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Updates for February 7th

20 Jan - Little Turtle's War

This is an update on David Peisner's story, "The Forest for the Trees" which was first published on December 13, 2022.

MORE:

by David Peisner (*Bitter Southerner*)

I didn't know Manuel Teran as Manuel Teran. To me, Manuel was Tortuguita. Like pretty much all the forest defenders I met while reporting on the protest movement that has emerged in opposition to the city's plan to build a police training facility in a forest in south Atlanta, Teran went by a forest name in order to maintain anonymity. At one point, Teran — who preferred they/them pronouns but was not particularly concerned when an early draft of my story, "The Forest for the Trees," failed to use them — wanted me to refer to them in the story as "[Redacted]," mostly, it seemed, because they thought it was funny.

But "Tortuguita," as Teran explained the first time we met, was not just a cute name chosen at random. Spanish for "Little Turtle," it was a nod to the Colonial-era indigenous military commander of the same name who led Native American forces to one of their most decisive victories against the then-nascent U.S. Army in 1791. Teran was reluctant to publicize this backstory because, as they told me, "That does not make us look like peaceful protesters. We are very peaceful people, I promise."

Teran was shot and killed on the morning of January 18, in what law enforcement officials described as a firefight during which a Georgia state trooper also sustained a gunshot wound to the abdomen. As of January 19, the trooper is in stable condition. According to Georgia Bureau of Investigation Director Michael Register, Teran, who was 26, opened fire "without warning" at law enforcement officers and was then shot in self-defense.

In the time since my story was posted last month, the situation in the South River Forest has deteriorated markedly. There were massive raids by law enforcement in mid-December that attempted to clear all of the forest defenders off the land in Intrenchment Creek Park and across the creek, on the site where the city intends to build the training facility for police and firefighters. The police reportedly used tear gas, pepper balls, and rubber bullets to help dislodge activists from tree-sits. I visited the forest immediately after these raids, and the encampments had been trashed, structures built by forest defenders had been dismantled, and a community garden had been trampled. Most of the activists had fled the forest, though several were arrested on a host of charges, including, most controversially, domestic terrorism. When I was walking through the forest, I saw a few masked forest defenders who'd surreptitiously returned to the site, but the community they'd built over the previous year was largely in shambles.

In the weeks that followed, construction vehicles tore up the concrete bike and walking path that wove through Intrenchment Creek Park, bulldozed the parking lot, destroyed the gazebo, and pulled down a number of trees. Through all the tumult, there were continued efforts by the activists to return to the forest, and a series of escalating confrontations with law enforcement, up to and including the one that took Teran's life and injured the state trooper.

At the moment, I have no real information about the series of events that morning that led to Teran's death. It is certainly possible that it happened exactly as law enforcement has described it, though it's worth noting that in past killings by police officers — including that of George Floyd — the initial narratives provided by officials have proved to be erroneous. Some may point to the origin of Teran's forest name as

evidence of their violent intent, and I suppose that that could be true, but it would not square with the person I got to know over the past six months.

Of the 40 or so forest defenders I met and spoke with during my reporting, I probably spent more time talking to Teran than anyone else. I did so not because they were a great source, but because they were great company: curious, engaging, earnest, educated, self-aware, well-read, and very funny. They loved to talk, to connect, to debate, and did so joyfully and passionately, without malice.

Teran had first come to the forest months before we met. “I fell in love with the woods and I also fell in love with the community.” The first time we spoke, they admitted that they mostly agreed to talk to me because it was raining and there wasn’t much else to do. “I was bored,” Teran said with a shrug. We talked about politics, about community building, about books, about music, about the environment, about education, about kids. Teran also spoke passionately and repeatedly about the moral and strategic virtues of nonviolent resistance.

“The right kind of resistance is peaceful, because that’s where we win,” they told me. “We’re not going to beat them at violence. They’re very, very good at violence. We’re not. We win through nonviolence. That’s really the only way we can win. We don’t want more people to die. We don’t want Atlanta to turn into a war zone.”

I’ve been thinking a lot about Teran’s commitment to nonviolence today. Law enforcement and other critics of the forest defenders have continually labeled the movement as “violent,” pointing to multiple acts of arson and property destruction as evidence. There were also incidences of throwing rocks, bottles, and — on one occasion — two largely ineffective Molotov cocktails in the direction of police. Forest defenders will point out that their movement is autonomous and decentralized, meaning that no one is giving orders or laying down rules, so there is no collective responsibility for any individual’s actions. That may be true on a theoretical basis, but in reality few people outside of the forest defenders and their ardent supporters are making that distinction. That said, until the incident that killed Teran and wounded the trooper, none of the so-called violent acts committed by the forest defenders led to any real injuries that I’m aware of. Some may consider property destruction in and of itself to be violent, but there’s been a real blurring of the lines between that looser definition of violence and the one that is aimed at actual people.

Is it possible that Teran was lying to me about their allegiance to peaceful protest? Could they just have been telling me what they thought I wanted to hear or what would look good in print? Of course, that could be true. Is it possible that in the time since we had those conversations — time during which Teran witnessed the increasing destruction of the forest — they’d been radicalized and changed their mind about violence? Sure, that’s also a possibility. But I personally saw no evidence of it.

“I’m not an adrenaline junkie,” they told me. “I don’t crave conflict. I’m out here because I love the forest. I love living in the woods. Being a forest hobo is pretty chill. Some folks probably have flashpoint moments where it’s like, ‘Oh, yes, the truck is being lit on fire!’ But not me. I love it when everything is calm.”

Teran struck me as a strategic thinker, and everything they told me about the utility of violence in this scenario remains true to this day. The forest defenders are not going to be successful trying to match the state’s capacity for violence. They simply aren’t. So if, in fact, the law enforcement narrative is true and Teran shot at police first, I find it troubling on so many levels, but I can only understand it as either a nihilistic act of desperation, or some sort of misguided effort to sacrifice themselves on the altar of the cause. We’d spoken about how the optics of a protester’s death could be fatally damaging for those who want the police training center built. As I wrote in the original story, “An activist protesting police violence being killed by police is pretty on the nose.”

In a lot of ways, the shooting feels like it was the inevitable climax of an escalating confrontation. But it wasn’t. This really did not need to happen. There were so many opportunities for de-escalation that weren’t

taken, so many ways this could have been avoided. During my reporting of this story, I had multiple conversations with people on all sides of this debate about the danger of something like this happening. No one wanted it. Yet here we are. Two people have been shot. One of them is dead. And that's a tragedy.

On some level, Teran knew the risks they were taking and was smart enough to be frightened. "Am I scared of the state?" they said. "Pretty silly not to be. I'm a brown person. I might be killed by the police for existing in certain spaces." To cope with that fear, Teran leaned on a quote from Frank Herbert's *Dune*: "Fear is the mind killer." "That's a quote I think about often. I am scared, but you can't let the fear stop you from doing things, from living, from existing, from resisting."

It's hard not to read those words with a dark, fatalistic hue now, but when they were said, the weather was warmer, the mood was lighter, and these deadly serious questions felt largely academic. Now they're not.

So what happens next? There will hopefully be a thorough investigation. More information about what happened down in the forest will come out. But what does this mean for the police training center, for Intrenchment Creek Park, for the larger vision of the South River Forest? In one conversation we had while sitting in the gazebo several months ago, Teran gamed out hypothetical scenarios that feel downright prophetic in retrospect.

"They could come in and completely destroy the place, raze it, arrest everybody that they find, kill anybody who resists arrest — they could do that, and then days later, there would be a shitload of people back here. For every head they cut off, there would be more who would come back to avenge the arrested, to avenge the ..." Teran stopped before finishing that last thought and started again. "What I'm saying is, if they do a huge crackdown and completely try to crush the movement, they'll succeed at hurting some people, they'll succeed at destroying some infrastructure, but they're not going to succeed at stopping the movement. That's just going to strengthen the movement. It will draw a lot of attention to the movement. If enough people decide to do this with nonviolent action, you can overwhelm the infrastructure [of the state]. That's something they fear more than violence in the streets. Because violence in the streets, they'll win. They have the guns for it. We don't."

The Native American leader Little Turtle who inspired Teran's pseudonym lived long enough to die of old age at his son-in-law's house. Tortuguita didn't get that chance, and even though I only knew them for a short time, even though I never even knew their real name, that makes me sad. It's a fucking cliché to say that someone died fighting for something they believed in, but Teran certainly did that even if I'd rather it hadn't happened. As an eco-anarchist and a hardcore abolitionist, they knew the scope of the fight they'd taken on.

"The abolitionist mission isn't done until every prison is empty," Teran told me. "When there are no more cops, when the land has been given back, that's when it's over." I must've shaken my head a little at the grandiosity of this statement because Teran immediately broke into a sheepish smile. "I don't expect to live to see that day, necessarily. I mean, hope so. But I smoke."

January 27th - The Crackdown on Cop City Protesters Is Brutal Because of the Movement's Success

by Natasha Lennard (*The Intercept*)

The movement to stop the construction of a \$90 million police training center atop vast acres of Atlanta Forest has been extraordinarily successful over the last year. With little national fanfare, Defend the Atlanta Forest/Stop Cop City activists nimbly deployed a range of tactics: encampments, tree-sits, peaceful protest marches, carefully targeted property damage, local community events, investigative research, and, at times, direct confrontation with police forces attempting to evict protesters from the forest. The proposed militarized training compound known as Cop City has thus far been held at bay.

The Atlanta-based movement should be seen as an example of rare staying power, thoughtful strategizing, and the crucial articulation of environmentalist politics situated in anti-racist, Indigenous, and abolitionist

struggle. Unsurprisingly, however, significant national attention has only been drawn to the forest defenders in the last week thanks to the extreme law enforcement repression they are now facing.

A forest defender was killed by police last Wednesday, and a total of 19 protesters now face capricious and ungrounded domestic terror charges for their involvement in the movement — a rare deployment of a state domestic terror statute, threatening to exhaust and crush a resilient and developing movement.

On Thursday, Georgia's Republican Gov. Brian Kemp announced a "state of emergency" in response to the protests in downtown Atlanta in the week following the killing of the protester. The executive order grants the governor's office extensive and preemptive repressive powers, including the ability to call on as many as 1,000 National Guard troops to quell protests at any moment.

"This is an unprecedented level of repression," said Marlon Kautz, 38, an Atlanta-based organizer with the Atlanta Solidarity Fund, which provides bail funds and legal support to protesters who are targeted for involvement in social movements, including against Cop City.

"At this point the police seem to be charging every protester they arrest with 'domestic terrorism' regardless of the circumstances," he said. "The other pattern we've noticed is they are charging everyone arrested on a given day with all crimes which happened that day."

Kautz told me, by way of example, that during a protest in which a police car was burned, all arrestees from the day now face arson charges. "Needless to say, the law doesn't work this way, so we interpret this as a strategy of blatant malicious prosecution."

The Defend the Atlanta Forest movement endeavors to combine the tactics of, and to learn from, previous struggles — including the 2016 encampments at Standing Rock and the 2020 George Floyd uprisings — while experimenting with novel resistance compositions. The escalatory response from police and prosecutors, on the other hand, reveals a new and troubling combination of counterinsurgent strategies.

The forest defenders have already faced months of aggressive policing and intimidation, which escalated into deadly violence during a multiagency raid last Wednesday. Police shot and killed 26-year-old Manuel "Tortuguita" Terán. The authorities claim that Tortuguita shot at them first, wounding an officer — a narrative fiercely challenged by fellow activists and family members.

Protests and vigils sprung up nationwide demanding "justice for Tort," while mainstream environmental organizations, including Greenpeace and the Sierra Club, alongside left-wing Reps. Cori Bush, D-Mo., and Rashida Tlaib, D-Mich., condemned the police's violence and called for an independent investigation into the activist's killing. Up until this point, they had said little about the year-plus long struggle against Cop City.

As forest defenders mourn and seek justice for their fallen friend, the movement must also fight a barrage of excessive criminal charges, most notably state domestic terrorism charges carrying a possible 35 years in prison.

"Since December, the police have repeatedly stormed the forest with military-grade weapons, pointed assault rifles at protesters, fired chemical weapons at tree sitters, and used chainsaws in an attempt to dismantle treehouses with tree sitters still in them," said Elias, a 24-year-old Atlanta-based student in the movement, who asked to withhold his full name for fear of police harassment. "Their decision to create a dangerous, volatile, chaotic situation now has led to the murder of our friend Tortuguita."

Elias told me "the police are trying to justify their negligence by charging people with domestic terrorism. However, nothing these protesters have done even remotely resembles domestic terrorism. The police are trying to redefine terrorism to mean 'sitting in a treehouse' or 'breaking windows.'"

The terror charges, all handed down within the last two months, were not from nowhere. Political and business interests behind Cop City have been pushing related rhetoric for well over a year. Communications records uncovered by activists between Cop City supporters — local self-identifying “stakeholders,” business owners, council members, and Atlanta law enforcement officials — show that these parties have been calling the protesters “eco-terrorists” since at least last April.

Though no one has yet been convicted on these bogus terror charges, Kemp, the governor, has readily used the term “domestic terrorists” to describe the arrestees. Kemp has also invoked the tired trope of “outside agitators” to delegitimize an Atlanta-based movement, which has made a point to invite activists to join from out of state. Notably, in recognition that the land on which Atlanta stands was stolen in the 1800s from the Muscogee (Creek) people, the forest protest encampment has been host to dozens of visitors from around the country who descended from the displaced Indigenous community.

The recent wave of arrests are part and parcel of a “green scare,” which began in the 1990s and has seen numerous environmental and animal rights activists labeled and charged as terrorists on a federal level consistently for no more than minor property destruction. Yet the Atlanta cases mark the first use of a state domestic terrorism statute against either an environmental or anti-racist movement.

The 19 protesters are being charged under a Georgia law passed in 2017, which, according to the Republican state senator who introduced the bill, was intended to combat cases like the Boston Marathon bombing, Dylann Roof’s massacre of nine Black churchgoers in Charleston, South Carolina, and the Orlando Pulse nightclub shooting.

“During legislative debate over this law, the concern was raised that as written, the law was so broad that it could be used to prosecute Black Lives Matter activists blocking the highway as terrorists. The response was simply that prosecutors wouldn’t do that,” Kautz told me. “There are similar laws passed in many other states, and we believe that the existence of these laws on the books is a threat to democracy and the right to protest.”

The Georgia law is exceedingly broad. Domestic terrorism under the statute includes the destruction or disabling of ill-defined “critical infrastructure,” which can be publicly or privately owned, or “a state or government facility” with the intention to “alter, change, or coerce the policy of the government” or “affect the conduct of the government” by use of “destructive devices.” What counts as critical infrastructure here? A bank branch window? A police vehicle? Bulldozers deployed to raze the forest? What is a destructive device? A rock? A firework? And is not a huge swathe of activism the attempt to coerce a government to change policies?

Police affidavits on the arrest warrants of forest defenders facing domestic terror charges include the following as alleged examples of terrorist activity: “criminally trespassing on posted land,” “sleeping in the forest,” “sleeping in a hammock with another defendant,” being “known members” of “a prison abolitionist movement,” and aligning themselves with Defend the Atlanta Forest by “occupying a tree house while wearing a gas mask and camouflage clothing.”

It is for good reason that leftists, myself included, have challenged the expansion of anti-terror laws in the wake of the January 6 Capitol riots or other white supremacist attacks. Terrorism laws operate to name the state and capital’s ideological enemies; they will be reliably used against anti-capitalists, leftists, and Black liberationists more readily than white supremacist extremists with deep ties to law enforcement and the Republican right.

Since its passage in 2017, the Georgia domestic terrorism law has not resulted in a single conviction. As such, there has been no occasion to challenge the law’s questionable constitutionality. Chris Bruce, policy director at the American Civil Liberties Union of Georgia, told the Atlanta Journal-Constitution that “the statute establishes overly broad, far-reaching limitations that restrict public dissent of the government and

criminalizes violators with severe and excessive penalties.” He said of the forest defender terror charges that they are “wholly inapposite at worst and flimsy at best.”

“The state is attempting to innovate new repressive prosecution, and I think ultimately that will fail for them,” Sara, a 32-year-old service worker who lives by the imperiled forest and has been part of Stop Cop City since the movement began, told me.

“What we are seeing bears some resemblance to the J20 case, where prosecutors attempted to put blanket charges on people in the vicinity of a protest,” said Sara, who also asked to withhold her surname for fear of police harassment. She described the strategy as “an expensive and dangerous prosecutorial endeavor.”

The J20 prosecutions didn’t involve terror charges but rested on infirm claims of collective culpability, which flew in the face of the legal standard requiring individual probable cause for arrest. Those prosecutions fell apart, but not before traumatizing and exhausting the resources of the 200-plus people charged and their communities.

“The authorities’ legal strategy seems to be to load protesters up with extreme charges with no intention of actually making them stick, simply to discourage continued protest,” Kautz, of the Atlanta Solidarity Fund, told me.

At present, seven of the 19 forest defenders facing terror charges are being held either with bond denied or set unaffordably high. Supporters are working to raise funds to ensure their freedom and cover legal fees, while refusing to abandon the forest defense.

“It’s evident the Atlanta-area law enforcement, including prosecutors, believe heavy charges will crush dissent. Instead, the movement seems to have only grown with every attack from the police,” said Sara.

She noted that the violent raid and Tortuguita’s killing has been “especially devastating and heart-wrenching” but that “many people are newly moved to action.” In the last week, as many as 50 acts of solidarity — from vigils to banner drops to protests — have taken place across the country to honor Tortuguita and to express support for those in Atlanta defending the forest against Cop City and the violence it represents.

January 28th - Statement from Anarchist Prisoner Dan Baker on State Execution of “Tortuguita”

I just learned today that my friend Manny was murdered by cops in the Atlanta Forest.

I send my love, sympathetic outrage and condolences to everyone who knew Manny and loves them. I send their parents all my love, outrage, admiration and respect for raising this person who became a hero who put into practice the values which make human life meaningful. We need to come together as a community to take care of Manny’s family from now on. In Rojava, the families of the martyrs are shown special reverence and provided for the rest of their lives.

As a community we need to uphold this revolutionary practice of gratitude and respect, which even this corrupt and murderous government fails to show the fallen of its own in any meaningful way. I have spent time with the parents of martyrs and if Manny’s parents are willing I will spend time with them one day and try unsuccessfully to materially repay them for their contribution to the betterment of the world in the way they raised Manny. But we owe them a debt that can never be repaid, because the life of a single martyr like Manny is worth more than all the wealth in the world combined.

I won’t pretend that I knew Manny well but I will tell you what I do know. I know that Manny heard about me, my case and what the cops and feds did to me, and that Manny was moved to tears for my sake and came to my trial. This means a lot to me. We live in a world where less than 2% of the world’s water is drinkable and Manny shed precious tears for my sake. Now It’s my turn to do the same. While I’ve been in

prison Manny sent me money, wrote to me and we spoke on the phone. These simple gestures mean the world to political prisoners and to me personally.

Manny completed higher education at Florida State University, which is more than I can claim to have accomplished.

They studied a field which explored compassionate treatment for traumatized peoples. This speaks to the high quality of Their character. I am told they were a very compassionate person who felt deeply moved enough to take altruistic action to defend people, plants and animals from fascist death squads. They put themselves between those killers and what remains of the living world and they lived and died defending that worthy cause. This is a hero's death. This is what it means to give your life for a cause and for those who are precious to you. Manny is a martyr of this revolutionary struggle for liberation for all beings.

10,000 Manny's will take their place, people will name their children after them, dedicate their activism to their memory and organizations bearing their name will liberate more beings than we can measure. I will personally make sure of this for the rest of my life. Please send me everything you can about Manny's life and about this tragic murder, including their picture.

We must remember Manny. We must say their name, share their face, hang up their picture in homes all over the world, and spread their memory far and wide on every platform available.

In Rojava, when a friend is martyred by the enemy tens of thousands of people line the roads from the hospital morgue to the burial ground and chant their names, carry their pictures and celebrate the life and memories of the martyred friend with gratitude and determination to make sure their sacrifice is not forgotten, not in vain. They chant SHEHID NEMARIN – THE MARTYRS NEVER DIE. Manny lives on in our works, in our hearts and the fire in our eyes. The blood of the martyrs cries out from the soil of the Atlanta Forest.

Remember Manny. Say their name.

Their name was Manny.

24 Jan - The promise of the Floyd uprisings and the persistence of police thuggery

"They're trying to George Floyd me," Keenan Anderson cried out as multiple Los Angeles police officers subdued him.

MORE:

by Chauncey DeVega (*Salon*)

The summer of protests in response to the video-recorded police murder of George Floyd in 2020 was one of the largest and most diverse in American history. It is estimated that between 15 and 26 million people took to the streets in America and participated in other protest activities and organizing to show their outrage and disapproval at the police murder of Floyd and the cultural problems of police brutality and anti-Black bias and white supremacy more broadly.

The protests took place in the midst of resurgent white supremacy, white rage, and the Trump regime's war on democracy. These protests also embodied radical possibilities for reforming America's police, the carceral society, and the larger culture of cruelty. In a 2020 essay that appeared in *Jacobin*, political scientist Douglas McAdam, who is one of the world's leading experts on social movements, described the moment:

Put together, we appear to be experiencing a social change tipping point that is as rare as it is potentially consequential. However, notwithstanding all the energy and momentum generated by the protests, and what appears to be a related drop in Donald Trump's poll numbers, his reelection in November remains a real threat, all the more so since the pandemic threatens the high-voter turnout that Democrats rely on, as well as enabling the kind of voter suppression that the Republicans favor.

The best we can hope for is to do everything we can to maintain the momentum, energy, and inclusive, pragmatic, and nonviolent character of the current protests. Our goal should be twofold: to capitalize on the possibilities for change inherent in this moment, and to begin to pivot toward forms of electoral mobilization crucial to success in the fall. The survival of American democracy will likely depend on how successfully we attend to this agenda.

So where are we now?

While it is certain that the summer was a highly influential and formative moment for the political identities of an entire generation of young people and others, unfortunately, the lasting movement necessary to create that better and more just America has not yet developed.

At the Brookings Institute, senior fellow Dana Fisher offers this insight:

The question that remains is how to translate such a diverse and prolonged mass mobilization into social change. Unfortunately, the effects of the protests in summer 2020 have been relatively disappointing so far, yielding mostly what Keeanga-Yamahatta Taylor calls "the low-hanging fruit of symbolic transformation." Systemic racism is one of a range of progressive priorities that have highlighted the vast distance that must be traveled between protest and legislation or other forms of policymaking. Once the masses are mobilized to participate in sustained activism, there is still much to learn about how to channel outrage in the streets into enduring social and political change. There is no question, however, that the opportunities are substantially increased when protests are large, persistent, and include crowds that are diverse enough to be representative of the general American public.

In 2022, America's police killed at least 1,176 people. That is the highest number of people killed by police in the United States since experts started compiling that data on a nationwide scale in 2013. *The Guardian* reports:

The preliminary 2022 total – a possible undercount as more cases are catalogued – marks 31 additional fatalities than the year before. In 2021, police killed 1,145 people; 1,152 in 2020; 1,097 in 2019; 1,140 in 2018; and 1,089 in 2017. The earliest data goes back to 2013, when journalists and racial justice advocates began counting these fatal incidents on a national basis. A database run by the Washington Post, which tracks fatal shootings by police, also shows 2022 as a year with record killings.

The data release comes two years after the murder of George Floyd sparked national uprisings calling for racial justice, police accountability and reductions in the funding and size of police forces. Despite the international attention and some local efforts to curb police brutality, there has been an intensifying backlash to criminal justice reform, and the overall number of killings has remained alarmingly high.

Police across the country killed an average of more than three people a day, or nearly 100 people every month last year according to Mapping Police Violence. The non-profit research group maintains a database of reported deaths at the hands of law enforcement, including people fatally shot, beaten, restrained and Tasered.

Public opinion polls, meanwhile, continue to show consistent divides across lines of race where white Americans — especially Republicans — are much more likely to believe that police abuse of the public is not a significant problem than are Black Americans and Democrats. As a 2021 essay at the Morning Consult highlights, polling information shows that "as Democrats and Black Americans increasingly cast police violence as a grave issue, the declining threat perception among the broader population is fueled by shifting views among white Republicans: 41 percent view police violence as a serious problem, down 18 points since 2016, while the share of white Democrats who said the same has increased slightly over that time frame to 88 percent. As a whole, Democrats and Black people are twice as likely as Republicans to see police violence as a serious problem, and the share of GOP adults who describe racial discrimination against Black people as "one of the biggest problems facing America today" has fallen 10 points from last summer."

Public opinion polls and other research show that a majority of Republicans, Trumpists, white "conservatives" and right-leaning independents fantastically believe that white people are more likely to be "victims" of "racism" and "discriminated against" in American society than are Black people. A majority of

Republicans also subscribe to the nonsense and delusional white supremacist conspiracy theory that white people are somehow going to be "replaced" by non-whites in America and Europe.

America's modern police can trace their origins back to the slave-catching patrols of the antebellum era. Many white Americans are highly supportive of the country's police and its abuse of Black and brown people because they are viewed as "defenders" of racial authoritarianism and white privilege in the form of "law and order." As such, it is no surprise or coincidence then that white supremacists, neo-Nazis, right-wing militias, and neofascists have systematically infiltrated the country's law enforcement agencies on the federal, state, and local levels. Contrary to the right-wing lie about how "liberals" and "Democrats" want to "defund the police", both the Democratic and Republican Party continue to support aggressive policing that in turn leads to unnecessarily violent and often preventable lethal outcomes.

So while these discussions of data and institutions are critical, they should not be a substitute for the harsh and lethal reality that power in its many forms is enacted upon real human beings and their bodies.

On the afternoon of Jan. 3, Los Angeles police detained and then repeatedly "tazed" (language that is corporate public relations and marketing-speak for severely shocking a person until they lose voluntary control of their muscles) a 31-year-old Black man named Keenan Anderson. One of the shocks lasted 30 seconds. Anderson would die several hours later at the hospital after experiencing a cardiac emergency.

He was a much beloved high school teacher and father.

The lethal encounter began when Anderson attempted to get help from the police following a car accident. Police body camera footage released to the public last Wednesday shows Anderson repeatedly pleading and begging for his life.

"Please, please, please, please, please...They're trying to George Floyd me."

These would be some of the last words Anderson would say before being shocked repeatedly and then dying several hours later.

Anderson's cousin is Patrisse Cullors, a co-founder of the Black Lives Matter movement. "My cousin was asking for help, and he didn't receive it," she told the *Guardian*. "He was killed...Nobody deserves to die in fear, panicking and scared for their life. My cousin was scared for his life. He spent the last 10 years witnessing a movement challenging the killing of Black people. He knew what was at stake and he was trying to protect himself. Nobody was willing to protect him."

The Los Angeles police have a long and notorious history of racial profiling and other abuse of the Black and brown community. The death of Keenan Anderson is also part of a much larger pattern where police in California are much more likely to use force against Black and brown people than they are white people. Now the Los Angeles police are following a common script in the aftermath of such egregious acts of violence against unarmed Black people and members of other marginalized groups: publicly attacking the reputation of the victim in order to make them appear somehow responsible for their own deaths. The next likely step in their attacks on Anderson will be for the police to claim that he died of "excited delirium," which is a nonsense medical "diagnosis" summoned up by police lobbyists, "copagandists" and other enablers or police thuggery and violence, most infamously after the killing of George Floyd.

As seen in the tragic example of Anderson and so many others, the type of institutional and systemic violence represented and channeled by America's police and other law enforcement is killing Black and brown people both individually and as a group. This type of violence results in what physicians, mental health professionals, social scientists, and other experts have described as "racial battle fatigue," a form of post-traumatic stress disorder where the victims of white supremacist and other racialized violence (both on an interpersonal and systemic/institutional level) manifest a range of negative mental, emotional, and

physical health outcomes that result in higher rates of chronic illness and death as compared to white people and other socially dominant and privileged groups in America and elsewhere.

America is a society that is historically structured around white supremacy and racialized outcomes which privilege those deemed to be "white" and disadvantage and causes harm to those deemed to be non-white. In that way, racial battle fatigue is America's racial hierarchy working precisely as designed and intended as opposed to something accidental or a function of happenstance or error. Ultimately, such a system persists because White America and many individual white people want it to.

Last Monday was Dr. Martin Luther King Day. In his famed and much-misunderstood and (literally) now white-washed "I Have a Dream Speech" that was delivered at the 1963 March on Washington for Jobs and Freedom, Brother King said that "We can never be satisfied as long as the Negro is the victim of the unspeakable horrors of police brutality".

That reality continues some 60 years later.

To be Black or brown in America is to exist in a state of terror and fear when encountering the country's police and other law enforcement (as well as the white vigilantes and those allied with them who believe they are empowered to enact violence against non-white people with impunity). It will require a great amount of growth in white Americans' capacity for empathy and human respect to step outside of the narcissism and self-centeredness of Whiteness and white privilege to allow themselves to accept the reality and truth of Black and brown people's lived experiences.

As America continues to struggle against neofascism, Trumpism, and the other systems of cruelty and collective societal pathology that sustain and birthed such an evil political project, white Americans (and others) will need to realize that embodying real empathy and respect across lines of human difference is an integral part of the struggle for democracy. The violence and thuggery that is routinely visited upon innocent Black and brown people and other marginalized groups by America's police and other law enforcement will (and to the surprise of many white Americans) soon be applied to all people deemed by the powerful to be "criminals" and "suspect" and "the enemy." White Americans and others who believe themselves immune to that corrupt power will increasingly learn they are not in fact safe as the Republican fascists and their forces continue to grow in power.

24 Jan - "White Trash Anarchist"

A new poem from Eric King is always a special thing to share.

MORE:

White trash anarchist
I still love, All the simplest things
my wife in one hand
the other, a can of black beans
hitting every dumpster,
Target & Barnes and Noble
Haven't got any posher
as I've gotten older
Sit w/Dev in parking lots
Me & R on starry walks
and teach my little ones
how to jam locks
Deflate the 'pigs' rolling prisons
Tag a bit of wisdom
finding life a true delight
outside of capitalism

we've got a system to demolish
and prisons to abolish
but where I'll find the most peace
this with my little radical family
with my wife in one hand
& the other a can of black beans

25 Jan - Illustrated Guide to Political Prisoners Version 16 Now Available

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 going to nycabc.files.wordpress.com/2023/01/nycabc_polprisonerlisting_latestjan2023.pdf

MORE:

This update includes updated mini-bios, photos, and address changes for several prisoners. Unfortunately, we are adding a prisoner to the guide this month—anti-racist Alex Stokes.

26 Jan - Five Suggestions for When State Repression Comes to Town

A look at state repression from the Civil Liberation Defense Center (CLDC) and what you can do to stop it.

MORE:

CLDC has been providing movement aligned legal support to the campaigns and activists in the so-called U.S. for over 20 years now. In that time period, I have personally witnessed numerous waves of state repression targeting the campaigns that were moving the needle on the moral compass—anti-racism, environmental and animal defense, water and food safety, Indigenous sovereignty, LGBTQIA+, and others. The state, whether government actors or big corporate profiteers, have a limited playbook that they tend to repeat over and over. This is why knowing your movement history is core to building resilience.

History has demonstrated that when state repression comes to town it is often because your campaign is winning or demonstrating strength and the state elects to spend vast resources on derailing your momentum. In the face of state repression, there are numerous things to keep in mind. While this is not an exhaustive list, here are five suggestions of where to begin:

Take care of your people—body and mind

Being threatened with criminal prosecution, jail, and/or investigation is stressful and impacts people in very different ways. When the state purposefully uses bond or bail conditions to attempt to isolate targeted individuals (defendants) from their communities, that community must think creatively and carefully about how to provide maximum support with minimal risk of landing someone back in jail. Remember that the targeted person's loved ones can also be impacted. Support for parents, children, and significant others is essential. During the Green Scare the community spent an entire day doing yard work projects at the home of a grand jury resister who was incarcerated. His wife felt loved and supported which made it easier to deal with the loss and stress of her partner and she continues to be a strong movement supporter to this day.

Remember that politically motivated criminal prosecutions may take a long time to resolve. Engagement with the carceral legal system is a marathon, not a sprint. Pace yourselves and practice radical self-care.

Keep doing the work

State repression is intended to stop the political movement and deter people from joining or supporting the public interest work being done. The work must continue or else the state sees that its tactics succeeded. When the movement acquiesces to repression, it serves to embolden the state and its deployment of such tactics now and in the future. Recognize that state resources are being deployed against you and be mindful of security culture and the harm reduction tools that nimble activists have at their disposal. Continue to

diligently grow your movements' size and reach. Engage solid communications and outreach strategies to broaden movement support if possible. Ensuring your community is engaged in good security culture practices does provide hardiness. Committing to lawful digital hygiene is important. See CLDC's digital security webinars for more.

A healthy movement has many roles to fill—whether you are a defendant, a parent, or frontline risk taker, there are many ways to strengthen and continue movement work in a consensual way.

Be prepared for the state to double-down on the terrorist rhetoric

Most reasonable folk know that terrorism describes acts like the World Trade Center bombing, the Oklahoma Federal Building bombing, or other intentional acts of mass murder. When the state attempts to conflate those horrific acts with direct actions such as sitting in a tree or denting a police car, their tenuous hyperbolic rhetoric becomes transparent to all. Why would they attempt to persuade people that defending the forest is the equivalent of terrorism? Because they wrongly believe that their stranglehold on mass media will confuse, scare or misinform. We need to engage the public at large, reminding them that these lies and manipulations couldn't be farther from the truth, and when the state attempts to brand everyone and everything as terrorists, we are all less safe from actual threats. Also be prepared for the state one-two punch. The state makes arrests and files charges, and when they see everyone bunched up around those activist-targets looking fatigued and stressed, they go in for the knockout and file even more serious or sinister charges—often against perceived leaders or heroes of the movement or campaign. Movement appearances matter in the face of state repression because the state is definitely watching closely.

Lawyer up & shut up

Movement lawyers and politically aware lawyers can run interference when the state attempts to intrude in your political work. When state tactics such as knock and talks occur (when law enforcement shows up at your home, workplace, etc. to 'talk' to you as part of an "investigation"), it is important to drag them into the light and expose their playbook. And equally important is to simply decline their invitation to talk—even if you think what you have to say is harmless. These tactics are intended to invoke fear and chill the First Amendment rights of association, assembly and free speech. Simply assert your 5th amendment rights as a unified political front and the state will have a harder time attempting to exploit vulnerable community members. Again, if the state thinks one of its tactics is creating the results they want—fear, division, diminished campaign strength, and of course if they actually obtain intelligence on the movement and it's participants—you can bet they will be back at it again and again. Establishing a roster of trusted lawyers to provide legal information to you, and to potentially back the state off of you and/or your loved ones, is just one component in building community resilience against repression. It's an important one to develop early and often. The CLDC often assists communities in building these legal teams—reach out to us for ideas and support.

Prosecutors as political tools

Prosecutors and law enforcement agents often know what they are doing is wrong while they are doing it, but they are pressured by political hacks that hold power over them. During the Green Scare, FBI agents hunted animal and environmental activists engaged in economic sabotage and prosecutors sought the terrorism sentencing enhancement in the indictments. The U.S. Attorney at the time, Alberto Gonzales, held a press conference on the day of their arrests and called them the number one domestic terrorist threat (so much for innocent until proven guilty). We all knew that in this new post 9/11 world, the state was using these activists to distract the public from the fact that they were unable to find or catch anyone connected to the World Trade Center murders. Twenty years later, FBI agents admitted that the activist defendants were used as political pawns and did not deserve to be branded as terrorists. At least one agent regretted their complicity in this heinous abuse of power. Call it out when you see and leverage it to the benefit of the movement. Maybe you have comrades well situated to engage the political machinations at their own game? Also know that your lawyers can fight hard and challenge the constitutionality of political

charges like Georgia's domestic terrorism statute, expose the illegitimacy of repressive prosecutorial misconduct, and make the state spend lots and lots of time and resources in fighting a political case.

Final Thoughts:

Movements are not built or destroyed in court rooms but resistance to these tactics are one of many that must be deployed in the face of state repression. Solidarity is critically important. As environmental and social justice activists and supporters, when they come after one of us, they come after all of us. When repressive tactics result in a decline in organizing and strategic action, or they manage to divide and conquer, the state wins. And rest assured that they will return to those tactics in your community and beyond.

Political movements are targeted by the capitalist state because they know we offer and work toward a hopeful alternative to the suffering and planetary destruction they seek to profit from. I went to law school in order to fill a niche my movement needed. Twenty-five years later, I am grateful to stand in solidarity with movements like the Atlanta Forest defenders, Water Protectors, pipeline resisters, antifascists, and those fighting for Black lives, among many others. I am proud to have founded the Civil Liberties Defense Center knowing that we will have your back when state repression comes to town.

30 Jan - The State Murder of Tortuguita in Atlanta and Tyre Nichols in Memphis Are Inextricably Linked

The root causes of the cataclysms, including the state murders of Tortuguita and Tyre Nichols can no longer be ignored: White supremacy, capitalism, patriarchy and colonization.

MORE:

The cold-blooded assassination of Manuel Esteban Paez Terán, also known as Tortuguita, Spanish for "Little Turtle," is a reminder that fascism in the United States cannot be reduced to the political intentions of avowed white nationalists. African/Black and Indigenous people residing in the settler-colonial project known as the United States continue to be subjected to a cycle of state-sanctioned violence and political repression with bipartisan consensus. People of the global majority and their allies must not allow these latest episodes of injustice to go unanswered.

The Atlanta City-Wide Alliance of the Black Alliance for Peace (BAP-Atlanta) has been working with a coalition of Indigenous people, African/Black people, other people of color, and Euro-Americans to prevent the construction of "Cop City," as BAP-Atlanta expressed in a recent statement. The statement highlighted the obvious nexus between the proposed \$90 million police-training facility site, where Tortuguita was killed on January 18, and the white supremacy-fueled genocide, militarism, and oppression the U.S. empire exercises both outside and within. Both domestically and internationally (including within sovereign Indigenous nations), the United States continues to carry out wanton abuses of human rights with impunity via the illegal use of militarized force. Tortuguita's execution, and the obvious attempts by law enforcement to cover it up and suppress the truth, are yet another example of the abject malfeasance of this state's law-enforcement apparatus.

That Tortuguita was standing in defiance of an urban-warfare training facility which has now perpetuated their brutal execution should be lost on no one. Given the function of policing in this settler colony, the race of the perpetrators who brutalize protestors and commit other forms of state sanctioned violence should surprise no one. The brutal execution of Tyre Nichols in Memphis, Tennessee is the most recent evidence highlighting this obvious point.

Proponents of increasing military and police budgets also rally behind gentrification, deforestation, further extraction and use of fossil fuels, as well as other drivers of the racialized climate crisis.

BAP asserts the inexorable link of liberation African/Black and Indigenous people share, just as we proclaim the need for a set of intersectional solutions to the interlinked forms of oppression subjecting Indigenous and African/Black people to the irrefutable war crimes the United States and local law-enforcement regimes have committed. To this end, we call on all social-justice movements, including the

larger environmental community, to demonstrate solidarity and support for Tortuguita, their family, other justice seekers working to shut down "Cop City," and African/Black people and Indigenous people writ large.

Until we exercise and implement a program of defiant activities that stop bellicose militarism and policing, these acts of state-sanctioned violence will increase in frequency and intensity. These latest murders reaffirm the absolute necessity for nationally oppressed peoples to build the capacities to defend their collective human rights.

In the process of building that independent power, we will also struggle for accountability against state authorities that violate human rights.

We demand accountability for Tortuguita in Atlanta. We demand an impartial and transparent investigation of Tortuguita's assassination, we demand all charges against demonstrators supporting the Stop Cop City movement be dropped, and we demand an immediate cessation of all activities that contribute to the construction and operation of "Cop City."

30 Jan - Important Update About Mel Broughton

Mel Broughton has been locked up in the UK awaiting trial since November last year.

MORE:

via *UNOFFENSIVE ANIMAL*

He does not wish to discuss the charges publicly, but he would really like to feel supported from the outside and there are many ways you can do that!

We have had contact with Mel's support group, who have let us know that he has received so many books that the screws are limiting how many he can take out, so until further notice don't send any as they might just send them back. They have also let us know that folks have been sending non-authorized parcels to Mel, which include things like food and clothes, and that folks should not do that (even if they have the best intentions) as he is unable to receive those parcels. If in doubt about what Mel (or any other prisoner in Peterborough Prison) is allowed or not allowed to receive, here is a quick list:

ALLOWED:

- Letters
- Photos (as long as they are NOT "inappropriate" or pornographic. Basically, keep things PG)
- Books directly from approved retailers (WH Smiths and Waterstones), but Mel has received such a large amount of books that they are currently restricting them, so please hold off from getting any more until further notice!
- Clothing, but please don't send any as allocations are already complete.

NOT ALLOWED:

- Any Amazon parcels
- Food of any kind.
- Cash
- Electronics, DVDs, Videogames, CDs.
- Magazines or Newspapers (the prison likes to make money off of the prisoners by selling them the magazines themselves).

What Mel could really do with is positive letters. It could be a letter about a recent walk in nature, or about some good news you have received. All positive letters are a window to the outside when locked up surrounded by concrete and metal, and every time you write a letter you are opening that window for a prisoner to breathe the outside world!

If you are concerned about your personal address being surveilled by the prison system, you can contact your local Anarchist Black Cross and ask if you can use their postal address, or maybe your local vegan cafe! What is important is that the letter has a name and an address on the back of the envelope, so as long as it does the screws should be “generous enough” to let the mail get through. Please include a stamped addressed envelope if you’d like to hear back from Mel!

Please be aware that you should NOT include any incriminating details on your letters, nothing that would incriminate you or that would incriminate somebody else. Mel also requests that he does not wish to talk about his case so no need to ask about that either!

If you rather, you are also allowed to send a card directly from Moonpig or Funky Pigeon, as prison is being a little difficult about what postcards and cards prisoners are allowed to receive but Moonpig and Funky Pigeon are approved companies.

Send a letter today, organise a local letter writing event this week with your mates and let prisoners know that they have the movement behind them!

31 Jan - Urooj Rahman Sentenced, Remanded

Urooj Rahman, convicted of molotoving a nypd cruiser in 2020, recently began her 15-month sentence and is now being held at Philadelphia federal detention center.

MORE:

Her support group has put out a solidarity statement, highlighting the gendered islamophobia on display during her trial and the need for building stronger collective defense:

Introduction

On November 18, 2022, the defense attorney for our friend, Urooj Rahman, stood in a Brooklyn federal courtroom and stated, “I’d like to begin today by acknowledging the tremendous support for Urooj here in the courtroom and also in the overflow courtroom.” Urooj did not stand in the court alone. In addition to her attorneys, Urooj’s friends, families, and community members, who had traveled for hours, packed the court as a form of collective defense. Two years after her presence at a Black Lives Matter protest, Urooj Rahman was sentenced to 15 months in federal prison with two years of supervised release and a joint restitution obligation in the amount of \$30,137. The judge gave this punitive sentence under the pretext of “general deterrence.” As Urooj begins her confinement in a federal prison in the next few days, MJF and her supporters are releasing this statement to name the injustice that occurred against Urooj and ways the broader public can support Urooj and her family during her confinement.

In addition, MJF is releasing this statement to name our concerns with the gaps in providing adequate community and legal defense to protestors. Through our experience witnessing the lack of adequate support Urooj received, we want to underscore the importance of building an infrastructure of community and legal defense for protestors who will continue to be targeted by the state, especially Black, Arab, Muslim, Middle Eastern and South Asian (BAMEMSA) protestors, survivors, and women. It's irresponsible for movements to push community members and organizers to take to the streets and resist when we aren't prepared to offer the adequate community or legal defense infrastructure when the state hunts them or labels protestors as criminals and terrorists, in the process using the state criminalization infrastructure to justify any level of state repression against protestors. Our statement offers broader recommendations for our communities, organizations working in our field, and movement lawyers. These recommendations are included at the end of the statement.

Urooj’s Sentencing and Explicit Islamophobia in the Courtroom

Throughout Urooj’s sentencing hearing, many of us witnessed the judge make explicit Islamophobic

statements, including misogynist comments rooted in gendered Islamophobia. Throughout this entire case, Urooj has been scapegoated and is represented by the prosecution, by the press, by her co-defendant's defense counsel, and targeted as a broader political project to shut down dissent and protest. This violence is rooted in gendered Islamophobia. For vandalizing an abandoned and previously destroyed police vehicle, the prosecution's charges included a "terrorism enhancement," a discretionary charge most often used against people of color. Originally facing up to 45 years of incarceration, Urooj accepted a plea deal, and relinquished her ability to appeal the court's proceedings, a waiver that often comes with prosecutorial deals that enact lopsided power dynamics in favor of the government.

Urooj's attorneys made arguments permitted by the legal system—that those protesting the murder of George Floyd and all that it represented of police violence were overcome with "anger and despair." Urooj's attorney could discuss her work as an eviction defense attorney, her representation of refugees, and her role as primary caretaker of her mother, but they could not argue for her freedom, her innocence, or point towards the absurdity of what was playing out—a woman, a Muslim, an organizer, an immigrant, excessively penalized for the alleged crime of property damage. Her attorney asked the judge to look at Urooj's life as a whole, not by "the worst mistake of her life."

Judge Brian M. Cogan, looking down from his bench, did not initially respond to these comments, but instead remarked on Urooj's arrest photo, "she doesn't seem angry to me. She seems, like, happy to me." Casting aside an explanation of trauma, gendered violence, and state violence, Judge Cogan used the t-shirt Urooj was wearing to depict Urooj as a criminal.

The shirt that Urooj wore that night, which said, "the struggle continues," is a sentiment all organizers for justice hold in their heart. Urooj's political commitments against police and racial violence were a mark against her. Both the judge and prosecutor focused on the Minneapolis uprising, depicted property damage as "bombing," attack on "rule of law," and that "it's the United States of America, where we just don't do things that way," as if an insurrection wasn't carried out on January 6th on Capitol Hill. He went on to state, before the Muslim defendant, "we're not in the West Bank."

Context is critical and applying a differential standard to protestors while allowing law enforcement and state institutions to move with impunity is unjust. Urooj was one of the many protestors arrested during a summer of police violence enacted against communities in New York, but not a single police officer faced similar consequences for the tear gassing, kettling, and mass assault of protestors during 2020. Despite considering her justified anger at a legal and police system's violence, the court issued a sentence of 15 months and two years of probation to achieve "general deterrence."

Judge Cogan meted out this sentence while stating that there are, "other people who are on the margins of protests who can slip into the same kind of mentality that you did, and I have to speak to those people." The court issued this sentence as a warning for any who seek to disrupt the status quo, particularly women, particularly people of color, particularly those who are closest to the inequities of society.

Urooj, speaking for herself at the hearing, shared "[w]hen I connect back with God, I realize love is really my animating force, not anger or pain." Throughout the two-year prosecution, letters of support for Urooj were authored by members of her union, her alma mater, human rights organizations, her profession, and her religious community. It has been an effort of love to support Urooj throughout this period. In moving forward as Urooj begins her unjust confinement in a federal prison, here are some ways community members can support Urooj directly:

Sign-this jot form (bit.ly/URjotform) if you would like to remain engaged in supporting Urooj during her confinement; If you are an abolitionist or prisoner support group located in Philadelphia, please get in touch with us at community@muslimsforjustfutures.org; and, Please share this statement to ensure we are building a narrative that doesn't further dehumanize Urooj and other protestors.

Broader Recommendations for Building a Movement Infrastructure to Defend Protestors

As a group of organizers that have supported Urooj during this entire ordeal and are witnessing the attacks on protestors from Atlanta resisting Cop City to other movements, we have witnessed concerning gaps in our broader movement ecosystem in building adequate defense infrastructure for movement protestors, especially Muslim protestors and those who end up in the dragnet of being labeled terrorists and have terrorism charges and sentencing enhancements thrown at them. We are concerned that the state will continue to use the apparatus of terrorism laws and sentencing enhancements to criminalize movements and justify state violence towards protestors.

Often during uprising moments, numerous movement organizations encourage communities to show up in the streets, attend protests, and rise up for justice. However, far less attention is given to the defense infrastructure required to sustain defense of protestors who are thrown into a violent system that drags out punishment and trials over years destroying the lives of individuals, their relationships, and families. While many of our organizations in movements are well-intentioned, as a field that is stretched beyond capacity, the level of sustained defense and support that is required is dropped and protestors either have to organize their own defense or smaller grassroots collectives have to hold the actual work of supporting individuals and their families. The lack of capacity results in missteps, mistakes, and oversight that truly compromises putting up the best self-defense for individual protestors.

Further, we are concerned with the lack of collective legal defense strategies for protestors. While there is an abundance of lawyers and their advocacy efforts are appreciated, the lack of movement lawyers who can apply collective defense strategies in the legal system and take these cases on is a serious gap in our movement ecosystem.

The use of legal defense strategies that pit defendants against each other and fail to center a collective defense strategy for protestors results in certain protestors being thrown to the system. We want to underscore here that we are referring to lawyering defense strategies. Federal prosecutors are clear about their goals in targeting protestors. However, it has been concerning to witness defense attorneys play into the logic of prosecutors and push individual defense strategies that compromise the lives of others.

Given these issues, we are offering the following three set of recommendations:

- *Movement Ecosystem: Build a robust community defense infrastructure that is capable of offering long-term support to protestors who are targeted and dragged into the legal system through lengthy trials, hearings, and confinement. This includes incorporating a mutual aid strategy that offers financial support to protestors and their families as people lose income and work, move through their cases, confinement, and then are released back into communities.*
- *Build collective legal defense strategies and ensure there are individual defense attorneys who can take such cases: We need more defense attorneys who can take a legal collective defense approach and provide pro-bono or affordable legal representation.*
- *Strengthen the movement ecosystem to fight the ways the law and narratives are used against protestors: This includes resisting terrorism charges and sentencing terrorism enhancements that are being deployed to target individual protestors, and a state narrative that depicts protestors as terrorists.*

We are also concerned about the use of “general deterrence” against protestors for the purposes of punishing individuals in order to send a broader message to shut down dissent.

In conclusion, we believe prisoners and protestors targeted by the state to make an example of dissenters deserve our solidarity, particularly those who are most penalized by the state. We urge you to continue to support Urooj while she is incarcerated. We urge continuous solidarity with all people targeted by political prosecutions. We must continue to build a system of community defense when any in our communities is targeted by the criminal legal system, for we are stronger when we come together in love and solidarity.

31 Jan - Trump, Pence and Biden won't be punished — but Chelsea Manning and Reality Winner went to prison

What happened to whistleblowers like Daniel Hale never happens to high-level government officials.

MORE:

by Jesselyn Radack and Kathleen McClellan (*Salon*)

We can now add Vice President Mike Pence to the list of former presidents and vice presidents who have had classified information found in their homes. While there are marked differences between Donald Trump intentionally keeping classified documents at Mar-a-Lago, and refusing to cooperate with authorities, and Pence and Joe Biden's apparent discovery of classified documents that inadvertently ended up in their homes — and were returned voluntarily and promptly — the commonality between these cases and others involving high-level officials is the lack of serious punishment.

As attorneys who have represented dozens of whistleblowers and media sources who have been criminally investigated, prosecuted and imprisoned for allegedly retaining or leaking classified information, we know there is a two-tiered system of justice when it comes to mishandling classified information: one for high-level and well-connected government officials, and another for whistleblowers and media sources. Powerful officials get a slap on the wrist, usually in the form of administrative punishments or no punishment at all. Whistleblowers and media sources at best have their careers ruined, and at worst must serve prison time, like our client Daniel Hale, an Air Force intelligence analyst who served in Afghanistan.

The government publicly billed drone strikes as "precision, targeted killing." Hale disclosed that during one five-month period, more than 90 percent of those killed by airstrikes were not the intended targets. He is currently serving a 45-month prison sentence. Similarly, decorated military veteran and government intelligence contractor Reality Winner served a 63-month sentence for giving the press a single, accurate document about Russian hacking attempts. That is the longest civilian sentence ever imposed for a source who disclosed information to the press. Winner's sentence was imposed even though special counsel Mueller publicly disclosed nearly identical information in a different indictment a month before sentencing.

It may be tempting to draw a line between retaining classified information and leaking it to the press, but the draconian law most often used to prosecute these cases (the World War I-era Espionage Act) makes no such distinction. Nor does it matter if a leaker disclosed information about illegal or unconstitutional government conduct, such as the U.S. torture program, secret mass domestic surveillance or war crimes. There is no public-interest defense. Whistleblowers and sources are professionally ruined, criminally prosecuted or imprisoned even in cases that involve no classified information, and even when the government agrees there has been no harm to national security.

The government threatened our client, NSA whistleblower Thomas Drake, with spending the rest of his natural life in prison for allegedly retaining classified information in his home. When it turned out none of the information found in Drake's home was actually classified, it took judgments in both the courtroom and the court of public opinion to keep him out of prison — not the Justice Department's concession of its gross overreach. CIA whistleblower Jeffrey Sterling was convicted of alleged disclosure of secrets based not on the substance of the classified information disclosed, but based on thin metadata documenting conversations between himself and a journalist. Sterling served a 42-month prison sentence. CIA whistleblower John Kiriakou, another client of ours, served a 30-month prison sentence because he was the first CIA agent to call waterboarding a form of "torture."

In the most famous such recent case, NSA whistleblower Edward Snowden has been forced into a life of exile because he cannot get a fair trial here in the United States. Snowden cannot argue at trial that his disclosures were in the public interest, even though former Attorney General Eric Holder agreed that Snowden had performed a "public service" when he disclosed the NSA's widespread and illegal mass surveillance to journalists. In Army whistleblower Chelsea Manning's case, the government's own damage assessment found that her disclosures did no significant harm to national security. Nonetheless, she was accused of "aiding the enemy" and her sentence was so extreme that Barack Obama commuted it.

Meanwhile, high-level officials who intentionally leak classified information for personal or political gain receive little or no punishment. While Hale, Winner, Drake, Sterling, Kiriakou and Manning all faced

charges under the Espionage Act, former CIA Director David Petraeus received a sweetheart plea deal under a less serious misdemeanor law for leaking classified information to his biographer, with whom he was having an affair. Unlike the hard prison time served by whistleblowers, Petraeus was on probation for two years and paid a fine. Another former CIA director, Leon Panetta, has never been punished for leaking secrets to the filmmakers of "Zero Dark Thirty."

What this stark disparity in punishment should make clear is that the national security establishment is secretive, powerful and far too unaccountable, no matter which political party is in the White House. Nonetheless, surely the fact that the FBI needed to search both a former president's house and the current president's house for mishandled classified documents should prompt a close examination of the bloated and byzantine secrecy bureaucracy, an examination that has long been necessary for a system plagued by over-classification and a lack of oversight, as we have previously written.

Moreover, the Biden Justice Department's attempt to hold Trump accountable using this hopelessly broken classification system has led us down a destructive path of endless partisan fighting and both-sides-ism. Because the classification system and Espionage Act have been misused to punish media sources and chill investigative journalism by presidents from both political parties, the differences between Trump's actions and everyone else's will never resonate the way the Justice Department hopes.

What does already resonate with us, as free press and whistleblower advocates — and should alarm the public as well — is the way that senior officials and top brass can escape severe punishment, compared with the prison time served by whistleblowers and media sources whose only "crime" was to reveal information that exposed government ineptitude or wrongdoing, about which the public had a right to know. Unequal treatment under the law is not justice.

31 Jan - Mutulu Shakur reflects on freedom after 35 years behind bars

Mutulu Shakur, who has an advanced form of cancer, is making up for lost time with his family after the Black liberation activist was released on parole from a 60-year prison sentence in December.

MORE:

by Char Adams (*NBC News*)

"I'm so happy to be free," Shakur, Tupac Shakur's stepfather, told *NBC News*. "I fought hard every day that I was incarcerated. I have a lot to do, hoping that society gives me another swing at it. But my life is an example of what could happen. I am very hopeful."

The 72-year-old was released from federal prison on Dec. 16 after more than 35 years behind bars on racketeering, robbery and robbery murder charges.

The organized movement advocating for Shakur's release stepped up its efforts in recent years as the man developed myriad health issues, most notably stage 3 multiple myeloma, a blood cancer that can affect the bones and kidneys. Shakur has endured drastic weight loss due to his illnesses and treatments; has had Covid at least twice; and has relied on IV feeding tubes on and off in the months leading up to his release, his attorney, Brad Thomson, previously said. Thomson said doctors with the Federal Bureau of Prisons gave Shakur less than six months to live last May, noting that his cancer treatment had stopped working.

Shakur was considered the leader of a group that robbed a Brink's armored car in Rockland County, New York, in 1981, leaving two police officers and a Brink's guard dead.

Shakur had been denied release several times over the years, with authorities insisting that his crimes were too serious and his health had not deteriorated enough to warrant release. However, in the October decision, officials told Shakur, "We now find your medical condition renders you so infirm of mind and body that you are no longer physically capable of committing any Federal, State, or local crime."

Now he's spending his final days with family in Los Angeles. Mopreme Shakur, Shakur's son, said his father's health has appeared to be improving since coming home. He was reunited with his six living children and three grandchildren, which, Mopreme said, has done wonders in lifting Shakur's spirits.

"I think being free does a lot for the spirit," Mopreme said. "He gained like nine pounds in the first 10 days he was home."

Shakur said of his own health: "I am receiving excellent care in two categories — Western oncology and holistic natural therapies. I don't take this freedom for granted."

Along with enjoying time with family, Shakur has spent the last few weeks on a "food tour," trying different foods he didn't have access to while in prison, his son said. "Everyone's bringing him bean pies from every direction!" Mopreme added.

Supporters spent years advocating for the release of Shakur, whom they consider a "political prisoner." They say authorities wanted to make an example of Shakur because of his activism with revolutionary Black nationalist groups.

"It's been kind of surreal for myself and many others," said Jomo Muhammad, an organizer with the Malcolm X Grassroots Movement who advocated for Shakur's freedom. "A lot of tears and happiness. We were always clear that the system had no intention of freeing him and it was only through organizing and people rallying behind him that he's home. Folks feel a lot of accomplishment."

Shakur served 36 of a 60-year sentence stemming from a 1988 conviction for conspiracy to violate the Racketeer Influenced and Corrupt Organizations (RICO) Act, bank robbery, armed bank robbery and bank robbery murder. He was convicted of leading a group of revolutionaries in a string of armed robberies in New York and Connecticut. He was also convicted of helping JoAnne Chesimard, aka Assata Shakur, escape from a New Jersey prison in 1979, according to *The Associated Press* and Thomson.

But advocates like Muhammad have said the government targeted Shakur all those years ago to quell his activism, and believe that at the time of his arrest in 1986, Shakur was doing his own independent investigation of COINTELPRO, an FBI campaign to discredit radical groups including Black liberation movements that were deemed illegal. They also have claimed his incarceration was linked to his Black liberation efforts and his work with revolutionary Black nationalist groups in the 1960s, including the Revolutionary Action Movement and the Republic of New Afrika.

In his younger years, Shakur was also recognized for his work bringing holistic health care to Black communities in the Bronx. He informally studied acupuncture and in the 1970s joined with several other activists, in groups like the Black Panthers and the Young Lords, to take over part of Bronx's Lincoln Hospital and run the Lincoln Detox Center, a community center that used acupuncture to treat drug dependence and provided political education that produced several community activists, according to *The Washington Post*.

Shakur expressed joy over reuniting with his family, of whom he said he feels proud.

"It's been a great, great day, in 38 years of life, that I have had an opportunity to hug and nestle with my six children and three grandchildren," he said. "I am so proud of them, that they have survived and are presently in good physical and, more importantly, mental strength in light of what my life has caused them. They're very productive citizens that have not been tainted by the politics of my issues."

1 Feb - Call for Art & Essay Submissions for 2024 *Certain Days* Calendar

The Certain Days: Freedom for Political Prisoners Calendar collective is releasing its 23rd calendar.

MORE:

With twelve pieces of beautiful art and twelve essays, these radical calendars have a history of hanging in thousands of homes, workplaces, prison cells, and community spaces around the globe—both educating and reminding us of those behind bars in the struggle for a better world.

Having your work featured in the Certain Days calendar is a prestigious honor and a unique opportunity to use your words and your creative abilities to create a vision of an abolitionist future free of prisons, power structures, and authority. We especially seek to raise the voices of people who are or were incarcerated, so please forward this call for submissions to any prison-based artists and writers in your circles.

With the proceeds from these beautiful, educational calendars you are able to directly support organizations working to aid political prisoners and abolish the prison industrial complex.

Beneficiaries from the 2022 calendar include Release Aging People in Prison - RAPP, Mutulu Shakur legal support, The Sundiata Acoli Freedom Campaign release fund, Puget Sound Prisoner Support, Coalition to Decarcerate IL, Appalachians Against Pipelines, Community Resource Initiative, Burning Books expansion, P4W Memorial Collective, Cascadia Forest Defenders, and the Atlanta Solidarity Fund.

Submit your abolition-themed art or writing now and help raise funds for those struggling on the front lines of social change. See guidelines below for further information. **Submission Deadline:** May Day, Sunday, May 1, 2023

Guidelines

Articles

- 400-500 words max. If you submit a longer piece, we will have to edit for length.
- Poetry is also welcome but needs to be significantly shorter than 400 words to accommodate layout.
- Please include a suggested title.

Due to space limitations, submissions may be lightly edited for clarity and concision, with no change to the original intent.

Art

- The calendar is 11" tall by 8.5" wide, so art with a 'portrait' orientation is preferred. Art does not need to fit those dimensions exactly.
- We are interested in a diversity of media.
- The calendar is printed in color and we prefer color images.

Submit Your Art or Writing Today

• Send submissions by May Day, May 1, 2023, to info@certaindays.org or mail to: Certain Days, c/o Burning Books, 420 Connecticut Street, Buffalo, New York 14213.

ARTISTS: You can send a low-res file as a submission, but if your piece is chosen, we will need a high-res version of it for print (600 dpi).

You may send as many submissions as you like. Chosen artists and authors will receive a complimentary copy of the calendar. Because the calendar is a fundraiser, we cannot offer money to contributors.

3 Feb - Reproductive Rights Activists Charged Under Law Intended to Protect Abortion Clinics

The Justice Department calls graffiti on anti-abortion centers a threat to “reproductive health facilities.”

MORE:

by Natasha Lennard (*The Intercept*)

The Freedom of Access to Clinic Entrances, or FACE, Act was not written in response to acts like those Caleb Freestone and Amber Smith-Stewart are alleged to have committed. Instead, the law was meant to deal with the unchecked violence of people on the opposite side of the same issue.

Congress passed the FACE Act in 1994, following the assassinations of two abortion doctors and a bodyguard outside two clinics in Pensacola, Florida. At that time, anti-abortion groups nationwide were organizing aggressive mass clinic blockades, sometimes with many hundreds of people. Vehicles, chains, and locks were used to terrify abortion seekers and thwart their ability to enter clinics; threats of violence against clinic workers and patients were ubiquitous.

The FACE Act, which passed with bipartisan support, made the physical obstruction of clinics a federal offense, as well as threats of force and violence against clinic workers and clinic property. In its 30 years on the books, it has been used sparingly. Until recently, the roughly 100 cases filed were all against people who made targeted threats against individual abortion clinic workers, perpetrated arson and shooting attacks at clinics, and attempted physical blockades to stop abortions.

Now this law, introduced in response to very real threats and deadly violence against abortion providers, is being used to prosecute two reproductive rights activists, who allegedly spray-painted the outside walls of misleading and dangerous “crisis pregnancy centers” — known as CPCs — in Florida. Freestone, 27, and Smith-Stewart, 23, face up to 12 years in prison for graffiti, which the Justice Department is calling a threat to “reproductive health services facilities.”

It is both a grim application of one of the few federal laws that has served imperiled abortion clinics and a gross misuse of the term “reproductive health services” to describe what the facilities in question provide.

“This is yet another example of the government disproportionately charging alleged activists with serious crimes in an attempt to deter political opposition to the fall of Roe post Dobbs,” Lauren Regan, the director of the Civil Liberties Defense Center and attorney for defendant Smith-Stewart, told me. “Tagging private property might be a violation, but it should not be a federal crime.”

The graffiti in question — a level of property damage fixable with a coat of paint — was part of a series of similar small actions against anti-abortion centers across the country following last year’s leak of the Supreme Court decision to overturn Roe. Slogans including, “If abortions aren’t safe, neither are you,” and, “We are everywhere,” were daubed on exterior walls of fake clinics and anti-abortion network headquarters. Online, communiques from Jane’s Revenge — an umbrella name for a political stance, not an organized group — claimed responsibility for the independent acts.

For decades, leftists have used the tactic of acting autonomously under a unifying banner to signify solidarity with a broader cause. Those spray-painting in the name of Jane’s Revenge in Wisconsin, for example, almost certainly have no direct connection or knowledge of those doing the same in Florida or elsewhere. The goal is to spread a shared message and suggest a movement’s latent power. Yet, for as many decades, right-wing media pundits and law enforcement have responded with paranoid, if not purposeful, miscomprehension.

Fox News has dubbed Jane’s Revenge an “extremist group.” The FBI is currently offering a bounty for information on Jane’s Revenge activities, pledging “up to \$25,000 for information leading to the identification, arrest, and conviction of the suspect(s) responsible for these crimes.” The crime, that is, of low-level property damage, transmuted into potential federal offenses through a mangling of the FACE Act. The indictments in Florida are part of a broader campaign to draw a false equivalence between anti-abortion zealots and those fighting against the decimation of our reproductive freedoms.

“The level of bothsideism here by the DOJ goes beyond absurdity. Frankly, this is something I would have expected to see from the Trump Administration,” said Hayley McMahan, a public health researcher who studies abortion and criminalization at Emory University. “Despite a rapidly growing number of clinic

invasions, bullets fired through clinic windows, and other acts of violence, FACE is rarely even used by the DOJ to charge anti-abortion protesters who disrupt care at licensed clinics.” McMahon told me that the Justice Department is “setting an incredibly irresponsible precedent for recognizing CPCs as medical facilities that provide reproductive health services.”

The Justice Department’s statement on Freestone and Smith-Stewart’s indictments was as misleading as the “crisis pregnancy centers” that the defendants allegedly targeted. It claims that “the defendants targeted pregnancy resource facilities and vandalized those facilities with spray-painted threats” and that they used “threats of force” against employees at one clinic “because those employees were providing or seeking to provide reproductive health services.” This is laughable: It is precisely because these anti-abortion centers do not provide reproductive health services that they have become targets. They are part of a well-funded, Republican- and Supreme Court-supported machinery of forced births, criminalization, and pregnancy-related deaths.

The use of the FACE Act in these cases is an affront to the law’s spirit but not its letter. The statute’s wording applies to all “reproductive health centers,” a label which the fake clinics have been odiously permitted to bear. As the Justice Department’s website notes, “The FACE Act is not about abortions. The statute protects all patients, providers, and facilities that provide reproductive health services, including pro-life pregnancy counseling services and any other pregnancy support facility providing reproductive health care.”

“Crisis pregnancy clinics” should not be afforded such legal protections. They are anti-abortion centers, dedicated to dissuading people from getting abortions with highly deceptive practices. They pose as reproductive health clinics and “pregnancy help centers,” often offering pregnancy tests and ultrasounds to give the veneer of medical legitimacy, but these well-funded, sometimes taxpayer-supported, Christian organizations have the explicit mission to stop abortions.

As noted in a *New York Times* opinion essay on the centers, “A 2014 study concluded that 80 percent of C.P.C.s included at least one false or misleading piece of medical information on their websites. Also, it appears that some C.P.C.s could share women’s private health information with national anti-abortion networks, something that could be especially concerning in states that criminalize abortion post-Roe.”

Nationwide, the centers outnumber abortion clinics 3-to-1. Their presence is particularly harmful in a state like Florida, which, given its — albeit limited — ability to provide legal abortions, has been a destination state for those seeking abortions in the South, where a post-Roe world has long been the de facto reality, only worsening since Dobbs.

“Whether or not you believe the alleged vandals were in the wrong, the fact remains that crisis pregnancy centers are not medical facilities providing reproductive health services,” said McMahon, the public health researcher, noting that the centers often “portray themselves” as medical facilities by offering pregnancy tests and ultrasounds performed by nonclinician volunteers. “There is extensive documentation of their using these strategies to coerce both people who want abortions and people who want to parent.”

The federal government should be using every possible resource to aid and protect abortion providers and seekers. Instead, the overreaching Florida prosecutions and FBI focus on Jane’s Revenge read as a spineless gesture to appease congressional Republicans, who last year complained about the use of the FACE Act solely against anti-abortion extremists. As McMahon noted, anti-abortion Sen. Thom Tillis, R-N.C., among others, advocated to charge those who target CPCs under the FACE Act just last year.

According to Drexel University law professor David Cohen, whose work has focused on legal obstacles to abortion and anti-abortion extremism, the FACE Act served as a swift and effective deterrent to mass blockades at clinics. Of the recent Florida indictments, he said, “If this were the only way the DOJ were using their resources under the FACE Act, I would be extremely disappointed.” He noted that the government has continued to use the law to predominantly charge anti-abortion extremists but should

nonetheless be doing far more to protect abortion providers and seekers amid the rise of anti-abortion violence at clinics since the Dobbs decision.

Even if the government is continuing to use the FACE Act against those who oppose abortion, the comparative overreach in the cases against Freestone and Smith-Stewart is striking. The acts for which the two are charged pale in comparison to the threats and violent incidents that have led to convictions under the FACE Act in the past. In 2017, for example, a Minnesota man was sentenced to six months in prison after threatening two Minneapolis abortion clinics over the phone, including a call in which he threatened to cut the recipient's head off with a band saw.

A 2022 *Reveal News* investigation into FACE Act cases found that they were largely successful but did note that a number had failed when the alleged threats were not deemed to reach the legal standard of legitimacy by a jury. In one example, a Kansas woman sent a threatening letter directly to an abortion doctor trainee, saying, "You will be checking under your car everyday because maybe today is the day someone places an explosive under it." She also sent admiring letters to the killer of a Wichita abortion doctor in 2009.

As the Justice Department noted, "The court determined that the letter fell short of a 'true threat' because it 1) did not threaten any imminent or unconditional violence, and 2) it did not suggest that the defendant would be the participant in the threatened violence."

In response to the demands of Republican Congress members, the Justice Department released a list of recent FACE Act cases last year. The cases include assault and murder, as well as threats aimed at specific doctors — all of which appear to be more targeted than those alleged in the Jane's Revenge cases.

It is hard to imagine that spray-painting vaguely forbidding slogans, lacking names or specific intended actions, could rise to the legal standard of a genuine threat. Equally, the Jane's Revenge graffiti in no way obstructed entry to any of the fake health facilities. The prosecutions, and the potential of a 12-year sentence, are a pernicious overreach.

Given the decimated state of reproductive justice, these charges and the broader campaign targeting Jane's Revenge are yet another reminder that government forces, even under Democratic leadership, cannot be relied upon to stand on the side of those fighting for basic reproductive rights, let alone full reproductive justice. With this in mind, "We Are Everywhere" — the Jane's Revenge slogan, long used by queer and environmental liberationists to denote community in shared struggle — is a comfort, not a threat.

11 Feb - Art in Action Across Borders

WHAT: Radio AlHara live

WHEN: 5:00pm, Saturday, February 11th

WHERE: Interference Archive - 314 7th Street, Brooklyn

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

MORE:

Art in Action Across Borders is a community arts event co-hosted by Musicians For Palestine and Interference Archive that will stream live on Radio AlHara in Palestine. Join us for an evening of collective reflection on the possibilities of sustaining solidarity across lands with movements resisting settler-colonialism through art and music.

While we hear music selections from Radio AlHara local residents and from a vinyl collection of Palestinian resistance music from Josh MacPhee, we invite folks into a participatory and hybrid zine-making process, exploring the use of cut and paste collage to express the significance of solidarity across borders. Art in Action Across Borders aims to create and hold space for critical engagement within the arts, specifically within networks of musicians, who support Palestinian human rights.