



POST OFFICE BOX 110034 BROOKLYN, NEW YORK 11211

Updates for September 17th

3 Sept - Judge refuses to dismiss charges against protesters at Straight Pride Parade

Again and again, as protesters arrested at the Straight Pride Parade in Boston came before a judge, a Suffolk County prosecutor asked for leniency — for dismissal of the charges or release without bail. And again and again, Boston Municipal Court Judge Richard J. Sinnott said no.

MORE:

by Gal Tziperman Lotan and John R. Ellement (*Boston Globe*)

The courtroom scene represented a striking role reversal, with a prosecutor assuming the unusual stance of pushing for dismissals while the judge took it upon himself to keep the charges intact. After three dozen protesters were arrested at the weekend rally, which ended with a clash with officers in downtown Boston, it was the latest flashpoint between courts and reform-minded Suffolk District Attorney Rachael Rollins, who has come under previous criticism for declining to prosecute certain low-level cases.

Tuesday night, Rollins defended her office and said, “The judge punished the exercise of individuals’ First Amendment right to protest.”

Rollins said that some of the people were appropriately handled by the judge and “will be held accountable for actions that put the safety of the public and law enforcement at risk.”

“For those people now tangled in the criminal justice system for exercising their right to free speech — many of whom had no prior criminal record — I will use the legal process to remedy the judge’s overstepping of his role,” she said in a statement.

As members of the police union looked on, Sinnott agreed to drop charges against just two of the 16 protesters who came before him Tuesday: a 63-year-old Vermont woman charged with disorderly conduct and a 21-year-old man from Worcester accused of disorderly conduct and resisting arrest.

Prosecutors asked for dismissal of nonviolent charges against seven more people, most in exchange for eight hours of community service. Sinnott denied the requests. Prosecutors did not ask Sinnott to drop any charges of assault or of violence against police.

Five more people were held on bails ranging from \$100 to \$750. One man, 31-year-old Joshua Abrams of Stoneham, was held without bail because he faces charges in another county. He was accused of disorderly conduct and resisting arrest.

Sinnott released the other nine without bail and scheduled court dates for November.

In one sharp exchange, prosecutor Jessica Erickson asked Sinnott to dismiss disorderly conduct and resisting arrest charges against a 26-year-old Lowell man accused of forming a human chain with other protesters.

His behavior was “not appropriate,” she said, but prosecuting him would not make the community any safer.

“Not appropriate? It sounds like he picked up the wrong fork at dinner,” Sinnott replied tartly. The charges would stand.

“I think the general flavor of the room is that not even the district attorney’s office is deeply invested in these cases,” said Christopher Basso, a defense attorney who volunteered his time to represent some of the protesters.

Lawrence A. Calderone, vice president of the Boston Police Patrolmen’s Association, said he was pleased to hear Sinnott imposing bails and declining to dismiss charges as prosecutors wished.

“We think that these offenders that are here, most of them outside of the city of Boston, not residents of Boston, came here as agitators. Here for a specific reason, here to create havoc, not only for the Police Department but for the general citizenry that are around, for the visitors that are in downtown Boston trying to enjoy the last weekend of the summer,” Calderone said.

He noted that previous district attorneys have also sought to dismiss disorderly conduct charges. “This DA’s office is doing the same thing, but the judge on the bench has taken a different position.”

Also Tuesday, three other people — Timothy Rego, Benjamin Boyd, and Kenneth Kraft Jr. — appeared before Judge Thomas R. Horgan, all on charges of assault and battery on a police officer. Horgan did not dismiss the charges.

He allowed their release but ordered them not to come into downtown Boston except for work.

The officer who patted Kraft down, Captain John Danilecki, was “operating with the knowledge that these groups advocate violence and armed ‘militant resistance,’ ” an officer wrote in an arrest affidavit.

As protesters made their first appearances, questions arose about police conduct as videos from the march circulated online showing officers used pepper spray on protesters.

Boston police officials said they plan to review officers’ conduct, as they routinely do whenever officers use force.

The department’s policy on the use of an incapacitating agent like pepper spray requires that officers “generally confine” its use to defend themselves or another person, or when an officer is met with active resistance.

Mayor Martin J. Walsh, in a statement on Sunday, said he takes “any accusation of police misconduct seriously.”

“I also want to be clear that sowing division between people is exactly the goal of Straight Pride organizers, and I will not stand for it,” Walsh said. “Just as the people of Boston work to make our values of love, inclusion, and acceptance known to all, our public safety officials work tirelessly to keep people safe from harm every single day of the year, and that will never change.”

The 1-mile parade drew about 200 marchers Saturday, who were heckled by some 600 protesters from Copley Square to City Hall Plaza.

The parade, which included a Trump 2020 float, was organized by a group called Super Happy Fun America. Parade organizer Mark Sahady is part of Resist Marxism, a group founded by an alt-right leader that has a history of violence. That group had helped organize a “free speech” rally in Boston in 2017 that critics said attracted white nationalists.

After the parade ended, some protesters turned their anger toward police, accusing them of protecting the marchers.

Police on motorcycles drove up Congress Street to disperse the crowd, but protesters moved into the road to block their path. Officers moved into the crowd and grappled with protesters, in some cases using pepper spray. At least eight people could be seen being led away by police, including a woman who was limping.

Four police officers were injured.

3 Sept - Jeremy Hammond, Anonymous Hacker and WikiLeaks Source, Summoned to Testify Before a Federal Grand Jury

Imprisoned hacktivist Jeremy Alexander Hammond, a former WikiLeaks source once regarded as the FBI's most-wanted cybercriminal, has been called to testify before a federal grand jury in the Eastern District of Virginia.

MORE:

by Dell Cameron (*Gizmodo*)

On Saturday, the Jeremy Hammond Support Committee announced that the 34-year-old Chicago hacker had been transferred from his medium-security prison in Memphis, Tennessee, to a federal transfer center in Oklahoma City. But on Tuesday he arrived in Virginia, where he's expected to be questioned before a grand jury regarding his past ties with WikiLeaks, the anti-secrecy organization whose founder, Julian Assange, currently faces a slew of federal charges, including several under the Espionage Act.

"Given the secrecy of grand jury proceedings, we don't know the nature or scope of the grand jury's investigation. However, our assumption is that this is the same grand jury that Chelsea Manning is currently being incarcerated for refusing to testify before," his supporters said in a statement.

Hammond's transfer and potential testimony, which supporters say he's unlikely to give, raises new questions about the scope of the government's criminal case against WikiLeaks. The charges against Assange have thus far been limited to events linked to the release of classified U.S. government documents provided by former Army intelligence analyst Chelsea Manning, who has herself being held in a Virginia jail for refusing to give a grand jury her testimony.

In November, *Gizmodo* reported that WikiLeaks had provided Hammond and his AntiSec hacking crew with access to a custom search engine tool in early 2012 in an effort to aid the hackers in rifling through a batch of more than 5 million emails, which AntiSec had plundered from the servers of a private intelligence firm the month before. That year, WikiLeaks would begin publishing and sharing with its worldwide media partners the same tranche of emails, which it named the "Global Intelligence Files."

An anarchist who waged cyberwar against police departments, private security firms, and other institutions he deemed symbols of tyranny and social control, Hammond pleaded guilty in 2013 to attacking Stratfor, the global intelligence firm based in Austin, Texas. Among Stratfor's clients at the time were the Departments of Homeland Security and Defense, employees of the National Security Agency, countless police agency heads, and, among other notable figures, former Secretary of State Henry Kissinger.

After stealing some 60,000 credit cards from the company, Hammond and his "revolutionary comrades" carried out what they called an "act of loving egalitarian criminality," using the cards to donate tens of thousands of dollars to charities, prisoner support groups, and digital rights organizations, including the Electronic Frontier Foundation, Greenpeace, and the American Red Cross. The hackers' eventually totaled more than \$700,000 in fraudulent charges, according to one FBI estimate.

To his downfall, Hammond counted among his closest comrades in arms, unknowingly, an informant for the FBI, whose every conversation with him online—including many instigating criminal acts—was closely monitored by federal agents in the bureau's Manhattan field office.

“Jeremy pled guilty to put an end to the case against him,” his supporters said. “He pled guilty because he had no interest in cooperating with the government. He was sentenced to 10 years—the maximum allowed under his plea agreement—and has been serving his time, counting down to the day that he will finally be free. That day was supposed to come in mid-December of 2019.”

Hammond, his supporters say, has been voluntarily enrolled in an intensive substance abuse program known as RDAP, which studies have found, according to the Bureau of Prisons, to reduce drug relapse and recidivism in prisoners. Those who successfully complete the program are eligible for a 12-month reduction of their sentence. His legal team now believes, however, that because he was called to testify in Virginia, he is no longer eligible for early release, flushing months of hard work down the drain.

“The government’s effort to try to compel Jeremy to testify is punitive and mean-spirited,” his supporters said, adding: “In bringing him against his will to the Eastern District of Virginia, the government has put an end to his participation in the RDAP drug program, effectively adding a year to his sentence.”

AntiSec: Anarchists of Anonymous

Under the flag of Anonymous, Hammond and his team spent most of 2011 laying waste to government websites, with a particular focus on law enforcement. While the group’s chosen name, AntiSec, was derived from the anti-security movement founded over a decade before, in reality, they had little in common with the movement, the chief focus of which was waging war on the security industry. Hammond’s AntiSec was instead primarily virulent towards capitalists, prisons, and police.

Unlike LulzSec and most of the other groups who had claimed the Anonymous name for their own, AntiSec, like Hammond, who had once placed on a terrorist watchlist, was purely anarchistic.

Citing coordinated crackdowns on Occupy Wall Street protesters in 2011, AntiSec pilfered the emails, passwords, and credit card information of the New York State Association of Chiefs of Police and the California Statewide Law Enforcement Association. They also attacked what Hammond called the police “supply chain,” breaking into the website of a military and law enforcement equipment supplier and then gleefully publishing the home addresses of thousands of its military and police customers.

“While we attacked the institutions of capitalism, it would only make sense to attack those who enforce it, the inherently oppressive protectors of property and purveyors of social control; the pigs, the fuzz... the police,” Hammond wrote in a press release announcing the attacks.

In another post touting the defacement and destruction of some 70 law enforcement websites, which had been carried out in the names of Anonymous hackers arrested by police, AntiSec wrote: “We have no sympathy for any of the officers or informants who may be endangered by the release of their personal information.” For too long, the hackers said, police had spied on them and abused their own personal information. “Retribution,” the hackers declared, “was at hand.”

Prior to breaking away from the mostly Britain-based hackers who merely did hacks “for the lulz,” AntiSec published private emails, addresses, and passwords belonging to the Arizona Department of Public Safety. In a statement titled “Chinga La Migra” (fuck immigration enforcement), AntiSec cited as justification SB 1070, an Arizona law that made it a misdemeanor for legal immigrants to be caught without a government ID card.

The ASCII art that accompanied the post, released in the name of LulzSec (even though its core members were not directly involved) included a crudely drawn assault rifle with the phrase “off the pigs” written on the stock.

While under interrogation by British police the following month, one core LulzSec member would tell two detectives that he thought the attack “was too extreme.” The cops played dumb. “What does it mean, sorry?” one asked.

It means, the underage hacker said while explaining he’d had to Google the phrase himself, “Kill the police.”

FBI’s Misleading Stratfor Account

In early March 2012, the week of Hammond’s arrest, the FBI began to paint a picture for the press of how the Stratfor hack went down. It rarely resembled reality.

In a story titled “Inside the Stratfor Attack,” a *New York Times* reporter labeled as “conspiracy theorists” anyone who believed the FBI had simply allowed the attack to occur. The story included a timeline offered by FBI officials that suggested Hammond had first hacked Stratfor and then notified one of the bureau’s informants, Hector Monsegur, a 28-year-old foster parent living in Manhattan’s Alphabet City neighborhood who hacked under the handle Sabu.

The FBI, the Times reported, had not learned of the breach until Dec. 6, 2011, “after the hackers had already infiltrated the company’s network.” But FBI surveillance records leaked to journalists in 2014 told a radically different story.

The files, which remain under seal at the time of writing, revealed that Monsegur had been informed that Stratfor was already compromised two days earlier, on Dec. 4, when another hacker—whom the FBI has yet to charge or even publicly acknowledge—provided him with stolen credit cards belonging to several Stratfor customers. The list included employees of the North Atlantic Treaty Organization (NATO), the defense contractor Raytheon, and the U.S. National Security Agency (NSA), among others.

“[W]e would love to penetrate their users/network for #antisecc,” Monsegur told the hacker, who went by the handle Hyrriya, “definitely get me details so I can begin working :)”

Hammond would not learn about the breach for a full day, records reveal. On Dec. 5, he was pinged by Monsegur, who showed him the stolen credit card data and said another hacker had offered AntiSec “complete control” of a “big intelligence company.” Within a few hours, Monsegur introduced Hammond to Hyrriya, warning both not to discuss the attack outside a single private room. The FBI was recording everything.

The notion that the FBI was not aware of the events would contradict its claims about its monitoring made later in federal court. Monsegur’s relationship with the bureau was even described by the judge overseeing the case as “virtual around-the-clock cooperation where Mr. Monsegur was sitting with agents.” His own attorney said the FBI was tracking “everything he typed with a key-logging program.” A camera was installed in his home.

The FBI would have had reason to exclude much of this timeline back when it granted interviews to handpicked reporters about the case. Even informants permitted to engage in criminal activity under the Attorney General’s guidelines are forbidden to “initiate or instigate a plan or strategy to commit a federal, state, or local offense.”

Before Hammond was sentenced, logs of the conversations showing he’d been prompted to attack Stratfor were handed over to his defense team. But rather than fight the case, and face potentially 30 years in prison, he agreed to a deal limiting his sentence to 10 years instead.

“Now that I have pleaded guilty it is a relief to be able to say that I did work with Anonymous to hack Stratfor, among other websites,” he said after entering a guilty plea in May 2013. “Those others included

military and police equipment suppliers, private intelligence and information security firms, and law enforcement agencies. I did this because I believe people have a right to know what governments and corporations are doing behind closed doors. I did what I believe is right.”

About a year before, a letter had surfaced to Hammond’s attorneys signed by someone named Hyrriya. “I am stating and admitting, AS FACT,” it said, “that I was the person who hacked Stratfor.” The letter also pointed to specific private conversations that occurred between Hyrriya and Monsegur that could not have been known by anyone else—other than, perhaps, the FBI. Reporters with access to leaked FBI surveillance records have since assessed with high confidence the letter is real.

A leaked confidential forensics report would later show that Stratfor was at least partly to blame for the disaster (or at least would be in the post-Equifax era in which corporations are scrutinized over flawed security practices). The investigation, conducted by a Verizon security team, found that Stratfor had failed to implement proper controls over vital systems, which were not protected by a firewall and lacked proper file integrity-monitoring. The report explicitly states that “several distinct vulnerabilities and network configurations existed” enabling the hackers to easily slip in.

Stratfor’s network was “wide open.” In fact, attaining root access to its servers was so easy it didn’t require a password. A leaked internal memo would later calculate the total cost of the breach at \$3.78 million, some of which Texas journalist Barrett Brown was later ordered to pay in the form of restitution, even though he had no part in the attack.

Enter WikiLeaks, After the Hack

FBI surveillance records reveal much about the nature of WikiLeaks’ involvement in the Stratfor attack, all of it occurring well after the fact. AntiSec members, including Hammond and Monsegur, both claimed at different times to be in contact with Assange—or, at least, a person whom they believed to be him. It’s impossible to know for certain the identity of the person with whom they were corresponding. (At one point, the hackers even thought that maybe they were talking to Assange while he was pretending to be someone else.)

Nevertheless, the FBI-captured conversations indicate that WikiLeaks did not formally request access to the emails until after AntiSec had gone public about the attack on Dec. 25, 2011, a day the hacking group referred to as “LulzXMas.”

On Dec. 26 of that year, as AntiSec released some 30,000 Stratfor credit cards to the public, Monsegur informed Hammond that Assange had reached out. “I think wikileaks wants the emails,” he said. “JA says he wants to look at emails first, see if they can do something with it,” he added. “[I]f the mails are in fact juicy to the point wikileaks will accept it then its a wrap.”

Being a part of a major WikiLeaks release, Hammond believed, would be “groundbreaking.”

Close to midnight on Dec. 29, Hammond announced that Assange was “almost done copying the files.” Other hackers in the chatroom, most of whom had been tasked with running up fraudulent charges with credit cards stolen from Stratfor, were warned to keep the partnership under wraps. Hammond wondered aloud: “I wonder how criminally liable JA and folks could be by admitting having received hacked stolen and controversial files from us.”

Another hacker replied, “Well, NPR wanted them.”

Two weeks later, Hammond reported that he was back in contact with Assange. The hackers were growing restless and wondered when their partnership with WikiLeaks would be announced.

“[H]e gave me access to a search engine script for these [S]tratfor emails,” Hammond said. Asked whether the script worked, Hammond said it was “pretty primitive but it works,” adding that “JA” had also offered to share access with anyone on AntiSec’s team, and that he’d asked WikiLeaks to give Monsegur access. Monsegur, meanwhile, was also secretly hosting the emails on an FBI server.

“Just wait for him to hit me up,” Monsegur said back, “these wikileaks are bitches about things. they asked me to hack [the] icelandic government. I did it and they stopped talking to me.”

“I felt like a whore,” he said.

September 12th - New Jeremy Hammond Support Flyer

Check out this nice flyer with info on the Grand Jury resistance that Jeremy is being roped into. It'd be cool to spread this around & get this out: ungovernavl.org:1312/s/kg2WXGkrED7tLK6

September 15th - Jeremy Hammond on The Final Straw

This week The Final Straw presented two segments, first an interview done by Cypress – a new member of The Final Straw collective! – with Grace (they/them pronouns), who is doing support for anarchist prisoner Jeremy Hammond. From his support website, Hammond is "currently spending a decade in prison for allegedly disclosing information about the private intelligence firm (...) Stratfor, revealing that they had been spying on human rights defenders at the behest of corporations and governments. WikiLeaks published these files in partnership with 29 media organizations worldwide as the Global Intelligence Files."

Grace talks about Hammond's case and repressions he has been facing in prison, and also about resisting a summons for a grand jury and what support could look like for him given the uncertainties of his case at the moment, plus many more topics! Listen at thefinalstrawradio.noblogs.org/post/2019/09/15/jeremey-hammond-resisting-a-grand-jury-shane-mcdonnell-on-nietzsche

4 Sept - Mumia's Health VICTORY!

After a months-long campaign, and thousands of signed petitions, a protest at the DOC HQ, and many phone calls from around the world, Mumia Abu-Jamal was finally given cataract surgery on his left eye, Thursday morning, Aug 29, at his outside-prison eye-care physician's office.

MORE:

At the day-after checkup, his eye doctor said everything turned out well. Mumia marvels at the clarity that is evident already.

He should be getting a second cataract surgery, on his right eye, in about a month.

The power of the people is as clearly evident as Mumia's eyesight is now. Keep up the pressure! Free Mumia!!

September 6th - Abu-Jamal defense files new appeal in Pa. Superior Court, accusing prosecution of misconduct

by Kristen Johanson (KYW News)

Defense attorneys for Mumia Abu-Jamal have filed their latest appeal attempt in Pennsylvania Superior Court, and have accused the original Philadelphia prosecutor of misconduct during his 1982 murder trial. Abu-Jamal was convicted of killing police officer Danny Faulkner. This latest court filing is an effort to make way for a new trial.

Abu-Jamal's lawyers say his original defense attorney didn't properly cross-examine key witnesses, and that the prosecution "unconstitutionally suppressed evidence," and that another eye-witness lied under oath, and they can prove it.

The defense says a note from an eyewitness asking about money he is owed shows the witness was paid for his testimony. A source close to the investigation has said the note was in reference to travel reimbursement.

They also say the prosecution made notes about prospective jurors who were black, but stop short of saying they tried to toss black jurors from trial.

His team also says the defense attorney didn't "consult" with ballistic or forensic experts to argue against the prosecution version of events.

Abu-Jamal's lawyers say his original attorney didn't question a key witness' motive for testifying, and they say prosecutors helped that witness get his driver's license back but never disclosed it.

They also say a prostitute who took the stand later told another woman she lied, under pressure from the cops.

His team referenced hearsay about three jurors meeting in a hotel room to discuss the case during trial.

The district attorney has said the office will not stand in the way of Abu-Jamal's appeal.

The higher court will not hear arguments in the case, but will instead file their opinion.

September 12th - Game Changing Evidence Found: A New Trial on the Horizon!

Freedom is now in sight. New evidence, recently found, and suppressed for decades could be the key to relief for Mumia Abu-Jamal.

Joe McGill and Ed Rendell, trial prosecutor and DA, respectively, manipulated evidence and framed Mumia Abu-Jamal for first degree murder in 1982.

Six boxes of undisclosed case files labeled "Mumia Abu-Jamal" were found in a furniture closet last December by new DA Larry Krasner. Here is the exculpatory "Brady" evidence that was inside:

- A letter from a witness demanding his money.
- Memo after memo to and from Joe McGill tracking the open cases of another key witness.
- Handwritten notes on original files, closely tracking the race of jurors.

Now we know that for 37 years the District Attorney's office actively lied. They scrubbed clean every single document production, during multiple appeals, for years. It is cliché and almost predictable: evidence "lost" in a storage closet for 37 years by evil absent-minded hoarders.

Make no mistake- this evidence would have directly challenged the only "witnesses" at trial who identified Mumia Abu-Jamal as the shooter of officer Daniel Faulkner on Dec. 9, 1981.

The testimony of these two witnesses was compromised, something the jury was kept from knowing. One witness had as many as 35 prior convictions and 4-5 open cases. Now we know the DA was monitoring those cases very closely asking to be advised when they were in court. The other witness to the shooting was driving a cab on a suspended license and was on probation for throwing a Molotov cocktail into a school for pay. The jury never heard this. This information certainly would have challenged prosecutor Joe McGill's statement to the jury that they had nothing to gain from lying. Remember this is a jury who asked for re-instruction on the charges and were wavering on a finding of 1st Degree Murder. Remember Albert "I am going to help them they fry the nigger" Sabo, was the judge. And Alfonso "I retired with full pay and was indicted" Giordano, a commander, was the highest ranking officer on the scene that night.

On July 3rd, 1982, this was not an open and shut case. The petition to the Superior Court also raises the reinstated appeal issues from the Castille decision handed down by Judge Tucker. These include claims of improper jury selection (Batson Claims), Ineffective assistance of counsel, and errors of law made by the court in previous appeals.

Every time you see Joe McGill in the courtroom or at an FOP event, or you see Ed Rendell at a party or a campaign event, remember this- they were stepping on the scales of justice from the beginning.

Mumia came within 10 days of being executed because of this misconduct. I was there. I got that call from the strip cell. Mumia had nothing but an orange jump suit, a half a sheet of paper and the cartridge of a pen (so he could send another prisoner as a proxy to the law library). Before and after his two death warrants he was held in solitary confinement on death row for decades!

Fast forward to 2017: Common Pleas Court Judge Leon Tucker admonishes the District Attorney to produce all of the requested material from their files. Finally, having no faith in their review, he demands that they deliver all of their files to his chambers. There he found documents revealing the bias of PA Supreme Court Judge Castille that the DA had somehow "missed" - or willfully suppressed. After all of that, in 2018, newly elected DA Larry Krasner comes across six boxes of original trial material labeled "Mumia Abu-Jamal" in a storage closet. A week later they find hundreds of more boxes in that "storage cavern."

Please know that the road ahead may still be rough. But there is hope.

Freedom is more possible than it has ever been before.

Join us. Join Judith Ritter & Sam Spital, of the NAACP Legal Defense & Education Fund, his criminal defense team. Join Bret Grote of the Abolitionist Law Center and Robert Boyle the legal team on his medical treatment case.

4 Sept - Document reveals the FBI tracking border protest groups as extremists

The FBI is monitoring groups on the border that are protesting U.S. immigration policy, according to a document obtained by Yahoo News.

MORE:

by Jana Winter and Hunter Walker (*Yahoo News*)

The FBI has gathered intelligence from people with "direct access" to the organizations and is monitoring their social media, according to the document, called an "external intelligence note," that was obtained by Yahoo News. The note, which was produced by the FBI office in Phoenix and sent to other law enforcement and government agencies, said there are indications these groups are "increasingly arming themselves and using lethal force to further their goals." However, almost all of the evidence cited in the report involved nonviolent protest activity.

The intelligence collected and cited in the FBI document, dated May 30, 2019, is worrisome to activists and civil rights advocates who say that the government is classifying legitimate government opposition and legally protected speech as violent extremism or domestic terrorism.

"The document raises potential legal concerns in a gray area not yet tested by the courts," Geoffrey Stone, a University of Chicago law professor, told Yahoo News.

"If you're investigating antiwar and anti-Trump groups, you run the risk of interfering with free speech rights," said Stone, who was tapped by President Barack Obama to help review foreign intelligence surveillance programs following the Edward Snowden disclosures.

In a statement to Yahoo News, an FBI spokesperson described the external intelligence note about border protest groups as part of routine information sharing among law enforcement agencies, and emphasized that it contained the perspective of the Phoenix office.

“These products are intended to be informative in nature,” the FBI spokesperson said, “and as such, they contain appropriate caveats to describe the confidence in the sourcing of information and the likelihood of the assessment. Additionally, when written at a local level, these products will note that the perspective offered may be limited to the field office’s area of responsibility.”

While the external intelligence note was originally generated by the FBI’s Phoenix office, it was distributed widely throughout the bureau and to other law enforcement agencies around the country.

Mike German, a former FBI special agent and fellow at New York University who has written extensively about surveillance of activists, sees the document as evidence of the bureau’s overreach when it comes to classifying domestic groups as terrorist threats.

“It’s been a feature of the post-9/11 counterterrorism effort by the FBI to focus on nonviolent civil disobedience and to prioritize it,” said German. “For several years after 9/11, the FBI called environmental activists the No. 1 domestic terror threat, even though there’s not a single homicide related to environmental ‘terrorists’ in the United States.”

The Justice Department, which first created guidelines for domestic investigations during the mid-1970s amid fallout from law enforcement’s response to the antiwar movement, has modified those policies over the years. In response to a series of questions about the authority under which it can investigate border protest groups, the FBI referred Yahoo News to the most recent publicly available guidelines posted on the bureau’s website. Those guidelines, which predate the Trump administration, specify that any investigations must be “conducted within Constitutional and statutory parameters and that civil liberties and privacy are protected.”

Despite the procedures that are in place, there have been issues with the FBI’s investigation of domestic protest groups in the past. German, the former special agent and legal expert, cited a report from the FBI’s inspector general that was released in 2010 and criticized the bureau for classifying nonviolent crimes related to protest as “terrorism.”

That report found that the factual basis for opening some of the investigations into advocacy groups, including PETA and Greenpeace, was factually weak, with little indication of any possible federal crimes. The FBI had also designated some investigations relating to nonviolent civil disobedience under its “Acts of Terrorism” classification.

What constitutes an extremist threat is the subject of ongoing debate. Some left-wing organizations have, in fact, been associated with violent attacks against opponents. Critics have pointed out, however, that such groups present less of a threat than some of those on the right, including white supremacists, who were involved in the majority of domestic terror incidents last year.

Yahoo News spoke to three of the activists specifically cited in the FBI’s note. They said they were not surprised to learn that the FBI is monitoring them, because of prior indications that law enforcement has been investigating recent protest activity as well as the U.S. government’s history of policing liberal activism.

Thank you #dayton for your solidarity yesterday. Keep fighting the good fight. #antifa #kkk #rally #ohio #protest #media. pic.twitter.com/Scoo27Kym5

— Corey Lemley (@corey_lemley) May 26, 2019

Corey Lemley, a self-described “antifascist” activist in Tennessee whose Twitter activity was included in the FBI report, said he knew he was on the government’s radar because he was previously visited by federal authorities at his home after he helped organize counterprotests against neo-Nazi rallies in Tennessee last year. He also pointed to the government’s record of surveilling activists.

“Understanding the history of this country, you’d have to be naive to be surprised,” Lemley said. “This is nothing new.”

The FBI intelligence note described the border protest activity as coming from “anarchist extremists.” Though it specified that the analysis was written by the FBI’s Phoenix office and does not necessarily reflect the bureau’s national perspective, the note showed that, at least in Arizona, the bureau is tracking border protest groups and labeling them a source of potential violence.

The note also provided indications of how other U.S. law enforcement agencies, especially the Department of Homeland Security, are tracking border protests around the country.

“FBI Phoenix assesses anarchist extremists (AEs) very likely are increasing the targeting of U.S. Government ... law enforcement personnel and facilities along the Arizona border, increasing the risk of armed conflict,” the note said. “FBI Phoenix also assesses Arizona-based AEs likely are increasingly arming themselves and using lethal force to further their goals and in confrontations with ideologically opposed groups.”

The note tied the potential for increased protest activity — and, by extension, violence — to opposition to President Trump’s immigration policies. With immigration issues unlikely to be resolved soon, it said the anarchist extremist “threat to Arizona likely will grow in intensity and frequency.”

The note went on to show some of the evidence behind these conclusions, citing two separate reports from the Department of Homeland Security that identified posts written by activists online, including one that called for actions to disturb the “daily operations of the border, by fighting ICE and the border industrial complex.”

It also cited a tweet written in May by Corey Lemley, the activist in Tennessee. “Every ICE detention center shall be taken over, with ICE employees detained until every immigrant is freed,” Lemley wrote.

Lemley, who is a 28-year-old videographer, told Yahoo News his tweet was not meant to be a threat and he does not advocate “proactive” violence.

“The resistance is going to take many shapes and many different forms,” said Lemley. “Right now, we do not have any plans to have an armed rebellion or armed resistance against the state.”

There are photos of Lemley holding guns on his personal Facebook page. However, he said all the pictures showed him in “legal possession” and did not indicate any threat.

“Nothing that you don’t see a redneck post on a daily basis,” he said.

The FBI Phoenix note also pointed to an online magazine with a timeline of border protest activity that was published on what it called an “anarchist extremist” website in February. The FBI Phoenix office, citing less than 20 words from the magazine, said this timeline was designed to aid a “trajectory of rebellion” against U.S. border policy and that it encouraged readers to identify “relevant targets in your town.”

Based on the date and quotes cited by the note, the FBI seems to be referring to a post on the activist website It’s Going Down, which linked to the online magazine. Despite the use of language like “attacks” and “targets,” almost all of the actions described in the magazine are nonviolent civil disobedience.

The Phoenix FBI's intelligence note cited less than 20 words from a document that is 20 pages long and covers 50 events; the vast majority of them involve nonviolent protest tactics like hanging banners and posters, blocking streets and Border Patrol cars, and marches, including one that was hosted by a local Presbyterian church. Eight of the incidents described in the timeline involved more dangerous behavior, including vandalism and skirmishes at protests.

Yahoo News emailed It's Going Down and received a response from someone who would not give their name but wrote that the post cited by the FBI made "no direct calls to physical violence."

The person argued that the FBI is "attempting to build a false narrative around the threat of violence against the public coming from the #AbolishICE movement." They further suggested the government is exaggerating the threat from the left-wing protest movement while minimizing the dangers associated with far-right and white supremacist groups.

The FBI document also said the bureau was tracking "an Arizona-based left-wing militia-like group" identified as the Border Liberation Front. According to the note, the FBI was told about the group's activities from a "human source with direct access." However, while the note implied the group was armed, it also indicated that the Border Liberation Front's activities are largely nonviolent and described the group as dedicated to "monitoring various U.S. Border Patrol activities, right-wing militia groups, and other groups favoring the border wall, mostly to expose human rights abuses."

In the document, the Border Liberation Front was linked to alleged planning efforts to disrupt U.S. border security operations and the building of a wall along the U.S. border with Mexico. The group's activities, in fact, were identified as being "most critical" to the FBI's conclusion that extremist border protest groups were "increasingly arming themselves and using lethal force."

A woman who answered a phone number associated with the Border Liberation Front but would not identify herself by name, said the group recently split into two, and the other organization is called Caravan Support Network.

While the Caravan Support Network was not named in the FBI Phoenix note, the woman said she believes the FBI is monitoring it rather than the Border Liberation Front. There are multiple links between the social media pages of the Border Liberation Front and the Caravan Support Network. None of the pages for either group viewed by Yahoo News contain indications of violent activity.

The woman associated with the Border Liberation Front said she was not surprised to hear about FBI monitoring, because people associated with the Caravan Support Network were on a list of activists and journalists who were in a government database revealed by NBC in March.

The FBI document claimed the Border Liberation Front organizers "planned for camps in Texas and Arizona to serve as staging platforms for on-site armed support of the migrant caravans" and "intended to purchase firearms from a Mexico-based cartel associate." But the woman who spoke to Yahoo News said all of Border Liberation Front's activities are humanitarian.

"All we do is just raise funds and then make sure those that are seeking asylum have the things that they need, clothes and food," the woman said.

The FBI note also said a "human source with direct access" described an "Antifa training seminar" that took place in Flagstaff, Ariz., last April and allegedly involved firearms. "The trainers had on display various firearms, among them AR-15s, AK-47s, and handguns," the note said.

An event matching the description in the FBI note was hosted by Taala Hoogan, an Arizona group that describes itself as an "Anti-colonial & Anti-capitalist Community Space." Advertisements for the event

show that it included a workshop on “armed defense.” Taala Hoogan did not respond to a request for comment.

The FBI document also cited information received via a public tip line about the group Redneck Revolt, a national left-wing organization that describes itself as dedicated to “community defense.” The FBI said the tipster noted that the group has raised money “for firearms purchases” and has offered to “act as armed security for various protests.”

The group often maintains a visible armed presence at protests. Redneck Revolt’s Phoenix chapter, which is also called the John Brown Gun Club, did not respond to a request for comment on this story, but a member of the group had spoken to Yahoo News at a protest outside a Trump rally in 2017.

“We’re a community defense organization, so we’re here to provide security and make sure nobody is attacked by white nationalists or fascists,” said the man, who was carrying a rifle.

The Phoenix FBI’s note addressed the possibility that left-wing border protest groups would mainly use weapons for defensive purposes. However, this “alternative hypothesis” was rejected in the note “based on direct human source reporting detailing various [anarchist extremist] groups’ plans for ‘direct action’ and ‘offensive postures.’”

German, the former FBI special agent, said that even if some activists are armed, that’s not evidence they are a terror threat. “Congress passed a definition of domestic terrorism. It requires illegal activities harmful to human life,” German said. “I’m not aware of any fatal attacks committed by somebody associated with an antifascist movement.”

Nate Snyder, who served in the Department of Homeland Security and as an adviser to the Justice Department during the Obama administration, described the document as “kind of a head scratcher.” Snyder, who reviewed a copy provided to him by Yahoo News, said the sourcing and evidence in the intelligence note were unusually thin. “Why would they put out something out there to the field with that lack of confidence and numerous unvalidated sources?” he asked.

Snyder also questioned why the FBI would be including antifascist groups, anarchist extremists and militia organizations together.

“From an analyst’s perspective, those are three very different groups,” he said.

For his part, German argued that the bureau should be focusing on clear threats rather than speculating about potential dangers from left-wing protest groups.

“There are people out there actually harming other people, and that’s where the counterterrorism resources should be devoted,” he said, “not toward people who are simply challenging government policy,”

5 Sept - Eric King can get books now

Political Prisoner Eric King can now get books sent to him.

MORE:

Eric has a book wish list! Please be generous and buy one or more off of his wishlist at amazon.com/hz/wishlist/ls/OEWNQ9RMQGZR

Background:

Eric is fighting a count of assault right now and faces a maximum of 20 additional years in prison. He needs our solidarity and sending books (and letters) is one very real way.

5 Sept - Victory for Climate Necessity Defense Upheld at Washington Supreme Court

The Washington Supreme Court has declined to review a ruling by the state's Court of Appeals upholding the right of Climate Defense Project client Ken Ward to present a necessity defense at trial.

MORE:

The Court of Appeals ruling, issued in April of this year, had overturned a previous decision by the trial court to bar all evidence and expert testimony on the necessity defense proffered by Mr. Ward, finding that the trial court had denied Mr. Ward his Sixth Amendment right to a complete defense.

The Supreme Court decision makes Washington the first state to affirmatively recognize the right of a climate protester to present the necessity defense at trial. The charges in the case stemmed from Mr. Ward's October 2016 action shutting down the Kinder Morgan TransMountain pipeline carrying Canadian tar sands oil to refineries in Skagit County, as part of the multi-state "Shut It Down" climate action.

6 Sept - Activist with Baltimore roots languishes in Georgia jail

Many Baltimore readers older than 60 will likely be familiar with the names Elizabeth McAlister and Philip Berrigan, who founded Jonah House, the Baltimore-based resistance community that's long served as a training ground for scores of war resisters.

MORE:

by Patrick O'Neill (*Baltimore Sun*)

The former priest and nun joined forces in the 1960s to form one of most potent and creative anti-war duos this nation has ever seen.

Many who followed their high-profile law breaking — which for Berrigan included setting fire to draft records in Catonsville with eight others in 1968 — viewed them as extremists. Others, myself included, saw the McAlister-Berrigan team as the prophetic couple that changed the way people of faith resisted war, violence and corporate sin.

Berrigan is credited with taking nonviolent direct action to another level as the mastermind behind the Vietnam era draft board raids and again, in 1980, with the inception of the Plowshares movement against nuclear weapons and war in general (today, there have been more than 100 Plowshares actions around the world).

At his death in 2002, Berrigan had spent 11 years of his life behind bars for his antiwar efforts. He married Liz McAlister while imprisoned in 1972, and both were excommunicated from the Catholic Church when he was released and the marriage legalized the next year. After Phil died, Ms. McAlister kept up her work for peace at Jonah House, and she has remained a mentor to many.

Today, Ms. McAlister, 79, sits in the Glynn County Detention Center in Brunswick, Ga., a miserable Southern jail. She has been there since April 4, 2018, when I joined her and five other Catholics in a Plowshares action at Naval Station Kings Bay. The Atlantic coast home port of Trident submarines, the Trident II-D-5 missiles collectively include enough nuclear fire power to kill 14 billion people and make Earth uninhabitable.

Calling ourselves the Kings Bay Plowshares, the seven of us entered the base on the 50th anniversary of the Rev. Martin Luther King's assassination. We carried blood, hammers and crime scene tape with us to expose the evil of Trident. The federal government has charged us with three felonies and a misdemeanor.

After seven weeks in jail, I joined four of my co-defendants in accepting bond conditions: \$50,000 and house arrest with a requirement that we wear electronic ankle monitors. Ms. McAlister, and two others —

Fr. Stephen Kelly of the Society of Jesus; and New Haven, Conn., Catholic Worker Mark Colville — refused those conditions and have remained in jail.

The Glynn County jail, where I was also held, is, like most jails — a hell hole used primarily to hold poor people, the mentally ill and those with addictions. The diet is poor, and on the weekends, the jail serves just two meals. Supper is a bag “lunch” with a sandwich as the main course. “Outdoor” exercise is limited to a once or twice a week trip to a crypt-like cement enclosure with a roof covered with a steel fence. Mail includes only post office-issued white post cards. Jail officials frequently withhold books and magazines or return them to senders.

Jail visits don't exist. A loved one can sit at a jail computer monitor and speak for 15 minutes per week to an inmate, who also sits at a computer monitor in his or her cellblock. Catholic priests are not permitted to celebrate mass for inmates, while evangelical ministers are permitted to conduct Sunday services inside the cellblocks.

In early August, we appeared in federal court for oral argument. Because our judge does not allow us to meet together to prepare a common defense, it was the first time the seven of us met since last November.

Despite her legacy as a Catholic leader of the peace movement for almost 60 years, Ms. McAlister has now spent more than 500 days and nights in jail in relative obscurity; her sacrifice for nuclear disarmament unknown to most Americans.

Sadly, our hopes of Ms. McAlister being freed without having to post bond or wear an ankle monitor were dashed when U.S. District Court Judge Lisa Godbey Wood denied her request for release on her own recognizance. It was a decision of enormous judicial cruelty. Most lawyers working on the case believe Ms. McAlister has already served more time in jail pretrial than she would get if she is convicted.

Our trial date is Oct. 21, so Ms. McAlister could spend several more months in jail depending on the outcome of our case.

Ms. McAlister's suffering is selfless, and prophetic. In Matthew's gospel, Jesus said, "blessed are they who are persecuted for the sake of righteousness, for theirs is the Kingdom of Heaven."

8 Sept - NYC ABC Statement on Tom Manning's Death

Below is the official statement by our collective on the death of Tom Manning.

MORE:

As a collective, New York City Anarchist Black Cross (NYC ABC) is deeply saddened by the death of Tom Manning. Make no mistake—Tom Manning died in prison due to repression, indifference, torture, and neglect, spanning decades, at the hands of the state. It was in the state's interest to heap abuse on Tom, as it does all political prisoners, in an attempt to break him, as well as to send a message to us on the outside. It is our charge to act with the same dedication, principle, and courage that Tom consistently demonstrated as he remained unbroken.

Tom showed us that being selfless does not mean being a martyr. Tom made sacrifice after sacrifice in the name of revolution—against imperialism, colonialism, white supremacy, and oppression, but not to draw attention to himself. What Tom gave up was due to the burning in his chest for freedom for all. His example continues to guide NYC ABC as we both organize to support our political prisoners and struggle against the state and capital.

Through his art, Tom was a steady reminder that revolt must include beauty. The least we can do is continue what he started and never let his name be forgotten.

9 Sept - As Tides Shift, Chances At Commutation Rise For Pennsylvania Lifers

Pennsylvanians sentenced as adults to life in prison without parole can only be released if the governor commutes their sentences. For most of the past 25 years, that's happened no more than once annually.

MORE:

by An-Li Herring (WESA News)

But Governor Tom Wolf has granted the relief six times within the last eight months – and more may come after the state's Board of Pardons meets this week. On Friday, the board will hear 21 pleas for commutation.

According to pardons staff, the board hasn't considered that many petitions at a single hearing in at least a quarter century. It's more than triple the number the board heard at its previous meeting in May.

The board holds commutation hearings four times a year. Advocates get 15 minutes to say why their clients deserve commutation.

By that time, inmates have usually waited for about three years after submitting their applications for commutation. The hearing is the last step before the board advises the governor on who to release early.

Inmates themselves do not appear at the hearing. But Sam Barlow, whose sentence was commuted in April, said they speak with the board's five members the day before, at a state prison across the river from Harrisburg.

"You're shackled, and they escort you into this room. And they have you sitting there with a table," Barlow remembered. "And the lieutenant governor, he's no nonsense. So, he says, 'Listen, tell me who you are, why you're here, and what you want from us.'"

Barlow told the board he'd been incarcerated since 1968 after taking part in a robbery where a man was killed. He didn't shoot the man, but drove his two accomplices to the scene of the crime.

Barlow then took questions from four of the board members: a victim representative, a corrections expert, a psychiatrist, and the state's attorney general. They asked about his conduct behind bars and what he would do if released. Then, Lieutenant Governor John Fetterman weighed in. Fetterman, who chairs the pardons board, observed that Barlow had been in jail since before Fetterman was born.

"I said, 'Well, I don't know how old you are, but I've been in jail for 50 years and 5 months,'" Barlow recalled. "He said, 'Unbelievable.'"

Cases like Barlow's have prompted Fetterman, 50, to push for more commutations.

"We as a society, I think, need to ask ourselves, how much is enough?" Fetterman said. "Do you believe in perpetual punishment? Or, do you believe in a second chance?"

'I'm actually home'

Until this summer, Robert Wideman was one of more than 5,100 Pennsylvania prisoners serving life sentences without the possibility of parole. But his sentence was commuted this spring, after he spent 43 years behind bars.

Now free, Wideman spends most of his days with Vivian Carter, his girlfriend of seven years. Carter loves to cook for Wideman, and said she makes him bacon and eggs every day.

Wideman said he's still astounded by how his circumstances have changed.

“I’ve got to keep looking around and saying that I’m actually here,” he chuckles. “I’m actually home.”

In 1975, Wideman participated in a botched robbery in which a man was fatally shot.

“I hold that as the greatest mistake of my life. I hold that as the sin that might curse me forever,” Wideman said.

Such remorse is crucial to earning commutation. But family members of Wideman’s victim strongly opposed his release.

The state’s Office of the Victim Advocate and county district attorney’s offices are required by law to notify victims’ families when a perpetrator is being considered for commutation.

While some families feel that decades behind bars is long enough, Pennsylvania’s victim advocate, Jennifer Storm, said more often they argue they were promised a life sentence.

“And it’s often coupled with comments like, ‘My loved one doesn’t get a second chance. My brother or my sister or my husband, my wife, my child is not here today,’” Storm said.

Shifting priorities

Those attitudes have prevailed for the past few decades, especially since 1994, when a man named Reginald McFadden killed two people and raped another after receiving commutation.

“That received a lot of publicity,” said federal Judge Mike Fisher, who then was a Pennsylvania state senator. “And the question was, who was Reginald McFadden? Where did he come from?”

At the time, lifers could get released with a simple majority vote from the pardons board. But Fisher introduced legislation to amend the state constitution to require the board’s unanimous support.

“I thought that that was maybe something that would give the people of Pennsylvania assurance that only the right people would qualify for it,” Fisher recalled.

Voters approved the amendment in 1997, and the odds have been stacked against inmates ever since.

While Fetterman said it is important to protect public safety and victims’ rights, he added that the state must “temper” those concerns “with mercy and with an overall belief that people deserve a second chance if they’ve definitely made a good-faith effort to rebuild their lives and take accountability for what they’ve done.”

The lieutenant governor said he’d like to return to pre-1980s levels, when an average of 20 to 30 sentences a year were commuted.

“That’s my goal,” Fetterman said, “that there is not one single deserving soul rotting away in Pennsylvania prison that we can do something about.”

11 Sept - Key protest witness nowhere near bus during Portland hammer attack

The key witness in an assault case against a Portland activist was nowhere near the alleged hammer attack when it occurred during a tense political protest last month in downtown, new court documents claim.

MORE:

by Shane Dixon Kavanaugh (*The Oregonian*)

Nor have police or prosecutors spoken with the man they say was seriously injured, according to the defendant's lawyer.

The disclosures came in a motion filed late Tuesday by the court-appointed attorney for Alexander Dial, one of at least 15 people arrested during the Aug. 17 demonstrations that drew hundreds of right-wing activists from around the country and those opposed to them.

Dial, 37, was among a handful of counterprotesters who clashed with members of the American Guard, a far-right group with white nationalist ties, as they rode a black shuttle bus near the foot of the Morrison Bridge after the rally ended. The brawl became one of the day's most contentious moments.

During the chaotic scene, captured on video viewed millions of times, the counterprotesters wrested a hammer away from someone inside the bus who appeared to swing it at them from the open door.

The video shows Dial flinging the hammer back into the bus before its doors close and the bus eventually drives off. Dial was clad in a helmet, gas mask and body armor at the time. He also wore a black T-shirt that read "Beta Cuck 4 Lyfe," which became his nom de guerre in the days after the protest.

Other counterprotesters can be seen striking the bus, throwing punches and blasting pepper spray inside the bus and at its occupants. Some also chased and hit a second nearby bus carrying members of the Proud Boys, a group of self-described "western chauvinists" who helped organize the right-wing rally.

Prosecutors now allege the thrown hammer struck a man inside the bus and have charged Dial with multiple criminal counts, including second-degree assault, a Measure 11 crime that carries a mandatory minimum sentence of five years and 10 months in prison.

While four other counterprotesters also face felony allegations in the bus confrontations, including riot charges, Dial's assault charge is the most severe.

No passengers on the bus have been arrested or charged at this time. A Portland police spokesman said the brawl remains under investigation.

In his motion for the prosecution to share additional evidence in the case, defense attorney William Walsh zeroed in on the basis of Dial's assault charge. The statute requires prosecutors to show someone caused another person's serious physical injury.

"No witness who was on the bus at the time of the incident has come forward to identify any injury to anyone caused by Mr. Dial," wrote Walsh, who cited a review of police reports, video of the fight and grand jury testimony to substantiate the claim.

According to the defense motion, the only person to provide authorities with information about an injured man was Reggie Axtell of Portland. Axtell told a grand jury last month that he observed a bruise the size of a golf ball on one of the bus occupants later that day, the motion said.

Axtell is fixture among local right-wing groups, including Patriot Prayer, and co-founded Portland's Liberation with conservative activist Haley Adams. He has attended numerous rallies and demonstrations in the city.

Axtell drew scrutiny and headlines earlier this year when he published a video on social media where he made comments perceived as violent threats against Portland Mayor Ted Wheeler, including how the mayor's days were "numbered." He was never arrested or accused of a crime.

"My words were taken out of context," Axtell told The Oregonian/OregonLive on Wednesday. "I meant that I was coming for Ted Wheeler's job."

In an interview, he also said he had no prior relationship or affiliation with members of the American Guard until the group's bus pulled over and picked him up with a dozen other local activists along Southwest Naito Parkway after the clash with counterprotesters.

Once he got on the bus, Axtell said, he saw one of the American Guard members, whom he identified as Mark Quon, had a small bruise on his ribs and that another passenger was giving Quon first aid.

"Mr. Quon was in excruciating pain," he said.

Axtell said he didn't know what caused the man's injury until he later watched the video of the brawl online and saw someone throw the hammer into the bus. He added that Quon was the American Guard member in the video who first appeared to swing the hammer at counterprotesters.

Axtell said he hadn't planned on being a grand jury witness but had accompanied Adams to court after she was summoned to testify. While waiting, Axtell said, he told a Portland police detective about what he observed on the bus and was summoned to be a witness on the spot.

A Multnomah County District Attorney's Office spokesman said he couldn't comment on a pending case.

Valerie Moody, a spokeswoman for the American Guard, didn't respond to calls Wednesday.

Members of the group include those with deep ties to the white nationalist movement in the United States. Some also participated in the 2017 Unite the Right rally in Charlottesville, Virginia, which drew white supremacists and neo-Nazis.

In an interview last month, Moody said American Guard members had come from Arizona, California, Florida, Idaho, Indiana and Utah to attend the right-wing demonstration, which had been organized to condemn anti-fascist activists, or antifa.

After they rallied with other activists at Tom McCall Waterfront Park and a marched across the Hawthorne Bridge, the group left to attend a barbecue at a public park in Vancouver, Moody said.

They later boarded the bus and returned to Portland because of reports that a number of Proud Boys and other right-wing activists remained downtown and were outnumbered by counterprotesters, she said.

Moody said the bus driver opened the vehicle's doors near the Morrison Bridge because his fellow passengers thought they recognized someone on the street. When the group of counterprotesters charged the open bus, a passenger inside grabbed a hammer and started swinging it in self-defense, she said.

"They thought they were going to get carjacked," Moody said.

Moody said Portland police later reached out to the bus driver but no other passengers, including the person with the hammer. She also said the bus driver, whom she declined to identify, was subpoenaed to appear before a Multnomah County grand jury Aug. 23 but received the summons on the same day and didn't testify.

The grand jury ultimately indicted Dial and four other counterprotesters allegedly involved in the bus brawls. Dial was also indicted on separate counts of second-degree assault and other criminal charges stemming from a different confrontation later in the day.

Dial had been in jail since Aug. 30. He was released Tuesday after posting a \$52,750 security, records show.

12 Sept - The Certain Days 2020 calendar is available for pre-sales

We are so happy to announce that the 2020 Certain Days: Freedom for Political Prisoners Calendar is AVAILABLE FOR PRE-SALES! We know you will love it.

MORE:

"Now in its 19th year of publication, the Certain Days: Freedom for Political Prisoners Calendar is required reading for radicals, leftists, and all who support political prisoners and advocate the end of mass incarceration. All proceeds support prisoners and grassroots organizations."

Each calendar has 12 thought-provoking essays and 12 pieces of beautiful art that address a yearly theme - in 2020, the theme is finding ways of Knitting Together the Struggles. You'll feel inspired every day of the year, with radical historical dates and lots of space for your own plans.

Your group can buy 10 or more for the rate of \$10 each and then sell them for \$15, keeping the difference for your organization. Many campaigns, infoshops and projects do this as a way of raising funds and spreading awareness about political prisoners. Use the discount code "BULK" to get 10 or more calendars for \$10 each.

Featuring: Annie Banks, Aric McBay, Bitty, Christi Belcourt, Cindy Milstein, David Gilbert, Support Eric King, Ethan X. Parker, Fernando Martí, Garen Zakarian, Jaan Laaman, Support Marius Mason, Mary Tremonte, Molly Fair, No New Jails NYC, Oso Blanco, Richard Rivera, Stephen Wilson, teev, Termite Collective, Victoria Law, Xinachtli and more.

Order from our friends with Burning Books at the link!

burningbooks.com/products/certain-days-2020-calendar-knitting-together-the-struggles

18 Sept - Standing with Standing Rock with Nick Estes & Jaskiran Dhillon

WHAT: Panel Discussion

WHEN: 5:30pm, Wednesday, September 18th

WHERE: The People's Forum, 320 West 37th Street, Manhattan

COST: FREE!

MORE:

Dispatches of radical political engagement from people taking a stand against the Dakota Access Pipeline .

Amid the Standing Rock movement to protect the land and the water that millions depend on for life, the Oceti Sakowin (the Dakota, Nakota, and Lakota people) reunited. Through poetry and prose, essays, photography, interviews, and polemical interventions, the contributors reflect on Indigenous history and politics and on the movement's significance. Their work challenges our understanding of colonial history not simply as "lessons learned" but as essential guideposts for activism.

18 Sept - Art Opening w/ No New Jails

WHAT: Art Opening

WHEN: 6:00pm, Wednesday, September 18th

WHERE: Weeksville Heritage Center, 158 Buffalo Avenue, Brooklyn

COST: FREE!

MORE:

Please join us for an opening reception for a solo exhibition and book release by Komikka Patton (Martian). The exhibition continues through October 23.

22 Sept - Anarchists Care About Books: New York 2140

WHAT: Book Club

WHEN: 4:00-6:00pm, Sunday, September 22nd

WHERE: Bluestockings Bookstore, 172 Allen Street, New York 10002

COST: FREE!

MORE:

Join us to discuss New York 2140 by Kim Stanley Robinson.

MACC events are open to all anarchists, antifascists, anti-authoritarians and those interested in anarchist ideas and organizing.

Bluestockings is wheelchair accessible, with no steps or platforms, and wide aisles between shelves. The bathroom is not wheelchair accessible. There is a Starbucks two short blocks down the street with an accessible bathroom (at Allen and Delancey). Metered street parking is available in the blocks surrounding Bluestockings. Bluestockings is not a scent-free space, but we encourage visitors to please refrain from wearing perfumes, colognes or other scented products (including essential oils) and smoke far away from the entrance to the space.

23 Sept - Burning Frame: Kamagasaki Cauldron War

WHAT: Movie night

WHEN: 7:30pm, Monday, September 23rd

WHERE: Spectacle Theater - 124 South 3rd Street, Brooklyn, New York

MORE:

The past few years have been a whirlwind: exhausting, invigorating, and ripe with potential. It's tremendously difficult, when in the thick of it, to pause, reflect, or even find a moment to catch a breath. Especially when "it" refers to the rise of fascism on a global scale, with any number of future cataclysms hovering just over the horizon. But we digress.

Join us, then, for a series that asks: if not now, when? Come for great works of radical political filmmaking, stay for the generative discussions, or even just to commiserate about how little has fundamentally changed over the past 100 years (the span of time which the films in this series will cover). The hope is that this forum for authentic representations of successes, defeats, and the messy work of political action, will be thrilling, edifying, and maybe even inspire your next organizing project.

To butcher the title of a great film for the sake of a moderately applicable pun: "Throw away your dogma, rally in the cinema."

29 Sept - Festival of Hope

WHAT: Kings Bay Plowshares 7 Celebration

WHEN: 3:00pm, Sunday, September 29th

WHERE: Holyrood Episcopal Church/Iglesia Episcopal Santa Cruz—715 West 179th, Manhattan 10033

COST: FREE!

MORE:

Guests:

- Amy Goodman, Host of Democracy Now!
- Jeremy Scahill, former D.N. producer, author/filmmaker, Dirty Wars.
- Kings Bay Plowshares 7 defendants who nonviolently, symbolically disarmed Tridents nuclear weapons face 25 years—Carmen, Clare, Martha, and Patrick will speak, and hear from Mark, Liz, and Steve, the 3 jailed defendants in Georgia.
- Padre Luis Barrios, activist & pastor of Holyrood Episcopal Church will be a part of an interfaith blessing ceremony.
- Latin Music & Singer Tom Chapin