



POST OFFICE BOX 110034 BROOKLYN, NEW YORK 11211

Updates for January 10th

13 Dec - After 41 Years in Prison, Mumia May Finally Get a Chance for New Trial

Evidence suggests the prosecutor in Mumia's trial bribed star witnesses to testify and wrongly excluded Black jurors.

MORE:

by Marjorie Cohn (*Truthout*)

Award-winning journalist and author Mumia Abu-Jamal has been in prison for 41 years in a case infused with racism. The 68-year-old is a former Black Panther and the author of a dozen books, including the celebrated *Live from Death Row*. After his 1982 conviction in the killing of police officer Daniel Faulkner, Abu-Jamal was sentenced to death. In 2011, his sentence was reduced to life without the possibility of parole. Abu-Jamal has a serious heart condition and other life-threatening health problems.

Faulkner stopped Abu-Jamal's younger brother William Cook on the morning of December 9, 1981. Abu-Jamal, who was driving a taxi, coincidentally drove by and came to his brother's assistance. Following a shootout, Faulkner was shot and killed. Abu-Jamal was shot in the stomach.

On December 16, Judge Lucretia Clemons in the Philadelphia Court of Common Pleas will decide whether Abu-Jamal will receive a new trial. His attorneys, Judith Ritter, Samuel Spital and Bret Grote, argue that if the jury had heard newly discovered evidence that was withheld from him and not presented at his murder trial, Abu-Jamal would not have been convicted. On October 26, Clemons indicated her intent to deny Abu-Jamal's petition for a new trial but she will make a final decision on December 16 after hearing from the parties in the case.

Prosecution Failed to Give Defendant Exonerating Evidence in Violation of *Brady v. Maryland*

In 2018, one month after his election as Philadelphia district attorney, Larry Krasner reported discovering six file boxes of documents that had never been disclosed to Abu-Jamal's lawyers. They were labeled "Mumia" or "Abu-Jamal." The defense first received them in January 2019.

The newly discovered boxes contained material evidence suggesting that one of the government's star witnesses had been offered a payoff for his testimony, and the other eyewitness to the shooting had been promised leniency in her pending criminal cases in exchange for her testimony. There was no other evidence directly connecting Abu-Jamal to the killing.

These boxes also held the prosecutor's handwritten notes indicating he was discriminatorily excluding Black people from Abu-Jamal's jury.

Since Abu-Jamal's murder trial, flaws and inconsistencies have come to light leading to widespread calls around the world for his release. His case has become a cause celebre, emblematic of racism in the criminal legal system.

"It shocks the conscience that in a post-George Floyd world, Abu-Jamal won't get relief. He was beaten within an inch of his life by police after having been shot in the stomach by Officer Faulkner," Johanna Fernández, an associate professor of U.S. history, wrote to *Truthout* in an email.

"The prosecutor bribed a testimony out of star witness Robert Chobert, who was driving with two DUIs, no license and had been convicted of throwing a Molotov Cocktail into a schoolyard. The judge was overheard

saying by a court stenographer, ‘I’m going to help them (the jury) fry the nigger,’” Fernández, who is the writer and executive producer of the film *Justice on Trial: The Case of Mumia Abu-Jamal*, added. “The only thing Mumia is guilty of is having survived an encounter with the dirty Philly cops, under investigation at the time by the DOJ for brutality, corruption and tampering with evidence to obtain convictions.”

The Supreme Court held in *Brady v. Maryland* that when the prosecution suppresses evidence favorable to the accused, it violates due process if the evidence is material to guilt or punishment, regardless of the good faith or bad faith of the prosecutor. There is a Brady violation when there is a “reasonable probability” that if the evidence had been disclosed to the defense the result of the trial would have been different.

The Star Prosecution Witness Was Apparently Offered a Payoff for His Testimony

One of the new documents was a letter from witness Robert Chobert to the prosecutor Joseph McGill that suggested a payoff in exchange for his testimony against Abu-Jamal. “I have been calling you to find out about the money own [sic] to me. Do you need me to sign anything. How long will it take to get it,” Chobert wrote.

In their petition, Abu-Jamal’s attorneys argued that this letter suggests Chobert “understood there to be some prior agreement or understanding between himself and the prosecution, such that the prosecution ‘owed’ him money for his testimony.”

The newly discovered letter corroborates Chobert’s trial testimony that the prosecutor offered to reinstate his suspended taxi drivers license if he retracted his claim that the shooter, who did not look like Abu-Jamal, had run from the scene.

There is a reasonable probability that but for the prosecution’s failure to give this letter to the defense, Abu-Jamal would not have been convicted of murder.

The Other Witness to the Shooting Likely Received Leniency for Her Testimony

Cynthia White was the only other witness besides Chobert who testified that she saw Abu-Jamal shoot Faulkner. A sex worker who was vulnerable to coercion, White was also apparently promised inducements for her testimony. At the time of the trial, she was in prison in Massachusetts and there were five criminal cases pending against her.

The newly discovered boxes included letters from the district attorney’s office to prosecutors handing White’s five current cases. These letters, according to Abu-Jamal’s attorneys, “reveal a concerted effort by Mr. McGill and several Philadelphia D.A. Unit Chiefs to bring Ms. White back from Massachusetts, secure an early trial date in order to expedite her release, and ultimately allow her cases to be dismissed for lack of prosecution.”

Abu-Jamal’s lawyers maintain that this favorable treatment was calculated to make “life easier for her in exchange for her testimony against Abu-Jamal.”

In addition, Yvette Williams, also a former sex worker, swore in a 2002 affidavit, “I was in jail with Cynthia White in December of 1981 after Police Officer Daniel Faulkner was shot and killed. Cynthia White told me the police were making her lie and say she saw Mr. Jamal shoot Officer Faulkner when she really did not see who did it.”

There is a reasonable probability that Abu-Jamal would not have suffered a murder conviction if the prosecution had provided these letters to the defense.

Moreover, if the letters regarding inducements to both Chobert and White had been disclosed, there is an even greater chance that Abu-Jamal would have been acquitted of murder. They were the only witnesses who testified that Abu-Jamal was the shooter.

Judge Clemons wrote in her notice of intent to dismiss that any Brady error was not material (prejudicial) because Abu-Jamal would have been convicted anyway. Abu-Jamal's lawyers responded that the prosecutor relied heavily on the credibility of Chobert's testimony in his closing argument. They also responded that although White was impeached at trial with her numerous prior criminal charges, she was not confronted with the prosecutor's promise of leniency (which the defense did not know about at the time of trial).

The Prosecutor Indicated Intent to Exclude Black Jurors in Violation of *Batson v. Kentucky*

In *Batson v. Kentucky*, the Supreme Court held that a Black defendant is denied equal protection when members of his race have been purposefully excluded from the jury. The defendant must make a prima facie case by showing that the prosecutor exercised his challenge on the basis of race. Then the prosecutor must present a race-neutral reason from excluding the juror. The court then decides whether the defendant has demonstrated purposeful discrimination.

The newly discovered boxes contained prosecutor McGill's handwritten notes which show that he marked a large "B" next to potential jurors who were Black. During voir dire, 10 of the 15 people McGill struck from the jury were Black. He thus prevented 71 percent of prospective Black jurors from serving on Abu-Jamal's jury.

It is "not surprising" that McGill used 10 of his 15 challenges to exclude qualified Black people from Abu-Jamal's jury, attorney Heidi Boghosian, former executive director of the National Lawyers Guild, wrote in an email to *Truthout*. "Philadelphia has a deep-rooted *Batson* problem, or racial discrimination in jury selection," Boghosian wrote. "From 1977-1986, its district attorney struck 58 percent of potential Black jurors, compared with 22 percent of white ones. In the homicide cases that McGill tried from September 1981 to October 1983, he peremptorily challenged African American jurors 8.47 times more than non-black ones."

"The newly discovered evidence supports a *Batson* claim," Boghosian said. "It must be reviewed, not only in fairness to Abu-Jamal, but also to redress the city's racially discriminatory tradition."

Clemons wrote in her notice of intent to dismiss that Abu-Jamal's *Batson* claim was waived because he didn't object at trial and on direct appeal. Abu-Jamal's attorneys responded that his *Batson* claim was not waived because it was based on newly discovered evidence. They also wrote that the new McGill notes were relevant to his purposeful state of mind in exercising his challenges to exclude Blacks from the jury.

UN Experts Express "Serious Concern" About Racial Discrimination in Abu-Jamal's Case

In 2000, Amnesty International found "that numerous aspects of this case clearly failed to meet minimum international standards safeguarding the fairness of legal proceedings," and therefore "the interests of justice would best be served by the granting of a new trial to Mumia Abu-Jamal."

Twenty-two years later, UN experts are expressing "serious concern" about racial discrimination in Abu-Jamal's case. "The United Nations Working Group of Experts on People of African Descent (WGEPAD) has followed Mumia's case for years and has just filed an amicus brief for his hearing," Julia Wright, elder daughter of renowned author Richard Wright, told *Truthout*. "Given instances of the pervasive systemic racism tainting the case to this day, these experts note that international human rights law requires jurists to take responsibility for ongoing effects of racial discrimination, even decades later." Julia Wright is founder of the Mumia Health Committee, for whom she liaises with the WGEPAD at the United Nations.

According to WGEPAD's amicus brief, "a significant percentage of the police officers involved in gathering evidence and presenting the case were investigated and eventually convicted and jailed on charges including corruption and evidence tampering, information that was unavailable to the jury at the time it was assessing the credibility, tendency toward bias, and reliability of these officers."

It took 37 years for the prosecution to turn over exculpatory evidence to Abu-Jamal's legal team. If progressive prosecutor Larry Krasner had not been elected district attorney of Philadelphia, the six boxes of evidence would still be collecting dust. It is high time to grant Mumia Abu-Jamal a new trial in which a jury that hasn't been selected in an overtly racist manner can hear all the evidence.

29 Dec - Great News About the Atlanta Forest Defender Prisoners

During the last police attack against the Atlanta Forest Defenders, six people were arrested and sent to jail on terrorism charges for simply sitting in treehouses to stop the felling of trees for the building of a new police training city and a sound stage.

MORE:

via *UNOFFENSIVE ANIMAL*

We have received the news that after multiple court appeals, all the arrestees have been granted bail and will be able to come back out to loved ones instead of spending any more time in jail until their case is heard in court.

We have taken down the mailing information about the defendants, but remember that many other prisoners remain locked up. Please write a letter to someone today: unoffensiveanimal.is/prisoner-support

We could not be happier to hear the news and want to send all the love and support to everyone who have had to endure the prison system for the protection of the Atlanta Forest.

Welcome back to the woods.

PS: Atlanta Defence Fund is still up and in need of support, the defence work will still need to carry on until court and lawyers fees are expensive. If you can afford it, please drop them some coins:

atlsolidarity.org

January 3rd - Injunction denied near 'cop city' site, but stop work order in place

by Tyler Estep (*The Atlanta Journal-Constitution*)

A judge last week denied an injunction sought to halt further environmental "destruction" at a controversial property near the site for Atlanta's proposed public safety training center, saying a stop work order issued by DeKalb County was sufficient to address the matter.

The judge also said keeping left-wing activists away from the site was vital.

DeKalb County Superior Court Judge Stacey Hydrick rebuffed the latest arguments of an attorney for the South River Watershed Alliance, South River Forest Coalition and others behind a lawsuit seeking to reverse a 2021 land swap between the county and Ryan Millsap, the founder of Blackhall Studios.

The 40-acre property in question is the now-former site of Intrenchment Creek Park's South River trailhead.

In part because of the nature of the transaction, the Millsap property became a secondary target for anarchists, police abolitionists and other left-wing groups trying to stop Atlanta from building its \$90-million training center on another, nearby stretch of forest.

The same activists who first took up residence on the training center site more than a year ago also commandeered the land swap property, creating their own makeshift barriers, destroying property and attacking law enforcement and contractors entering the site.

“I think, frankly, the damage that’s been done by those folks who are inhabiting it is far worse than anything that anybody else is doing at this point,” Hydrick said during the Dec. 28 hearing. “And they need to get out of there. “After law enforcement cleared activists on both sites Dec. 13 — in an operation that resulted in six people being charged with weighty domestic terrorism charges — crews working for Millsap demolished a gazebo, tore up concrete walking paths and cleared trees on the property.

The more mainstream advocacy groups challenging the land swap subsequently asked a judge to issue an injunction halting any further demolition or tree removal on the site. Attorney Kasey Sturm argued that Millsap “has and continues to impede access to public park land and trails as well as destroy public park land, trails, and other amenities, without authority or right to do so.”

While the larger lawsuit challenging the land swap as an “unlawful conversion” of public land is still pending, the transaction was closed in Feb. 2021. Millsap and Blackhall Real Estate Phase II are the current owners of the property.

In a written affidavit submitted to the court ahead of last week’s hearing, Millsap wrote that he’d had underbrush and vegetation cleared in order to “create [a] larger gap of visibility into the property to discourage the Anarchists from returning and to assist law enforcement in being able to see trespassers who might hide and ambush them.”

“We are also tearing down trees in which the Anarchists have constructed their treehouses where they sleep and from which they can attack law enforcement and anyone associated with Blackhall,” Millsap wrote. “We have also removed concrete paths to make traversing the property much less convenient and easy to the Anarchists.”

Sturm, the attorney for the South River advocacy groups, argued in court that Millsap was doing such work without proper permits or permission from the county.

The county seemingly agreed on that end, and it issued a stop work order for the property the night before the hearing. That order — which a county official confirmed was still active Tuesday — cited “land disturbance without a permit” and “illegal tree cutting.”

It said citations could be issued if further activity takes place without proper permitting.

Hydrick said that was enough to address the matter at hand, which she called an issue between DeKalb and Millsap.

The judge said Sturm had also not shown the necessary evidence to prove “irreparable harm,” or that an injunction would serve the public interest — adding that the latter would involve “getting all these folks off this property, first and foremost.”

During court appearances the day prior, the six “forest defenders” charged last month with domestic terrorism were granted bonds ranging from \$6,000 to \$13,500.

DeKalb jail records showed five of the defendants were released on Dec. 29. The sixth was released a day later.

All were ordered not to return to the training center site or contact each other, or other activists.

29 Dec - Tell Biden: Daniel Hale Should Not Be In Prison!

Air Force veteran Daniel Hale just spent his second New Year's in prison.

MORE:

At sentencing, the Judge recommended him for a low-security medical facility, but as retaliation for telling the truth, he was placed in a unit nicknamed "little Gitmo," originally designed to house terrorists. He is far more isolated from his support network, unable to receive the care he needs, and has more restrictions on his communications than prisoners on death row.

Earlier this year, Daniel applied to be transferred to the type of treatment program he was recommended for at sentencing, but in the CMU, the counter-terrorism unit gets a veto over such therapeutic programs. His application was denied. They still label him a threat.

As journalist Spencer Ackerman put it recently: "It's a grim and unforgivable irony of the war on terror that the slogan, 'if you see something, say something', doesn't apply to people with a close-up view of the horrors and injustices committed in the name of counterterrorism."

Daniel Hale is not a threat. His "crime" was exposing inaccurate drone targeting and grossly under-reported civilian deaths. I have never seen a case so deserving of clemency. As Representative Ilhan Omar said: Daniel's case is exactly what the presidential pardon power is for.

If you haven't already, I encourage you to sign the petition to President Biden to free Daniel Hale. You can learn more about his case at standwithdanielhale.org

We will continue to vigorously defend Daniel, and fight for his freedom and the public's right to know what is done secretly in our name. Thank you again for your support - your donations enable us to defend the truth-tellers that others can't or won't.

1 Jan - New Writing by Eric King

Eric is scheduled to be released as early as Summer 2023. You can contribute to his release fund at tiny.cc/EK_Release and read his latest to get you inspired to help out.

MORE:

January 1st - Things I wish I knew 9 years ago

1. It can always get worse... at CCA I thought nine months segregation pre-trial was wretched and surely illegal torture at Englewood low, I was stunned by the harassment that SIS would engage in and the bullshit they put my family through... At Florence medium I was enraged by how long it took emails and books to get through... since I've gone YEARS without visits, calls, mail, radios, I've been hospitalized by staff, been deprived basics like clothes, food and mail... They can always turn up the heat... And they will in accordance to your spirit and resistance.
2. Most people you meet won't be anti-government, anti-cop, or even anti prison... they will hate these institutions in relation to how they oppress them, but not the wider spectrum... This is why radicalization inside is so important and difficult; convincing someone who thinks Michael Brown "deserved it" that they are wrong and misguided is infuriating, yet necessary work.
3. No matter what custody level you're at being respectful and having a routine is VITAL. Eric McDavid hipped me to this at Englewood, but because I was surrounded by creeps, narcs and old folk, it didn't seem relevant. I would learn though. Having the routine gives you a day structure and a bit of purpose, it gives meaning to a life that at times can feel meaningless. Being active keeps your brain up also... with respect, it's just a good idea in prison and in life really. About 80% of my issues implied can come from reckless talk and could have been avoided.
4. You'll meet some really good people. People who will look out for you, fight for you, celebrate and mourn with you. You will not always agree on ethical or political issues, but if you push away everyone you will be wildly isolated and that is dangerous ... You need people to have your back

from other prisoners and from staff... Accept the friendship and use it to try to open minds and hearts.

5. People who “support” you can be real friends, keep yourself open and don’t worry about posturing to impressed... To feel as if you “deserve” support or friendship... Some will stick around, some will fall off, neither is an implication of your worth... it’s OK to be you... To love Taylor, to feel for Ted, to have a complicated relationship with the church, to love English football while hating the English empire... be yourself and to be open to love and friendship.
6. You don’t have to accept support from people or groups that make you feel conflicted... there’s no obligations... you can speak up and say “no thanks” without feeling guilty or self-sabotaging. Trust yourself.
7. Grow out your hair. Having long hair is fun, though also being a pain in the ass to dry.
8. ASK For the help you want, trust the people who love you to back you. Be proactive with projects you want to start, believe in yourself and your ideas I took too long and people had to tell me it was OK to have wants and needs and to voice them. Prison is more enjoyable when you’re involved in things that make you feel good.
9. Being anti-fascist, anti-racist, or a political prisoner does not remove you from the bullshit inside. You still live in this realm and have to follow basic guidelines... feeling outside it all will cause issues early on... you gotta find ways to walk the line while maintaining your ethics... you have to eat with potentially hateful people, but you don’t have to laugh at their nastiness. Be creative, you’ll find ways... like you can’t work out with other races, but you can teach and take classes with them... there are ways, but be safe. You are not above it all.
10. Don’t let people try to buddy hustle you for drug money under the guise of mutual aid... folks will try to use your ethics against you... manipulation is real and so is scheming. People will pretend to share radical ideology, pretend to be interested... then use solidarity to scheme, steal addresses, steal phone minutes, et cetera. Fuck them. There are trash people inside, just like outside.
11. Never, ever, let yourself be a victim.
12. Feel the hurt, be vulnerable with those you love and trust, let yourself stay human, not an institutionalized robot. You’re in this world, but it isn’t your world, there’s so much more to your life an existence than your captivity.
13. Fight to win.

January 7th - “Just some sad X-mas poems”

More than coffee or peanut butter
Or Big Bang returns all night through
more than a warm shower
or 100 laps in a loop
more than some decent toothpaste
or a couple of great books to read
would be for someone to say
“hey how are you doing,
are you OK? “
Merry Xmas

My inside bars are green
so I pretend to be in the forest
there’s predators lurking
big & small, gotta keep your wits about you
the climate is unpredictable
it just takes one miscalculation
and your ass is lost
I scrounge what I can find to eat
keep my shadows close to me
the jungle is an unforgiving place
such is the BOP

3 Jan - Help Free Ruchell Magee! In prison for 59 years!

All the information is provided below for you to write emails + letters, sign the petition, and make calls.

MORE:

Ruchell "Cinque" Magee, 1970 co-defendant of Angela Y. Davis, has been behind bars for 59 years, since 1963. He is 83 years old. Please help bring Ruchell home and end the decades of cruelty and captivity!

The struggle continues! Another year has passed and our elder, our brother, our comrade is still behind bars. Let's all commit to renewing our efforts for 2023. Here are several ways that you can help today:

SIGN THE PETITION: bit.ly/freeruchell

SEND DIGITAL LETTER TO CA GOV NEWSOM: bit.ly/write4ruchell

Call CA Governor Newsom:

CALL (916) 445-2841

Press 1 for English or 2 for Spanish, press 6 to speak with a representative and wait for someone to answer (Mon. - Fri., 9 AM - 5 PM PST / 12PM - 8PM EST)

Call Governor Newsom's office and use this script:

"Hello, my name is _____ and I'm calling to encourage Governor Gavin Newsom to commute the sentence of prisoner Ruchell Magee #A92051 #T 115, who has served 59 long years in prison. Ruchell is 83 years old, so as an elderly prisoner he faces health risks every day from still being incarcerated for so long. In the interests of justice, I am joining the global call for Ruchell's release due to the length of his confinement and I urge Governor Newsom to take immediate action to commute Ruchell Magee's sentence."

Write a one-page letter to Gov Gavin Newsom:

Also, you can write a one-page letter to Governor Gavin Newsom about your support for Ruchell and why he deserves a commutation of his sentence due to his length of confinement (over 59 years), his age (83), and the health risks of an elderly person staying in California's prisons.

YOUR DIGITAL LETTER can be sent at bit.ly/write4ruchell

YOUR US MAIL LETTER can be sent to:

Governor Gavin Newsom
1303 10th Street, Suite 1173
Sacramento, California 95814

**Email Governor Newsom
GOV.CA.GOV/CONTACT**

Navigation:

Under "What is your request or comment about?", select "Clemency - Commutation of Sentence" and then select "Leave a comment". The next page will allow you to enter a message, where you can demand:

Commute the sentence of prisoner Ruchell Magee #A92051 #T 115, who has served 59 years in prison.

He was over-charged with kidnapping and robbery for a dispute over a \$10 bag of marijuana, a substance that is legal now and should've never resulted in a seven-years-to-life sentence. Ruchell is 83 years old, so as an elderly prisoner he faces health risks every day from still being incarcerated for so long.

Write to District Attorney Gascon

District Attorney George Gascon
211 West Temple Street, Suite 1200
Los Angeles, California 90012

Write a one-page letter to D.A. George Gascon requesting that he review Ruchell's sentence due to the facts that he was over-charged with kidnapping and robbery for a dispute over a \$10 bag of marijuana, a substance that is legal now and should've never resulted in a seven-years-to-life sentence. Ruchell's case should be a top priority because of his age (83) and the length of time he has been in prison (59 years).

Visit freeruchellmagee.org to learn more! Follow us @freeruchellmagee on Instagram!

Visit facebook.com/freeruchellmagee

Endorse our coalition at freeruchellimagee.org/endorse/!

Watch and share this powerful webinar on YouTube: youtube.com/watch?v=4u5XJzhv9Hc

3 Jan - Statue of Native Activist Mysteriously Lost (and Found) in Oakland

Artist Rigo 23's statue of incarcerated Native American activist Leonard Peltier has traveled across the county, stood watch alongside the water protectors at Standing Rock, and survived bomb threats. But it almost met its demise in the back of a U-Haul truck in Oakland last month.

MORE:

by Matt Stromberg (*Hyperallergic*)

The 12-foot-high statue was the centerpiece of Rigo 23's 2021 exhibition *Time and Again* at the Richmond Art Center, whose curator, Roberto Martinez, volunteered to drive the artwork down from the Bay Area to the artist's Burbank studio. He packed the disassembled redwood, metal, and clay sculpture into a U-Haul on Thursday, December 22, and parked it outside his home in East Oakland, with the intention of delivering it the next day.

"He wakes up and there's nothing there," Rigo 23 told *Hyperallergic*. "He calls and says, 'I have news and it's not good.'" Martinez began driving all over town frantically looking for the U-Haul, while police and even a private investigator aided in the search. Rigo has never put a price on the work, but estimates its worth at \$100,000.

Rigo 23 (born Ricardo Gouveia) made this sculpture in 2016, after an initial design made of clay, based on a self-portrait that Peltier made in prison in a pose reminiscent of Rodin's "The Thinker." In December 2016, the statue traveled to Washington, DC, where it was installed on the campus of American University. On its cross-country journey to DC, it stopped at Standing Rock, the Pine Ridge Reservation, Alcatraz, and other sites, where individuals stood on its momentous feet, acts of solidarity documented in photos. Soon after it was installed, however, the university received a bomb threat and a letter from FBI Agents Association requesting its removal, which the school acquiesced to.

Peltier is a Native American activist who was sentenced to two consecutive life sentences after being convicted of murdering two FBI agents in a 1975 shootout on the Pine Ridge Indian Reservation in South Dakota. He has always maintained his innocence, and a movement for clemency has been ongoing for decades, with one of the original prosecutors in the case asking for clemency in 2017

After the truck theft, a few days passed with no leads. "It's a living monument. The feet are charged with the energy of 1000 people," Rigo said. "I was particularly distraught that the feet would be destroyed." The following Tuesday, a woman named Darby identified the truck based on the license plate she had seen in a news story about the theft, and the police eventually found the car abandoned on East 22nd Street by Lake Merritt. Racist graffiti, including the n-word, was scrawled on the truck, and the sculpture's left arm was missing, but it was otherwise intact.

Despite the controversy the statue has elicited in the past, and the significance of Peltier's legacy, Rigo doesn't think it was a targeted attack — instead, he said, it was probably someone's "last-ditch effort" to stave off the worsening scourge of poverty in the Bay Area.

"At first we didn't know how to interpret this theft, but as the days passed, it became clearer that in all likelihood this was just another U-Haul truck theft in the Bay Area," he told *Hyperallergic*. "One more episode of societal breakdown in an area where teachers cannot afford to live near the schools nor the students they are supposed to nurture and teach."

He added that when it was eventually found, the truck contained a baby stroller and shopping cart, "icons of urban homelessness in the USA."

A few days later, Rigo received a message from an Instagram user who sent a photo of a dog standing on the sculpture's missing arm outside an RV encampment. Martinez and a police officer went to the site, and, with a long pole with a loop on the end used to restrain dogs, hooked the arm and dragged it over a makeshift fence.

The Leonard Peltier statue, a bit worse for wear, is now safe in Rigo's studio. He plans to send it to South Dakota at the end of February for a commemoration of the 50th anniversary of the Wounded Knee Occupation of 1973.

3 Jan - Noise Demos Ring In New Year Against Backdrop of Increasing Police Violence and Growing Prisoner Resistance

On New Year's Eve, anarchists, abolitionists, and angry community members across the so-called United States, Canada, and the world, all took part in yearly noise demonstrations outside of jails, prisons, detention centers, and juvenile hall facilities.

MORE:

Several communities used noise demonstrations to highlight ongoing campaigns and denounce recent deaths inside various facilities, such as in Tucson, AZ and Norman, OK. In Brooklyn, NY, for two nights people marched and rallied, protesting the 19 deaths that took place throughout 2022 on Rikers Island. In central California, people across the state converged on Corcoran prison, the site of ongoing organizing on both sides of the prison walls.

This year's noise demonstrations took place against a backdrop of escalating police violence, which has only ramped up in the wake of the George Floyd uprising. According to Samuel Sinyangwe of Mapping Police Violence, "Police killed more people in America in 2022 than any other year on record. At least 1,176 people were killed by police nationwide – 3.2 killings per day," while funding for police departments has only increased.

Meanwhile at the US/Mexico border, the Biden administration continues to separate children from their families and has pushed to expand Title 42, to bar asylum seekers from a variety of countries in the global South. As *Truthout* wrote:

Though the Biden administration has been attempting to end Title 42 in court, it is still enforcing inhumane anti-immigrant policies, fighting elsewhere to dismiss families' lawsuits over the cruel family separation policy at the southern border and continuing to detain immigrants in prisons.

US prisons, jails, and detention facilities in 2022 were also the site of ongoing mass resistance in 2022. This spring saw continued hunger-strikes at the Northwest Detention facility in Tacoma, Washington. In the fall, thousands of prisoners across Alabama launched a general work strike and issued a series of demands. On January 6th, prisoners across Pennsylvania will launch another strike and have already issued a set of demands. As Kim Kelly wrote:

On January 6, incarcerated workers across Pennsylvania will launch a statewide strike in solidarity with the Alabama strikers, and in protest of the inhumane policies to which they and other incarcerated workers are subjected by the state of Pennsylvania and the U.S. carceral system writ large. They announced their intention to strike with a November 26 communique that was circulated on social media and within the broader abolitionist community. Organized under the name Subaltern Peoples Abolitionist Revolutionary Collective (SPARC), the workers outlined their demands while castigating the Pennsylvania Department of Corrections (PA DOC). "The PA DOC is the enemy of public safety," they wrote. "It is the enemy of human decency."

Check out our roundup of New Year's Eve noise demo actions below. For coverage of past years, visit itsgoingdown.org/international-call-for-new-years-eve-noise-demonstrations-5

4 Jan - Community Defends Library Event in New York Against Violent Police, Proud Boys and Neo-Nazis

Report on recent mobilization against Proud Boys and neo-Nazis who threatened a drag event at a library.

MORE:

by United Against Racism and Fascism (*It's Going Down*)

We are an autonomous collective of antifascist neighbors, parents, educators, and community members. We are not paid by the library or Drag Story Hour, nor are we volunteers. We are New Yorkers standing up to vile bigotry against the LGBTQ+ community.

Over the past few months, the far-right has taken to harassing, intimidating, and attacking drag story hours across the country. For these people, it's not about "protecting children" — it's about giving a new spin to their ongoing targeting of LGBTQ+ people.

In New York City, the primary group protesting against Drag Story Hour (DSH) is a flock of roughly a dozen conspiracy theorists who found each other at far-right and anti-vaccine rallies. The group first started showing up at a DSH on September 24, 2022, where they attempted to disrupt an open air story hour in Jackson Heights. The group's harassment has since escalated. On three occasions, its members breached library doors. On December 17, they attempted to storm the Andrew Heiskell Library, and were stopped by community members blocking their way. They also vandalized the homes and offices of three NYC Council Members with anti-LGBTQ+ hate slurs.

Given this escalation, it's no surprise that on December 29th — their 9th Story Hour — the conspiracy theorist group stood alongside at least five Proud Boys and two Nazis.

But even with their forces combined, the conspiracy theorists, Proud Boys and Nazis were far outnumbered by community members who showed up to defend Drag Story Hour last Thursday. Thanks to this incredible turnout, 70 parents and children were able to enter and exit the library safely, without interference. The story hour even reached maximum capacity, so we improvised an outdoor overflow room where a performer read T'was the Night Before Pride.

The atmosphere outside the library was filled with joy, music, love, and community. Defenders sung Disney and Abba songs, drowning out the other side's weak chants. We had rainbows, cheerful signs, stickers, coloring books, performance artists, and so much more. Our safety team and medics were there to ensure the safety of the families and performers the entire time. We were in every way the opposite of the hateful groups who had hoped to intimidate us away.

We cannot write this statement without mentioning the NYPD's behavior throughout the afternoon. First, NYPD officers put up barricades around the library entrance that were not conducive to a proper door defense, and additionally made it difficult for library-goers to access the building. Then, the NYPD began to crush library defenders between barricades and cars. They violently arrested a comrade who they were crushing. Officers also used batons on the bodies of defenders, hitting one in the stomach. Let us not forget that the NYPD has a long record of homophobia and transphobia and a history of making arrests at LGBTQ+ events and protests, including at Pride.

Cops then not only escorted two Nazis to their car, but, later in the evening, escorted Proud Boys into the 74th Street/Roosevelt Avenue Jackson Heights subway station without them paying the fare. (This is not the first time the NYPD has escorted Proud Boys.)

At best, cops who show up are unable to identify and keep the harassers away. At worst, they provide an escort to violent far-right actors, arrest defenders, and brutalize the local community.

The best defense is community defense. We know who's trying to invade the libraries. We know what they look like and what their names are. We are trained in door defense, first aid, escorting, and protecting the community. We've been defending our city from fascists for years. We are continuously working to improve our tactics to ensure the safety of families, performers, and library staff.

We will never stop protecting our LGBTQ+ spaces from violence and hate. We are not going anywhere.

21 Jan - Dope is Death

WHAT: Dope is Death film screening

WHEN: Saturday, January 21st, 2023 at 8pm

WHERE: P.I.T. Brooklyn - 411 South 5th Street, Brooklyn, New York 11211 (Directions below)

COST: Free, but we will have information to donate to Mutulu Shakur's release campaign

MORE:

Join NYC Anarchist Black Cross for our first installment of a winter film series. We're starting off with a screening of Dope is Death, the 2020 documentary.

From IMDB:

In 1973, Dr. Mutulu Shakur, along with fellow Black Panthers and the Young Lords, combined community health with radical politics to create the first acupuncture detoxification program in America. This form of radical harm reduction was a revolutionary act toward the government programs that transfixed the lives of black and brown communities throughout the South Bronx. Dope is Death utilizes an abundant archive while giving us insight into how the acupuncture clinic rose to prominence and, despite funding challenges, still functions to this day. Some of those who benefited from the program became acupuncturists themselves. Dr. Mutulu's legacy is cemented within this profound story of community healing and activism.

This event comes on the heels of Dr. Shakur's release December 16, 2022 from federal prison after serving 37 years. From Family & Friends of Mutulu Shakur:

Today, the morning of December 16th, 2022, Dr. Mutulu Shakur was released from prison on parole! The decision to grant parole is based on federal law guidelines for "old law" prisoners, finding that Dr. Shakur poses no threat to the community, taking into consideration his exemplary conduct in prison, his medical condition and how much time he has served. Mutulu is now with his family. This victory was secured by the steadfast support of his legal team, his family and his community comprised of all of you.

Family & Friends of Mutulu Shakur (FFMS) is greatly appreciative of everyone's support over the course of Mutulu's decades in prison. We ask that everyone respect Dr. Shakur's privacy while he spends the holidays with his family and concentrates on his health and healing.

Support Dr. Mutulu as he adjusts to life on the outside by donating to his support crew directly.

Letters and packages may be sent to:

Dr. Mutulu Shakur c/o

Hirano Acupuncture Clinic

1139 North Brand Boulevard, Unit B

Glendale, California 91202

Getting to P.I.T.:

J/M Train - Get off at the Hewes stop walk south on Broadway for ~half a block, turn left on Hewes Street. It will be on the corner of South 5th Street and Hewes.

G Train - Get off at the Broadway stop and walk north on Union Street to South 5th Street, take a left on South 5th Street and it will be at the end of the block on the right.