



POST OFFICE BOX 110034 BROOKLYN, NEW YORK 11211

Updates for December 13<sup>th</sup>

## **11 Nov - In Long-Awaited Victory, Rattler, former #NoDAPL Political Prisoner, Granted Early Release**

*This slipped by, but we couldn't be happier.*

### **MORE:**

On November 3, 2022, a North Dakota judge granted #NoDAPL political prisoner Michael “Rattler” Markus early termination of supervised release. Rattler had served half of his supervised release and had eighteen months remaining. In 2018, after a non-cooperating plea, Rattler was sentenced to 36 months federal prison followed by three years supervised release. On October 27, 2022, six years to the day of Rattler’s arrest, Water Protector Legal Collective (WPLC) attorney Sandra Freeman filed a motion requesting Rattler’s early release. The federal court order granting early termination of supervised release is a long-awaited ruling and a victory for Rattler.

Rattler reflected after the news, “When I went to prison I went with my head high. I knew that what I did and am going to do is for the people and unci Maka. I have no regrets. And I will not back down when it comes to our children's future. So I say to you that read this. Do not fear that you might go to jail. Because you have a world of people that support you and stand next to you. Fear the future we leave our children's children if we do nothing.”

Rattler arrived at the Oceti Sakowin resistance camp as a Water Protector in September 2016. On October 27, 2016, militarized police raided the 1851 Treaty Camp, a frontline camp in the pathway of DAPL. Law enforcement officials used sound cannons, tanks, tasers, bean bags, rubber bullets, and pepper spray against unarmed Water Protectors. They broke sacred objects, tore down tipis, confiscated prayer staffs, and demolished an inipi (sweat lodge), arresting the people in the middle of a ceremony inside. This resulted in the arrest of 141 Water Protectors and 2017 federal indictment of seven Indigenous #NoDAPL political prisoners.

On January 23, 2017, Rattler was arrested for federal charges criminalizing the work he engaged in as an Akicita to protect Land, Water, People, and Treaties against militarized police and mercenaries working for the Dakota Access Pipeline (DAPL). Rattler was charged with Civil Disorder and Using Fire to Commit a Felony (which was later dismissed).

In a February 2017 interview with The Guardian, attorney Sandra Freeman explained that Rattler had been prosecuted under a law that’s rarely used in federal court and was passed in 1968 to control the American Indian Movement, Black Liberation Movement, and Vietnam war protests. The charges were clearly meant to repress free speech rights. Sandra stated, “Law enforcement tactics started escalating and markedly changing in January. It was no longer a confrontation at demonstrations, but single people being picked off, being brutalized, and being interrogated. In general, it’s law enforcement out of control.”

The courts refused to grant Rattler a change of venue despite alerting the judge to statistics proving 77% of potential jurors in Morton County and 85% in Burleigh County had already decided that defendants were guilty and many potential jurors have close connections to law enforcement or the oil industry. Rattler entered into a non-cooperating plea deal. He was sentenced to 3 years in prison on September 28, 2018, for “Civil Disorder” in relation to his nonviolent actions as an Akicita Water Protector at Standing Rock. At his sentencing, he explained that he initially only arrived at Oceti Sakowin to deliver supplies but decided to stay after the events of September 3, 2016, when DAPL bulldozers destroyed sacred sites, including graves,

and private security forces used dogs on Water Protectors. Rattler resolved to serve as akicita and defender, standing between police and Water Protectors in hopes of “keeping everybody safe.”

Akicita is a traditional role among the Lakota Nation that protect the peace. “Akicita is a life commitment, living a life of service and accountability...Akicita leave no one behind.” freerattlernodapl.com

Akicita Michael “Rattler” Markus is Oglala Lakota from Pine Ridge, SD. He is a descendant of the war Chief Makpiya Luta, translated as Red Cloud. Chief Red Cloud, who after many successful battles, signed the 1868 Treaty of Fort Laramie in an effort to protect his people. Rattler's Lakota name is Mato Tanka, meaning Big Bear. He is a Sundancer and Canupa (sacred pipe) carrier. Rattler is also a US Marine veteran.

*“Standing Rock was a training ground. It was started by children, by the youth. Those are the generations that we’re thinking about. What are we going to leave them—birds animals, rivers? What kind of legacy do you want to leave your children? For rich people, it’s a big bank account. For me it’s Mni Wiconi—water is life.”* Rattler

### **18 Nov - Antifascist Receives 20 Year Sentence in Albany, New York**

*Alexander Stokes Contompasis has been sentenced to 20 years in prison for his defense of 2 Black men and himself from a coordinated attack from the insurrectionists the Proud Boys on January 6<sup>th</sup> 2021 in Albany, New York, the most historically politically violent day in our modern times.*

#### **MORE:**

via *Abolition Media*

The incident occurred outside the state Capitol during a clash between supporters of then-President Donald Trump and counterprotesters on Jan. 6, 2021.

A jury last month convicted Alex Stokes, 39, of nearby Rensselaer, of assault and attempted assault. The attackers were far-right Proud Boys group.

Far right mobs had gathered outside state capitols around the nation the day of Joe Biden’s certification, with the one in Washington DC storming the Capitol.

Hundreds of people face charges arising from the siege on the U.S. Capitol, when a mob of Trump supporters stormed the building while Congress worked inside. However, by comparison, a Tennessee man who dragged a police officer into a mob of rioters was sentenced last month to only seven years in prison.

Alex Stokes support website: [freealexstokes.com](http://freealexstokes.com)

### **28 Nov - It took seven full years to fire a prison CO who had sex with an inmate**

*The officer also asked the woman to cover up that another Rikers guard sexually assaulted her.*

#### **MORE:**

by Reuven Blau and Keri Blakinger (*The Marshall Project*)

Seven years after a detainee at the Rikers Island jail complex in New York City alleged she was in a consensual, but prohibited, relationship with a correction officer who also pressured her to cover up a rape — the guard has finally been fired.

The officer, Leonard McNeill, began a four-month-long sexual liaison with a woman incarcerated at the Rose M. Singer Center in the summer of 2015, as she awaited trial on drug charges.

During their relationship, he gave the woman contraband food and clothes. He also told her to delay reporting that she had been raped by another officer who was later criminally charged, according to a February ruling by a city administrative law judge.

The detainee, who asked not to be named, hailed the firing despite the years-long delay.

“I’m a nobody, but somebody actually believed my words,” she told *The Marshall Project* and *The City*. “It felt vindicating.

“Especially being an incarcerated individual — an inmate — where most of the time we don’t get vindication, I guess it’s really hard for me as a career criminal to have faith in the system.”

Dori Lewis, the former supervising attorney at The Legal Aid Society’s Prisoners’ Rights Project said there is no good data to indicate how often staff enter into supposedly consensual relationships with people in their custody — in part because there’s often no good way to measure it separately from other sexual misconduct.

“It’s virtually impossible to make that distinction,” Lewis said. “Sexual relationships that take place inside a prison are inherently coercive.”

Guards have tremendous power behind bars, including the ability to put people in solitary confinement or to withhold or grant basic needs like food, showers and access to health care.

The lack of immediate repercussions for sexually abusive staff can have a “devastating effect on the person who’s been sexually abused and a chilling effect on anyone else who wants to report abuse,” said Julie Abbate, the national advocacy director for Just Detention International, an organization focused on ending sexual abuse behind bars.

McNeill’s firing showed the department has a “zero tolerance” policy for any staff who abuse “their authority to target a vulnerable population,” Correction Department Commissioner Louis Molina said in a statement.

But he declined to discuss why it took so long.

McNeill’s firing is the coda to a case that first surfaced seven years ago.

After a correction officer raped her on Nov. 30, 2015, the incarcerated woman was worried investigators wouldn’t believe her, so she took the unusual step of mailing pieces of her shirt — soiled with semen and DNA evidence — to a friend and a relative.

As a result, the former correction officer, Jose Cosme, later admitted to sexually assaulting her inside a storage closet hidden from security cameras.

In June 2017, Cosme was placed on probation for 10 years, fired from his job and required to register as a sex offender. But he ducked any time behind bars as part of the plea deal.

Meanwhile, the case against McNeill — which surfaced after she went to authorities about Cosme — dragged on.

McNeill has long denied having a sexual relationship with the woman known as Jane Doe, according to court documents.

But she told Correction Department investigators that she believed the attack by Cosme was triggered in part because he knew she was in a relationship with McNeill. Additionally, the Cosme assault occurred while she was on a sanitation work detail overseen by McNeill.

Correction officials can suspend accused officers for 30 days, but they must be put back on the payroll until their criminal or internal disciplinary case plays out, as per their union’s collective bargaining agreement.

Guards accused of wrongdoing are typically placed on modified duty — away from detainees — until their cases are adjudicated. Officers in those so-called rubber rooms, where they often just sit and do nothing for eight hours a day, are paid their full salaries, sometimes for years as their cases snake through the internal disciplinary process.

While on modified duty, McNeill earned \$107,288 in 2021 and \$112,280 in 2022 before his firing, according to SeeThroughNY, which tracks public sector pay. The site did not list his salary information dating back to 2015 when the allegations against him first surfaced.

The DOC's disciplinary case against McNeill was partly delayed by possible criminal charges and the detainee's initial reluctance to testify against him, according to Sarena Townsend, a former department investigator who worked on the case — and who was fired by Molina when he took over in January. Jail supervisors have an 18-month statute of limitations to bring disciplinary charges, but that clock is stopped if an officer is actually charged or faces a possible criminal case.

The case against McNeill was first brought before a grand jury by the Bronx district attorney, but that jury declined to indict him, testimony at his Correction Department disciplinary hearing revealed.

With criminal charges out of the picture, the internal disciplinary case against McNeill moved forward. Unlike in a criminal case, which needs to meet the “beyond a reasonable doubt” standard, an administrative case merely has to clear a “preponderance of evidence” bar.

Correction officers can fight their disciplinary cases before an Office of Administrative Trials and Hearings (OATH) tribunal, which is similar to a regular court hearing with witnesses and lawyers for each side. An administrative law judge oversees the case and issues a written recommendation, but the department commissioner has final say in the matter.

A four-day OATH trial was held last year where McNeill and Jane Doe testified via videoconference.

Her testimony from prison — where she's serving time for robbery in a separate case — was “clear, consistent and compelling,” ruled veteran Administrative Law Judge Kevin Casey, saying it matched what she told a jail captain investigating the case more than five years earlier.

“Despite her lengthy criminal record, which included robberies and larcenies, the complainant did not evade questioning when counsel subjected her to robust cross-examinations,” Casey's written recommendation said.

During the trial, she spoke about prior allegations of abuse by other officers she never reported because “she thought it was futile,” the recommendation said.

Casey also noted that Jane Doe had no financial incentive because her civil case — against the Correction Department, Cosme and McNeill — had already settled for \$500,000 in 2019.

Notably, she appeared “conflicted” about testifying against McNeill, for whom she “appeared to have lingering affection,” Casey said. “This lent credence to her testimony.”

Conversely, McNeill “offered vague and unconvincing denials,” Casey ruled.

“[McNeill] fundamentally violated his duties as a correction officer,” Casey's decision said. “By engaging in an improper sexual relationship, [he] exploited the inmate, posed a security risk, created the appearance of corruption, and undermined authority.”

Even though she is now in state prison, Jane Doe said she is still facing retaliation from guards who've heard about her case and sometimes call her names or harass her. But she doesn't entirely regret reporting the assault because she believes her decision to speak out could help others.

"I guess I would tell current and future victims, our day does come — if we find clean people to report to in a dirty place," she said.

Molina fired McNeill on June 22, according to department spokesperson Shayla Mulzac, who added that he's the only Correction Department staffer to be fired for such an offense over the past five years. Fourteen staffers facing similar charges have resigned over that same period, she noted.

The case comes as the troubled New York City Correction Department — and other lockups throughout the country — struggle to comply with the 2003 federal Prison Rape Elimination Act known as PREA.

As part of those guidelines, the city Correction Department in 2016 implemented a 24-hour hotline people behind bars can use to file complaints of abuse. The department also added more investigators to review allegations and clear a backlog of cases.

Still, allegations against officers or other department staffers are rarely substantiated, according to Correction Department records.

Just six of the 193 complaints filed by detainees against staff and fellow detainees were substantiated from July 2021 to June 2022, the department's latest report shows. Most were determined to be "unfounded" or "unsubstantiated."

A small group of detainees "take advantage of the PREA rules" and make numerous allegations that are "not true," said Townsend, the former Correction Department investigator.

But the low number of cases substantiated also deters many actual victims of sexual abuse "because they do not trust the system," she added. "That's the saddest part."

Though PREA standards make it easier to report abuse behind bars in many jails and prisons, Abbate of Just Detention International stressed that providing phone numbers to call and forms to file is not enough.

"We need to go beyond looking at whether or not they're implementing the PREA standard and look at whether [jails and prisons] are implementing the standards in a way that enhances sexual safety," she said. "We have to make sure that folks know it matters when they report sexual abuse and that depends on the response of the facility — and that's where the failures lie right now."

As for the nearly seven years it took to fire McNeill, several experts pointed out that the department has historically been slow to discipline staff. According to department data, in the first half of 2022 only 12% of resolved disciplinary cases stemmed from misconduct committed in the past year. One-third stemmed from incidents more than three years old.

And according to Lewis, formerly of The Legal Aid Society, it's hard to say how those figures might stack up nationally.

"National PREA standards don't have a timeframe in which investigations have to be completed," she said.

Townsend, who worked on the disciplinary case against McNeill, lauded the OATH recommendation to fire him.

"We worked really, really hard to make sure that this case got to trial," she said. "We were committed to pursuing justice. It was a huge win."

## **29 Nov - Seven U.S. Senators Ask President to Release Leonard Peltier**

On November 29<sup>th</sup>, seven U.S. Senators submitted a letter to President Biden requesting clemency for American Indian Movement (AIM) activist and Turtle Mountain Chippewa citizen Leonard Peltier.

### **MORE:**

by Darren Thompson (*Native News Online*)

Senators Tina Canish, Mazie Hirono, Patrick Leahy, Edward J. Markey, Bernard Sanders, Brian Schatz, and Elizabeth Warren co-wrote the letter, citing President Biden's steps towards addressing the wrongs committed by the U.S. federal government towards Native American people.

"Over the past several decades, clemency for Mr. Peltier has received sweeping support from many faith and human rights leaders, including Pope Francis, Archbishop Emeritus Desmond Tutu, Saint Mother Teresa, Nelson Mandela, the Dalai Lama, and Coretta Scott King," the letter stated. "Each has articulated the moral imperative of granting Mr. Peltier clemency."

Peltier, 77, is convicted of aiding and abetting the murder of two Federal Bureau of Investigation (FBI) agents on the Pine Ridge Indian Reservation on June 26, 1975. He has been incarcerated for 47 years. There have been many attempts by organizations, politicians, and community and tribal leaders asking for Peltier's release. Peltier currently suffers from numerous critical health conditions, including a potentially fatal abdominal aortic aneurysm.

James Reynolds, a former U.S. Attorney who oversaw Peltier's appeal in the U.S. Eighth Circuit Court of Appeals, has also called for his clemency. Reynolds participated in the Walk to Justice rally in Washington, D.C. on Nov. 13 with thousands of Peltier's supporters and advocated to various Senators on Capitol Hill in the following days to submit a letter to President Biden.

"At the end of the Walk to Justice, we met with senators and staff on Capitol Hill in Washington D.C., requesting support and solidarity through a letter and pressure on the administration to grant clemency for Leonard," AIM Chapter Director Rachel Thunder told *Native News Online*. "The letter is one of many asking our elder Leonard Peltier to be granted clemency and finally released after 47 years of injustice. As AIM, we will continue to work toward the freedom of Leonard Peltier."

The letter comes a day before the 2022 White House Tribal Nations Summit convenes in Washington at the Department of Interior. Earlier this year, a Democratic National Committee subcommittee unanimously passed a resolution asking President Biden to consider clemency for Peltier. The White House has not released a statement on whether President Biden is considering granting clemency for Peltier.

Organizers with the International Leonard Peltier Defense Committee shared with *Native News Online* that various Tribal leaders attending the White House Tribal Nations Summit are going to lobby President Biden for Peltier's release.

## **December 1<sup>st</sup> - Hundreds of Indigenous Artists, Stars Urge Biden To Release Leonard Peltier**

by Jennifer Bendery (*HuffPost*)

More than 200 Indigenous artists and Hollywood celebrities pleaded with President Joe Biden on Thursday to grant clemency to Leonard Peltier, the ailing 78-year-old Native American rights activist whom the U.S. government put in prison 47 years ago after a trial rife with misconduct, lies and racism.

"We write to you today in support of Leonard Peltier's petition for executive clemency and urge you to expeditiously commute the remainder of his sentence," reads the letter to the president led by six Indigenous actors, writers and fashion professionals. "Nothing is more emblematic of the mistreatment of American Indians and the uneven hand of the criminal justice system than the handling of his case by the federal government."

The letter, first obtained by *HuffPost*, warns that Peltier "is elderly and in failing health, and we fear he will not ever make it back to his homelands" at Turtle Mountain in North Dakota.

"Leonard is not only a symbol of Indigenous pride, he is also our relative. And his homecoming is imperative to our collective healing," they added.

The letter was spearheaded by Indigenous artists Dallas Goldtooth, Bird Runningwater, Jana Schmieiding, Sierra Teller Ornelas, D'Pharaoh Woon-A-Tai and Bethany Yellowtail. Some of the non-Indigenous allies who signed the letter include actors and artists Mark Ruffalo, Ani DiFranco, Ed Helms, America Ferrera, Jackson Browne, Michael Moore, Bonnie Raitt, Ringo Starr, Tanya Tucker and Steven Van Zandt.

Many consider Peltier to be America's longest-serving political prisoner. He's been in prison since 1975, when the FBI and U.S. Attorney's Office convicted him of murdering two FBI agents during a shootout on Pine Ridge Reservation in South Dakota.

But the U.S. government never had evidence that Peltier committed a crime, and the level of misconduct that went on in his trial is baffling: Prosecutors hid exculpatory evidence. The FBI threatened and coerced witnesses into lying. A juror admitted she was biased against Peltier's race on the second day of the trial but was allowed to stay on anyway. His co-defendants were acquitted on self-defense grounds, but Peltier was singled out for different treatment.

It didn't get any fairer once he was in prison. His decades-long parole process has been so problematic that United Nations legal experts recently reviewed his case and, over the summer, called on Biden to release him immediately. The working group concluded in a damning 17-page legal opinion: "Mr. Peltier continues to be detained because he is Native American."

The more time that's gone by, the more details have emerged underscoring how problematic Peltier's conviction and imprisonment have been. In an extraordinary letter to Biden last year, James Reynolds, the U.S. attorney who oversaw Peltier's prosecution on appeal, wrote, "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."

And the late U.S. Judge Gerald Heaney, who presided over Peltier's 1986 appeal, later called for commuting his sentence, saying his trial was unjust and that "a healing process must begin."

Advocates for Peltier's freedom over the years have included Native American elected officials, celebrities like Steven Van Zandt, international human rights leaders like Pope Francis and Nelson Mandela, and Amnesty International, a group that typically fights human rights abuses against people outside of the United States.

"President Biden should free Leonard Peltier! 47 years of injustice - @POTUS the world calls on you to #FreeLeonardPeltier," Amnesty International tweeted Thursday.

The letter from Indigenous artists comes a day after seven U.S. senators appealed to the president to show mercy and grant clemency to Peltier.

"Mr. Peltier's continued imprisonment defies the promises of justice, and the power to exercise mercy in this case lies solely within your discretion," reads the letter from Democratic Sens. Brian Schatz (Hawaii), Patrick Leahy (Vt.), Elizabeth Warren (Mass.), Ed Markey (Mass.), Bernie Sanders (Vt.), Mazie Hirono (Hawaii) and Tina Smith (Minn.).

The plea from Indigenous artists also follows Biden addressing tribal leaders at his much-heralded White House Tribal Nations Summit. During the event, the president ticked off all that he's done for Indian Country, but noticeably said nothing about Peltier's ongoing imprisonment.

A White House spokesperson did not immediately respond to a request for comment on the Indigenous artists' letter or on whether Biden is considering clemency for Peltier.

### **30 Nov - "Prison ain't for sensitive boys" a poem by Eric King**

*We love Eric's poetry and being able to share it.*

#### **MORE:**

Prison ain't for sensitive boys  
I still think about every fight  
every scraping – making of knives  
wondering what happened to those lives  
they were sharpened for?  
I still feel every spray  
every breath it stole away  
wondering what violence will come today  
W/the squad at your door  
I still hear every screaming voice  
every life isolation destroyed  
prison ain't the place for a sensitive boy  
I don't want this no more

#### **December 6<sup>th</sup> - Perspective**

Perspective  
Got to see Mahomes play today  
what a wonderful world to be in  
Iranian women are risking their lives  
for just a taste of freedom  
What matters most, depends upon  
under what stars you are dreaming  
One person's Koi fish pond  
is another's piranha  
Sometimes its easy to feel the breeze  
bask in the beauty of fauna  
Sometimes just getting out of bed  
is a victory over the trauma  
You can go to Jordan, & see the Petra  
or get trapped in a CIA prison  
What may seem a tasty veal steak  
is another beings dead children  
Go ahead & wear a Christian mask  
to cover your fascism  
Got to see Casemiro today  
A perfect world to be in

### **1 Dec - International Call For New Year's Eve Noise Demonstrations**

*This is a call for a night of strong solidarity with those imprisoned by the state.*

#### **MORE:**

Historically, New Year's Eve is one of the noisiest nights of the year. This year, most of which has been consumed by a global pandemic, we encourage folks to take whatever measures are necessary to insure individual and community well-being, in response to both the virus and the state, understanding the balance each of us must strike for ourselves. Given our current reality, on New Year's Eve gather your crew,

collective, community, organization, or just yourself to raise a racket and remind those on the inside that they are not alone.

Internationally, noise demonstrations outside of prisons are a way to remember those who are held captive by the state and a way to show solidarity with imprisoned comrades and loved ones. We come together to break the loneliness and isolation.

We know that prison is beyond reform and must be completely abolished. It is a mechanism of repression used by the state to maintain a social order rooted in white supremacy, patriarchy, and heteronormativity. To come together outside of the sites of repression is to also stand in defiance of what they represent.

The logic of the state and capital—of punishment and imprisonment, must be replaced by a rejection of oppression and exploitation. This call is one step in that direction.

Wherever you are, meet on New Year's Eve at the prisons, jails, and detention centers, be loud in solidarity with those imprisoned and to push forward the idea of a world free from domination.

We send this call in solidarity with those defying state repression of large scale dissent: from Iran to ongoing defiance in Chile by those facing repression as anarchists, and all of those in the spaces between.

We want a world without walls and borders.

We will fight together until everyone is free!

### **1 Dec - Show Solidarity to the Susaron 4, In Prison Awaiting Trial Accused of Arson**

*Back in September, national and international news covered an arson attack at a meat packaging plant in Chile, where the refrigeration system and the trucks had been set alight by antispeciesist activists.*

#### **MORE:**

In November, four people were arrested and remanded to prison accused of the arson and under investigation.

Since then, the four comrades arrested have been adjusting to prison but their spirits are high and their political views are stronger than ever. They even managed to help rescue a cat and her kittens from inside of prison to release them to the free world to be seen by a vet. A true prison escape story!

They are going to need lots of support economically, but they should also receive emotional support and as many letters of love and support as possible.

Prosecution is asking for a minimum of 10 years in prison, but they will have a review of their case (and a reevaluation of their remand) in January 2023.

The four comrades arrested have chosen to remain anonymous and are using pseudonyms as names, they do not wish their photos to be published and will be receiving letters via an email address that is managed by friends outside:

RU/GATO, PANDA, ITA, TORTU

Please write to them, you can simply write an email specifying who you are sending it to [SOLIDARIDAD.ANTIESPECISTA4@GMAIL.COM](mailto:SOLIDARIDAD.ANTIESPECISTA4@GMAIL.COM)

If you can afford it, consider sending some cash to the support group, who will be redistributing funds between them for commissary but also will be helping with legal costs, solicitors and court costs.

Their communal PayPal is [paypal.me/solidaridad4](https://paypal.me/solidaridad4)

“NI CULPABLES, NI INOCENTES; ENEMIGOS SIMPLEMENTE!”  
 (“Neither guilty nor innocent, we are enemies!”)

### **December 1<sup>st</sup> - Chile: First Statement from the «Susaron» Case Prisoners**

On the side of kittens, jaguars, dogs, cows, horses, chinchillas, trees and blizzards. We write this message full of pride, with a great mocking grimace on our faces.

The punishment for breaking the fear and the monotony of sterile grandiloquent words, we have always known, is death or prison. Since we were little we have known it.

And here we are, crashing into a wall in the middle of a beautiful and dizzying journey that here, only begins.

With our hearts clenched, missing and loving, we chew our sorrows and sigh in this frenzy that was created to torment and undermine.

Prison is a portal to a world of much pain. Where the machine seeks for the individual to catalyze his sorrows, in an uncontrollable violent and authoritarian dehumanization.

A feudal micro-society extremely suffocating and crude.

In a mixture, with a reality show directed by armed gendarmes and their cameras.

The myth of rehabilitation in here is unmasked, between pastabase, beatings and praises of desperate rexs.

With us they will not be able to, we continue and will continue to be who we are. Embracing each other in moments of weakness, and sharpening our hatred for this bastard, apathetic – psychopathic society.

We are strong in this new friction with the established order, from Santiago 1 to the Women’s Prison of San Miguel. Never asking for forgiveness or clemency, laughing our heads off at the malicious «comrades» fanatics of inaction.

Greetings, hugs, meows and kisses to all those who are supporting us. To our families, comrades, anonymous solidarity, both in the territory and from abroad.

This could take a long time, due to the seriousness of the accusations and the traditional media circus that has been set up around the case. But they will not break us.

Forward those who prioritize actions over words.

With love, pride and wild tenderness.

-Tortu, Ita, Ru, and Panda

NEITHER GUILTY, NOR INNOCENT !!!!  
TO MULTIPLY THE GESTURES OF SOLIDARITY OF ALL KINDS  
ANIMAL LIBERATION

### **7 Dec - My Own Pearl Harbor**

*It's been ten years, almost to the day, since our comrade Daniel McGowan was released from prison. This writing is crucial.*

## **MORE:**

by Daniel McGowan (*Medium*)

December 7, 2005 was my own personal Pearl Harbor: the moment that defines the ‘before’ and ‘after’. The morning started out normal enough. I had plans to stuff some holiday cards for my job and then stop off at a sporting goods store to pick up a gift for my brother-in-law. After that, I was going to babysit for my sister, which I really looked forward to.

After some mundane hours in the office, I looked up for a second and a few men were in the doorway of my cube. “Daniel McGowan?,” they said and before I knew it, I was standing, spun around onto the desk and being cuffed. “You’re going back to Oregon” is the phrase that sent me spinning. And like that, the past had caught up with me.

Nowadays, when I smell Christmas trees, especially when they are sold on the street, I am right back there on Court Street, being led handcuffed to their waiting federal car. A brief stop at the Brooklyn Federal court happens, giving them enough of a chance to tell me that the U.S. Attorney is in town and I have a short window to make a deal.

They ask me if I know of a young man who got charged with similar actions. He pleaded out because he was hit with a 30-year mandatory minimum. I stare off into the distance, annoyed by the car heater and remembering that shit is going to feel dark before it gets better. Time to shut up and let these guys talk.

It’s late in the day and Brooklyn court is ending hearings soon. They take me to MCC in Manhattan — a disgusting prison that is now closed in the aftermath of the Jeffrey Epstein suicide. Years of complaints about conditions and brutality had no impact on MCC, but a billionaire kills himself, a guard falsifies documents, and the place is closed within a few years.

The Feds park on Centre Street and walk me to the federal building. It’s 30 degrees and I have a t-shirt and vest on. They walk me through Foley Square — a site of many huge protests in lower Manhattan and a place my supporters will rally for me a year later. I am placed in a holding cell with a thick, bound briefing book within eyesight. There is a photo of me on it — presumably put there to shock me. It’s a photo I do not recognize and I am shook.

I lawyer up, giving them the name of a lawyer who represented a friend on a protest case. He got a favorable outcome so I ask for him and the feds do not ask me any questions. They put me on the phone with the lawyer, who tells me he will come down to visit and reminds me not to talk. After the lawyer chat, where I am told I will be in court for a ‘removal’ hearing the next day, I am taken across the street, through the cold weather to MCC.

What a disorienting process. I had been arrested before for protests but nothing real. They are barking at me, “What’s your register number”, as if I am supposed to know. I tell them I have no idea. “Strip!,” they yell, and I do. Apparently, my clothes were sent to my family weeks later and completely shocked them. They felt like they were getting clothes from someone who had died. And in some ways, that’s what it was. I was not dead but my old life died that day. I was no longer an activist working on various projects in NYC. I was now defined as a ‘terrorist’.

I am brought to unit 9S — the so-called terrorist wing. We stop at the 9<sup>th</sup> floor then walk up a small staircase and down a long hallway. They pop me into a dry cell next to a loud generator and lock the door. There is a camera in the cell. The water does not work. It is cold and the tiny opaque windows are covered in snow. A few times a day I hear the Muslim men praying over the generator. I feel utterly and hopelessly alone.

This is the thing prison does. It distorts your reality. In that cell I felt as low as I had ever felt. Yet the next day, I walked into court from the holding cell in the back and to see rows of family and friends there

supporting me, meeting my eyes with looks of love and support. The juxtaposition between those two realities is stark. I use this lesson often throughout my custody — you might not see your people, and you might feel alone, but you really aren't. It practically becomes a mantra at times, especially when I got sent to an isolation unit or was being transported from prison to prison, an experience that happened way too often.

As dark as I felt, there were moments of humanity in that hellhole. I got taken to a new, unoccupied cell for some reason. It is always hard to say why the cops move you and on what schedule. I peered out of the tiny window of my cell and saw a man across the row in his cell. He smiled and held up the New York Times. "This you?," he asked. I nodded yes in response to the article about my arrest and that of six others that day around the country. I was doing my best not to cry, to just hold it together, although I had no way to communicate with my family and my requests for a phone call were ignored.

The man in the cell across from me (who held up the newspaper) told me to go to my radiator in the back of the cell. In the tiny space between the radiator and the wall my neighbor passed me a tiny golf pencil, paper and a stamped envelope, and a paperback novel. I was able to write my family that night with that paper, pencil, and envelope, a task that would have taken weeks to do without his help. That simple donation of a stamp and envelope, from this man who did not know me, mattered so much to me in that moment and allowed me to write my family and let them know I was okay. These little actions gave me faith in people and helped guide me in how I wanted to do my time.

As it turns out later, I knew of this man's case. He was a translator for a legal team and was accused of passing messages to the media from his client. He received a stiff sentence and only recently got out of prison, years after our paths crossed at MCC. He did not know me nor did he know that I was a member of the same political community as his codefendant. But it didn't matter: kindness and solidarity with another person is all that mattered at that moment.

It was the most traumatic moment of my life. Like Americans in 1941, the day has been burned into my memory. Nothing was the same after that day. My own personal Pearl Harbor.

## **8 Dec - Jury Finds ex-Warden Garcia of FCI Dublin Guilty of Sexual Abuse**

*Jury Finds Former Warden Guilty of Sexual Abuse, Survivors of at FCI Dublin and Advocates Call for Systemic Accountability and Change*

### **MORE:**

by Bob Egelko (*San Francisco Chronicle*)

The former warden of the federal women's prison in Dublin was convicted Thursday of sexually abusing inmates, charges that have also been leveled against guards and a chaplain at the troubled correctional facility.

After two days of deliberations, jurors in Oakland convicted Ray Garcia of all eight felony charges against him. Three of the charges, having sexual contact with a prisoner — the three victims under his supervision — are each punishable by up to 15 years in prison. He was also convicted of four counts of abusive sexual contact and one count of making false statements to a government agency.

U.S. District Judge Yvonne Gonzalez Rogers is scheduled to sentence Garcia in March, and he will remain free on bond until then.

Garcia, 55, of Merced worked for the U.S. Bureau of Prisons for 32 years. He was suspended during the investigation in July 2021 and retired after the charges were filed two months later. His job duties as warden included training prison staff on their responsibilities under federal laws against sexual contact between officers and prisoners.

"As the warden of a federal correctional institution, Mr. Garcia had a special obligation not only to ensure the safety and well-being of his wards, but also to demonstrate to his subordinate employees that unethical, corrupt, and illegal conduct from prison officials would not be tolerated," U.S. Attorney Stephanie Hinds said in a statement after the verdict. "Instead of ensuring the proper functioning of FCI Dublin, he used his authority to sexually prey upon multiple female inmates under his control."

Deputy U.S. Attorney General Lisa Monaco, the Justice Department's second-ranking official, said the verdict was an "important step in our ongoing efforts to root out sexual misconduct within the Bureau of Prisons."

Garcia's lawyer did not immediately respond to a request for comment. He can appeal the convictions.

The East Bay federal prison, with about 650 inmates, has been racked by disclosures of sexual abuse in the past few years. The Associated Press reported in February that workers and inmates have dubbed Dublin "the rape club" and that prisoners who complained about contact by guards said they were ignored and even placed in solitary confinement.

The prison's former chaplain, James Highhouse, was sentenced in August to seven years in federal prison after pleading guilty to five felony charges of sexually abusing an inmate, who prosecutors said had come to him for "spiritual guidance," and lying about it to federal investigators. A former guard, Ross Klinger, pleaded guilty in February to three counts of sexual abuse and awaits sentencing. Former guard John Bellhouse has been charged with sexually abusing three inmates and is scheduled to go to trial in June.

In October, another former guard, Enrique Chavez, pleaded guilty to abusive sexual contact with an inmate. Chavez, 50, worked as a food supervisor and foreman in the prison pantry. Prosecutors said he admitted in his plea agreement that in October 2020, when a woman he was supervising was in the pantry, he locked the door, then put his hand inside her underwear, touched her genitals and then touched her breasts. He is scheduled to be sentenced in February.

Garcia was the first defendant to go to trial. He was promoted from associate warden to warden at the prison in November 2020. The charges involved incidents from December 2019 to July 2021.

Prosecutors said he had sexual contact with one woman from December 2019 through March 2020, in a prison visitation room, a bathroom and an inmate clothes-changing stall. He abused another woman from March to September 2020 in the prison's electric shop, and the third from January to July 2021 in her cell and a prison warehouse, according to trial testimony.

According to the charging documents, when one of the women tried to push him away, he put his hand on her genitals. He also asked the same woman and at least one other inmate to take off their clothing, snapped pictures of one woman in her cell and showed her photos of his genitals on his cell phone. Prosecutors said he tried to discourage one woman from reporting his conduct by telling her he was a close friend of the prison's investigator and would not be fired.

The charging documents also said law enforcement officers found hundreds of sexually graphic photographs, such as photos of male and female genitals and nude photos of Garcia, on a work cell phone, and several nude photos of the prisoner on Garcia's personal computer.

Garcia denied the accusations. His lawyer, James Reilly, told the jury that Garcia was recognized "as an absolutely outstanding correctional officer" and added, "No one gets to have that kind of success and that kind of reputation by fiddling around on the side with inmates," according to Courthouse News Service. Reilly also said there were 198 cameras in the prison but no photo showing Garcia having any sexual contact with an inmate.

In response to the verdict, the U.S. Bureau of Prisons issued a statement saying it "strongly condemns all forms of sexually abusive behavior" and that these events "were the result of the criminal actions of a staff member who clearly abandoned his training, ethics and morals."

"We are grateful to our law enforcement partners for the assistance they provided in bringing to justice an individual who so egregiously violated a position of public trust," the bureau said.

### **10 Dec - Illustrated Guide Version 15.8 Uploaded!**

*We've finished the latest version of the NYC ABC "Illustrated Guide to Political Prisoners and Prisoners of War" and it's available for viewing (and download) by clicking on the link at [nycabc.wordpress.com/2022/12/10/guide\\_15\\_8](https://nycabc.wordpress.com/2022/12/10/guide_15_8). This update includes updated mini-bios, photos, and address changes for several prisoners.*

### **11 Dec - Man, 20, sentenced to six years in prison for destruction of Aurora courthouse during 2020 protests**

*Jordan Joseph White pleaded guilty to two felony counts, including inciting a riot and fourth-degree arson.*

#### **MORE:**

by Sam Tabachnik (*The Denver Post*)

A 20-year-old man in Arapahoe County was sentenced to six years in prison for his role in causing destruction to the Aurora Municipal Courthouse during the 2020 protests against police brutality and racial injustice.

Jordan Joseph White pleaded guilty to two felony counts, including inciting a riot and fourth-degree arson, the 18<sup>th</sup> Judicial District Attorney's Office announced Monday in a news release. Prosecutors initially charged White with six counts, including first-degree arson.

The charges stem from incidents on July 25, 2020, when protesters converged on the Aurora Municipal Center Complex after a march for racial justice along Interstate 225 and outside Aurora's city buildings. Protests had been centered in Aurora throughout the summer in the name of Elijah McClain, an unarmed Black man who died after police attempted to arrest him and paramedics injected him with Ketamine.

Prosecutors alleged that White and others tore down protective boarding outside the courthouse, smashed the windows and launched fireworks at police officers and inside the building. Authorities said five courthouse employees were trapped inside the building, and the crowd caused more than \$74,000 in property damage.

"During the investigation, White was identified on surveillance video wearing military-style fatigues, smashing windows, directing other rioters, and throwing lighted fireworks into the building through the broken windows," the DA's office said in the news release.

Judge Ryan Stuart, according to the DA's office, told the court before imposing his sentence that "(a)ttacks on our temples of democracy — our capitols and our courthouses — must be met with swift justice."

### **14 Dec - Situationist Film: Now and Then, Then and Now**

**WHAT:** Movie Night

**WHEN:** 7:30pm, Wednesday, December 14<sup>th</sup>

**WHERE:** Woodbine - 585 Woodward Avenue, Queens

**COST:** FREE

#### **MORE:**

Our screening series presents "Situationist Film: Now and Then, Then and Now", with films by Guy Debord, Sherry Millner & Ernie Larsen. Millner and Larsen will join us for a discussion following the screening.

*Guy Debord's On the Passage of a Few Persons Through a Fairly Short Unity of Time, 20 minutes, 1959*

*Partial Critique of Separation, 19 minutes, 2008-2012*

*DISASTER, 30 minutes, 1976*

*Graven Images, 5 minutes, 2010*

Sherry Millner makes films, videos, photo-texts, book, curatorial and other research projects, exhibited in festivals, museums, cultural centers, squats, windows, storefronts and on walls. She co-created the collaborative video project State of Emergency (2003-2008). The video essay How Do Animals and Plants Live? was screened this year at the Social Justice Film Festival in Chennai, India, at the Small Axe Festival in Great Britain, and ChangeFest in Atlanta, Georgia. She co-curated Disruptive Film, a two volume DVD set of experimental short-form radical films and videos. She loves postcards.

As an exponent of oppositional culture, Ernie Larsen is a novelist, filmmaker, and media critic. He has collaborated with Sherry Millner on photo-text projects and many films including Rock the Cradle on the December '09 uprising in Greece and How Do Animals and Plants Live?, on the demolition of a self-organized migrant squat in Thessaloniki, and 41 Shots, the first film to skewer the racist 'broken windows' theory of policing that underpinned the notorious murder of Amadou Diallo in New York City. He co-curated Disruptive Film: Everyday Resistance to Power, two DVD sets of short-form experimental political films from 26 countries. His most recent book is The Trial Before the Trial.

## **18 Dec - Holiday Card Writing Party with Black & Pink**

**WHAT:** Holiday Card Party

**WHEN:** 4:00pm, Sunday, December 18<sup>th</sup>

**WHERE:** Interference Archive - 314 7<sup>th</sup> Street, Brooklyn

**COST:** FREE

### **MORE:**

Join Interference Archive and Black and Pink for a reading and discussion event on carceral justice and holiday card writing session on December 18<sup>th</sup> from 4-7pm. This is the first event of a reading series we've organized in conjunction with our current Defund / Defend exhibition about the history of activism against police brutality.

We'll gather for an informal discussion about the impact of incarceration on families and to write holiday cards to send to LGBTQ+ incarcerated people as part of Black and Pink's Holiday Card Campaign. We'll be reading and discussing "A Son's Fight for His Father's Freedom", a short essay by Russell 'Maroon' Shoatz, an ACLU article about family separation and mass incarceration, and Mariame Kaba's children's book Missing Daddy.

We'll have snacks on hand and some local student abolition activists will share a new zine they developed on ways to support incarcerated people and their families.

We'll also be collecting donations at the event for Haymarket Books Not Bars Program, which provides free books to incarcerated people.

Can't attend in person? You can still read along with us, support Haymarket, and participate in the Black and Pink Holiday Card Campaign online. And stop by the archive during our open hours between now and January 29<sup>th</sup> to check out Defund / Defend and to pick up a copy of our free abolition zine!