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Updates for October 1<sup>st</sup>

### **16 Sept - A Statement on the Passing of Tom Manning by Indigenous Political Prisoner, Leonard Peltier**

*Tom Manning's unexpected passing that occurred at the United States Penitentiary in Hazelton, West Virginia back on July 30<sup>th</sup> of this year continues to bring those closest to Tom as well as all his supporters to want to share regarding the incredible person he is.*

#### **MORE:**

Here is a statement by indigenous political prisoner, Leonard Peltier on the passing of Tom Manning. Clearly these two revolutionaries being locked up for years together at the same prison lead to a connection that will last forever.

Greeting relatives, friends, loved ones, and supporters of Tom Manning. I want to say a few words regarding the passing of Tom Manning. I could say condolences and all that to you, but I want you to know that Tom Manning was a good friend of mine. I don't know first hand of all the particulars of his past life that he came to be in this prison. Some of these he came to share with me, but I can tell you from experience, this man was a kind and thoughtful person who cared greatly for the freedoms of all mankind and felt like we all should take responsibility for protecting those freedoms.

The Tom Manning I knew, as I mentioned before, was a man of character renown and an artist that I could relate to on just about every level. His artwork reached out and spoke to your heart and brought you the faces of those who resisted oppression and reminded you of the humanity that has been persecuted and locked away in prisons because of their dissension against the corporate controlled governments of the world who only look at mankind and nature as a resource for gaining wealth. I will forever remember Tom Manning, the man I knew and loved as a brother and with deep regret I mourn his passing. My heart is with all of you who have these feelings. I really don't know what else to say other than anyone who knew Tom Manning, the man, will need some level of condolences.

In the Spirit of Crazy Horse and Tom Manning!

### **16 Sept - #BurnDay Actions Across US Against Biden's Crime Bill**

*Responding to a call from Jailhouse Lawyers Speak, people across the US held demonstrations and took action to mark the 25<sup>th</sup> anniversary of the passing of Joe Biden's Crime Bill.*

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The 1994 bill, which extended prison sentences and allocated massive amounts of money towards mass incarceration and more police, marked a turning point and acceleration of State and police counter-insurgency strategy towards poor communities of color.

The bill, which was sold in the post-LA uprising era as a way to keep "super predators" from coming after and into middle class white communities, built many of the key legal aspects which have come to define our present era of mass incarceration. The bill put into place mandatory minimums, the three strikes law, gave money to states for incarcerating undocumented immigrants, allowed minors to be placed into adult prisons, and was also coupled with so-called community policing operations and infrastructure. This accelerated the War on Drugs and further militarized police departments and prisons, who received an influx of cash. The crime bill was also coupled with other Clinton era policies such as so-called welfare reform, the passing of NAFTA, and the militarization of the border under "Operation Gatekeeper."

Responding to the call, people across the US organized various actions, from rallies, to banner drops, to outreach, and noise demonstrations.

### **16 Sept - Attorney Moves to Dismiss Water Protector “DNA” Case**

*On September 9, 2019 the State of North Dakota filed a criminal complaint in Morton County District Court charging Lawrence Malcolm, and Indigenous Water Protector, with conspiracy to commit criminal mischief (a felony) and engaging in a riot (a misdemeanor).*

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These charges arose from actions that supposedly took place on September 6, 2016 during #NoDAPL movement. The only evidence the State has to connect Mr. Lawrence with these crimes is a cigarette butt with a sample of DNA that fits his profile.

This story was covered widely in the press.

Bruce Nestor, attorney for Lawrence Malcolm, filed a motion to dismiss with supporting memorandum of law. In the papers the defense argues that there is not enough evidence to support count one and count two of the criminal complaint.

Quoting from the memo:

*“The Affidavit, however, does not link Lawrence Malcolm, Jr, to any of the alleged crimes that occurred on that date nor establish probable cause that Mr. Malcolm committed any of the elements of the offense charged. The Criminal Complaint in this matter should be dismissed at this time, prior to any preliminary hearing, to prevent Mr. Malcolm from being subjected to a groundless and improvident prosecution.”*

The defense further argues that just because a cigarette that Mr. Malcolm may have touched is near the scene of a crime or crimes, there is no evidence that he committed any crime, Further there is no evidence to when or even if he was at the scene of the crime.

As a result of this filing, the Water Protector Legal Collective is hopeful that this case will be dismissed soon.

### **18 Sept - The Climate Disaster Inside America’s Prisons**

*Inmates are among the most vulnerable populations on our warming planet—and among the most ignored.*

#### **MORE:**

by Kim Kelly (*The New Republic*)

Global warming far and away is the most pressing issue facing the United States (and the rest of the planet). The fast-approaching climate reckoning is bigger than the presidential election, bigger than our imperialist forever wars, bigger even than the virulent fascist threat that’s taken root in the White House and spread its tendrils across the globe. It is no longer an exaggeration to say that the world is dying. Time is running out to pull back from the point of no return before it swallows us all whole.

For millions of Americans, that point is already here—and unlike the majority of people, they have no way to escape its horrors. When natural disasters hit, incarcerated people are often the first to be abandoned; as the climate crisis worsens, so will their suffering. The specter of climate change is a hazardous fact of life for the prisoners forced to labor in sweltering Texas fields, the ones fighting wildfires for pennies in California, and those recently left trapped in the path of Hurricane Dorian when South Carolina prison officials declined to evacuate them ahead of the storm.

And yet incarcerated people have been largely left out of the conversations around ambitious climate justice proposals like the Green New Deal, which neglects to engage with decarceration, prison abolition, or demilitarization. Nor do its lead advocates say much to specifically address what's already happening inside the country's prisons. The top demand in 2018's national prison strike was to create "immediate improvements to the conditions of prisons and prison policies that recognize the humanity of imprisoned men and women." A year later, not only are those basic demands left unmet, but the number of incarcerated people who've died preventable, climate-related deaths have continued to increase.

"When we think about the increasingly genocidal climate crisis, it's important to understand that prisoners and detainees are literally on the front lines," says prison abolitionist and organizer Jay Ware. It's the imprisoned who suffer the greatest blows of climate-related catastrophe, he notes, "whether this is families fleeing climate change in the Global South being detained and separated into immigrant detention facilities or other black, brown, and poor white prisoners from typically toxic neighborhoods ecologically who are held in toxic prisons."

Climate vulnerabilities continue to intensify as paralyzing natural disasters multiply and occur with greater frequency, all while the U.S. government does nothing to curb the breakdown of the climate. "Every single day is a climate, weather, and environmental related disaster for people in prison," said a member-organizer of the Incarcerated Workers Organizing Committee (IWOC) who requested anonymity to minimize their risk of retaliation from prison officials. IWOC is a prisoner-led section of the Industrial Workers of the World that coordinates inside and outside of prison walls to support incarcerated and formerly incarcerated people and abolish prison slavery.

The devastation of climate disaster does not threaten the lives of the incarcerated all by itself; rather, IWOC says that the onus lies on prison officials who place inmates in the direct path of environmental harm. As record-breaking temperatures continue to heat up the outside world, the people who are kept inside cages of concrete and steel, with no control over their conditions or ability to leave, are powerless to escape its effects. (This is especially the case for those in solitary confinement, a practice the U.N. recognizes as torture.)

A 2015 report by the Sabin Center on Climate Change at Columbia University studied the ways in which the conditions inside U.S. jails and prisons compound the adverse effects of global warming. "Rising temperatures and increasingly harsh extreme-heat events will jeopardize the health of inmates and correctional officers alike, and will stress the physical plant of the correctional sector," the study found. "The success or failure of correctional adaptation efforts will be measured in human lives as well as public dollars."

Many prisons are old, and were constructed out of heat-retaining materials, which also magnifies climate-related harm for inmates. Prison facilities have their own negative ecological impact, and the link between mass incarceration and environmental destruction is well established. Recently, activists in Letcher County, Kentucky, successfully halted the construction of a new prison on the grounds that it would cause irreparable harm to the surrounding area, setting an important precedent for other environmental advocates.

Meanwhile, thousands of U.S. prisoners who are incarcerated in areas where temperatures regularly top 100 degrees still have no access to air-conditioning. Texas has air conditioning in only 30 of its 109 prisons—and over the past 14 years, 22 people imprisoned in Texas have died due to extreme heat. The same pattern holds in hot spots like Arizona, Florida, the Carolinas, and the eight other states that lack universal air conditioning within prison housing facilities. Thanks to the widespread neglect of basic protections against extreme heat, there's no reliable count of the number of prisoners who have been cooked to death in recent years. Prisoners with preexisting medical or mental health issues are uniquely vulnerable to extreme

temperatures, and all are at risk of dehydration and heat stroke. Meanwhile, July 2019 was recorded as the hottest month in human history.

Nor do the changing seasons offer much respite; rather, they present their own set of dangers. When the heat went out in Brooklyn's Metropolitan Detention Center during a February 2019 cold snap, prisoners were left to freeze for almost a full week before officials, amid public outcry, turned the electricity back on. Visitors—who included several New York state representatives and city officials—described a cold, dark, miserable setting. Governor Andrew Cuomo called it “a violation of human decency and dignity.” Prisoners reported a lack of heating and hot water and no lights in their cells, and the sick went without medical care. Desperate, they banged on the bars of their cells, hoping to catch the attention of protestors outside.

Then, more and more often, there are storms. Every time a large-scale hurricane approaches a coastal stretch of the United States, gruesome stories surface concerning prison officials who refuse to evacuate their prisons. The consequences of this malign neglect can be devastating, and sometimes fatal. During Hurricane Katrina, thousands of prisoners were left to rot in waist-high water; in 2017, Hurricane Harvey saw 3,000 prisoners in Texas stranded without food or water for days; in 2018, prisoners within the evacuation zone on Florida's coast were left to fend for themselves when Hurricane Michael hit; and when Hurricane Florence rolled through South Carolina, the state declined to evacuate more than a thousand people across multiple prisons. Two mentally ill women prisoners who were being transported between South Carolina facilities drowned when the transport van carrying them was swept away by the storm.

Even when prisoners survive the storm itself, the aftermath can be deadly, thanks to institutional violence and neglect, while the squalid conditions that exist at many prisons in the path of climate disaster are made much worse by flooding. The specter of disease often carries off more souls than the wind or flood waters. “It's not just being in the path of storms or disasters themselves—it's the lack of ability to obtain clean water, air, and food, and lack of ability to leave dangerous situations and get to safety: that is the gravest danger” facing incarcerated people, according to the IWOC organizer.

“Diseases like cholera have spread in prisons around the world, and it's a ticking time bomb until we have a massive outbreak in a US prison or jail related to environmental issues,” Ware adds. “E Coli, dysentery—there are so many diseases that can be spread in prisons on a so-called ‘good day,’ but they increase astronomically when you have prisoners forced to drink contaminated water and live in sewage. And we know that this is what happens when prisoners are left in disaster zones.”

After the immediate danger of an extreme weather event has passed, prisoners are often used as slave labor to clean up the areas devastated by a major storm. As they carry off the sandbags they made and piled up before a storm's coastal onslaught, or handle toxic materials amid a hurricane's wreckage, they are exposed to still more risk of disease, while their labor is stolen in order to restore a status quo that only comforts those outside the walls. “The reality is that the use of prison labor by the state in this way is not new at all,” Ware notes, “but that the need is increasing ... as things continue to get worse, prisoners will continue to be casualties of climate genocide.”

Many of American society's greatest fears about the climate crisis—brutal heat waves and cold spells, natural disasters, widespread sickness, starvation, preventable death—have already come to pass, as storms command our national news cycles with increasing frequency. But the public at large is less aware of the ways that the burgeoning climate catastrophe is already laying waste to the country's most vulnerable populations. Instead of heeding such pressing alarms, many of our political leaders and the members of our pundit class alternately bully teenage climate activists and fret over whether the crisis is “real”—or debate just how imminent climate disaster may prove to be.

Prison abolition is the only humane solution to this crisis, but until that day arrives, the absolute bare minimum that climate justice advocates can do is to make a real and concerted effort to listen to and center the voices of those who have already been thrust onto the front lines of a war they didn't start. IWOC also urges people to join an abolition group, write letters to prisoners, take part in a phone zap, stage a protest, hold a noise demonstration outside a facility—in short, anything it takes to let the people inside know that they haven't been forgotten as the world continues to burn.

“In order to transform into a society that survives climate change, we collectively need to be led by those who have survived the most harm,” the IWOC member explains. “So we need poor people, black people, black women, brown people, people who are refugees, to the front. People who have been in hell know how to prevail through hell. We all need that wisdom to survive the hell of this disaster of capitalism.”

### **18 Sept - Russell Maroon Shoatz' Latest Health Update**

*Here's Maroon's latest update to his global support network.*

#### **MORE:**

I was transferred from the Northeast to the Southwest of Pennsylvania on August 22<sup>nd</sup> of this year. Now being kept in the prison infirmary, in a section designed to cut costs of treating this state's prisoners suffering from cancer. Was administered chemotherapy for three days this week. The oncologist here told me that will continue—three days, every three weeks, for six months—ALL done right here in this prison. Afterwards, I'm told, I will be taken to an outside hospital and undergo a test to evaluate what was accomplished. Tolerating the chemotherapy so far.

Since it's clear that the prison system is bent on "cost savings," my family and supporters are now, and will continue to, closely monitor, evaluate, and respond to my treatment and condition. That includes outside medical and legal people, as well as immediate family members who have stepped up in order to place as much support around me as possible. In that regard, I want to extend to all of those who are contributing to this multi-pronged "medical advocacy" my heartfelt thanks.

Perhaps this experience will allow me to better understand the shortcomings of continuing to imprison the elderly and infirm, and allow me to more effectively debunk such senseless policies.

### **20 Sept - New evidence in Omaha Two case**

*Black Panther leader Ed Poindexter has been in prison 49 years for a crime he did not commit. Now new evidence of prosecutorial misconduct has emerged from files in the courthouse basement.*

#### **MORE:**

Don Kleine is the current Douglas County Attorney in Omaha, Nebraska. Kleine has been asked to reopen the 1971 case against Black Panther leader Edward Poindexter for the 1970 murder of an Omaha policeman. Poindexter and co-defendant David Rice (later Wopashitwe Mondo Eyen we Langa) were Black Panther leaders in the Midwestern city and were convicted for the bombing murder of Patrolman Larry Minard. Unknown to the jury that convicted the two men was a clandestine law enforcement conspiracy against them code-named COINTELPRO by the Federal Bureau of Investigation.

Kleine was first hired to work for Douglas County by Donald Knowles, the man who prosecuted Poindexter and Mondo. Kleine has never been involved in any aspect or appeal proceeding of the murder case and could not be expected to be familiar with the myriad of details of the controversial April 1971 trial. When asked by the Omaha World-Herald about the reopening request by the author of FRAMED: J.

Edgar Hoover, COINTELPRO & the Omaha Two story, Kleine answered he would look at any old case if new evidence came to light. Kleine said nothing has yet emerged that convinces him Poindexter is innocent. Mondo died at the Nebraska State Penitentiary in March 2016 while serving a life without parole sentence.

Kleine has chosen to be unconcerned about four completely redacted pages in Mondo's FBI file containing information shared with the Omaha Police intelligence unit. If new evidence is hiding under the censor's stamp Kleine won't know because he has not yet bothered to look.

While the four redacted FBI pages fall in the category of possible new evidence, Kleine can find some new evidence by looking through files in the Douglas County Courthouse and examining the trial testimony of alibi witness Rae Ann Schmitz.

Schmitz was called to testify as an alibi witness for Mondo at the time of the bombing. Poor witness preparation by defense attorney David Herzog left him unaware that Schmitz could also provide an alibi for Sunday afternoon, the day before the murder, when confessed bomber Duane Peak allegedly picked up the bomb from Mondo. During cross-examination of Schmitz by Donald Knowles she unknowingly contradicted Peak but Knowles did not tell jury about the challenge to Peak's credibility.

In an interview, Schmitz reflected back on her testimony, still unaware of the second alibi she provided, first for the crime itself and second for the alleged bomb transfer.

"I don't remember having any contact with anyone on the defense team between the date of the event in August of '70 until the trial. I did not know what the evidence revealed. At trial I believe the witnesses were sequestered. I do not remember hearing the testimony of any other witnesses. I do not know what other people said. I had no idea of the defense's theory of the case. I remember meeting the lawyers briefly in the hallway outside the courtroom a few minutes before I took the witness stand."

"I do know that I did not realize I was providing an alibi defense! That thought had not ever crossed my mind. I did not know that Duane Peak had alleged Mondo had been with him....I never did put it together until years later."

Schmitz testified that Mondo was with her at Memorial Park at an anti-war rally on Sunday afternoon from 1:30 p.m. until 4:30 p.m. when she drove him to Kountze Park for another rally arriving close to 5 p.m. Schmitz did not know, and Herzog apparently forgot or did not know, was that Peak claimed he met with Mondo at the headquarters of the National Committee to Combat Fascism sometime around 3:00 p.m. on Sunday afternoon. However, Peak did not tell the jury the time of the supposed rendezvous, that detail was only told to police and prosecutors on August 31, 1970 in an interrogation that was recorded by a court reporter. While it was Herzog's duty to develop the Sunday afternoon timeline it did not happen. As much as was revealed at trial about Sunday afternoon came as a result of Donald Knowles' cross-examination of Schmitz. However, the contradiction of Peak by Schmitz is one detail known to Arthur O'Leary, the chief assistant of Knowles and present at the prosecution table, that the two prosecutors kept from the jury.

The court reporter captured more than Peak's false claim of a mid-afternoon meeting with Mondo. O'Leary was also caught encouraging Peak to lie. "As a practical matter it doesn't make any difference what the truth is concerning you at all."

"You realize now that it doesn't make any difference whether you did or didn't. That doesn't really make one bit of difference at all at this stage of the game but I want to make sure concerning somebody else that might have been involved. Because you see what it amounts to, Duane, is that eventually you are going to

have testify about everything you said here and it isn't going to make one bit of difference whether or not you leave out one fact or not, as far as you are concerned."

The Omaha police knew that Mondo could not have met with Peak in mid-afternoon because they had established Mondo's whereabouts on Sunday within hours of the bombing. The day of the murder, two officers of the intelligence unit, Dennis Taylor and Glen Steimer, visited the home of Andrew Liberman, a member of Students for a Democratic Society. Steimer wasn't home but the two officers learned from his mother that Steimer had spent Sunday afternoon at Memorial Park with "militants" Ernie Chambers and Mondo. "There were approximately 100 young people in attendance at the meeting."

At this late date it cannot be known if Knowles intentionally kept the jury from learning about Peak's claim of a mid-afternoon meeting or if the prosecutors failed to read the police report and forgot about O'Leary's interrogation of Peak. In any event, the overlooked alibi for the bomb delivery is significant because it compromises Peak's credibility and constitutes new evidence because it was overlooked at trial and on appeal. The alibi witness did not even recognize the critical importance of her testimony.

Redacted pages in a censored FBI file on the case and undisclosed alibi testimony are now balanced against Don Kleine's reluctance to investigate possible prosecutorial abuse by his old boss. Meanwhile, Ed Poindexter sits in a tiny cell at the maximum-security Nebraska State Penitentiary, forty-nine years behind bars, where he steadfastly proclaims his innocence.

## **23 Sept - For Chelsea Manning, Coming Out & Whistleblowing Were Deeply Linked**

*Lida Maxwell on the Collapsing Distinctions Between Public and Private as a Whistleblower*

### **MORE:**

by Lida Maxwell (*Literary Hub*)

When Chelsea Manning was arrested in May 2010, the key piece of evidence tying her to large-scale leaks to WikiLeaks was a set of chat logs between Manning and Adrian Lamo—a hacker famous for his infiltration of the New York Times website (for which he was arrested and served time)—in which Manning appears to admit to the leaking. Lamo had given the logs to the FBI as well as to a journalist at Wired magazine. The journalist released the logs in abbreviated form, holding back on what Wired viewed as "personal" parts that did not directly reference Manning's leaking.

After intense public speculation about what they were hiding, Wired released the full chat logs in July 2011 and revealed that the missing parts of the logs primarily concerned Manning's questions about her gender identity and her struggles with addressing those questions under Don't Ask Don't Tell. Wired had chosen to redact those because they saw them as merely personal. Yet in the full logs, Manning explicitly and consistently links her leaking of government documents with her own struggles with living under Don't Ask Don't Tell and, in particular, with her struggles with her gender identity. For Manning, her struggles with state secrecy were connected with her struggles with the mandated secrecy surrounding her sexual and gender identity.

In a 2013 essay in *The New Republic*, Harvard law professor Yochai Benkler portrays Chelsea Manning as part of the "long-respected tradition" of whistleblowers in the United States. Whistleblowers, on Benkler's account, serve the vital constitutional role of assuring "oversight" of institutions otherwise shrouded in secrecy—for example (and especially), institutions within the arena of national security.

Whistleblowers "offer a pressure valve, constrained by the personal risk whistleblowers take, and fueled by whatever moral courage they can muster." Benkler argues that Manning should be classed within this

tradition— of which Ellsberg is on his account the most notable example— not because of the effects of her actions, but because of the moral “motives” revealed in her statement on her guilty plea.

Benkler’s emphasis on Manning’s moral motives on behalf of “oversight” of government (or private corporations) resonates with broader US scripts about the figure of the “whistleblower,” a term coined in the 1970s by Ralph Nader. Nader similarly locates the importance of the whistleblower in assuring oversight of governmental and corporate organizations (Nader compares the structure of organizations to feudalism), which otherwise might go unchecked. Whistleblowing, Nader says, is the “last line of defense ordinary citizens have against the denial of their rights and the destruction of their interests by secretive and powerful institutions.” Nader also, like Benkler, emphasizes the importance of individual moral “courage” and care for the public good as the proper motivations of the whistleblower. Whistleblowing, Nader says, depends upon individuals’ “professional and individual responsibility,” which consists in “placing responsibility to society over that to an illegal or negligent or unjust organizational policy or activity.” For Nader— as for Benkler— in other words, the whistleblower serves an important role in society as a safeguard for the public good when it is threatened by private interest pursued under shadow of secrecy.

We can see this whistleblower script echoing throughout the many articles and opinion pieces written not only by Benkler, but by Manning’s other defenders. For example, Glenn Greenwald—a prolific defender of Manning writing for Salon and The Guardian—continually refers to Manning as a “whistleblower” and stresses Manning’s morally pure motives. For Greenwald, the Lamo-Manning chat logs show that “the private decided to leak these documents after [s]he became disillusioned with the Iraq war. [S]he described how reading classified documents made [her], for the first time, aware of the breadth of the corruption and violence committed by [her] country and allies. . . .When asked by the informant why [s]he did not sell the documents to a foreign government for profit, Manning replied that [s]he wanted the information to be publicly known in order to trigger ‘worldwide discussion, debates, and reforms.’”

While Manning’s biographer, Denver Nicks, claims that Manning may not be a traditional whistleblower simply due to the vast scope of documents she released—unlike the traditional whistleblower, who releases documents targeted at revealing a specific injustice—he nonetheless stresses that “Manning’s decision to leak state secrets was clearly made with altruistic motivations.”

By portraying Manning as a whistleblower, Manning’s defenders reveal an important part of her story. As Benkler, Greenwald, and Nicks argue, the chat logs between Manning and Lamo and Manning’s guilty plea statement show that Manning was motivated in part by a concern with the public good. Manning tells Lamo, for example, that she would not have sold her data “because its public data”; “it belongs in the public domain. . . .it should be a public good.”

Yet Manning’s chats with Lamo also reveal a narrative of her acts that connects her struggle with state secrecy to her struggle with living under Don’t Ask Don’t Tell and with her gender identity. In her introduction of herself to Lamo, Manning identifies herself in terms of these two aspects of her life: “hi. . .how are you? . . .im an army intelligence analyst, deployed to eastern Baghdad, pending discharge for ‘adjustment disorder’ in lieu of ‘gender identity disorder’. . .im sure you’re pretty busy . . . if you had unprecedented access to classified networks 14 hours a day 7 days a week for 8+ months, what would you do?” For Manning, the thread that ties these two aspects of her life together is clear: mandated secrecy. As she says after referring Lamo to the WikiLeaks website (without directly identifying herself yet as the leaker), “living such an opaque life, has forced me never to take transparency, openness, and honesty for granted.” Manning’s negative experiences of having to hide parts of herself under Don’t Ask Don’t Tell are not separate from her motives for leaking information; rather, they are part of why she feels the need to ensure transparency of military actions.

When Manning's supporters efface these connections between her personal struggles and her leaking of documents, they do so in order to justify her actions as in service of the public good (rather than private interest or revenge). Yet in so doing, they also unintentionally repeat rather than remedy the injury done to Manning by the Don't Ask Don't Tell policy. Their portrayal of her as a whistleblower, and as what Dean Spade and Craig Willse call the "sympathetic gay soldier," constructs her struggles with gender identity as "secrets" that must be kept if she is to serve the public good. This seems to do a specific injustice to Manning.

It also, however, blocks from view a story implicit in Manning's self-representation: a story about how supposedly "private" aspects of Manning's motivations to leak documents may themselves have been formed by Manning's public experiences of failing to fit into public norms of gender comportment in the army.

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To examine the connections drawn by Manning between her public leaking and her supposedly private struggles challenges the dominance of the whistleblower model through which Manning's actions are usually seen. This model has productively legitimated forms of truth-telling that aim to expose arbitrariness on behalf of assuring accountability and adherence to rules. However, this model also reifies a distinction between public and private that tends to delegitimize forms of truth-telling that do not fit into dominant norms of publicness.

If the prevalence of the whistleblower model leads us to see Manning's linkages between public and private as damaging to her credibility, those same linkages mark her as negotiating the dilemmas of an outsider truth-teller: someone whose refusal to comply with norms of publicity and privacy render her illegible to her society as a truth-teller, while also putting her in a position to tell us important and unsettling truths about the public and private realms.

Manning's insistence on connecting her "private" struggles and public leaking should not be seen as corruptive of the attempt to speak truth, but instead as an attempt to change the world by creating spaces and connections where marginalized individuals can say what the world is like for them and begin to imagine how to make it otherwise.

While the whistleblower reveals facts hidden by the state or corporation on behalf of returning each organization to its proper concern with the public good, transformative truth-tellers like Manning reveal the public/private distinction as an oppressive dyad. Manning's actions showed the changeability and transformability of those realms in her example and practice of truth-telling, and her actions demanded a public response distinct from the accountability demanded by the whistleblower: namely, a public affirmation of the leaked facts and documents as significant and, hence, of a world where outsider truth-tellers would be seen as meaningful speakers of truth.

We should read Manning's leaking as an attempt not only to reveal facts, but also to help build a world where she, as a gender-nonconforming person, could be seen as a significant speaker of truth. Read as an act of transformative truth-telling, Manning's leaking appears less as a failed attempt to assure governmental accountability and more as a risky (and still active) contribution to a world where outsiders, who are silenced and oppressed in both public and private realms, would find connections and freedom, a world still under construction.

**25 Sept - Elizabeth McAlister Released on Bond**

*Long-time peace activist Elizabeth McAlister is out of jail for the first time since April 2018.*

**MORE:**

She was able to convince the authorities that she did not need an ankle monitor. McAlister, 79, is also allowed to travel to visit her family and to prepare for trial October 21. She, like four of the other Kings Bay Plowshares 7 activists, remains out on bond until after the trial.

"I was released without notice or communication regarding conditions from Glynn County jail on Friday 9/13/19," McAlister wrote her supporters. "The judge has now agreed to allow me to travel to see my kids and their families as well as to meet with the other co-defendants who have been out, as long as I am back in Brunswick, GA the week before trial. I am prayerful and hopeful about the process of preparing for trial, and very much looking forward to being with loved ones."

McAlister will attend the Festival of Hope celebration in Manhattan on Sunday along with four of the other Kings Bay Plowshares 7 and two via telephone. The seven were arrested in the early morning hours of April 5, 2018.

Mark Colville will be released on bond on October 1 and will return to his Connecticut home, the Amistad Catholic Worker, the next day. He is not expecting to have to wear the ankle monitor.

Fr. Steve Kelly, SJ, will remain in jail at least until the end of the trial because of a prior warrant related to another Trident disarmament action in Washington and his decision to not cooperate with the jail system.

**26 Sept - In response to latest Mumia appeal, Philly cops lash out at district attorney**

*In the face of mounting legal victories and an energized movement in the streets to free Mumia Abu-Jamal, the Philadelphia Fraternal Order of Police is now attacking District Attorney Larry Krasner for failing to challenge a request by Abu-Jamal's attorneys for a new evidentiary hearing. Maureen Faulkner, widow of slain police officer Daniel Faulkner, has been enlisted by the FOP to attack Krasner, despite his initial efforts to help her perpetuate Abu-Jamal's unjust imprisonment.*

**MORE:**

by Ted Kelly

Maureen Faulkner has been featured on the regular cop-friendly local media outlets calling for Krasner to recuse himself from Abu-Jamal's appeal. The police lawyers who speak in Faulkner's name filed a petition with the Pennsylvania Superior Court to have Krasner removed from the case and replaced by conservative Pennsylvania Attorney General Josh Shapiro. The complaint alleges that Krasner has not been vigorous enough in his attempts to keep Abu-Jamal behind bars.

The FOP is angry with Krasner for giving in to massive pressure to withdraw his initial opposition, earlier in 2019, to Abu-Jamal's appeal moving forward in Pennsylvania's higher courts. His latest acquiescence to the request by Abu-Jamal's attorneys that newly uncovered evidence is grounds for the case to be sent back to Philadelphia Common Pleas Court may be the final straw as far as the FOP is concerned.

Maureen Faulkner, claiming "victim's rights" under state legislation that has yet to be passed, filed a petition Sept. 18 to have Krasner replaced by Pennsylvania AG Shapiro "in criminal actions in which there is an appeal." She alleges that the lack of "finality" in this case has caused trauma for her.

Faulkner bases her petition largely on unfounded claims that DA Krasner and attorneys in his office had some connection with Abu-Jamal's case in the past. It specifically mentions Krasner's spouse, now Judge Lisa Rau, and Jody Dodd, a former paralegal in Krasner's law practice.

In attacking lawyers whose firms had some prior connection with Abu-Jamal's case, Faulkner is continuing a pattern of intimidation carried out by the FOP against progressive attorneys. Faulkner also ludicrously claims that Dodd was the former "leader of the International Concerned Family and Friends of Mumia Abu-Jamal" — move over Pam Africa!

Despite living in California, Faulkner is often flown to Philadelphia to make the rounds on television and radio to parrot FOP talking points and has only lobbied for Mumia's execution or permanent imprisonment without appeal. If she were truly concerned about justice for her late spouse, she would join the call for a retrial and the immediate release of Abu-Jamal who was clearly framed for the crime.

During one hearing in December 2018 that resulted in a legal victory for Abu-Jamal, Common Pleas Court Judge Leon Tucker was forced to eject Faulkner from the courtroom. In a clear attempt to disrupt the proceedings, Faulkner launched into a tirade against the African-American judge until she was escorted out by sheriff's deputies.

The likely staged disruption was just the most visible form of the state's various schemes to sabotage Abu-Jamal's appeals process at that time. These include blocking public and media access, posting officers in and around the court, filling most available seats with off-duty police officers, and lying to the public about the location and time of the hearings.

In response to Faulkner's petition, one of Abu-Jamal's attorneys, Judith Ritter, stated: "The fact that we have now seen new pieces of evidence that should have been disclosed years and years ago is certainly not the fault of anyone on the defense side. I don't know that there are too many people who would say 'finality' is more important than preventing wrongful or unconstitutional attained convictions." (mccall.com, Sept. 22)

It's unclear whether the frivolous petition will pose any serious challenge to Abu-Jamal's defense team. But the irony is not lost on his supporters that the cops are decrying "conflict of interest" when the root of the problem is a criminal conspiracy of misconduct to frame an innocent man for murder.

### **29 Sept - A zine in memory of Tom Manning**

*Some friends have put together a zine collecting the public statements made in memory of Tom Manning since he passed away on July 30<sup>th</sup>.*

#### **MORE:**

We wanted to offer it to people today to join in spirit with all those who gathered for Tom's memorial today in Boston.

Tom was a comrade, an elder and a teacher for generations on both sides of the walls. Many of us will always continue to carry Tom's spirit in our hearts and our work. We thought that having these beautiful statements collected in a zine would be one way to honor Tom and to help our many different projects and spaces keep Tom present with us. We also wanted to collect the statements to uplift and support the political prisoners who wrote about Tom and heed their words about our struggles as we mourn a movement elder.

The printable version of the zine is available at [nycabc.files.wordpress.com/2019/10/tomzinetotal.pdf](https://nycabc.files.wordpress.com/2019/10/tomzinetotal.pdf)

### **2 Oct - Rally to #HALTsolitary at Governor Cuomo's NYC Office**

**WHAT:** Rally

**WHEN:** 11:00am, Wednesday October 2<sup>nd</sup>

**WHERE:** 633 3<sup>rd</sup> Avenue, New York 10017

**COST:** FREE!

**MORE:**

Join the #HALTsolitary campaign outside of Governor Cuomo's NYC office on October 2<sup>nd</sup> as we continue to demand that he support the passage of the HALT Solitary Confinement Act IMMEDIATELY.

Advertised as reform, Governor Cuomo's recently issued proposed regulations about solitary confinement would actually permit years and decades of solitary confinement to continue through endless cycles of "time-limited" solitary with no meaningful break or unlimited time in keeplock, another form of solitary with no guaranteed access to meaningful human interaction, even for the most minor rule violations.

Thousands of people in New York are suffering in solitary confinement right now, and tens of thousands each year. The entire United Nations has prohibited the use of solitary confinement beyond 15 days for all people because it amounts to torture. Yet in New York, people regularly spend months, years, and even decades in solitary. Black and Latinx people are disproportionately sent to solitary, as are transgender/gender non-conforming people, young people, and people with mental health needs. Solitary causes devastating mental, physical, and emotional harm, and even death. 30% of suicides in New York prisons take place in solitary, and a study in New York City jails found people in solitary are seven times more likely to harm themselves.

The Humane Alternatives to Long Term (HALT) Solitary Confinement Act, S.1623/A.2500, has enough support in both houses of the New York State legislature to pass. HALT would end the torture of solitary confinement for all people in New York prisons and jails, and create more humane and effective alternatives. New York must enact HALT now!

Parallel Actions Will Take Place in the Hudson Valley, Long Island, & Elsewhere Across New York State.

### **3 Oct - 11<sup>th</sup> Annual Black Panther Party Film Festival**

**WHAT:** Film Festival

**WHEN:** Dates and times vary, opening 7:00pm, Wednesday, October 3<sup>rd</sup>

**WHERE:** Maysles Cinema, 343 Malcolm X Boulevard, Harlem

**COST:** \$10 per screening

**MORE:**

This year's festival runs from October 3<sup>rd</sup>-6<sup>th</sup> and is dedicated to #7 of Black Panther Party 10 Point Program: "We want an immediate end to Police brutality." More information at [maysles.org/11th-annual-black-panther-film-festival](http://maysles.org/11th-annual-black-panther-film-festival)

### **5 Oct - Burning Frame: Soviet Propaganda Animated Shorts**

**WHAT:** Movie night

**WHEN:** 7:30pm, Saturday, October 5<sup>th</sup>

**WHERE:** Spectacle Theater - 124 South 3<sup>rd</sup> Street, Brooklyn, New York

**MORE:**

From 1924 to perestroika the USSR produced 41 animated propaganda films. Their target was the new nation and their goal was to win over the hearts and minds of the Soviet people. Anti-American, Anti-

British, Anti-German, Anti-Capitalist, Anti-Fascist, some of these films are as artistically beautiful as the great political posters made after the 1917 revolution which inspired Soviet animation... The films feature some astounding animation techniques from stop-motion to paper cutout animation to impressively intricate puppetry.

The animated film was another weapon in the Totalitarian war of ideas. In a Soviet Union where over a hundred languages were spoken, moving pictures communicated ideas better than words. Animated cartoons were also ideal to teach small children. The influential power of film is undisputed, even here.

### **11 Oct - Metropolitan Anarchist Coordinating Council (MACC) General Assembly**

**WHAT:** General Assembly

**WHEN:** 6:30-9:00pm, Friday, October 11<sup>th</sup>

**WHERE:** Verso Books—20 Jay Street, Brooklyn

**COST:** FREE!

**MORE:**

The Metropolitan Anarchist Coordinating Council (MACC) is hosting one of our monthly general assemblies. GAs are a great opportunity to get plugged in with MACC's projects and working groups. MACC assemblies are open to all anarchists, antifascists, anti-authoritarians and those interested in anarchist ideas and organizing so please invite your friends and share widely! We encourage everyone to come with ideas about what they would like to see for future campaigns or actions and what direction they'd like MACC to take to build a more powerful, militant anarchist movement. Bring snacks (pre-packaged, vegan, and gluten-free options encouraged)!

Agenda will be announced after the organizing assembly.

An orientation will precede the assembly starting at 6:30 PM for those interested in familiarizing themselves with MACC, general assemblies, and anarchist ideas. General Assembly will begin at 7:00 PM. For more information visit [macc.nyc/](http://macc.nyc/) or contact us at [info@macc.nyc](mailto:info@macc.nyc)

### **11 Oct - Benefit for Aging (and Recently Released) New York State Prisoners**

**WHAT:** Benefit Concert

**WHEN:** 7:00pm, Friday, October 11<sup>th</sup>

**WHERE:** Starr Bar, 214 Starr Street, Brooklyn

**COST:** BRING YOUR WALLET

**MORE:**

All Of Us or None ensemble featuring:

- Daniel Carter (legendary free-jazz horn player)
- Marc Ribot (guitar wizard and composer, Anti records artists)
- Jessica Pavone (composer/violist/Tzadik recording artist)
- Devin Hoff (bass player to the minor stars)
- Ches Smith (ECM records artist/former Theory of Ruin drummer)
- Nico Roxe (ambient modular)
- DJ Friendzone (all the hits)

This benefit will raise funds for our elder political prisoners, those still inside and those recently released.