



POST OFFICE BOX 110034 BROOKLYN, NEW YORK 11211

Updates for May 3rd

18 Apr - Stop Line 3: Water Protectors on Trial

One year ago, Water Protectors were coming out of a winter of braving blizzards and sleet and entering a new season of peaceful, brave action to defend our homelands against Enbridge.

MORE:

It's a new year, but we are deep into the legal ramifications of defending land and water. Right now, hundreds of water protectors are facing criminal charges for their peaceful action to resist Line 3 construction, battling for their freedom.

Water protectors are being prosecuted while Enbridge, despite having illegally damaged our aquifers and rivers, has not. As defendants organize against unjust, sometimes unfairly escalated charges, the Line 3 Legal Defense Fund has allowed defendants to travel to court dates and surmount financial barriers, so they can focus on their strategies in the courtroom and solidarity with their co-defendants.

The volunteer-run legal fund has spent nearly \$130,000 since the beginning of 2022 to support water protectors in their needs as they navigate their court cases. On average, requests are between \$500-\$1,000. People need help paying rent while they have pending felony charges, need to repair the cars worn down while on the frontlines in order to get back to court, or to pay off their fines and fees.

According to a report, compiled last month by the Line 3 legal team, there are 707 known water protector cases still open and moving through the Minnesota state court system. Water protectors will continue to need support as they face court dates and upcoming trials.

18 Apr - Week 3 Call-In for Eric King Begins

Call-in campaign in support of anarchist prisoner Eric King continues.

MORE:

As of this morning, Eric is still at USP Atlanta and en route to maximum security USP Lee in Virginia despite being threatened there by white supremacists. The Bureau of Prisons on every level is aware of this risk and is sticking to the "inmate must be returned to the parent institution" narrative.

Last week, the Amnesty International USA Deputy Director of Research noted in a letter to BOP Director Michael Carvajal Eric's recent acquittal and the known threats to Eric's life calling his transfer "retaliatory and punitive rather than necessary."

We need people to contact the BOP and federal representatives every day. Please see contact information for emails, phone calls, and mailing addresses below.

USP Lee

Phone: 276.546.0150 | Fax: 276.546.9115

Warden: mbreckon@bop.gov | Assistant Warden jstreeval@bop.gov

jandrews@bop.gov | lee-execassistant@bop.gov

Mid-Atlantic BOP Regional Office

jpetrucci@bop.gov | MXRO-ExecAssistant@bop.gov

Phone: 301.317.3100 | Fax: 301.317.3119

DSCC Office
GRA-DSC/PolicyCorrespondence@bop.gov
Phone: 972.352.4400 | Fax: 972.352.4395

BOP National Office
info@bop.gov | Phone: 202.307.3198 | Twitter: @officialfbop | mcarvajal@bop.gov

Senators and Reps

Virginia

Tim Kaine
kaine.senate.gov/contact/share-your-opinion | Twitter: @TimKaine
231 Russell Senate Office Building
Washington, Washington, District of Columbia 20510
Phone: 202.224.4024

Mark. R Warner
Email: warner.senate.gov/public/index.cfm?p=ContactPage | Twitter: @MarkWarner
703 Hart Senate Office Building
Washington, Washington, District of Columbia 20510
Phone: 202.224.2023

Morgan Griffith, (Congressional Rep for Virginia's 9th District)
morgangriffith.house.gov/contact/contactform.htm | Twitter: @RepMGriffith
323 West Main Street | 17 West Main Street | 2202 Rayburn HOB
Abingdon, Virginia 24210 | Christiansburg, Virginia 24073 | Washington, District of Columbia 20515
Phone: (276) 525-1405 | Fax: (276) 525-1444 | Phone: 540-381-5671 | Fax: 540-381-5675
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
6724-A Page Avenue | 563 Cannon House Office Building
St. Louis, Missouri 63133 | 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

John Hickenlooper
phone: 303.244.1628 | Twitter: @Hickenlooper
hickenlooper.senate.gov/email-john/#contact-form-emailJohn | casework@hickenlooper.senate.gov

April 25th - Eric King call-in continues

Eric is still at USP Atlanta as of this morning. We believe he is still en route to USP Lee and we are asking people to keep making calls and pressure on the Bureau of Prisons.

Eric is being shipped to USP Lee because the BOP claims it is his "parent institution". It should not be and the BOP is aware of this. Eric was found not guilty at trial and has not received any incident reports in over a year. Staff at FCI Englewood put a 'maximum management variable' on his file which sends him to a high security prison when, in fact, he should be released to a low or medium.

The BOP's legislative affairs department relayed to a U.S. Senator that if Eric does not feel safe, he can go the SHU. This is no alternative. We refuse to accept that Eric must put himself in 23 hours a day minimum in a cell or choose to be harmed by white supremacists who have been very clear they will harm him if he goes to general population. Eric has already been in solitary confinement for over 1000 days awaiting trial in Colorado and we do not think he should have to suffer cut off from family and friends with no access to books, phone calls and more while he tries to prepare for release.

We need people to contact the BOP and federal representatives every day.

April 30th - New Eric King support zine

Check out this new Support Eric zine made by Spit Poet Publishing: indd.adobe.com/view/b770eac4-9eff-4d82-bacc-5308d7086c67

You can also order a paper copy direct from the publisher at [instagram.com/p/Ccqjw0xP8ez](https://www.instagram.com/p/Ccqjw0xP8ez) for \$10.

All proceeds go to Eric's commissary fund. Thanks to Spit Poetry Publishing for the support!

May 1st - Eric King update

As we continue to address the Federal Bureau of Prisons (BOP) and state representatives, we have received nonsensical and conflicting information from the BOP regarding Eric's pending transfer to USP Lee.

For now, Eric is waiting at USP Atlanta, and it seems we have come full circle: 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. Eric was told verbally at Englewood after his trial in March 2022 he has a management variable placed on him to force him to a maximum security prison designation despite being eligible for a low/medium security prison.

19 Apr - Chaos at Rikers Could Lead to Federal Court Control, U.S. Attorney Says

On April 19th, the U.S. attorney in Manhattan raised the prospect of placing Rikers Island under a federal court's control, an extraordinary step that would amount to a no-confidence vote in New York City's ability to reverse the crisis that has intensified at the jail complex over the past 18 months.

MORE:

by Jonah E. Bromwich and Jan Ransom (*New York Times*)

In a letter filed in federal court, the U.S. attorney, Damian Williams, wrote that the city had failed to say how it would remedy the chaos and added that if it did not make "dramatic systemic reforms" and bring in outside experts, his office would be "left with no other option but to seek more aggressive relief."

That could include seeking the appointment of an outside official to run the jail, the letter said.

The letter was filed with a federal judge, Laura Taylor Swain, who has presided over the long-running case that led to the appointment of a monitor who oversees reforms at the complex. The city's jail system now has about 7,700 uniformed staff with a majority on Rikers Island, a complex with eight separate jails that hold about 5,500 people.

A receiver — whom the court would appoint to run the complex directly — could face fewer obstacles in improving conditions at Rikers. The daily absenteeism of more than a third of the correction officers has led to inhumane conditions for detainees and staff alike. Sixteen people held in city jails died last year, the most since 2013, and three more have already died this year.

The gaps in staffing have meant that those incarcerated — most of whom have yet to be tried — have often gone without food, water and much-needed medical care. A report filed in March by the monitor, Steve J. Martin, found that violence had "become normalized."

The *New York Times* recently reported on a "fight night" in which detainees were forced to participate and on two brutal beatings by inmates that went undocumented by jailers.

In his letter, Mr. Williams said his office was alarmed by "the extraordinary level of violence and disorder at the jails and the ongoing imminent risk of harm that inmates and correction officers face every day."

He added that the city's jails commissioner, Louis A. Molina, did not attend two recent meetings with prosecutors, and that his office had yet to receive details from the Department of Correction about how it planned to implement reforms called for by Mr. Martin.

The mayor's office did not respond to a request seeking comment. A spokesman for the Department of Correction, Patrick Rocchio, said that the agency remains committed to reform.

"We take the monitor's and U.S. attorney's concerns seriously and are working hard to address their concerns," he said. "We are reviewing the letter and will respond accordingly."

Mr. Williams did not commit to seeking a receivership. Judge Swain would have to order one after finding, among other things, that less extreme remedies had been exhausted and that detainees were under serious threat.

Carlina Rivera, a city councilwoman who chairs the committee on criminal justice, said that the city had two options: Act quickly, or join in efforts to bring in an independent reformer.

"This is a system in grave crisis, where no one is safe," she said, saying that a receivership should be "seriously considered."

The city plans to close the long-troubled complex by 2027, replacing it with four smaller lockups, but that could be hampered by Mayor Eric Adams's crackdown on crime, which might send more people to Rikers.

Judge Swain has indicated her own alarm, responding to the monitor's most recent report by saying it was "of grave concern" and scheduling a hearing for April 26.

Receiverships have been put into place several times over the past 50 years, including in Washington, D.C., Alabama and Michigan. Experts said that such an arrangement might help bypass organizational and personnel issues that have thwarted city commissioners — including Mr. Molina's predecessor, Vincent N. Schiraldi. A receiver would not be wholly bound by local laws, like those that dictate who can be hired to certain positions.

"It permits them to cut through some of the dysfunction that the city has not been able to address," said Elizabeth Glazer, the former leader of the mayor's office of criminal justice who last week called for a federal receivership in an opinion piece in The New York Daily News.

The current crisis began mounting in fall 2020, after the coronavirus swept the island, sickening more than 1,000 correction officers and killing at least six, as well as five other employees and two health workers.

Officers stopped showing up by the hundreds. That left much of the complex in the hands of detainees, and by the summer and fall of 2021, violence and disorder were rampant. In one striking example, The Times obtained video of the "fight night" inside one of the jails in October, held as a correction officer stood by, declining to intervene.

A recent Times investigation had also found that the system deploys many of the officers who do come to work in jobs where they have little contact with detainees. New York City operates the country's best-staffed jail system, but hundreds of officers worked as secretaries and laundry room supervisors, while dozens of housing areas remained unguarded.

The unions that represent correction officers bristled at Mr. Schiraldi's leadership as he tried to coax them back to work, and the month before Mr. Adams was sworn in, he appointed Mr. Molina. The new commissioner has been more friendly to the unions, rolling back restrictions his predecessor had placed on sick leave and firing an internal investigator, Sarena Townsend, who was at odds with union leadership.

In an interview, Mr. Schiraldi said that serious consideration should be given to receivership, arguing that the crisis had been building for decades.

"A watershed-change approach is needed," Mr. Schiraldi said. "I hope the city embraces it."

A spokesman for the largest union representing Rikers correction officers, the Correction Officers' Benevolent Association, did not immediately respond to a request for comment on Mr. Williams's letter.

Mr. Martin, the monitor, has also recorded his frustration with the city's failure to provide basic information. His team's March report remarked on a "deeply troubling" lack of open and transparent communication with the Correction Department.

Since that report, Mr. Williams said, his office has "repeatedly asked the department and the city to provide us with a description of the specific steps they intend to take, or have already taken, to address each of the monitor recommendations. To date, we have not been provided with this level of detail."

He asked Judge Swain to direct the department and the city to provide that information before next week's conference.

19 Apr - Letter from political prisoner Dan Baker

Note: You can buy Dan a book or two at tiny.cc/psgpuz

MORE:

This is a group message to let everyone know that I ended my short vow of silence after a week. In other news the cops are still executing black men in the streets, and getting caught on camera doing it.

I am also happy to spread the word that our anarchist YPG comrade who was on a hunger strike in France has been released to the hospital after 37 days of refusing to eat in protest for their indefinite detention without charges. They are a YPG International combat veteran. This highlights the current campaigns of harassment that nation states are making against YPG and YPJ International Volunteers. This is happening in France, Italy and the U.S., all countries with grim histories of colonialism, fascism and slavery. We are

being rounded up worldwide and held on trumped up charges because we are freedom and democracy loving anarchists and friends of the noble Kurdish people. I admire our friends who go on hunger strike. Having fasted many times in my life I understand how difficult and dangerous a hunger strike is. Here in the United States of Amerikkka the cops will force a feeding tube down the throats of those on hunger strikes, which can itself lead to deadly injuries, as we have seen in the case of Irish political prisoners.

Right now anarchist political prisoner Eric King is facing further harassment after beating his charges of assaulting a lieutenant who trapped him in a closet and assaulted him, then tried to destroy the evidence. The jury dropped the charges (ED. note: they found him not guilty) but the prison staff retaliated by destroying his legal papers, personal pictures and books and then sent him to a higher security prison. He has been threatened by the staff at this prison and has been assaulted by prison staff and prison staff have locked him in areas with neo-nazis and fascists in order to have him attacked by racist skinheads. My situation and suffering is nothing compared to his. Please consider looking into his situation by reading the articles distributed online by the Anarchist Black Cross of New York City and then use the information provided to write to officials who can take action to protect Eric from white supremacist police and their gang allies. They are again restricting his ability to call and write to friends and family and he is not allowed to have books. Frankly, they are torturing him and trying to drive him insane.

I have experienced isolation in a similar special housing unit in Tallahassee, Florida, as well as “diesel therapy”, where they ship a prisoner around the country, bouncing them around to various prisons for months at a time instead of sending them to one prison for their sentence. In my experience it is psychologically more straining than war to be alone in a cell for months at a time, without being able to call friends, or read books besides the colonizers bibles, or talk to lawyers who can protect you, not being allowed outside for sunlight and fresh air, without music, colors, art or anything beautiful or pleasant. I still experience traumatic memories and emotional thought patterns as a result of my six months in isolation. What saved me from throwing my life away was the support of friends on the outside who sent me books, mail, and the Certain Days Political Prisoner Calendar, which is full of beautiful art and poetry and helps one keep track of the passage of time, the moon cycles and historical days and holidays. Guards have a policy of denying calendars to isolated prisoners, telling lies about the time and date and access to constitutionally protected resources and actively trying to drive people in captivity to violent acts by threatening them, assaulting them, humiliating them and depriving them of sleep by leaving lights on at night, making lots of noise by banging on the doors and opening cell doors in the middle of the night to make threats. They also tamper with peoples food and refuse religious and medical diets, causing easily avoidable medical conditions, hunger and despair. My lawsuits regarding this harassment was shot down by unscrupulous judges, so the only way to help people like Eric is to take direct actions yourself.

On a lighter note, and to provide contrast for my situation compared to Eric's, I just received many books and letters last week as well as money on my account to supplement the poor diet they have been giving me here as a Buddhist and political vegan with lactose intolerance. The quality of my life has improved as a direct result of people organizing on the outside to give me support. Please provide even more support for Eric King. He needs it more than I do at this point. In fact I would appreciate it if my defense committee would send some of the money sent to me to Eric King.

Thanks again for everything, thanks for not forgetting us!

20 Apr - The FBI Says It Still Opposes Leonard Peltier's Freedom. Its Argument Is Full Of Holes.

It's not every day that someone asks the federal Office of the Pardon Attorney a routine question about the status of a prisoner's petition for clemency and gets a response from the FBI.

MORE:

by Jennifer Bendery (*HuffPost*)

But that's what happened when *HuffPost* recently asked for an update on a petition for clemency for Leonard Peltier, the Native American rights activist who has been in prison for 46 years without any evidence that he committed a crime and after a trial riddled with misconduct.

HuffPost has been reporting on Peltier's imprisonment for months, and we emailed the Office of the Pardon Attorney late last month to see if a clemency petition filed in July by Peltier's attorney has moved along in the review process. The FBI unexpectedly wrote back. It sent over a statement saying it strongly opposes clemency for Peltier:

The FBI remains resolute against the commutation of Leonard Peltier's sentence for murdering FBI Special Agents Jack Coler and Ronald Williams at South Dakota's Pine Ridge Indian Reservation in 1975. We must never forget or put aside that Peltier intentionally and mercilessly murdered these two young men and has never expressed remorse for his ruthless actions.

Peltier's conviction, rightly and fairly obtained, still stands, and has withstood numerous appeals to multiple courts, including the U.S. Supreme Court. No amount of prison time changes the facts surrounding Coler and Williams' deaths and commuting Peltier's sentence now would only serve to diminish the brutality of his crime and the suffering of their surviving families and the FBI family.

Getting past the strangeness of the FBI responding to an email not directed to the FBI, it was something to get a statement from the FBI at all. The agency has previously declined comment to *HuffPost* about Peltier.

It was, after all, the FBI that fought to put Peltier in prison in the first place after two of its agents were killed in a 1975 shootout on Pine Ridge Reservation. Its new statement affirms that it still wants the now-ailing 77-year-old to stay there, despite decades of outcry from international human rights leaders, including Pope Francis, Nelson Mandela, Mother Teresa, the Dalai Lama, Desmond Tutu and Coretta Scott King. That's in addition to appeals by U.S. Sens. Patrick Leahy (D-Vt.) and Brian Schatz (D-Hawaii), members of the U.S. House, Native American leaders, celebrities and others.

Opposition from the FBI remains the biggest obstacle to freedom for Peltier, who is considered by many to be America's longest-serving political prisoner. The problem with the bureau's argument for keeping Peltier in prison, though, is that it is full of holes.

Virtually every sentence of the FBI's statement is outdated, misleading or flat-out wrong.

Take the first line: "The FBI remains resolute against the commutation of Leonard Peltier's sentence for murdering FBI Special Agents Jack Coler and Ronald Williams at South Dakota's Pine Ridge Indian Reservation in 1975."

While it's true that Peltier was convicted in 1977 of murdering two FBI agents, his legal team discovered in 1980, via a Freedom of Information Act request, that the FBI had intentionally withheld evidence showing that a ballistics expert had unequivocally ruled out Peltier's gun as the murder weapon. This revelation struck at the heart of the U.S. government's case.

After this bombshell, the U.S. attorney's office changed its story. It dropped its argument that Peltier had murdered the agents and said he "aided and abetted" whoever did do it. But the U.S. government now claims it doesn't know who killed those agents — Peltier's two other co-defendants were acquitted based on self-defense — and there was never evidence that Peltier aided and abetted anyone. He has consistently maintained that though he was present at the shootout with dozens of others, he didn't shoot anyone.

But the FBI was determined to put someone in prison after losing two agents. Peltier was the only guy left to pin the blame on. So he was sentenced to two consecutive life sentences despite there being no evidence he committed a crime.

The reason Peltier is still in prison after his conviction fell apart — and the reason he didn't get a new trial — is because the standard for reviewing what's called a Brady violation, or withholding evidence helpful to a person charged with a crime, was different in the 1970s than it is today. At the time, the standard was to gauge whether a jury would have come to a different conclusion based on the new evidence. When Peltier's attorneys appealed his case to the U.S. Court of Appeals for the 8th Circuit in the mid-1980s, the court ruled it was possible that a jury could have come to a different conclusion but could not say definitively yes.

Today, the standard for reviewing a Brady violation is gauging whether a defendant was deprived of a fair trial because new evidence was excluded.

Kevin Sharp, Peltier's pro bono attorney and a former federal judge appointed by President Barack Obama, said Peltier's conviction never would have stuck under today's system given that the new evidence in his case proved the murder weapon was not his.

"Oh, my God. This was their whole case," Sharp said. "This would absolutely fall apart."

These are the facts that make it obvious why the second sentence of the FBI's statement is bogus: "We must never forget or put aside that Peltier intentionally and mercilessly murdered these two young men and has never expressed remorse for his ruthless actions."

Peltier, again, is not in prison for "intentionally and mercilessly" killing anyone. Even the U.S. government dropped that argument decades ago. He is in prison for "aiding and abetting" whoever did shoot the FBI agents, an already baseless charge and one that came after a shockingly flawed trial. Prosecutors hid key evidence. The FBI threatened and coerced witnesses into lying. A juror admitted on the second day of the trial that she was biased against Native Americans, but she was allowed to stay on the jury anyway.

Justin Mazzola, deputy director for research at Amnesty International USA, which has devoted an entire campaign to Peltier's release, said the FBI's statement is unbelievably outdated and ignores key facts that have emerged since the 1970s.

"Forty-five years later, this statement does not even come close to aligning with what we now know about the environment and events leading up to and on Pine Ridge that fateful day, let alone all of the information we now know about the trial and case against Leonard Peltier," Mazzola said.

"It denies the FBI's own role in using perjured testimony to secure his extradition from Canada, the suppression of potentially exonerating evidence by the [Department of Justice] attorneys in his case," he said. "Even the prosecutors subsequently admitted that they have no idea who shot the agents at point-blank range."

As for the FBI claiming that Peltier "has never expressed remorse for his ruthless actions," it makes a lot more sense if you remember that Peltier has maintained his innocence for the entire 46 years he's been in prison.

The FBI also claims in its statement that Peltier's conviction was "rightly and fairly obtained, still stands, and has withstood numerous appeals to multiple courts, including the U.S. Supreme Court." This is misleading at best.

For starters, the Supreme Court never took up Peltier's case. There was no need for it to. Peltier's U.S. District Court conviction was already upheld by an appeals court, and there was no legal dispute for the Supreme Court to settle. That's beside the fact that the Supreme Court only takes up about 100 or so cases a year out of the thousands it is asked to review.

It's true that Peltier's conviction was upheld by an appeals court. The 8th Circuit upheld it in 1986. But its reason for doing so goes back to that problematic 1970s standard for reviewing a Brady violation in a criminal conviction.

And in an extraordinary letter, five years later, the 8th Circuit judge who authored the decision to uphold Peltier's conviction ended up urging clemency for him.

Judge Gerald Heaney said in his 1991 letter the FBI was at least partly responsible for the 1975 shootout, that the bureau was intentionally fueling tensions in the community as part of a broader effort to suppress the activities 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.

"The United States government must share in the responsibility for the June 26 firefight.... It appeared that the FBI was equally to blame for the shoot-out," Heaney wrote to then-Sen. Daniel Inouye (D-Hawaii), the chairman of the Senate Indian Affairs Committee at the time.

"The government's role can properly be considered a mitigating circumstance," Heaney added. "At some point, a healing process must begin. Favorable action by the President in the Leonard Peltier case would be an important step in this regard."

In an interview after his retirement in 1989, Heaney called his decision to uphold Peltier's conviction "the most difficult I had to make in 22 years on the bench."

The level of wrongdoing by the FBI and U.S. attorney's office in Peltier's case was so egregious that the U.S. Court of Appeals for the 10th Circuit, which didn't even have jurisdiction over reviewing Peltier's conviction, ripped the U.S. government's handling of his case, too.

Peltier's attorneys had filed an appeal before this court in 2003 on a different matter, relating to his request for a review of his parole being denied, and the judges went out of their way to condemn the way Peltier ended up in prison at all.

"Much of the government's behavior at the Pine Ridge reservation and in its prosecution is to be condemned," the judges said in their 3-0 decision. "The government withheld evidence. It intimidated witnesses. These facts are not disputed."

The 10th Circuit did uphold Peltier's parole being denied but only because the standard it had to go by was whether the parole commission's decision was considered "arbitrary and capricious." Because the parole commission had said it weighed the misconduct in Peltier's trial, the court couldn't say its decision to deny his parole was random.

Why was Peltier denied parole? The fact that he maintained his innocence when he was up for parole certainly helped keep him in prison.

Heaney's remarkable change of heart in Peltier's case is a lot like what happened with former U.S. Attorney James Reynolds. He initially helped put Peltier in prison in the 1970s. Now he's out in front calling for Peltier's clemency — something his supporters think can, and must, finally happen with President Joe Biden in the White House.

"I write today from a position rare for a former prosecutor: to beseech you to commute the sentence of a man who I helped put behind bars," Reynolds wrote in a stunning letter to Biden in July. "With time, and the benefit of hindsight, I have realized that the prosecution and continued incarceration of Mr. Peltier was and is unjust. We were not able to prove that Mr. Peltier personally committed any offense on the Pine Ridge Reservation."

In his letter, first obtained by *HuffPost* in November, Reynolds pleads with the president to release Peltier as a step toward healing "the broken relationship" between Native Americans and the U.S. government.

"I urge you to chart a different path in the history of the government's relationship with its Native people through a show of mercy rather than continued indifference," he wrote. "I urge you to take a step towards healing a wound that I had a part in making."

Mazzola said the statements by Reynolds and Heaney simply underscore that Peltier has been in prison for decades for a crime that no evidence shows he committed.

"While we understand the FBI's determination to stand up for the two agents who tragically lost their lives, their time and efforts would be better served reviewing and analyzing their own role in [what] led up to the circumstances on the Pine Ridge reservation ... rather than continuing to obstruct Leonard's attempts to achieve his freedom and muddy the waters of what actually happened that day and at trial," Mazzola said by email.

A White House spokesperson did not respond to a request for comment on what Biden knows about Peltier's case and if he is considering granting clemency.

An FBI spokesperson did not respond to a request for comment on the misleading or inaccurate aspects of its statement about Peltier's conviction or on the bureau's misconduct in Peltier's case.

The spokesperson also did not say why the FBI emailed *HuffPost* in response to a request directed to the pardon attorney's office.

April 22nd - Canyon runners pray for Peltier's release

by Geoffrey Plant (*Taos News*)

With a little help from Rio Arriba County sheriff's deputies, the first-ever prayer run for imprisoned American Indian Movement (AIM) activist Leonard Peltier got underway around 9:30 a.m. last Saturday (April 16) in Velarde. The event, which sought to raise awareness about Peltier, was held in partnership with Global Peace Walk and the Rio Grande Water Walk.

About 35 people participated in the event, which blocked northbound traffic in the narrow, canyon-enclosed section of Highway 68 for hours, but served to capture the attention of people in vehicles traveling both directions of the road. Many southbound vehicles slowed down to get a better look at the caravan of trucks, a drum group, several protest signs and raised fists, and a rotating set of runners on the blacktop.

Bobby Valdez, member of Laguna Pueblo and president of AIM Albuquerque GrassRoots, and Albuquerque chapter vice-president Deborah Jirón, an Isleta Pueblo member who also sits on the International Leonard Peltier Defense Committee, were among the American Indian Movement members who gathered in Velarde to lead the event.

"It's very urgent right now for Leonard, we need his immediate release," Jirón told the *Taos News*, adding that Peltier contracted COVID-19 in late January. "He's got a lot of health issues, he's diabetic, he had an aneurysm, he's got a heart condition. After he got COVID, all they did was put him in isolation for four days with no water, no cup."

Peltier was convicted in 1977 of murdering two FBI agents on the Pine Ridge Reservation in South Dakota in 1975, crimes he has steadfastly maintained he did not commit. In the 1970s, the American Indian Movement, like other anti-establishment groups of the period that posed a perceived threat to the prevailing American culture, was in turmoil, in part thanks to constant government surveillance and the infiltration of informants into activists' ranks.

For AIM members, 1975 was a paranoid time. The FBI's notorious COINTELPRO domestic surveillance and anti-subversive program was still in full swing and targeting AIM.

Valdez noted that the shooting in which Peltier was accused of participating — more than 100 bullet holes riddled the cars belonging to agents Ronald Williams and Jack Coler — occurred about two years after the 1973 Wounded Knee incident, when federal authorities laid a months-long siege to members of the Oglala Sioux Tribe who, in an act of protest, had taken over the town in South Dakota where the 1890 Wounded Knee Massacre took place.

"They called it 'the reign of terror' during that time when everybody was getting stopped, pulled over, beaten up," Jirón said. "I remember," said the elder Valdez, who said he was harassed by law enforcement in the 1970s because of his involvement with the American Indian Movement.

Peltier's murder trial, in which he was ultimately convicted and sentenced to two life sentences in federal prison (he's currently housed in a Florida penitentiary) was widely regarded as flawed, and several of the prosecution's star witnesses later recanted their statements incriminating Peltier, saying they had been coerced.

"He went to prison for nothing," Valdez said. "Nothing."

"The prosecuting attorney, he's retired now, but because of what he knew the government did he wrote a letter to [President Joe] Biden saying, 'Hey, this man needs to be free,'" Jirón said, referring to former-U.S. Attorney James Reynolds.

Biden, like presidents before him, has not acted on requests to commute the now-77-year-old prisoner's sentence.

"He's an elder now, so we're asking for his compassionate release," Jirón said.

Organizers didn't know if there would be a repeat of the prayer run for Peltier next year.

"Everything went smoothly, we had an escort from the Sheriff the entire way," said organizer, Mike Davis. "The drum group was phenomenal, and the American Indian Movement and the International Leonard Peltier Defense Committee led the entire event."

Davis said runners who hail from Taos Pueblo and Ohkay Owingeh were among those who took turns pounding the pavement in the narrow canyon stretch of the highway from Velarde to the Taos Horseshoe Curve Overlook.

Rev. Yusen Yamato, the Taos-based buddhist monk who founded the Santa Fe-to-Taos Global Peace Walk 28 years ago, led a prayer ahead of the run, followed by a prayer by Valdez and words from Jirón.

"We have to find harmony with nature, that's why we're walking," Yamato told the Taos News, noting that he's crisscrossed the United States, Japan and other regions of the world in the name of global peace.

"The fighting never ends," he said. "This paradise, only humans would destroy."

21 Apr - Pushing Down the Wall: September 18, 2022

Last year was a blast, so we present to you...

MORE:

Second Annual Burpee Marathon Fundraiser for the Anarchist Black Cross Federation's Warchest Fund.

The Warchest has been providing reliable monthly financial support to political prisoners since 1994. These funds allow our comrades to buy postage, phone calls, extra food and clothing, etc. Show up, give whatever donation you like and then do as many burpees as you like or your friends and family pledge to give \$1 per burpee. However much money you raise, is how many burpees you do on September 18, 2022.

Start training! Start stretching and get some rest!

21 Apr - Eco-activist Joseph Dibee pleads guilty in 1997 Oregon arson

Prosecutors say Dibee was a member of the Earth Liberation Front and Animal Liberation Front, which the U.S. Department of Justice has held responsible for acts of domestic terrorism.

MORE:

by Conrad Wilson (OPB)

An environmental and animal rights activist pleaded guilty Thursday to decades-old federal arson charges, including involvement in a 1997 central Oregon fire that destroyed a slaughterhouse.

Prosecutors say Joseph Mahmoud Dibee, 54, was a member of the Earth Liberation Front and Animal Liberation Front, which the U.S. Department of Justice has held responsible for acts of domestic terrorism.

Dibee pleaded guilty to arson and conspiracy to commit arson for his role in the fire that destroyed Cavel West, a slaughterhouse that processed and sold horse meat in Europe.

In court documents, federal prosecutors say Dibee drilled a hole in the concrete wall of the slaughterhouse. He then poured fuel into the wall and stuffed it with rags. The plan went off course when one of Dibee's homemade incendiary devices caught fire prematurely.

During Thursday's hearing, U.S. District Court Judge Ann Aiken asked Dibee if it was true he poured gasoline into the building and ignited the fuel to start a fire.

"You acted with the intent to destroy the facility and you knew it was involved in interstate commerce," Aiken said. "Are those facts true?"

"Yes your honor," Dibee replied.

Dibee also pleaded guilty to a single charge of conspiracy to commit arson in California for his role in a 2001 fire that burned hay and a pole barn at a Bureau of Land Management wild horse facility near Litchfield.

"You participated in surveillance of the BLM Litchfield horse facility, knowing that the others intended to burn a structure," Aiken said. "After the arson and the destruction of the government property, you traveled back to Oregon with the co-conspirators knowing they had burned the BLM haybarn. You knew that the buildings involved were government buildings."

"Yes your honor," Dibee said.

Between 1995 and 2001, a group of Earth Liberation Front and Animal Liberation Front supporters known as "The Family" caused more than \$45 million in damages in a series of arsons. One of their highest-profile fires was in 1997 when they destroyed the Two Elk ski lodge in Vail, Colorado. Dibee is not connected to that incident.

In 2006, a grand jury in Oregon indicted Dibee and several others in connection with the Cavel West arson. Dibee fled the country, first to Syria and later to Russia. While an international fugitive, he says he worked on large-scale environmental projects like a biofuels facility and a desalination plant.

He was arrested by Cuban authorities in August 2018 while traveling from South America back to Russia. The FBI flew Dibee from Havana to Portland where he was arraigned and held in custody for more than two years.

“No matter the agenda, using violence to advance a social or political cause is a serious crime,” Oregon’s U.S. Attorney Scott Asphaug said in a recorded statement Thursday. “After many years on the run, Mr. Dibee admitted to his role in these schemes and will finally face justice.”

After his arrest, the Justice Department called Dibee a “domestic terrorism suspect.” That description wasn’t used during Thursday’s hearing when Dibee entered his guilty plea. A news release after the hearing referred to Dibee as an “environmental extremist, arsonist, and former fugitive.”

Matt Schindler, Dibee’s defense attorney, believes calling Dibee a domestic terrorist goes too far and said it is important to note the governments change in rhetoric.

“Mr. Dibee was involved with the arson at Cavel West, and so it was important that he take responsibility for that,” Schindler said Thursday after court.

He said Dibee’s case is a reminder that the labels the Justice Department assigns to people should be viewed with caution.

“They know the power of the language that they use. It is intentional,” Schindler added. “You cannot talk about this case without talking about terrorism and that’s the narrative the government wants.”

In January 2021, Dibee was released from custody. Since then, he’s been in home confinement in Seattle, where he cared for his elderly father.

Dibee has long contested the government’s characterization of his actions as domestic terrorism.

“In most cases where the government charges terrorism, it’s actually not,” Dibee told OPB last year. “The thing is for me, being an Arab man in the United States, I’m more susceptible, more vulnerable to that accusation. And I recognize that.”

In that interview, Dibee said he was not involved in any organized environmental groups, but acknowledged he had a “confrontational” approach to his beliefs in the ‘90s. He said his approach to environmental causes has changed since then, and he is focused on using technology to help people adapt to the effects of climate change.

Aiken will sentence Dibee on July 27. As part of the plea agreement, the Justice Department dropped arson charges against Dibee in Washington state. He’s also agreed to pay restitution, though the dollar amount will be determined at sentencing.

The U.S. Justice Department is recommending Dibee serve a little over seven years in prison. He’s expected to ask for a lighter sentence.

April 22nd - Statement from CLDC Executive Director on Joseph Dibee plea agreement

On April 21, 2022 at 12:30 pm, Joseph Dibee had his federal change of plea hearing with Judge Ann Aiken by telephone only.

Dibee is one of the final individuals indicted in what is known as the “Green Scare,” the largest round up of animal and environmental activists who engaged in economic sabotage against government and private environmental destruction and animal abuse from October 1996 through December 2005. The original indictment was filed on January 19, 2006. Most of the individuals involved were arrested and prosecuted

between 2006 and 2008, but Dibee was taken into custody in Cuba while traveling in 2018 and was initially arraigned on the charge on August 10, 2018. See <https://cldc.org/green-scare-defendant-apprehended-in-cuba-after-12-years/>. He remained in custody in Portland, Oregon until he was released on conditions on January 8, 2021.

Today, April 21, the Court indicated that as a result of a recent judicial mediation, a plea agreement had been reached between the US government and Joseph Dibee. Dibee pled to a total of 3 counts. In the District of Oregon he pled to count 1, conspiracy to damage or destroy government property and property used in interstate commerce by fire, which carries a maximum of 20 years, a minimum of 5 years, plus fines, probation, and restitution. Also in Oregon, he pled to count 6, arson of the Cavel West horse slaughterhouse facility near Redmond, Oregon, which also carries a max sentence of 20 years, and a minimum of 5 years in prison, as well as fines, probation, and restitution. Cavel West, a Dutch owned corporation, was heinously slaughtering wild mustangs rounded up from US public lands, as well as other horses, and then exporting their flesh to China. The local Redmond community attempted to shut down this atrocity for years due in part to the stench of insufficient stormwater facilities that caused horse blood to come out of storm drains into the streets. After the arson, where no living things were injured or killed, the Dutch corporation closed up and never re-opened. This preceded a nationwide ban on horse slaughterhouses from 2007-2018, which has since been allowed by congress to expire. The videos that were part of the discovery in this case (some of the worst I've seen in my career), showed the horrific and brutal automated killing of extremely scared horses who were not quickly and painlessly killed on an assembly line and were then dismembered whether dead or alive.

Finally, Dibee pled to count 1 in the Eastern District of California, conspiracy to commit arson, for the 2001 arson of the Bureau of Land Management Litchfield Wild Horse Corrals in Susanville, California—a government funded facility where wild mustangs were rounded up from public lands, forced into capture facilities, and then trucked to slaughterhouses like Cavel West to be turned into dog food. This count carries the same penalties as those listed above.

The Assistant US Attorney, Quinn Harrington, read the highlights of the 20-paragraph plea agreement filed with the court. He stated that the advisory sentencing range is between 87 and 108 months, and the government was recommending the low end, at 87 months. Based upon the telephonic hearing today, the deal appears to be in line with other Green Scare non-cooperation plea deals, and there was no indication that cooperation (aka snitching) was part of the plea bargain.

Please note that CLDC does not represent Joseph Dibee, has not been part of his legal team, nor do we have any private information about the negotiations underlying this deal. In my experience, there are certain terms and clauses, certain non-public aspects of a plea deal, as well as the number of downward departure levels that often indicate cooperation. None of those usual indicators were present in today's hearing.

The sentencing hearing in this case is scheduled for July 27, 2022.

22 Apr - June 11, 2022

As time moves on and the seasons change, we approach once again the June 11th International Day of Solidarity with Marius Mason & All Long-Term Anarchist Prisoners.

MORE:

Another year has passed, and many of our dear comrades remain captives of the state, subject to its daily subjugation, isolation, and brutality. June 11th is a time to stop the ever-quickening rush of our lives and remember.

Remember our imprisoned comrades. Remember our own histories of revolt. Remember the flame – sometimes flickering, sometimes blazing – of anarchism.

WE ARE ALL POTENTIAL PRISONERS

With June 11th, we desire to deepen a critique of prison that challenges the distinction between prisoner and supporter. For us, these differences are conditional: we, as anarchists, see ourselves as potential prisoners. Some of us have been, some of us will be. This is the basis of our solidarity – a recognition of ourselves in the plight of those in prison.

The continuum of prisoner and supporter can only be seen as tenuous if one looks to the examples of imprisoned and formerly-imprisoned comrades: Marius Mason's activity with the Anarchist Black Cross, Bill Dunne's liberation of an anarchist prisoner, Pola Roupa's attempted helicopter rescue of anarchist prisoners, Claudio Lavazza's actions to liberate prisoners. The connections deepen when one considers that numerous anarchist prisoners are locked up for attacks on prison, judicial, and police institutions; and that others connect us to prisoner uprisings from California and Alabama to Greece and Italy.

SOLIDARITY MEANS...

We have always said that "solidarity means attack," but we must recognize that slogans do not offer us a way forward in our struggles. If "attack" becomes confined to a restrictive set of activities, we cut ourselves off from a more expansive vision of anarchist struggle. If we move beyond mere repetition of fetishized actions, what possibilities open up to us? Solidarity means attack, yes, but what else does it mean?

In this vein, we'd like to offer our suggestion: instead of doing what you always do for June 11th, try something new. If your focus is usually on offering material aid to prisoners, take up action against some tentacle of the prison system in your town. If you're usually out in the night attacking, try doing something to directly support an anarchist prisoner. The point is not to further entrench the false dichotomy between direct action and care work, but to challenge our ossified roles. By trying new things, we may come to recognize that the walls that separate the dedicated supporter and the dedicated saboteur were always illusory, that our imaginations are more expansive than we thought, and that we individually and collectively are capable of more than we give ourselves credit for.

Central to our vision of solidarity is maintaining the lines that connect us to our companions behind bars. We should keep alive the projects, fights, and movements to which they've sacrificed so much of themselves. Our connections with anarchist prisoners start from a point of commonality – that we share a desire to directly transform the world in a liberatory and egalitarian direction. Thus, our solidarity should root itself in bringing prisoners into our projects and investing ourselves in theirs. We want released anarchists to come out into a world of vibrant debate, collaboration, and action; and we want to foster that as much as possible behind prison walls as well. This can be as simple as sending news of local struggles to a prisoner or printing prisoner statements to share at events. As with any aspect of solidarity, we are limited only by our imagination and commitment.

While we should support prison struggles when they happen, we should be careful not to put the burden of struggling against the prison system on prisoners alone. Those in prison – being in conditions of extreme control, surveillance, and restriction – are in many ways the least able to actively fight winnable battles against prison institutions. Those of us living in relative freedom have opportunities to think strategically about what actions and sites of struggle would have the most positive impact on the lives of people in prison and do the most work to dismantle the prison system. As prison is inexorably connected to numerous corporate and state institutions, enemies are everywhere: where can we win?

Supporting prisoners is also a way for different struggles to converge, as the last several decades have taught us. From the Black Liberation Army to the Earth Liberation Front to Grand Jury Resisters to anti-police uprising defendants to land and water protectors, all struggles for liberation will necessarily lead to state repression and imprisonment. By building up support infrastructure and culture, by making prison a less complete isolation and removal, we strengthen every aspect of challenging this society. We also find each other, learn from each other, enrich each other.

PRISONER UPDATES

Marius Mason secured his long-fought-for transfer to a men's prison, likely being the first trans man to achieve such a transfer in the federal prison system.

Italian prison administrators began censoring Alfredo Cospito's correspondences in October. Authorities charged him with incitement to commit crimes, citing his writings in the anarchist newspaper *Vetriolo*. This repression is part of Operation Sibilla, where Italian police have raided numerous anarchist spaces and shut down websites surrounding *Vetriolo* to prevent the publication and spread of its subversive ideas.

Marios Seisidis went to court in July to appeal charges against him, supported by anarchists who rallied at the court in solidarity.

Claudio Lavazza received a hit of five years to his twenty-five-year sentence. His legal support is trying to secure an earlier parole date.

Eric King went to federal court on charges related to a situation in which he was attacked and tortured by prison staff in 2018. The jury found him not guilty and his legal team is now filing a suit against the prison administration. As of this writing, Eric is in the process of being transferred and the continued target of a vindictive prison system.

Michael Kimble was assaulted by a corrections officer in June and then sent to solitary confinement before transferred. He has again been denied parole, the stated reasons being disciplinary citations for refusing to work and an altercation with a corrections officer.

Sean Swain was also denied parole, which he argues is retaliation by prison staff for comments he made and civil suits he has filed against them. He has since been transferred from Virginia back to OSP Youngstown in Ohio. His supporters suspect he will soon be transferred again.

More and more defendants from the uprising of 2020 are getting sentenced, some have been released and other going on to serve their terms. Some are still pretrial and facing lengthy sentences. The effects of this repression will still be felt for many years. May the quality of our support for these defendants make us stronger than we were before.

In Chile, anarchist Joaquín García was transferred along with several subversive prisoners to the Rancagua maximum security prison last June. In October, he along with 20 other prisoners were attacked by about 50 guards, after which he was put in solitary confinement for 24 hours. This followed their declaration of solidarity with Pablo "Oso" Bahamondes Ortiz, who was facing weapons and explosive charges, and was subsequently sentenced to 15 years. Francisco Solar, another anarchist locked up at Rancagua, was hospitalized last autumn due to the advancement of undiagnosed diabetes. He and Mónica Cabellero were accused of multiple bombings, after his DNA was surreptitiously taken during a graffiti arrest, and have been in preventative detention since July 2020. In December of 2021 he accepted responsibility for bombing police structures, in solidarity with the revolts beginning in 2019 and those harmed and murdered by the police because, "no one and nothing is forgotten." Days later, Mónica was in a fight with another prisoner that her family called a provocation set up by the prison. At the time of this writing, information is not yet available on the sentencing or a release date for these two anarchists.

Siarhei Ramanau, Ihar Alinevich, Dzmitry Rezanovich, and Dzmitry Dubousky were sentenced early this year to 18-20 years each for direct actions against Belarusian government targets after preliminary incarceration since 2019. After sentencing it was revealed that they were tortured by guards, resulting in a confession. As anarchism has become criminalized under the ongoing dictatorship, at least two other groups are facing several years each for their dissent.

Russian authorities have sentenced teenage anarchist Nikita Uvarov to five years for a conspiracy to blow up the Federal Security Service in Minecraft (yes, the video game) and constructing small fireworks. Two of his peers received probational sentences for their alleged crimes at the age of 14. Moscow ABC has reported that repression has increased (though there are no new proceedings against anarchists and antifascists there) and they have begun reorienting resources toward humanitarian efforts as Russia continues its murderous invasion of Ukraine.

The Anarchist Black Cross of Dresden, too, has reoriented itself toward providing support to those fighting in and fleeing from Ukraine. This reimagining of their support means helping finance solidarity forces like “The Black Headquarter” that have assembled volunteers to oppose the Russian forces and also attempt to carve out autonomous space in opposition to the Ukrainian state itself. Under the banner of the black flag, Balkan anarchists and anti-authoritarians are uniting against nation-states’ concepts of war and peace. It’s worth noting that chapters of the Anarchist Black Cross were established in Ukraine in 1918 as an adjunct to the Black Army that was fighting both the Soviet and Czarist forces invading from Russia.

In England, Toby Shone was sentenced to almost four years on drug charges related to psychedelics in his possession (during coordinated raids of collective anarchist homes) after terror charges failed to stick, related to the alleged operation of counter-info site 325. Despite the government’s failure to attribute membership to the the 325 collective, the Informal Anarchist Federation/International Revolutionary Front, the Earth and Animal Liberation Front, and involvement in related arsons and writings, he still must fight a Serious Organised Crime Prevention Order that would subject him to a heavily monitored five-year house arrest, expressing the evolution of incarceration by an increasingly digitized state apparatus.

ONWARD

The expansion of home detention and monitoring is not new, but still growing, as the prison society further invades the everyday through technological advances. Warfare too, grows increasingly digital from drone strikes to hacking, while government-sanctioned murder continues in all its finality. We may lack details regarding anarchists struck down or imprisoned in their pursuit of freedom in ongoing struggles in Sudan, Afghanistan, and Syria – still they also move our thoughts and actions. As the state persists in all its punitive perdition, killing and imprisoning, and we find common ground with those who fight in an effort to grow our power and destabilize those that seek to control us – carrying the fallen and imprisoned with us in our relationships with them and through a persistent conflict with the existent.

For ideas on potential activities, check out our blog, june11.noblogs.org, for years of archived reportbacks. Those looking for materials to print and share can find them at the Resources page. And, most importantly: a list of anarchist prisoners to write to.

We eagerly await the events, actions, statements, and other contributions to this year’s June 11th.

April 25th - A Day Against Oblivion T-Shirt

June 11th is the International Day of Solidarity with Long-Term Anarchist Prisoners. A day against oblivion. All profit from sales of this t-shirt go toward anarchist prisoner support. Order at akpress.org/a-day-against-oblivion-t-shirt.html