You can let us know if you need transportation or if you can give rides to others in the RSVP form: bit.ly/may20-rallies

While formerly incarcerated leaders, families of those currently behind bars, and families of those who sadly died in prison have been working around the clock to organize, educate, and advocate in every corner of New York State to win parole justice, Senate Majority Leader Andrea Stewart-Cousins and Assembly Speaker Carl Heastie have been stalling our progress in the Legislature from behind a curtain. We have gained the support and the votes to pass Elder Parole (S.15A/A.8855) and Fair & Timely Parole (S.7514/A.4231A) but these legislative leaders have repeatedly blocked committee chairs from putting the bills on their agendas.

Because of extreme sentences and racist parole release denials, people are dying in New York State prisons more than once every three days. If New York State lawmakers don't act on these bills before the legislative session ends, it is projected that more than 70 people will die in New York State prisons before lawmakers reconvene in January 2023.