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Updates for February 6th

7 Jan - Censoring Imagination: Why Prisons Ban Fantasy and Science Fiction

Moira Marquis on the importance of magical thinking for the imprisoned.

MORE:

by Moira Marquis (*Literary Hub*)

In 2009 I was working with the prison book program in Asheville, North Carolina when I got a request for shapeshifting. I was shocked and thought it was funny, until I came to realize esoteric interests like this are common with incarcerated people.

Incarceration removes people from friends and family. Most are unsure of when they will be released, and inside prisons people aren't supposed to touch each other, talk in private or share belongings. Perhaps this is why literature on magic, fantasy and esoteric ideas like alchemy and shapeshifting are so popular with incarcerated people.

When deprived of human intimacy and other avenues for creating meaning out of life, escapist thought provides perhaps a necessary release, without which a potentially crushing realism would extinguish all hope and make continued living near impossible. Many incarcerated people, potentially with decades of time to do ahead of them, escape through ideas.

Which is why it's especially cruel that U.S. prisons ban magical literature. As PEN America's new report Reading Between the Bars shows, books banned in prisons by some states dwarf all other book censorship in school and public libraries. Prison censorship robs those behind bars of everything from exercise and health to art and even yoga, often for reasons that strain credulity.

The strangest category of bans however, are the ones on magical and fantastical literature.

Looking through the lists of titles prison authorities have gone to the trouble of prohibiting people from reading you find Invisibility: Mastering the Art of Vanishing and Magic: An Occult Primer in Louisiana, Practical Mental Magic in Connecticut, all intriguingly for "safety and security reasons." The Clavis or Key to the Magic of Solomon in Arizona, Maskim Hul Babylonian Magick in California. Nearly every state that has a list of banned titles contains books on magic.

Do carceral authorities believe that magic is real?

Courts affirm that magical thinking is dangerous. For example, the seventh circuit court upheld a ban on the Dungeons and Dragons role playing game for incarcerated people because prison authorities argued that such "fantasy role playing" creates "competitive hostility, violence, addictive escape behaviors, and possible gambling."

A particularly strange example of banning magic can be seen on Louisiana's censored list.

Fantasy Artist's Pocket Reference contains explanations of traditional nonhuman beings like elves, fairies and the like. It also features drawings of these beings and some guidance on how to draw them using traditional or computer-based art. The explanation for this book's censorship on Louisiana's banned list reads, "Sectarian content (promotion of Wicca) based on the connection of this type of literature and the murder of Capt. Knapps." Captain Knapps was a corrections officer in the once plantation now prison, Angola in Louisiana. Knapps was killed in 1999 during an uprising that the *New York Times* attributed to

the successful negotiation of other incarcerated people for their deportation to Cuba at a different facility in Louisiana prior that year. It is unclear how this incident is linked in the minds of the mailroom staff with Wicca or this book—which is a broad fantasy text and not Wiccan per se. (Prison mailrooms are where censorship decisions are—at least initially—made).

As confused as this example is, what is clear is that these seemingly disparate links are understood by others within the Louisiana Department of Corrections since Captain Knapps' death continues to be cited as rationale for why fantasy books are not allowed.

Is the banning of fantastical literature in prisons just carceral paranoia—or it is indicative of a larger cultural attitude that simultaneously denigrates and fears imagination? After all, prisons are part of U.S. culture which, despite a thriving culture industry that traffics in magic and fantasy, nonetheless degrades it as lesser than realism. We see this most clearly in the literary designation of high literature as realist fiction and genre fiction like science fiction, Afrofuturism, magical realism as not as serious.

Magic's status as deception and unreality is a relatively recent invention. Like the prison itself, it is a reform of older conceptions. In Chaucer's time and place, 'magic' was a field of study. For example, in The Canterbury Tales, written in 1392, he writes, "He kepte his pacient a ful greet deel/ In houres, by his magyk natureel" when speaking about a doctor whose knowledge of plants was medicinal. Magic was connected to knowledge in Chaucer's mind because of its connection with the Neoplatonic tradition, which acknowledged the limits of human knowledge. The known and the unknown were in a kind of relationship.

However, the Oxford English Dictionary notes, "Subsequently, with the spread of rationalistic and scientific explanations of the natural world in the West, the status of magic has declined." Beginning with OED entries from the 1600s, "magic" becomes a term to designate manipulation of an evil kind.

At this time in Europe and its settler colonies, 'magic' became applied to a huge variety of practices increasingly seen as pernicious, from healing with herbs to rituals associated with nature spirit figures, like the Green Man and fairies, to astrology and divination. The diverse practices popularly labeled 'magical' were lumped together only through their association with intentional deception, superstition and error.

Writers like Ursula Le Guin have gone to great lengths to contest the supposedly firm divide between magic and reality. She argues that imagination is eminently practical and necessary:
"Hard times are coming, when we'll be wanting the voices of writers who can see alternatives to how we live now, can see through our fear-stricken society and its obsessive technologies to other ways of being, and even imagine real grounds for hope. We'll need writers who can remember freedom — poets, visionaries — realists of a larger reality."

For Le Guin, rejecting imagination is the ultimate collapse of the human social project.

Joan Didion's conception of magical thinking as escapism is not far from this. The imagination that allows us mental respite from trauma is a bedfellow to the imagination that envisions our world unmoored to current conditions. There are so many issues that demand wild dreams to be addressed in more than shallow and inadequate ways.

It's much simpler and less disruptive, of course, to deny dreams as unrealistic and to assert their danger. Imagination's potential for disrupting systems already in place is clear. Those that cite this danger as a reason to foreclose imagination may even admit current systems imperfections yet, necessity. This may be the perspective of prison censorship of magical literature—commonly banned under the justification that these ideas are a "threat to security."

Incarcerated readers say the censorship they experience oppresses their thoughts and intellectual freedoms. Leo Cardez says, "They [books] are how we escape, we cope, we learn, we grow…for many (too many) it is our sole companion." Jason Centrone, incarcerated in Oregon, expresses exasperation with the mentality

that sees magical thinking as threatening: “Or, lo! The material is riddled with survival skills, martial art maneuvers, knot-tying, tips on how to disappear—like this.”

Banning fantasy is particularly pernicious. Regardless of how you view incarceration—as an existence in a degraded and injurious confinement, or the justifiable requisitioning of people who have done harm away from others—we should all agree that we want incarcerated people to be able to imagine otherwise. Whether it’s imagining themselves or systems differently, creativity of thought is a tool to build a better life for everyone.

Such foreclosure of the imagination, a preemptive denial of the possibility of alternatives are a death-knell for betterment both individually and socially.

We need more magic, not less.

12 Jan - Little Rock police vehicle arson cases end with federal sentencing of four

Last week, a federal judge in Little Rock handed down sentences to the four remaining defendants accused of torching police vehicles in Little Rock in 2020.

MORE:

by Aarón Cantú & Kandist Mallett (*Arkansas Times*)

Their actions, and subsequent arrests and prosecutions, made national headlines amid protests following the murder of George Floyd at the hands of Minneapolis police.

U.S. District Judge Price Marshall meted out the longest sentence to Mujera Benjamin Lunga’ho, who received a sentence of five and a half years after pleading guilty to arson. Having already been incarcerated since September 2021, he will remain in prison until 2027 and pay $86,099.37 in restitution to the court. Lung’aho originally faced more than a dozen charges and a century in prison.

Three of his co-defendants — Renea Goddard, Emily Nowlin and Loba Espinosa-Villegas (whose first name court records refer to as “Aline”) — were each sentenced to 18 months in prison, plus about $35,000 each in restitution. They will begin their sentences in early 2024.

Another co-defendant, Brittany Dawn Jeffrey, was previously sentenced to 18 months probation and a relatively smaller fee. At a hearing last December, Jeffrey was released from jail, where she’d been detained pre-trial for a year and a half.

As we previously reported for *The Nation* and *Type Investigations*, Jeffrey was the subject of intense surveillance by local and state police in the months after George Floyd’s murder. Law enforcement emailed each other tips about her organizing activity, including screenshots of her Facebook page, in order to track protests against police violence and white supremacy in Central Arkansas.

Lung’aho was Jeffrey’s longtime friend, and they frequently attended protests together. In previous interviews with us from jail, Lung’aho said he sensed that Jeffrey was the target of law enforcement surveillance. She was also under threat, he said, by local white supremacists, including some friendly with police.

Records showed that police surveillance started months before Jeffrey was accused of participating in illegal activity. Law enforcement crossed a line into potentially violating protesters’ First Amendment rights to free speech and assembly, according to ACLU of Arkansas Executive Director Holly Dickson.

But months later, it was federal prosecutors accusing Jeffrey, Lung’aho and their co-defendants of crossing a line. The defendants were accused of handling or throwing Molotov cocktails that set ablaze empty police vehicles belonging to the Little Rock and North Little Rock police departments and the Arkansas State

Police. Then-U.S. Attorney Cody Hiland, who is now an Arkansas Supreme Court justice, threw the book at them. He claimed they'd broken many federal laws, with severe consequences.

Hiland's actions were consistent with Trump-aligned federal prosecutors in more than 300 cases, who aggressively pursued activists and protestors accused of breaking laws in the wake of Floyd's death. The advocacy group Movement for Black Lives argued prosecutors overcharged defendants and sought excessive sentences in an effort to suppress an uprising by Black people.

In 2021, police seized Lung'aho's phone after arresting him for vandalizing markers at a Confederate memorial at Little Rock's Oakland-Fraternal Cemetery. Incriminating messages on his phone tied the other defendants to the arson attacks. (Lung'aho also pled guilty to two vandalism charges in state court last week, but will serve no additional time for them.)

In phone interviews throughout his incarceration, Lung'aho has reflected on his actions in the context of the Black struggle in the U.S. At his sentencing hearing on Dec. 7, he described feeling regret for the effects his actions had on his loved ones, but did not express remorse for damaging police vehicles, according to his lawyer, Michael Kaiser.

"It wasn't something he'd do again," Kaiser said. "But he did not apologize for what he did."

Assistant U.S. Attorney John Ray White went as far as describing Lung'aho's actions as terrorism. He asked the judge for a seven-year sentence.

Lung'aho's legal strategy has consisted of challenging the feds' use of "stacked" charges and jurisdictional grounds. He has had some success. Three of the most severe charges brought against him were thrown out by the court, a move upheld by the notoriously conservative 8th Circuit Court of Appeals.

He still intends to appeal his remaining charges on the grounds that they were inappropriately charged in federal court, rather than state court.

Even though Lung'aho's sentence was twenty-fold lower than what he originally faced, Kaiser did not view it as a favorable outcome. It's among the longest dispensed to any defendant who participated in the 2020 unrest nationwide.

The federal government "illegally charged" Lung'aho, said Kaiser. "It is overkill," he added, "I'm glad he's not receiving a functional life sentence, but there's no joy beyond that."

Jonathan Ross, the U.S. attorney for the Eastern District of Arkansas, said in a statement there was "no justification for violent acts targeting our law enforcement community."

"The use of Molotov cocktails to destroy law enforcement property is not a form of legitimate protest; rather, it is a troubling escalation of gratuitous violence that seeks to stoke embers of anarchy in our community, and it will not be tolerated in the Eastern District of Arkansas," Ross said.

12 Jan - The Robber Barons of Prison Tech

Meet the name-changing, monopoly-holding, profit-raking companies that control what it's like to be in prison.

MORE:
by Nitish Pahwa (*Slate*)
When it comes to the technological advances that have graced our ever-expanding, ever-crowded, ever-exploitative prisons, observers rightly tend to point out the insidious panopticon they've enabled: sophisticated surveillance and security networks that ensnare the lives of nearly 2 million people locked up

throughout the United States. But the technology that prisoners themselves use and depend on is frequently overlooked. Those very tools, proffered as a lifeline, often become another means of punishing both incarcerated people and their communities, largely because the profiteers from this multibillion-dollar sector prefer to keep it that way. Through partnerships with private prisons and contracts with state-helmed correctional institutions, name-changing private equity firms have come to dominate the provision of essential digital services to American prisoners.

Just a few companies control prisoners' access to phone and video calls, educational resources, data storage, music and podcasts, word-processing software, and messaging platforms—resources that people on the outside use every day. If you're in prison, chances are that a private firm largely controls not only whether you're able to use anything from that list, but how much you'll pay for it. A necessity to the incarcerated becomes yet another lucrative scheme that victimizes the very people it professes to help.

To understand how this came to be, it's worth homing in on the story of one significant, all-but-duopolized sector: prison communications.

For most of the 20th century, landline phone service across the United States—including prison pay phones—was dominated by AT&T's regulated "Ma Bell" monopoly, which covered long-distance calls and regional networks through the buildout of self-manufactured infrastructure. This changed in 1982, when a government antitrust suit forced the company to spin off its regional networks and shutter its equipment-assembly arm, leaving AT&T with only its long-distance lines for the next couple of decades. (The company would re-merge with many of its former Bell subsidiaries by the mid-2000s.)

That breakup sparked a land grab from extant telecommunications competitors like Sprint, Pay Tel Communications, MCI Communications, and former AT&T subsidiary SBC, which hungrily eyed new openings in regional phone service—including the state and municipal prisons whose connections fell under local oversight. These newly empowered competitors then turned to offering prisons what the onetime gatekeeper could not: novel computerized features like electronic messaging and intelligent networks. "They had these surveillance features, and they started to engage in commissions-based services, where they would make profit-share arrangements with prisons," said Bianca Tylek, founder and executive director of the anti-carceral nonprofit Worth Rises.

In other words, these companies weren't selling just phone calls. They were also selling improved ways to monitor and track those calls—and taking a cut of the fees that prisoners and their loved ones were charged for making them. It was good business: By 1995, nearly 90 percent of the country's prisons shared some profits with private telecoms firms. A survey from the time, published by the American Correctional Association, found that 31 corrections departments raked in about "$96.4 million in commission revenues from inmate telephone calls."

The '90s brought even more governmental boons to the thriving prison-comms industry. First, of course, came Bill Clinton's 1994 crime bill, whose sentencing revisions helped to accelerate the growth of the national prison population, already booming thanks to a surge in recent "tough-on-crime" state laws. Then came the 1996 Telecommunications Act, which allowed for increased competition in the pay phone market. That wasn't a bad thing for the broader market, but prisons had unique bargaining advantages over other telecoms clients: A whole state's correctional department could field bids from companies jockeying to provide the pay phones and the calling bandwidth and those aforementioned surveillance options for all state facilities. Of further benefit to these facilities and their contractors: a 1996 crime-bill amendment that authorized states to use federal grants to turn prisons over to the private sector, legislation that helped to open up telecoms markets to fellow profit-seeking incarcerators.

Two years later, Eric Schlosser laid out one example of the ensuing "prison-industrial complex" in a damning Atlantic report: "The business has become so lucrative that MCI installed its inmate phone service, Maximum Security, throughout the California prison system at no charge. As part of the deal, it also offered the California Department of Corrections a 32 percent share of all the revenues from inmates'

phone calls. MCI Maximum Security adds a $3.00 surcharge to every call." Even these eye-popping fees did not necessarily come honestly: MCI was caught overcharging in one state by automatically "adding an additional minute to every call."

The burden of these above-market rates fell largely on incarcerated people's loved ones, who petitioned authorities in states like Connecticut and Oklahoma to do something about unreasonable prices for these phone calls, which varied widely among facilities. In 2000 Martha Wright-Reed, whose grandson was incarcerated, filed a federal lawsuit over the nature of the phone contracts; that suit was referred to the Federal Communications Commission and languished there for over a decade.

At the same time, bigger-picture telecoms firms were slowly getting squeezed out of the prison space by two '80s-era Southern companies that specialized in inmate calling: T-Netix (which provided tech for calls and for information management) and Global Tel*Link Corporation (which offered commerce systems and in-call voice recording).

Throughout the 2000s, these "Big Two" were on a roller coaster of investments and acquisitions. In 2004 T-Netix was acquired by the private equity firm H.I.G. Capital, which in turn acquired the telecoms company Evercom and merged the two companies into an entity it dubbed Securus Technologies. That same year, the international private equity juggernaut Gores Technology Group acquired Global Tel*Link, aka GTL, from its parent company, Schlumberger Technologies. Private equity firm Castle Harlan purchased Securus from H.I.G. in 2011 for $440 million, then sold it two years later to ABRY Partners for $640 million, which then sold it to Platinum Equity in 2017 for around $1.5 billion. As for GTL, it was first purchased by PE firms Veritas and Goldman Sachs Direct in 2009 for $345 million, then acquired by American Securities in 2011 for $1 billion.

By 2012, GTL, Securus, and competitor CenturyLink Public Communications accounted for 90 percent of the inmate phone services market. (In 2020, after the FCC approved CPC's acquisition by Inmate Calling Solutions, the latter took the former's place as distant PE-owned runner-up to the GTL/Securus duopoly; the PE major Keefe Group owns ICSolutions.)

Why did private equity firms flock to this space and provide backing to these corporations? As Worth Rises' Bianca Tylek told me, prison telecoms operated in a market structure that was amenable to private equity firms' key demand: to squeeze out as much money as possible in order to earn sky-high returns as a company investor or to juice business value upon resale. Privatized prison services like phone calls, which are cheap to install and network, attracted little in the way of regulation or active oversight in the years following the AT&T breakup and the '96 telecoms act. Plus, as Wanda Bertram, a communications strategist at the Prison Policy Initiative, told me, private equity finances tend to be murky. That's to their advantage—as Tylek told *NPR* in 2020, American Securities' purchase of GTL was financed in part by public pensions, including the official fund for Los Angeles Firemen and Police, which obviously has a vested interest in the prison system.

What makes all this even juicier for private equity is the fact that prison comms contracts give companies systemwide monopolies—incarcerated people and their families can't choose a different service if they don't like what's offered in their prison. Companies "have an exclusive right to provide services, so they're not in competition, which means they can provide shitty services," Tylek said. PE capital, in turn, allows their portfolio companies to grow in perpetuity by gobbling up competitors—and the Big Two have certainly done that. From 2012 through 2018, as Securus' own website documents, the firm bought about a dozen other companies, covering services like videoconferencing, GPS monitoring, biometric analysis, electronic messaging, and even music streaming. GTL (now called ViaPath) is no slouch, having procured for itself at least three rival prison-communications firms, a video-software provider, a payment services app, and an ed-tech system from 2010 through 2017.

That gets into another key part of the prison comms industry: its rapid diversification away from simple phone calls. In part, that was a response to regulations from the Obama-era FCC, which reexamined Martha

Wright-Reed's lawsuit and issued new caps on per-minute pricing for collect calls and interstate prison calls. (The rules were approved with a dissenting vote from then-Commissioner Ajit Pai, who'd previously represented telecoms giants like Verizon, AOL, and Securus as a private attorney.) In 2015 the agency went further by-passing rate caps on all prison phone calls and abolishing ancillary service fees, such as charging for the mere act of establishing a company account. Again, Pai dissented—and two years later, when he became FCC chairman and the 2015 regulations were tangled up in a telecoms-sector lawsuit, he refused to defend those particular rules in court, and they were subsequently struck down.

These regulations were enough to push companies like Securus and GTL to pivot away from their once-lucrative moneymaker of phone calls into other digital communications. Remember all those other companies they acquired? Well, they began putting them to work, providing: video-calling capacity, which often means that prisons will subsequently restrict or end in-person visits altogether; electronic messages, often with time limits on reading and steep "digital stamps" that cost over 20 cents a message (and prompt jails to do away with physical mail); and "free" e-tablets with preloaded pay-to-use media, among other services.

There is, however, a dim light at the end of the tunnel: Earlier this year, President Joe Biden signed the Martha Wright-Reed Act, written and approved by a bipartisan group of Congress members to instruct that the FCC "ensure just and reasonable charges for telephone and advanced communications services in correctional and detention facilities." Before that, a few states began to pass laws abolishing prison-calling fees. Connecticut, the first, went so far as to end surcharges on video calls and emails as well.

But private equity still has carceral bounties at hand. The consolidation of communication necessities into one specialized corporation only increases that company's net worth, overhauling both revenue structure ("Four years ago, Securus' revenue was 60 percent phone calls, 40 percent everything else, and now that's flipped," Tylek said) and future prison deals ("They typically contract for a bundle of services, including phone calls, video, tablets, and maybe 'inmate banking,'" Bertram said).

This has also inspired rebranding: In January 2022, GTL changed its name to ViaPath, adopting a sunnier logo, committing to "breaking the cycle of incarceration," and renewing a focus on its ed-tech subsidiary, which approved and then retracted a controversial grant for incarceration-focused children's materials to Sesame Workshop (the production company behind Sesame Street). In 2019 Securus' private equity shareholders announced a restructuring that would transform it into a "diversified technology company," splitting off its phone services from its money-transferring arms and couching them all under a parent company called Aventiv Technology. In 2020 it began providing customer-service lines to friends and family of the incarcerated (and, recently, Black Friday deals!); in 2022 it hosted a stunningly cynical rap-writing contest for incarcerated contestants.

I say "stunningly cynical" because one of the big reasons there's now more public momentum and policy action against the prison-communications sector is because creatives behind bars have long made the most of its janky tech to express themselves and distribute their work far beyond cell walls. Like, well, rappers—folk-hero tales abound of artists locked up in the middle of their careers (Mac Dre, Gucci Mane, Max B) who spoke their verses into clunky phone receivers so as to transmit them to ingenious friends on the outside. One of them, the late Drakeo the Ruler, didn't hesitate to call out the company wiring his raps: 2020's Thank You for Using GTL included the automated titular message in nearly every song, making sure listeners couldn't forget. Drakeo later told *NPR* that the collective expenses of putting together a jail-phone-recorded album added up to "the hundreds of thousands. … It's crazy how much they charge to do this."

Of course, GTL and Securus became characters even beyond the rap realm: as Adnan Syed's $2,500 tool for recording his Serial dispatches, and as the playthings of private equity executives who also happen to own NBA teams. Their text-focused and commissary subsidiaries are also invaluable for incarcerated journalists and writers getting their work to the public—which makes it all the worse that these products, despite all the cash they collect, continue to peddle fragile, unreliable, treacherous service. Securus, in

particular, has become notorious for a few events: stowing recordings of attorney-client calls while failing to bolster protections against massive hacking operations; forcing Florida contractors to switch out prisoners' MP3 players for new tablets from its JPay subsidiary, fueling a mass loss of listeners' music collections; installing a 2021 software update that temporarily removed copy-and-paste and message-drafting functions from JPay tablets' word processors; and, most recently, mass-deleting drafts from its e-messaging app for Washington state's incarcerated, causing these occupants' writings to fall into an unrecoverable void.

The state of modern-day prison communications demonstrates just one knotty example of the tentacles of in-prison technology. Yet its very existence also points to a way out of this panopticon. The constant political lobbying against these companies from family members of prisoners and the organizations that support them; the resulting, concrete government laws and regulations, at both the state and federal level, that pushed those firms into changing their strategies; the nationwide uprisings against carceral cruelty that spurred companies like Securus and GTL to rebrand themselves and publicly adopt the language of restorative justice; the constant public attention brought to this heretofore obscure industry, by rappers and podcasters and journalists who may themselves be behind bars—all of it is slowly adding up to make indelible change in an industry that has long resisted any accountability.

It's not enough, and there's still a long way to go. But it's a promising start that points to other paths we can take toward humanizing our greedy justice system just a bit more.

22 Jan - Georgia GOP Proposes RICO Expansion for "Loitering" Protesters

In a bid to repress movements like Stop Cop City, the far right wants enhanced penalties based on "political affiliation or belief."

MORE:

by Natasha Lennard (*The Intercept*)

When the state of Georgia indicted 61 Stop Cop City activists on racketeering charges last year, it mangled the meaning of "racketeering" beyond recognition. In the indictment, prosecutors cited typical social justice activities, such as "mutual aid," writing "zines," and "collectivism," as proof of criminal conspiracy and raising money for protest signs as grounds for money laundering charges.

Just as it seemed that Georgia Republicans couldn't push the state's broad Racketeer Influenced and Corrupt Organizations, or RICO, statute any further, GOP state senators introduced a bill on Friday that would significantly expand the reach of the Georgia RICO law, with blatantly repressive designs.

Former President Donald Trump and his allies currently face the highest profile RICO charges in Georgia for attempting to interfere in the 2020 presidential election. Trump's case, however, is a political outlier when it comes to the increased deployment of RICO charges in recent years, as it takes aim at a truly powerful cohort engaged in the very paradigm of conspiracy. While this is the purported intention of RICO laws — first introduced in 1970 to target mob bosses — recent uses of Georgia's statute have involved casting Atlanta public school teachers as organized criminals for altering test scores and claiming that the lyrics of Black rap artists can indicate potential violent gang involvement.

The newly introduced Senate Bill 359, or S.B. 359, sponsored by 10 Republican state senators, makes clear that the Georgia GOP intends to continue using RICO as a tool for sweeping criminalization and repressive prosecutions. The proposed law would include low-level misdemeanors, such as "loitering" and placing posters in unpermitted places, as crimes to which RICO charges and hefty enhanced penalties could apply. The bill also includes "political affiliation or belief" as a factor for enhanced penalties in certain circumstances.

S.B. 359 will likely face significant challenges and amendments. Still, the effort serves as a grim harbinger of the far right's further weaponization of RICO to circumvent legal standards and criminalize whole

movements — even disparate activist constellations like Stop Cop City, which has brought together thousands of local and national environmentalists and abolitionists to stop the construction of a vast police training compound atop Atlanta's crucial forest land.

"RICO is meant to be a narrow criminal statute to address a very specific form of conduct where the puppeteer escapes culpability while the puppets continue to cause serious and often violent harm to the community over the course of years," Lauren Regan, executive director of the Civil Liberties Defense Center, which is providing legal support for numerous Stop Cop City defendants, wrote in an email. "The proposed amendments to this statute circumvent that intent and are clearly meant to chill political organizing activities."

The first trial in the Cop City racketeering case was scheduled to begin in early January but has been delayed, ironically enough, over the question of whether 19-year-old defendant Ayla King had her right to a speedy trial violated. King was arrested last March when police raided a music festival hosted by organizers in the Atlanta forest and made indiscriminate arrests based on scant evidence. An hour earlier, and more than a mile away, masked activists had vandalized construction vehicles and materials at the planned Cop City site. King now faces a single charge of violating the RICO law, with a potential sentence of five to 20 years in prison.

Alongside King, more than 20 defendants arrested at the music festival face racketeering charges. Prosecutors have cast other movement participants as part of a "criminal enterprise" for no more than fundraising or posting flyers naming police officers involved in the killing of activist Manuel "Tortuguita" Terán during a raid last January. They are all awaiting trial.

During a public panel last September, veteran Georgia attorney Don Samuel, who is representing a number of activists in the RICO case, noted that the state's 109-page indictment "doesn't allege a single racketeering act" but instead names "protected activities" as grounds for the charges. "Aspects of it are extremely unintelligible," he said.

A malicious prosecution like the Cop City RICO case, given its weakness, has a questionable chance of success in court but nonetheless spreads fear and drains movement energies and resources through lengthy trials. Should a law like S.B. 359 pass, future RICO cases as flimsy and groundless as the one facing Cop City activists could have a better chance of success, as prosecutors could choose from a greater range of low-level violations, newly classified as potential "racketeering acts."

The specific misdemeanors listed in the bill are telling. "Loitering," "littering," "disorderly conduct," "trespass," and the unpermitted placement of posters and advertisements are not the typical activities of high-level criminal organizations. They are, meanwhile, common examples of low-level charges faced by activists who take up public space and spread awareness; indeed, they're the very activities for which dozens of Stop Cop City participants face overreaching charges. Right-wing movements could, as a point of law, face penalties for the same activities — but police and Republican attorney generals are not in the habit of targeting the far right.

Another peculiar part of the proposed RICO expansion is the suggestion that enhanced penalties should be applied when the victim of a so-called criminal enterprise is chosen due to "political affiliation or beliefs." Unlike race, gender, and sexual orientation, a victim's political beliefs are not considered relevant under hate crime or other statutes when it comes to enhanced sentencing considerations. Indeed, it would be unconstitutional if they were, as the First Amendment protects political speech — including when that speech targets another group's political affiliation or beliefs.

"Any law that is written with the words 'political affiliation or belief' as contributing factors for enhanced penalties immediately raises serious first amendment issues," the Civil Liberties Defense Center's Regan told me. Samuel also noted that "to include 'political beliefs or affiliations' within the scope of what we generally consider to be 'hate' crimes is inviting First Amendment disaster."

With such clear flaws, it's unlikely that S.B. 359 will survive in its originally proposed form. It should be understood, rather, as a statement of intent. The Stop Cop City racketeering case is an example that the right plans to see followed: RICO as a tool for repression, either de facto or in the letter of the law.

22 Jan - Civilization is a cancer.

Letter by imprisoned anarchist comrade Toby Shone

MORE:
"It is not death that a man should fear, but he should fear never beginning to live."
– Marcus Aurelius, Meditations

Some matters should be denounced in the strongest terms, one of these is the way prisoner's health is addressed. Neglect and mistreatment are endemic, if not malice, institutionalised. I was scheduled an MRI scan and blood tests for tumour markers in late October 2023 at the Bristol Royal Infirmary. I should have been put on medical hold and provided that treatment, but I was transferred to the long-term High Security Estate where I did not receive the blood test by the prison medical team until late December. The results of those blood tests have never been disclosed to me by the prison medical authorities. In fact, I only got the results after a comrade called my Bristol NHS Oncology Unit. Twice the prison team have failed to facilitate a telephone consultation with my doctor to receive the blood test outcome. The prison medical system has totally failed in every way to provide continuity in my oncology pathway. My scheduled MRI scan, which I have not been given any information about, is not being declared to me for fear I will use the opportunity to make an escape. The last time, the despicable cowards of the prison service zip tied my hands before I was placed in the coffin of the MRI scanner, an indignity that I will not accept again even at risk of my health. Prisoners die each day chained to their hospice beds watched by bastards with keys and batons. Prison is an abomination and the only future we are fighting for is one in which it is destroyed forever. I will live and die in the way I choose.

24 Jan - Noise Demos Ring in New Year As Repression Ramps Up

On New Year's Eve, anarchists and abolitionists took to the streets to hold noise demos in over 20 cities across the so-called US and Canada, rallying outside of prisons, jails, detention centers, and juvenile hall facilities.

MORE:
For years, people have organized noise demonstrations to ring in the new year and build bonds of solidarity capable of breaking through the isolation of the prison walls.

Demonstrations this year took place against a backdrop of escalating repression at home, as the state prepares to bring to trial dozens in an effort to crush the movement in defense of the Atlanta forest and stop the construction of Cop City through draconian RICO charges and beyond.

Moreover, both corporate parties, in an effort to distract from growing class anger at inflation and the rising cost of living, have escalated their campaigns at demonizing refugees, the houseless, and the poor. From pushing mass disinformation and outright lies about the supposed threat of "retail crime," Palestinian solidarity activists, and asylum seekers at the border, politicians are hoping to capitalize on manufactured fear while promoting the "solution" of border militarization, drug war era policies, and increasing attacks on the houseless.

This continued ramping up of repression has already had disastrous impacts, with 2023 being a record year for police killings – 1,141 in total, over three people per day – more than in 2022. This mass murder takes place against the US backing of the ongoing genocide of Palestinians in the occupied territories, as the Pentagon's war budget is bigger than ever.

All of this exists to attack a grassroots politics of autonomous mutual aid, community solidarity and defense, and anti-capitalist resistance that has been growing over the last several years. We must continue to push back and attack these attempts by elites and their lap-dogs to divide us and instead push for total control over our own lives and communities, outside and against the interests of the rich and powerful. New Year's Eve noise demos are one small expression of this trajectory and a reminder of the struggle in front of us in the coming year.

25 Jan - firm steps to the end

We have a poem to share from Greek anarchist political prisoner Thanos Chatziangelou.

MORE:
Don't stop me. I'm dreaming.
We've lived bent over centuries of injustice.
Centuries of loneliness.
Now don't. Don't stop me.
Now and here and forever and ever and everywhere.
I dream of freedom…
I dream because I love.
Big dreams in the sky
Don't ask. Don't stop me.
It's now to restore
the supreme act of moral right.
To make a poem of Life.
And Life into action.
It's a dream that I can I can I can
I LOVE YOU
And you don't stop me I don't dream. I'm living.

28 Jan - Boris convicted on appeal for the fire of two relay antennas

On September 25, 2023, the Nancy Court of Appeal tried again the anarchist comrade Boris (translation as is customary the word companion is used in the French, which highlights more the sense that everyone is fighting their own struggle), for having burned the relay antenna of the four telecoms operators, as well as that of the cops and gendarmes, in April 2020 on the Mont Poupet (Jura).

MORE:
via *Lille Indymedia*
Following this attack which had mobilized in full capacity technicians of the Ministry of the Interior until the bottom of the Jura valley to try to restore their communications as soon as possible, the DNA of the comrade had been found on the spot. After months of eavesdropping and surveillance conducted by the Anti-Terrorist Group (GAT) of Dijon and members of the GIGN specially come from Versailles (transl. equiv. to SAS or Special Ops), and as part of an investigation entrusted to the Specialized Inter-regional Jurisdiction (JIRS) of Nancy, Boris had been arrested in Besançon on September 22, 2020.

Incarcerated on remand at the Nancy-Maxéville prison, he will be sentenced at first instance on May 19, 2021 to 4 years in prison, being two years definitely served with a recallable probation of two years (with the obligation to work, to reimburse the civil parties and prohibition on carrying a weapon). Tried without a lawyer and in a court guarded by riot police to prohibit access to all the solidarity companions present on the spot (under the pretext of restrictions related to covid-19), Boris appeals within the following days. He also releases a public letter from behind bars in June, in which he will defend the reasons for this double attack (**sansnom.noblogs.org/archives/7006**)

On August 7, 2021, and while the appeal date had been set for the end of September, a fire in the cell he was locked in seriously hurt him (most notably leaving him paralysed from the neck down). Plunged

several months into a coma and prognosed as struggling for his life, his room was guarded by two gendarmes until the lifting of these conditions by the Court of Appeal of Nancy on September 20, 2021. The rest is a long medical journey of the comrade in different hospitals, where he had to continue to fight both against medical authority and other judicial bodies (notably against an attempt to put him under custodianship at the request of the chief physician of the palliative service of Besançon). On the side of the Court of Appeal of Nancy, while the fixing of a date of hearing for the fire of the antennas remained suspended sine die for two years in view of the state of health of Boris, it was in the middle of July of this year 2023 that they suddenly decided to reconvene. For this, they used the vile pretext that the comrade had managed to express himself in video from the hospital before another jurisdiction, in March 2023, in order to successfully inform a judge that he opposed any custodianship (of the State as well as of the family)!

Now housed in a center for adapted living, Boris finally chose to accept this hearing of September 25, 2023 before the Court of Appeal (telecommuted), so that this story could be over. While some companions were present in the courtroom of Nancy with his lawyer, others were alongside Boris in his room, especially to help him face the vagaries of wi-fi and tracheotomy. For the sake of the anecdote, Boris had also taken care to adjust the angle of the small camera so that appearing behind him and in front of the judges was the poster "From the Shadows of the Towns the Glimmer of Insurrection".
(**cestdejatoutdesuite.noblogs.org/2013/01/11/de-lombre-des-villes**)

As for the hearing itself, everything was odious, as is the daily lot of any court where trash in robes allow themselves to judge the lives of others and send a large part of them into this instrument of institutional torture that is prison. With here any words can be used to characterise these kinds of scavengers when confronted with individuals who deviate from the norm. While the physical state of the comrade was well known to him, this did not prevent Judge Pascal Bridey from repeatedly asking the companion to raise his hand if he wanted to speak. Or the prosecutor Hadrien Baron to communicate in his indictment his sense of irony over the fact that Boris had been the victim of a cell fire (accidental according to the expert report) while he himself had burned antennas. A kind of divine punishment, in a way, according to this sub-shit in the service of the coldest of cold monsters. As for the lawyer of the company Orange, come down specially from the capital, he did not resist pointing out that if Boris was against technology, the latter could still be very useful to him… like this videoconference allowing him to be judged without having to move (sic).

For his part, Boris showed a big smile when reading the file by the judge, which included the fire of the technical room of an SFR antenna on Mont Bregille (Besançon) two weeks before those in the Jura, and for which the comrade had finally been dismissed. Just as he will do when reading this excerpt from his statement in custody, or when he asks, "How did you feel after committing this act?" , he said, "I was happy to have succeeded in this challenge, to have surpassed myself and to have dealt a blow to the development of this new technology", before concluding, "I was all alone and I take responsibility for these facts". Following this unambiguous summary, the judge asks Boris if he had something to add, more than three years after the facts. During this rare speech before the court, the comrade soberly let go: "that's for sure, at the time I was determined ", before deciding to remain silent to let his lawyer continue in his place.

At the conclusion of this one-hour hearing, Boris' lawyer first asked herself aloud about "the meaning of the sentence" in view of the companion's heavy medical situation, before specifying that even if the cell fire had not been accidental but a gesture of revolt or despair as it happens regularly in prison, it would not remove anything from the primary responsibility of the executioners who locked him and others up. Then she finished her argument on the fact that although Boris could no longer continue to put his ideas into practice in the same way as in April 2020, it was not because he had changed his convictions, on the contrary! Needless to say, the comrade was rather pleased with this explicit defence, and that at the judge's final attempt at humiliation, asking him with a dripping paternalism, "Did you understand what your lawyer said?" , he replied from the dock "yes, and I agree with her!".

For their part, the two lawyers of the civil parties (Orange and the judicial agent of the State for the antennae of the cops and gendarmes) coldly claimed their money for the damage caused, blaming as expected the great seriousness of this financial matter. As for the prosecutor, he had previously recalled that

this attack was not isolated at the time (with 175 for the whole year 2020, almost one every two days), and that the State had then feared that their multiplication, "if they had been coupled with others against energy and water", could bring "the country to its knees in three days". He justified by this presumption of coordinated actions the means of anti-terrorist investigation deployed against the companion, as well as the heavy verdict of first instance (although the association of criminals was finally abandoned at the closure of the investigation) … before claiming now "taking into account the serious harm inflicted on Mr X during his detention", a sentence of 8 months "covering his pre-trial detention" (according to his bad maths).

The final judgment fell on October 25, 2023, by unsurprisingly condemning Boris to a sentence equivalent to his pre-trial detention, ie one year in prison, plus 1,000 euros paid to Orange and the judicial agent of the State for their lawyers, plus 169 euros for appealing and being found guilty, plus a confirmation of the "reparations" granted to civil parties at first instance (about 91,500 euros to Orange, Enedis and the agent of the State, the other mobile companies having dropped the case). For information, it was communicated to the lawyers of the latter at the exit of the court that if ever their representatives dared to try to make a buck off the comrade in the near future (that is to say concretely on his disability benefit) it would certainly give them publicity that they would rather prefer to avoid…

At present, only one legal proceeding is pending, that in the hands of an investigating judge of Nancy concerning the cell fire. Once again, strength and courage to Boris, who also received in mid-November the famous 'high-flight' wheelchair, for which he thanks those who participated in financing it through solidarity, and who now offers him new opportunities for autonomy.

30 Jan - Massa Trial Begins Against Four Anarchists: Italy

On January 16, the Massa court held the second hearing in the trial with an immediate judgment against Gaia, Gino, Luigi and Paolo, who are under house arrest with full restrictions for operation Scripta Scelera.

MORE:
via *Abolition Media*
At the hearing on January 9, the judge had decided to postpone the trial until January 16, with a possible change of sole judge on the case. The new judge has set the next hearing for Friday March 8.

At this hearing, he will have to decide whether to accept the case or refer it to an outside court.

This later date has been decided above all to take into account the results of the hearing on judicial control measures, which will take place on February 21 at the Court of Cassation in Rome, and which will focus essentially on the crime of association with which the defendants are charged.

3 Feb - Solidarity Day for the Final Release of Comrade Pola Roupa & the Immediate Release of Comrade Nikos Maziotis

Comrade Pola Roupa and Comrade Nikos Maziotis were sentenced to several years in prison for their participation and action in the guerilla organization Revolutionary Struggle.

MORE:
via *Abolition Media*
They were imprisoned and served the combined 20-year prison sentence to which they were finally sentenced (after the "breaking" of their life sentence for the bombing attack on the Bank of Greece-branch of the European Central Bank-office of the International Monetary Fund in Greece, by Revolutionary Struggle Commando Lambros Fountas).

Comrade Pola Roupa served 8.5 years of real prison (13.5 years mixed), while her partner Nikos Maziotis has already served 11 years of "closed" prison and a total of 14 years mixed. That is, 3/5 of their sentence as state laws dictate. Comrade Pola Roupa was released from prison with restrictive conditions on

November 17, 2023, and a few days later, on November 28, 2023, the deputy prosecutor of Evia filed an appeal against her release, requesting that she be taken back to prison.

This unprecedented event led comrade Pola Roupa before a new judicial council at the court of Chalkida on January 10, 2024, in order to judge from scratch whether she will remain free or continue to be a prisoner in the cells of the republic. The definitive release of comrade P. Roupa from state hostage-taking is the immediate political issue as they seek to put her back in prison. The regime itself questions its jurisprudence and retracts itself: it initially "allows" the release of comrade P. Roupa, while subsequently attempting to reverse its decision. The aforementioned mandated minion of the political and judicial power –vice-prosecutor of Evia– with his move proves the extreme vindictive way of dealing with the political enemies of the state and capital, and especially the armed combatants.

Comrade N. Maziotis has received 4 parole denials in two years, because he remains unrepentant. This "special" treatment of exception does not stop, even after the many years of persecution and captivity imposed on them.

State and capital: the only terrorists

In a class society where the advanced degree of centralization of political and economic power characterizes the modern capitalist system, the state tightens and represses through its multifaceted institutional and legal arsenal (and in all fields) with increasingly severe penalties those social groups that react against the permanent social-class war. Democracy is enforced and strengthened in many ways and strategies. The robbery of social wealth, the impoverishment, the deregulation of labor relations, the dismantling of "public health", the privatization (or "reform" as they tend to call it) of "public education", the plundering and overexploitation of the non- human beings and nature, the wars of the ruling elites and geostrategic rivalries, are some of the most profitable fields for the bosses (capital), which the political power (the state) imposes with violence, repression, terrorism: using as trunk and pillar of stability the legal system of "justice", criminal codes, prison.

State and capital (all over the world) are shielded, upgrade and harmonize their repressive policies with the strategic goal of preventing and permanently suppressing internal resistances and dynamic struggles. Mainly, the "internal" political enemy with the attempted de-politicization of the armed struggle and the fighters. The anti-terrorist laws in Greece are constantly being upgraded, while the special conditions of detention and exclusion of political prisoners as well as their "special" criminal treatment are at the cutting edge of all criminal, legislative and repressive enforcement. The guerilla organizations –and not only these of the a/a space– that turn with all means against the political-economic system of domination, are the target of the harshest criminal and repressive treatment.

The anarchist urban guerrilla organization Revolutionary Struggle turned against this system of rule. In the years it was active (2003-2017) it assumed responsibility for 18 actions –armed and with bombs– against state structures and capitalist/systemic targets. Against ministries (Economy, Employment), police stations, police officers of the MAT, against courts, an attempt against the minister of public order, an attack with an anti-tank rocket on the US embassy, a bomb attack on the Stock Exchange and the Bank of Greece-ECT-IMF office, and for the expropriation of banks. Comrade P. Roupa took political responsibility for 2 of them, for financing the escape attempt she attempted in 2016 by hijacking a helicopter, with the aim of freeing comrade Nikos Maziotis (and other prisoners) for the continuation of the Revolutionary Struggle. The two comrades also took over personally the political responsibility of their participation in R.S. They remained politically and morally consistent during their years of captivity, defending one by one all the actions of R.S. in the special courts, with special laws (187A) in the criminal courts of Korydallos prisons. The state seems to have been "displeased" with the final sentence with which the comrades were sentenced. In particular, because with their attitude and struggle in the terror-courts of the enemy, they managed to "break" (in their appeals courts) the life sentences that had been imposed on them (in the first instance) for the attack of R.S. against the Bank-ECB-IMF. Based on this assessment that the comrade mentions in her text entitled, "Pola Roupa: They want to put me back in prison" – **athens.indymedia.org/post/1628364/**, it

is proven that the appeal against her release as well as the prolonged captivity of comrade N. Maziotis have clear vindictive and ideological-political motives, because they chose armed revolutionary action for the abolition of the state, capitalism and any kind of hierarchy, exploitation and power.

The hostage and the captivity of the comrades may constitute a preliminary application of articles included in the upcoming Criminal Code, e.g., article 20 P.C.: Dismissal under the condition of revocation-Amendment of article 105B P.C. par. 1 b, as well as in article 21 of the upcoming P.C.: Conditions for the granting of conditional dismissal-Amendment of par. 1 of article 106 of the P.C. This is reflected in the rationale of the decision for the 4th rejection of the release of comrade N. Maziotis.

The following excerpt is indicative:[…] "However, the repeated commission of serious misdemeanors that constitute criminal offenses at the same time demonstrates the applicant's lack of self-discipline and compliance with the basic rules of the penal system, his constant tendency to commit criminal acts and therefore the insufficiency of his punishment and his lack of moral improvement, for the purpose of his conversion and the possibility of his smooth reintegration into society in the event of his release from the detention center.[…] […] the prisoner showed particularly aggressive behavior towards the council, as well as complete contempt for justice and the penitentiary system, he stated that he considers himself a political prisoner, while at the same time he did not show that he had realized the particular despicability of the criminal acts he had committed– **athens.indymedia.org/post/1628429**, concluding that for all these reasons his request for parole is rejected, in order to supposedly prevent …, the commission of "new criminal acts".

Solidarity is our weapon

Comrade Pola Roupa and comrade Nikos Maziotis, despite the repressive blows and the many years of captivity, remain politically consistent and with their eyes fixed on the revolutionary perspective and the social revolution. They did not repent, they do not revise their opinions, political choices and actions for which they were in prison. As anarchists, comrades, we stand in solidarity in the fight for the definitive release of comrade Pola Roupa and the immediate release of comrade Nikos Maziotis. Pending the decision of the Evia Court of Appeal, we call a SOLIDARITY DAY IAN GREECE on February 9, 2024. We call on comrades in Greece and around the world to be vigilant and act in solidarity.

16 Feb - Herbal Care for the Frontlines

WHAT: Earth First! Fundraiser
WHEN: 6:00pm (workshop); 9:00pm (party), Friday, February 16th
WHERE: Mayday Space - 176 Saint Nicholas Avenue
COST: $10 suggested (NOTAFLOF)

MORE:
Herbalism and care on the frontlines: building an apothecary, a medic kit, an herbal station and herbal responses to chemical warfare - all built from experience in different frontline environments.
Chispa (they/them) is an herbal street medic and plant worker from the global south. They are a student of horticulture and botany, a gardener, and a children's instructor in a one-acre food garden.

Raising funds for the Earth First! summer gathering. Not wheelchair accessible. Please wear a mask.

18 Feb - MACC Care Assembly

WHAT: Assembly
WHEN: 3:00pm, Sunday, February 18th
WHERE: PIT Records & Books, 411 South 5th Street, Brooklyn
COST: FREE

MORE:

SCHEDULE:
o Self-defense class Muay Thai Martial arts training - no experience necessary, show up at 3 pm
o Political education session
o Care exchange & a community meal

What is the care exchange? As we sit down to share a meal we check in and exchange our requests and offers, in the spirit of mutual aid. Requests – do you need help with anything? Offers – do you have any skills, time, or resources to offer? This is a conversation to help facilitate building and maintaining relationships among us by identifying needs and sharing what we can in solidarity.

For COVID safety: Show a negative rapid test; free tests will be provided at the door
.
For food: please RSVP to ensure we prepare enough food and have something that can meet your dietary needs. Please bring your own takeout container to help us waste less and bring home any extra food if we have it!