



POST OFFICE BOX 110034 BROOKLYN, NEW YORK 11211

Updates for October 19th

2 Oct - Jalil Muntaqim: Why it's time for the International Tribunal

This is an excerpt of a powerful interview that Bay View Arts and Culture Editor Wanda Sabir conducted with Jalil Muntaqim on the upcoming International Tribunal 2021, "We Charge Genocide."

MORE:

by Wanda Sabir (SF Bay View)

Wanda: We're talking to Brother Jalil Muntaqim, freed warrior after spending nearly 50 years of imprisonment in New York's various slave plantations. He is co-founder, along with deceased Sister Safiyah Bukhari, who passed in 2003 and Baba Herman Ferguson who passed in 2014, of the National Jericho Movement to free all political prisoners. He is the author of "We Are Our Own Liberators" and "Escape the Prism- Fade to Black."

While imprisoned, Brother Jalil called for the establishment of the In the Spirit of Mandela Coalition. This major initiative will consummate at the October 2021 International Tribunal which we are here to talk about today: bringing to the international progressive community the charge of genocide against the U.S. corporate government.

Brother Jalil requests our solidarity, input and energy in this national, international determination. So once again, welcome and talk to us about this International Tribunal in the Year of the Political Prisoner.

Jalil: As Salaam Alaikum, paz, peace and all the ways in which we can engender solidarity and salutations. It was 1998 that I put together the campaign for the Jericho Movement, but in 2018 I was in solitary confinement here in Southport Correctional Facility for having taught a class at Attica.

They didn't like me teaching about the Black Panther Party and the history of the Black Panther Party, so they put me in solitary confinement for four months. At the time, I decided it was necessary for us to once again bring International Jurors to the United States.

We had done so once before in 1981 or '82. And in that campaign the International Jurors came and visited a couple of political prisoners. Two particularly were Sundiata Acoli and the warrior Leonard Peltier, both of them still in prison today. And so, our fight continues to gain their liberation as well as the many other of our comrades who have been imprisoned throughout the country.

I initiated the campaign to have the International Jurors return to the United States in 2018. I put out that proposal and it was heard by my comrades in the Jericho Amnesty Movement, and they decided this was something that we were going to do.

It has evolved to a point where now today we are calling for the International Jurors to hear testimony on the issues of genocide; that will take place Oct. 22-25. We are raising the question of genocide on the whole issue of not only the question of political prisoners but the cumulative conditions of Black, Brown and Indigenous people in the United States.

I'd like to just read off the charges we are bringing to the International Jurors. We have nine International Jurors who will be coming to the United States and/or hear the testimony from our witnesses in person and via Zoom, and those charges are:

1) *Racist police killings of Black, Brown and Indigenous people.* There is no dispute that our people have been summarily murdered, killed by state sponsored terrorism, particularly the police.

2) *Hyper-incarceration of Black, Brown and Indigenous people, which includes and amounts to the continued sanction of legally sanctioned slavery.* As you well know, slavery has not been abolished in the United States. It has been institutionalized by virtue of the 13th Amendment and its exception clause, which states if you are duly convicted of a crime, you can be forced into involuntary servitude and slavery. Hyper-incarceration is mass incarceration of Black, Brown and Indigenous people.

3) *Political incarceration of civil rights and national liberation era revolutionaries and activists, as well as present day activists.* We're talking about our political prisoners; they're overdue to end their incarceration.

You know I did almost 50 years, 49 years and some months inside of prison and we have comrades right now, such as Ruchell Magee, who've spent 58 years inside prison. He is one of the longest held prisoners in the United States.

People around the world are waiting on us to get up off our ass and do what we need to do.

4) *Environmental racism and its impact on Black, Brown and Indigenous people.* We know that our communities, many of our communities are held in conditions or in places where they have these corporations and businesses polluting the air, polluting the water, polluting the land.

And this environmental racism also includes what we call food apartheid. We have food deserts in our communities or all around our communities, but we don't get the proper nutritional food that other communities receive. And so, we're raising those charges as well.

5) *Public health racism and disparities and their traumatic impact on Black, Brown and Indigenous people.* That one particularly, in my opinion, more so than anything else, is dealing with the disparity between the mortality rates between Black and White people in this country and also Brown and Indigenous people, and also sterilization of our women.

I understand there is a problem right now in prisons in California where women have been sterilized without their consent. But this is not new. The forced sterilization of Puerto Rican women was uncovered several years ago, and it was well known Indigenous women have suffered the same type of fate.

And so when we look at the cumulative aspect of this dynamic of this institution of white supremacy, institutionalized racism that we confront on a daily basis, it's tantamount, to conditions of genocide.

6) *Genocide of Black, Brown and Indigenous people based on the broad, historic and systemic charges.* And so, cumulatively, these conditions have been brokered and in many respects demonstrate the diminishing of our people, of our nation, of our race.

We are also commemorating the 70th anniversary of the great Paul Robeson and William Paterson when they brought the first charge of genocide, "We Charge Genocide," to the United Nations; that was Dec. 17, 1951, about two months after my birth.

So, we're commemorating the 70th anniversary of that heroic effort on their part, and we think that the conditions that existed then, back in 1951, have not changed significantly outside of cosmetic ideas or maybe getting a Black person to be the president of the corporate government or vice president of this corporate government. Outside of that, the conditions of Black people, Brown people and Indigenous people on the ground have not significantly changed.

Therefore, we feel it's necessary to bring our charges, our issues to the international community and by virtue of doing so build out a basis of a new movement here in the United States. So those are the charges being raised and will be brought Oct, 22-25. The tribunal will be held at the Malcolm X Betty Shabazz Center in Harlem, New York, and again it will be hybrid (in person and online).

We have individuals who will be there participating, particularly some of the International Jurors and also our witnesses who will be there to testify on these issues and these questions. We will have expert witnesses, expert testimony, being presented on all those issues and more.

Beyond that of the tribunal, if I may, we will be submitting a petition to the United States Federal District Court with the charge of genocide. And in that capacity, hopefully with the assistance, the support, particularly through the amicus brief, friends of the court brief, it will be submitted on our behalf across the country and internationally. We will be building out our campaigns on a domestic level with support of the international progressive community.

We are looking for in 2022, as I said, to build out our campaign to what we call a People's Senate. We not only seek to organize what we call a People's Senate; we think there needs to be a new narrative in regard to the conditions of people of color, specifically in this country.

And I just wanted to make one more note about the issue of white supremacy. White supremacy is an aberration in human history, right. It is an aberration based on the idea that a people believe that they are greater or superior to any other people on the planet.

So, we said it's time for the end of this. It's time for us to make a move, building a new wave of struggle in this country based upon the whole gamut of fighting against capitalist imperialism and white supremacy.

Wanda: Wow, that was a lot. Perhaps we can have you on again before the 22nd to talk in more depth around some of these points that you just brought out.

Jalil: Yes, let me make clear this last point. The American population has blood on their hands. Dr. Martin Luther King Jr. once stated the United States is the greatest purveyor of violence on the planet.

These are not my words. These are the words of Dr. King, for whom this country made a national holiday. He said that. He was absolutely correct.

And people around the world are waiting on us to get up off our ass and do what we need to do. Because they are fighting against colonialism, they're fighting against neo-colonialism, they're fighting against imperialists throughout the world. Who's the imperialist? The United States! Because of our silence, they suffer. Because of our complicity, they suffer. And so, the world is looking at us and wondering what the hell are they doing over there in the United States?

They're suffering here in the United States and yet they are complicit in the suffering of people around the world. The international community is waiting for us to do what we need to do to end the bloodshed that Dr. King said the U.S. was the greatest purveyor of throughout the world.

Listen, the United States is not only killing the people, but also the planet, understand that.

6 Oct - The 2022 *Certain Days* calendar has launched!

We are happy to announce that PRE-SALES for the 2022 Certain Days calendar (the 21st edition) have begun!

MORE:

Order now and calendars will ship soon.

In the U.S., order from Burning Books: **burningbooks.com**

In Canada, order 1-9 copies from Left Wing Books: **leftwingbooks.net/certaindays**

Order 10 or more copies (and raise funds for your own organizations and projects!) via **certaindays.org**

Certain Days 2022: Creating a New World in the Shell of the Old

The *Certain Days: Freedom for Political Prisoners Calendar* is a joint fundraising and educational project between outside organizers in Montreal, Hamilton, New York and Baltimore, with two political prisoners being held in maximum-security prisons: David Gilbert in New York and Xinachtli (s/n Alvaro Luna Hernandez) in Texas. Founding members Herman Bell and Robert Seth Hayes (RIP) were happily welcomed home from prison in 2018. Learn more about them at certaindays.org.

Your group can buy 10 or more for the rate of \$10 each and 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. In Canada, you can order at our bulk rates at certaindays.org.

This year's theme is "Creating a New World in the Shell of the Old" and features art and writings by Alanna Kibbe, Comrade Z, David Gilbert, Daniel McGowan, Eric King, Hanif Bey, Jesus Barraza, Leila Abdelrazaq, Martha Hennessy, Montclair Mutual Aid, Oso Blanco, Peter Railand, Roger Peet, Shukri Abu-Baker, Tauno Biltsted, Wendy Elisheva Somerson, Windigo Army, Virginia Lee, Xinachtli and Xue.

Your favorite intercontinental, inside/outside collective has produced our SECOND calendar during the COVID-19 pandemic and despite major obstacles, we think you will love it.

Proceeds from the Certain Days 2021 calendar were divided amongst Addameer Prisoner Support and Human Rights Association (Palestine), Release Aging People in Prison (RAPP), Barton Prisoner Solidarity (BAPSOP), Tucson Anti-Repression Crew, Austin ABC, Prison Health News, Solidarity Across Borders, Buffalo Books Through Bars and Mongoose Distro! Proceeds from the 2022 calendar will go to some of the same grassroots groups and more.

8 Oct - Eric King Legal Update

Eric's lawyers at Civil Liberties Defense Center have released a major update on his case.

MORE:

As we prepare for key upcoming court dates for our client Eric King, we wanted to provide some insight on what's happening and why this case is so important. Due to some restrictions around media and upcoming trials, we can't say nearly as much about it as we'd like. However, you can educate yourself on its substance by visiting the resource page which includes links to all publicly-available court documents.

Please take a look and share it with your networks. You can also follow Eric's support crew on Instagram, Twitter, and Facebook, and consider making a small contribution to support his legal defense fund by donating to CLDC and designate your contribution for "Eric King."

Background:

Eric was sentenced to 10 years in prison in 2014 for his actions in solidarity with the Black liberation uprisings in Ferguson, Missouri, and is scheduled to be released in 2023. However, he now faces a new federal criminal charge for allegedly "assaulting" a Bureau of Prisons (BOP) officer in self-defense in 2018, and faces up to 20 more years in prison if convicted.

On Thursday, October 14, CLDC's legal team will represent Eric at an evidentiary hearing in Colorado Federal Court where the Judge will rule on our Motion to Suppress Evidence regarding Eric's coerced statements in the aftermath — determining whether the statements were involuntary as a result of torture and abuse he suffered at the hands of BOP Florence guards, among other issues. While we have a steep hill to climb, this evidentiary hearing is a monumental step forward in bringing the truth into the light of day. In addition to his upcoming criminal trial, CLDC is also representing Eric in a civil suit against the BOP relating to this incident and a continuing pattern of abuse within the federal carceral system.

October 13th - Eric King's court hearing closed to the public.

The Judge in Eric King's case has closed the court to the public for tomorrow's evidentiary hearing.

[NYC ABC editorial: *This is a clear tactic by the state, this hack fucking judge included, to make Eric, attacked by guards, and his supporters out to be threats to public safety. This is not so subtle propaganda that can easily be spun by corporate and right wing media to shape public opinion around Eric's case and other cases involving anarchists and other rebels as folks face federal charges around the recent uprisings and eco-defense.*]

October 14th - New Book Wishlist

We launched a new wishlist for Eric on Burning Books' website. Now, when you buy a book for Eric, you will also be supporting an independent bookstore and community space! Eric will be preparing for trial but needs time to decompress and get his mind off all the legal nonsense. Books are great for this! Please buy one or more if you can: tiny.cc/EK_Wishlist

October 14th - Hearing Update (A Pasted Twitter Thread)

by Unicorn Riot

Political prisoner Eric King has his first evidentiary hearing this morning in Colorado Federal Court for a charge while in prison for allegedly "assaulting" a Bureau of Prisons officer in 2018. According to King, he was the one who was assaulted that day by a prison guard. Presiding Judge William J. Martinez made a motion prior to the hearing that it would be closed to the public because the court "became aware of information which causes it to be concerned of a potential disruption of the hearing." The Judge admitted on record that U.S. Marshals and others looked at social media accounts and saw discussions that people were going to be at the hearing. He didn't share specific details or say if there was talk of a "disruption" on social media. Therefore, members of the media, the community, and one of his family members were not allowed to enter the courtroom. Only his partner was allowed to go in. The prosecution is currently questioning a witness who used to work at Leavenworth Prison in Kansas, where King was incarcerated for some time. They are asking her about the disciplinary hearing reports she put together for Eric King from the incident at Federal Correctional Institution (FCI) Florence in Colorado. She just read aloud what she wrote down after interviewing King about the incident. King mentioned the mop closet to her and how he was brought in there instead of the lieutenant's office.

The defense attorney didn't want to approach the lectern to cross examine, and the Judge said if she didn't then she wouldn't be able to cross examine. She then went to the lectern to being her questioning. She asks the witness where she would get the information to fill out certain parts of the disciplinary hearing report. There were two reports, and one said the FBI and the AUSA declined to press charges, and one said they accepted to prosecute. The defense attorney asks about hole punches that were visible on one of the reports, but not the other. The reports were photocopied, and the dots still show. The witness says it doesn't mean anything to her.

"Exhibit 9 is, I'm sure, 100% sure I drafted." The lawyer then asks if she drafted the other exhibit also, and she says 'no,' and then walks back on her previous statement saying that she cannot say 100% if she drafted

either of them because there are too many she drafted. The Judge jumps in and asks similar questions to the witness. He asks if her electronic signature is available to others and she says "yes." He asks if she had a secretary and she says "no." The defense asks how the witness mentions to the inmate who is prosecuting them, the witness says she doesn't say anything specifically to the inmate. She tells them the FBI and/or AUSA are in processing. The Judge jumps in and asks for clarification--if the phrase that the FBI and/or AUSA are released for administrative processing means that the hearing can proceed, and she says "yes." The defense brings up how the BPO may have decided not to move forward with the hearing.

The Judge agrees with the prosecution that they don't have time to do a dry run of the trial, and that they need to move on. The defense brings up defense exhibit A. The witness says it looks familiar. It pertains to the inmate disciplinary program. The defense asks if this disciplinary program from 2011 is the same that guided her in 2018. She says "yes." The prosecution steps in and asks that just one paragraph of the program be submitted into evidence. The Judge agrees because the defense doesn't have clear need for the whole document. The defense asks the witness if she is aware of the process to sign the document when you deliver it to an inmate. She says "yes." The lawyer then asks if that document has her signature, which it doesn't. Defense asks if her signature on Exhibit 8 means that King got a copy of that full report including whether or not he was being prosecuted? The witness says King got a copy.

Defense is done with cross examination of the witness who used to be a Disciplinary Hearing Officer. Prosecution declines to redirect. 10 minute break. Court is back in session. The prosecution is questioning a current employee at the FCI Prison. The witness explains that one day he brought King into the lieutenant's office and the witness and the lieutenant said they would read King his Miranda rights and would interview him. They then turned on a video camera. King had his wrists restrained and connected to a stomach chain. The prosecutor asks if the witness caused King any harm or drew his weapon, he says "no." The prosecutor offers the advisement of rights form from August 2019, it is submitted into evidence. He also brings up the video. The Judge says it's already in evidence and that they don't have to play it now. Cross examination begins. The Judge says at first that defense can play parts of the video if they want. Defense asks where they worked in the prison, and asked if they worked weekends. He didn't work weekends. Defense asks if the witness saw King having any injuries. He says "no." She asked if he saw him with a black eye. He says no and that he "doesn't remember."

Defense asks if the witness knew why King was in the SHU (solitary confinement) prior to the interview. Prosecutor objects. Judge asks reason for questioning, allows it to continue. Lieutenant Silva, who is the current witness, is King's current lieutenant in the SHU at FCI Englewood. Defense asks prior to the interview with King, if Silva was aware that King wanted his attorney present, and he says "no." She asks if Silva was aware that his lawyer was trying to contact King, he says "no." She also asks if he was aware of the feces overflowing in King's cell, and he says no. Defense shows Silva a screen grab of the video, and she asks if this helps him recollect if King has a black eye or not. Silva says he can't tell because it's a black and white photo. The prosecution says they'll allow the fact that King had a black eye to be in the record. The Judge is saying he doesn't understand the "utility" of asking the lieutenant what he remembers or not because they have the video evidence. Defense asks if King was asserting the right to council in the interview, how would that be accommodated. Prosecution objects. Judge overrules. Lieutenant says if King asked for a lawyer then the interview would have been stopped.

October 17th - "Am I allowed to breathe"

This is a poem from October/2016 from when Eric was just two months into his time at FCI Englewood, the start of his journey into this BOP nightmare.

Am I allowed to breathe?
Is that a punishable offense

Am I allowed to feel
Is that a shot?
Are my thoughts read
like my letters
Scanned and stored
to be used against me later
My dreams dissected and distorted
Tearing apart the meanings
Digging for something
anything
Does my every firing neuron
Have sinister intentions
Yes...

8 Oct - Free Maroon Now! Interfaith Alliance

For nearly 50 years, a man of faith by the name of Russell Shoatz has remained behind bars in the Pennsylvania state prison system.

MORE:

Russell has been imprisoned, incarcerated and caged since the reign of racist terror that former Philadelphia police commissioner, and later mayor, Frank Rizzo showered upon his constituents. Russell endured 30 years of inhumane solitary confinement, and even amidst a lifetime of caging, set himself on a clear path of faith and mentorship to people inside and outside of the prison walls, ourselves included.

When he was released from solitary confinement, after winning a civil suit against the department of corrections, Russell's life entered a new phase of trial: his health. Over the past few years, he suffered first from prostate cancer and then was diagnosed in 2019 with colorectal cancer. He survived 12 rounds of chemotherapy before being approved for surgery to remove his primary cancerous mass in fall of 2020. In October of 2020, prison guards infected the prisoners of State Correctional Institute Dallas (PA) with COVID-19 and Russell was placed into lockdown and later diagnosed with the deadly virus. After months of delays, he finally received his surgery only to find that the cancer had again metastasized. In the spring of 2021, it was confirmed that he has terminal Stage 4 colorectal cancer.

In conversations since, Russell has expressed that he is at peace with entering the transition from life to death, and his desire to spend his final days surrounded by family and close friends. With this declaration, his legal team at the Abolitionist Law Center in Pennsylvania, filed a petition for medical transfer to home hospice care in July. The grounds were that he had met all of the necessary requirements, including being of model behavior, being unable to walk without the use of a wheelchair or other medical assistance devices, and that a prison environment cannot and will not support proper care for Russell and his rapidly deteriorating health.

On August 12th, 2021, Judge Kai Scott declared that she believed in redemption, that she believed that every person had a right to die in comfort, surrounded by loved ones. However when she had the authority to do so, she was denied the release of Russell to hospice care. It was her belief that this 78 year old elder is a threat to the community. This elder Russell Shoatz, has mentored hundreds, inspired thousands with his spirit, faith, strength and love, and is now suffering greatly under the weight of the disease that will claim his life. Russell is not a threat to the community nor anyone outside of his community, even to those that seek to have him remain imprisoned.

And thus, we ask you today for your support. Please join us as we pray for Russell every Monday, Thursday and rain-day. We ask that you consider how you can support our caged elders and their families. We ask you to join an alliance of other faith leaders, committing to speak out to your congregations about the story of Russell Shoatz. It is not unique, it is the story of many, but it is a story that is unfolding NOW.

We invite you to join us in conversation and in action. We would like to learn about what community work is important to you, your faith and your congregation. We would also like to learn how you and your congregation can support Russell, an elder and a man of faith, in devotion, love, and service to God.

Please sign this Google Form: tiny.cc/MaroonInterfaith

11 Oct - He's not a killer. Is 50 years fair?

A great Op-Ed about Ruchell Magee.

MORE:

by Thandisizwe Chimurenga (*San Francisco Chronicle*)

On June 5, 1968, Sirhan Sirhan approached Democratic presidential candidate Robert Kennedy, brother of former president John F. Kennedy, just after midnight at the Ambassador Hotel in Los Angeles. He then pulled a gun and shot Kennedy in the head and upper body at close range.

On March 30, 1981, John Hinkley Jr. walked up to then-President Ronald Reagan outside of a Washington, D.C., hotel with gun in hand. He fired multiple shots, striking Reagan in the chest, Secret Service agent Timothy McCarthy in the side, District of Columbia police Officer Thomas Delahanty in the neck and White House Press Secretary James Brady in the head, leaving him partially paralyzed.

Hinkley spent 35 years in a mental hospital before being granted conditional release. On Sept. 27, he was freed from court supervision entirely at the age of 66. Sirhan, meanwhile, was deemed eligible for parole on Aug. 27, after 53 years of imprisonment.

In light of the prospect of two would-be presidential assassins walking the Earth as free men, it's worth inquiring why similar consideration isn't being given to Ruchell Magee, a Black man who has been imprisoned in California for more than 50 years.

Magee has neither committed nor been convicted of murder. He was first eligible for parole in 1981, but has been denied release ever since. He is 82 and housed at the California Medical Facility in Vacaville. At his most recent parole hearing in July, Magee was denied parole for another three years. He will be 85 at his next scheduled hearing.

Magee is no threat to society. He has housing, financial and emotional support networks in place to help him readjust to life on the outside, and yet he remains behind bars.

Why?

Magee came to California in late 1962, a refugee from the Jim Crow justice system of Louisiana. Within 6 months he would be sentenced to life in prison for a \$10 robbery where no bodily harm occurred. Magee maintained his innocence, arguing that he was illegally imprisoned over a disagreement gone wrong.

Although Magee never went past seventh grade in school, he studied law in prison and learned to file legal documents in an attempt to have his conviction reversed. Instead, he was retried, convicted a second time.

Magee spent the next few years attempting to legally free himself from what he believed to be a corrupt justice system. His knowledge of the law and his behavior in court (he frequently disrupted proceedings to level charges of racism) made him a thorn in the side of the court. Those same qualities, however, endeared him to other prisoners who could not afford legal counsel.

This is how Magee wound up on the witness stand of a Marin County courthouse on Aug. 7, 1970. He was testifying in support of a fellow San Quentin Prison inmate when 17-year-old Jonathan Jackson entered the courtroom with a satchel full of guns. Jackson took several hostages, including the judge and prosecutor. His goal was to free his brother George and two other inmates — collectively known as the "Soledad Brothers" — who were charged with killing a prison guard.

Magee, meanwhile, after eight years of legally trying to overturn his unjust conviction, seized on the moment to free himself. He joined with Jackson in the armed escape and fled the courthouse. Prison guards on the scene opened fire at Jackson's getaway vehicle. The sole survivors of this volley were the prosecutor, who was left paralyzed, and Magee.

Magee was charged along with activist Angela Davis with conspiracy, kidnapping and murder. Worldwide support aided Davis' acquittal on all charges. Murder charges were eventually dropped against Magee, but he was convicted of kidnapping and sentenced to life in prison.

And he's still there.

The longer a person lives, the more medical care they need. This is as true for prisoners as anyone else. In Magee's case, his care will come from an overburdened and understaffed prison medical system. According to the Public Policy Institute, older prisoners may be a contributing reason for California's astounding prison health care costs, currently the highest in the nation, at more than three times the national average.

The recidivism rate for prisoners in the U.S. decreases as prisoners get older. It is estimated to be at 5% for persons 50 to 64 and less than 1% by the age of 65, according to *Prison Legal News*.

Sirhan Sirhan isn't the only older murderer to be recently granted parole in California. Just weeks ago, David Weidert, who served 40 years for burying a developmentally disabled man alive, was approved.

If these men are considered safe enough, what threat does Magee's continued incarceration protect us from?

Years ago, Magee took the name Cinque, after the captured African leader of the 1839 rebellion on the slave ship *Amistad* that killed the ship's captain. U.S. courts ruled that Cinque and his fellow captives had a right to rebel and fight for their freedom — and the group was freed to return to Africa. Former U.S. President John Quincy Adams supported this result.

Two of Robert Kennedy's sons, meanwhile, support Sirhan Sirhan's bid for freedom.

Magee does not have the support of former presidents or their families. His only chance at freedom lies with the common sense of California Gov. Gavin Newsom, who can release Magee whenever he chooses.

Magee poses no threat to the citizens of California. And his freedom should be given no less consideration than that of the perpetrators of two of America's most infamous acts of violence.

11 Oct - Free Indigenous political prisoner Leonard Peltier

Indigenous activist and member of the American Indian Movement Leonard Peltier was sent to prison in 1977 after a dubious trial. On this Indigenous Peoples' Day, he should be free.

MORE:

by Eddie Conway (*The Real News Network*)

In this special Indigenous Peoples' Day episode of Rattling the Bars, TRNN Executive Producer Eddie Conway speaks with author and activist Ward Churchill about the wrongful imprisonment and deteriorating health of Indigenous political prisoner Leonard Peltier.

Eddie Conway: Welcome to this episode of Rattling the Bars. We want to take a minute to look at the situation of a political prisoner that belongs to the Indigenous population, Leonard Peltier. We did some stories on him in the past. We just wanted to update his case in recognition of the National Indigenous Day. And so joining me is professor Ward Churchill to give us an update.

Professor, thanks for joining me.

Ward Churchill: My pleasure. Thanks for having me.

Eddie Conway: It's been a year since we talked about Leonard Peltier, and his health conditions, and his case. Can you just briefly update us, give us an overview first so that the audience can know where we are with that situation?

Ward Churchill: Well, Leonard remains in Coleman Prison, federal prison, in Florida, which is basically a supermax. It's not somehow the super, supermax level they have in Colorado. But a supermax nonetheless, on a level with Marion, for example, which is where they originally sent him. Although he was not even qualified, actually, according to their criteria, to be sent there. He went from trial to Marion, to a supermax. He's still there. They're no longer on lockdown, although there was an extended one not long ago.

His health issues remain the same. Only a year later, obviously, they're worse. So, he suffers from an aortic aneurysm, for example. Which, despite medication, I can tell you from experience having had that myself, could rupture at any time. It's uncomfortable, but if it ruptures, in all likelihood he's dead before he can get medical treatment. And medical treatment at Coleman is not what you'd call top flight. He's also badly diabetic, blind in one eye, has prostate issues, has issues with being able to walk, which impairs his mobility, and so on. It's not getting any better nor will it get better, especially without treatment, remaining in Coleman facility.

He has requested a transfer to the federal correctional institute, a medium-security place in Wisconsin. That would place him in close proximity, or, at least, much closer proximity to the federal medical facility, penal medical facility, in Rochester, Minnesota. It would place him within, not immediate but, nonetheless, manageable strike distance for visiting purposes from family. Nobody lives in Florida. Actually, he's from North Dakota, but family, he's got people in Wisconsin, he's got people in Minnesota. He's 76 years old, coming on 77, obviously infirm, as well as aging. There's no reason that he needs to be in a supermax. He presents no threat. Arguably he never did other than for reasons of self defense. That's the situation.

Eddie Conway: Well, let's take a minute here and step back—

Ward Churchill: Okay.

Eddie Conway: ...In time and history. Give me a synopsis of who Leonard Peltier is, and why he's being held, and how long has this been going on?

Ward Churchill: This has been going on, really, since 1976. He was held for a while in Canada, [which] the US attempted to extradite him. The charges on which he was convicted, although he had two co-defendants that were tried separately, because he was in Canada and it took a while to extradite him, both Bob Robideau and Dino Butler, who were the co-defendants, were acquitted at their trial on the basis of having acted in self defense. And the self defense was plausible, both because of the comportment of the FBI at their trial, but also because of what the US Civil Rights Commission had determined.

Now, this is their term, not mine, a 'reign of terror' that had been perpetrated on the reservation against members and supporters of the American Indian Movement over the preceding two years, which had left a number of people dead. There's, basically, a counterinsurgency campaign that was being waged against the movement at that time. The firefight, in which the agents were killed that led to the trials, occurred on June 25, 1975... Excuse me, June 26. I confused it with the day Custer got his etiquette lesson. So it was one day removed from the anniversary of Custer and Little Bighorn.

It was a place near the town of Oglala on the reservation, a family property belonging to a pair of elders, Jumping Bulls. They had asked for security because they were part of the traditional group on Pine Ridge who were trying to recover the land in Black Hills, the 1868 Fort Laramie Treaty area. This is who was being repressed.

So, Leonard, who was a member, as were both co-defendants of something, an entity, a sub-part of AIM, called the Northwest AIM Group, had agreed to provide security for them. The agents, essentially, attacked. Now, the context of this was that you had more than 250, essentially, SWAT personnel on call in the immediate area. So what these two agents that were killed were trying to do was initiate an armed confrontation with the members of AIM that were providing the security and on that basis, and the immediate goal was to take them out, but also have a pretext to introduce massive armed force on the reservation to end this conflict, which had been going on, as I said, for two years.

Now, Leonard was, despite the fact his co-defendants were acquitted for self defense in this matter, they both acknowledged having fired. In fact, Bob Robideau, essentially, said that he hit both agents and those would've been mortal wounds. Leonard was tried separately. None of the proceedings of the Cedar Rapids trial of Butler and Robideau was ruled admissible as evidence at his trial. So that was completely all eliminated by the judge on his evidentiary ruling, which allowed agents that had testified in one way against Butler & Robideau, J. Gary Adams, for example, testified to virtually the opposite against Leonard.

And, at the closing of the trial... There's a lot that I could go through that was wrong with that, as courts have acknowledged at this point, quite a bit of it. But, at the end of the trial, Lynn Crooks, who was a prosecutor, took the jury through step by step graphically how Leonard had walked up and fired point blank into an already wounded agent. And then the second one who had his hand up and was begging for his life... If you remember, he had a wife and children. How the prosecutor could possibly have known what the agent was saying just before he's shot didn't occur to anyone apparently. I mean, he was just making it up as he went along. So you had this horrible scenario presented to the jury and they convicted on that.

Before the appellate court, years later, that same Lynn Crooks, who had done that performance to obtain conviction in court, conceded that he had no idea who shot the agents and that Leonard Peltier was never convicted of shooting the agents, but rather of aiding and abetting in the shooting, the killing of the agents. And this confused the appellate court, whose hearing, I think was Judge Heaney of the Eighth Circuit who, in somewhat bewildered condition, asked Crooks, well, aiding and abetting who? Butler and Robideau, they were acquitted. And Crooks says, I don't know. Aiding and abetting himself, for all I know, but aiding and abetting nonetheless. Well that's a wholly different scenario than they had carried in the press, and in court and everything to obtain the conviction of Leonard Peltier.

Eddie Conway: Okay. Let's for a minute jump back forward.

Ward Churchill: Okay.

Eddie Conway: Are there any... I'm aware that they had a huge campaign to free Leonard Peltier--

Ward Churchill: Oh, yeah.

Eddie Conway: ...Or Robert Redford, and so on. And it got to a point where one of the former presidents was going to give him a pardon. What happened there?

Ward Churchill: Well, you had, for the first time in history, a mass protest by the FBI. You had agents that came out, supposedly on their off time, with picket signs and picketed the White House, and in the back room, as you may recall, the president in question, which was Bill Clinton, had himself a few legal problems going on with Whitewater and this and that. And then, essentially, I think what happened—

Eddie Conway: You mean Monica Lewinsky, right?

Ward Churchill: Well, there was the Monica Lewinsky thing, as well, although that would not be a criminal offense. What the FBI told him [through a] back channel, and there's, shall we say, circumstantial evidence to substantiate this. And so you can either go off and be an ex-president and run your foundation and make a couple of hundred thousand dollars for a 15 minutes speech for the rest of your life, or we can investigate you until the day you die and make your life miserable. So, choice is yours. Release Peltier and you're going to get the miserable life. Do the right thing, leave him in prison and you can play your hand out as a noble ex-president.

Eddie Conway: Was the case taken in front of Obama, say, for instance?

Ward Churchill: Obama?

Eddie Conway: Because I know he released some people.

Ward Churchill: Yes, he did, but not Leonard. And the FBI's pressure on this... Let me put it to you this way: Willie Nelson made supportive comments during a concert. Raised money for Leonard's Peltier's defense and his appeal process. The FBI went, literally, in Los Angeles, from store to store and from radio station to radio station asking the stores not to sell Willie's albums anymore and for the radios not to play his music. Same with Kris Kristofferson. So they bring in real bare knuckle pressure to bear. It's crude.

Eddie Conway: Okay. So—

Ward Churchill: And so there's no reason to think that's gone away.

Eddie Conway: So what's the status? Does he have any legal challenges left now?

Ward Churchill: Not really, although—

Eddie Conway: What's the status of his case?

Ward Churchill: ...The FBI is still releasing documents that have been withheld this whole time in dubs and dabs because there's freedom of information litigation that continues to go on, and they send little chunks of paper that have theoretically been declassified. Why they were ever classified in the first place is an interesting question, and so on. But as things stand, I don't think... Nobody seems to think that there is a basis to take an appeal back to court. It's been exhausted. Despite the fact that on the last appeal it was demonstrated the key piece of evidence had no... The chain of custody could not be established.

Eddie Conway: Was that the M15?

Ward Churchill: There was a shell casing from a AR-15 rifle—

Eddie Conway: Okay.

Ward Churchill: ...That was supposedly discovered by, well, one of two different agents on one of two different days in a trunk of a car that had already been searched. It was the open trunk of one of the agents' cars that was killed. It had already been searched by forensics people and then conveniently somebody, one or another agent, found it, and then they can't account for it until it shows up at the FBI laboratory, and they supposedly do a tool marks match to extract a mark. They couldn't do a ballistics test, they said, because the weapon in question had been badly damaged in an explosion and fire on a Kansas turnpike.

Again, there are so many details to this that you can get lost in them pretty easily. So you had fabricated evidence, possibly, okay? In any event, evidence that would not sustain admission in a normal case. It was supposedly indicative of the fact that there was only one AR-15 used by AIM people that day. Actually there were a bunch of shell casings that had been found, but that was not acknowledged at trial. Even Hodge, who was top FBI ballistics guy at the time, testified to the effect that he had personally done the ballistics examination on this, had made the hookups, and nobody else was involved.

And Bill Kuntzler, who was handling the appeal at the time, holds up his ballistics report and says, this is your handwriting, right? And some notes that are on the margin. And Hodge says, that's correct. And

Kuntsler says, well, then whose handwriting is this? And he gets a little flustered and he says, well, that would've been my assistant [Tordovsky]. And he said, well, I thought you did this by yourself? I said, oh, I had my assistant. So the cop flips the page and points and says, okay. Your handwriting is accounted for. [Tordovsky's] handwriting is accounted for, then whose is this?

And that's in front of the trial judge, Benson, on appeal.

Eddie Conway: Okay. So—

Ward Churchill: So everybody goes home. Clearly the FBI's evidentiary case just fell apart. But also you've got, essentially, flagrant perjury on the stand from the top, the ballistics guy.

Eddie Conway: Okay.

Ward Churchill: Benson calls everybody back into the courtroom that evening and says, Agent Hodge has something he'd like to say. Put him on the stand and he says, I misspoke. I misspoke. The evidence still stands. Well, the evidence didn't stand and the court acknowledged that. Paraphrased closely how that was written, there is ample evidence of FBI misconduct in this case to reverse conviction. However, it would impute even more, and this we are reluctant to do. And so Peltier remains in prison. So, any normal cases would've been back to trial decades ago.

Eddie Conway: So, what is his support committee doing now, and what do they want the public to do if the public feels they can support asking for the freedom of Leonard Peltier?

Ward Churchill: Well, there's two things that are happening right now: They're pushing rather hard on the change of institution, Leonard to be transferred to Wisconsin, to the medium-security facility, receive better medical treatment on-site and also have immediate access to the BOP hospital in Rochester. And it would be great for his morale, among other things, to be able to visit regularly with family, which would be much easier in a medium, rather than a supermax, and also geographically close. So that's one thing, but that's, essentially, the process with the BOP, and there's not a lot that people can do ordinarily. Then there's postings on... Leonard Peltier has Facebook. The national office maintains a Facebook, sends out newsletters, and so forth.

The other piece is he's got a federal judge who was appointed by Obama, and then resigned over minimum sentencing standards and such as that. They had taken discretion away. He couldn't buy it, so he stood down. He's been working in prisoner-related, prisoner support activities ever since. His name is Kevin Sharp. He's in Tennessee. I'm not sure where, but I think in Memphis. In any case, he is in Tennessee and he is working for a commutation.

Eddie Conway: Okay.

Ward Churchill: He's got no clear path for appellate purposes to appeal to get the conviction overturned, which is what should happen... But should... And five bucks will get you coffee at Starbucks.

Eddie Conway: Okay, let me ask you this. You might not know the answer to this because it's unclear to me, but the Federal Bureau of Prison Guidelines dictates that a prisoner shouldn't be any more than 500 miles away from his family and from the place in which he was arrested, or so on. It seems like if he's in Florida and that happened up in Dakotas—

Ward Churchill: Right.

Eddie Conway: ...That seems like a couple of thousand miles. Is there some way that can be challenged?

Ward Churchill: Well, there's all sorts of little loopholes and discretionary areas, and so forth. I don't think Leonard's been within 500 miles of location. It would have to be Denver, the federal prison facility.

Eddie Conway: Florence, Colorado.

Ward Churchill: No, there's one in Denver that's a lower security thing.

Eddie Conway: Oh, okay.

Ward Churchill: Florence was built after Leonard went in.

Eddie Conway: Okay.

Ward Churchill: Florence, I suppose, would be an option, but we're not looking to get him transferred from supermax to an even more supermax, okay? And Florence is top of the heap. But, I mean, he was sent

straight to Marion. He's been in Leavenworth. He's been in Lompoc. He's been in Louisburg, and now he's in Coleman. Coleman may be the furthest away of all of them. Well, possibly the exception of Lompoc, but none of them have been remotely within the range you're talking about. Those are for normal prisoners, but obviously he's not a normal prisoner.

And, for that matter, you could look at Jamil Al-Amin, H. Rap Brown, who's in Arizona. He lives here. I go to within about 20 miles of that facility on a reasonably regular basis because I got family there and I can testify it's a long drive. It's a long way for family to have to go to make a visit, and everything else.

So that's not a case unique to Leonard, but it is somewhat predictable in case of people who are incarcerated for political reasons.

Eddie Conway: Political prisoners.

Ward Churchill: Basically, yes.

Eddie Conway: Okay. Well, Ward Churchill, thanks for joining me and giving us this update.

Ward Churchill: My pleasure, I guess. Maybe pleasure's not the right word, given what we're talking about, but I very much appreciate the opportunity to bring people up to date on this.

Eddie Conway: Okay. All right.

13 Oct - Share some birthday love with Lore (October 27)

Please join us in showering messages of love, solidarity, and support on Lore Elisabeth for her birthday.

MORE:

You can also send photos straight from your mobile device by following these easy steps:

welovelore.com/write-to-lore#photos

This will be Lore's 2nd birthday in prison even though she has not been convicted of any crime. Reading & responding to your messages nourishes Lore's soul while she's kept away from her family and community.

Let Lore know that she is loved and not forgotten.

13 Oct - A Letter to the Water Protectors

A critical look at the impact of repression on the Line 3 struggle.

MORE:

by Earth First! Journal (*It's Going Down*)

The time is finally here. Enbridge has finished the construction of Line 3. Despite years of activists fighting and obstructing the project, by the time you read these words tar sands oil will flow through it. This reality pains us as it surely does countless others: Those who live in the regions the pipeline cuts through, those who've put their bodies on the line to stop it, and those who believe in a world without extractive industry.

We write to you as a handful of friends who have been involved in the campaign to stop Line 3 at various points over the last three to four years. We've also participated in various other social movements and uprisings for many years, including the George Floyd uprising here in Minneapolis, and have become all too familiar with their waves, crests, and crashes. We've seen the traumatizing effects of both state violence as well as the loss of community felt in the aftermath of collective action. We've faced these feelings in the struggle to stop Line 3, we've supported our friends when they've faced them, and we know that right now, upon the pipeline's completion, that you are likely facing them as well. We are writing this so that you know you are not alone in this process.

Climate change is an urgent reality, especially for our current generation. We are consistently bombarded with new information on how fast the arctic is melting, which species are going extinct, or how soon certain regions will be underwater. For most of our lives, we have witnessed if not directly experienced one ‘natural’ catastrophe after another. It only makes sense that when we face the magnitude of the problem, we are gripped by the urgency to take action. We only have so many years, scientists say, before certain changes will become irreversible. The only reasonable thing left to do is to immediately take action, whatever that may be.

To grapple with the urgent reality of climate change, we’ve come to understand it as something immanent, not imminent. Climate change already defines our worlds in the present and this realization does hurt us. Yet, rather than see only a dark future looming ahead, this realization frees us to think about how to act against climate change, and likewise against colonial domination, without being constrained to the need for urgency. We focus on immanence because the urgency of imminence feeds into a particular ideology of reaction that ultimately becomes an obstacle in building the change we wish to see. In addressing climate change the question of how we fight is intimately connected with the question of how we live, and cannot be separated. This lens of immanence returns the possibility of living to the fight against climate change. When urgency is the priority, life is constantly sidelined in favor of what we are told are the most pragmatic approaches, no matter how much we have to sacrifice to accomplish them. Yet, what’s a criminal record or a lifetime of trauma in the face of global catastrophe?

But that trauma is real. Going to jail, especially for the first time, is a traumatic experience for many people—even if you get to prepare for it in advance. The loss of agency, the near-total submission to state power is not something to shrug off. Nor can it be shrugged off when it happens to our friends & comrades. It has to be recognized that a lot of what went into the movement against Line 3 was traumatizing.

To experience this, and to discover that Line 3 was built regardless, only adds to the pain we feel right now. We write to you to say that what you’re likely feeling right now is valid. So many people gave up so much for this movement and their lives have been altered as irreversibly as the planet. We all need the space to come to terms with this and we hope to offer you this space by naming this experience.

The issue of burnout can’t adequately capture the loss and hopelessness of this experience, nor, truly, can our words. We can’t offer you a perfect solution or a way out. This is only something we can discover together—by discussing our experiences with those close to us, sharing our feelings, processing them both collectively and on our own. If we can develop networks of affinity groups to carry out direct action, there shouldn’t be anything stopping us from developing networks of care and resilience as well. By the sheer fact of organizing and living together for the past months and years, we might be surprised to find out how much of these networks have already been built without realizing it.

It is tempting to ask if it was all worth it—and there’s no one who can answer that question except for yourself. We expect many young people for whom this was the first campaign they joined will want to quit activism forever. We won’t tell you not to, but we will say that it doesn’t have to be this way. The things we can do, collectively, can be beautiful beyond our wildest dreams. We know because we’ve done it before, and we’ll just as surely do it again.

16 Oct - Florida Anarchist Imprisoned for Online Posts Prompted by Jan. 6 Riot

Daniel Baker’s calls for armed defense against possible far-right attacks led to a much harsher sentence than that facing most insurrectionists.

MORE:

by Natasha Lennard (*The Intercept*)

On Tuesday, a Florida judge sentenced Daniel Baker, an anti-fascist activist, to 44 months in federal prison for social media posts that called for armed defense against possible far-right attacks on the state's Capitol in the wake of the January 6 riots. Baker, a 34-year-old yoga teacher and emergency medical technician trainee, had no previous criminal convictions and has already been held for 10 months of harsh pretrial detention, including seven months in solitary confinement. He never brought a weapon near a government building; he amassed no armed anti-fascist forces; he made no threats on a single individual.

Baker will, nonetheless, face considerably more prison time than most January 6 defendants, including those who crossed state lines, small arsenals in tow, with the aim of overturning a presidential election.

It goes without saying that a United States federal court is no place to appeal to ethical grounds for militant anti-fascist resistance. Yet Baker, while prone to hyperbolic and sometimes paranoid rhetoric, was certainly not alone in fearing that there could be January 6-style events in statehouses nationwide ahead of Joe Biden's inauguration and that local police could hardly be trusted as a bulwark. The Federal Bureau of Investigations warned of the potential for armed protests at state capitols. Florida is home to over 60 far-right, white supremacist, and neo-Nazi groups recognized by the Southern Poverty Law Center, and there are well-reported links between Florida police departments and far-right militiae.

If there are moral arguments for physically confronting fascists — and I believe there are — they would have been of scant relevance in Baker's case: zero such confrontations took place or appeared on the horizon, and no far-right mobs amassed at the Florida Capitol around Biden's inauguration. This should have been a straightforward First Amendment case, with Baker's online speech, albeit bellicose, judged as constitutionally protected. Instead, the formerly unhoused veteran has been made a victim of government efforts to draw false equivalences between fascistic far-right forces and the anti-fascists who would see them opposed.

"The American government has chosen to side with white supremacists, except when their own bureaucracy forces them to prosecute the most blatant offenders, albeit gently," Baker told me in an email from prison. "They criticized me for supporting Black Lives Matter, Feminist Liberation ideologies, Global Revolutionary movements and direct democracy. ... The government has made its stance clear throughout my hearings."

During his sentencing hearing on Tuesday, Baker's attorney highlighted the case of a Georgia man who drove to Washington, D.C., with guns and ammunition and sent private texts threatening to shoot Rep. Nancy Pelosi in the head. The Trump acolyte had missed the storming of the Capitol by one day due to car trouble. Like Baker, he was charged with the interstate communication of threats. Unlike Baker, he had a history of hideous, racist online speech, and direct threats. And unlike Baker, he could leave prison soon: He will be sentenced in December and faces between six months to two years in prison; his eight months of pretrial detention will count as time served. Taking into account time served, meanwhile, Baker will spend another 34 months — almost three years — in prison.

"Dan's case speaks volumes about how the state represses the left much differently than it treats the far right," Brad Thomson, civil rights attorney at the People's Law Office, who did not represent Baker, told me. "Here, Dan was sentenced to three and a half years for online posts opposing another January 6 incident. But for actual participants from January 6, we're seeing charges and sentences far below that." Thomson added that "every case is unique, but the overall message people will get from this is that online speech calling for militant antifascist action will send you to prison for much longer than actually taking militant action with fascists."

Baker was convicted at trial earlier this year on two counts of “transmitting a communication in interstate commerce containing a threat to kidnap or injure another person.” The threat of kidnapping charge stemmed from a feverish public Facebook post in which Baker put out a general call for anti-racists and anti-fascists to encircle the state Capitol, should far-right groups attack it “on or around inauguration day,” and “trap” right-wingers inside with cops. In the very next sentence, though, he wrote, “we will drive them out of Tallahassee with every caliber available!” The right wing militiae were thus to be trapped in and driven out at once, on an unspecified day, by an unnamed collaboration of counterprotesters.

The “call to arms” posts — of which Baker posted a number — were reflective of his genuine and rightful rage against white supremacist violence, but were disorganized and inchoate. Other social media posts that prosecutors pointed to as evidence at trial included memes featuring Homer Simpson, Baby Yoda, and a picture of a kangaroo. “It was truly a surreal experience being in a literal kangaroo court,” Baker told me. His prosecution, conviction, and sentencing exemplify the government’s commitment to conjuring a left-wing extremist threat when none is there.

Baker, slight and sinewy at 5 foot 8, lived in Tallahassee at the time of his arrest — just over one week after January 6. Federal agents raided his apartment with guns drawn and a flashbang grenade. “I thought we were going to die when the FBI broke down our door, the whole experience has been excruciating and traumatizing,” said his best friend and roommate Eric Champagne, an artist and former Hindu monk who had traveled with Baker to support Black Lives Matter protests around the country last year — a fact that was cited by the prosecution as proof of Baker’s extremist bent.

With his knowledge as an EMT trainee, Baker would, Champagne told me, run to the aid of injured protesters. In their hometown, the friends regularly brought food and necessities to the unhoused community, Baker having previously experienced homelessness himself. “My heart is about helping people who are homeless. I know how bad it can be,” he told me on a phone call from prison.

There can be little doubt that Baker’s online posts were reckless at a time when federal law enforcement had made clear its desire to demonize radical left-wing politics — to conjure extremist forces equal, if not greater, to those very real and deadly threats from the far right. Following Baker’s arrest on January 15, U.S. Attorney Larry Keefe, who led the prosecution, pronounced, “Extremists intent on violence from either end of the political and social spectrums must be stopped, and they will be stopped.”

It would be naive and ahistorical to hope that the U.S. government would draw a moral distinction between militant acts carried out in the service of genocidal white supremacy on the one hand and militant resistance to such acts on the other. Even a week after January 6, when it seemed that racist Trumpians had made undeniable their singular role as an extremist threat to this country’s already diminished democracy, the government once again doubled down on its baseless two-sidesism.

This came as no real surprise. The far right has for two decades been responsible for the vast majority of deadly extremist attacks, while both Republicans and Democrats have endorsed the targeting of leftists on the flimsiest of grounds — all the more so when righteous, Black-led uprisings swept the nation last summer. It was among the defining qualities of Donald Trump’s presidency, to condone neo-Nazis and condemn with theatrical fervor the dangerousness of anarchists and antifa. The Biden administration, while making greater overtures to the dangers of the far right, has been no less keen to make fallacious “both sides” claims about the threat of far-left extremism.

After January 6, national security experts and liberals urged Biden to take on right-wing extremism through a strategy of counterterrorist law enforcement. I noted at the time that it would be misguided to treat the state’s law enforcement apparatus as an ally in the struggle against white supremacist violence.

As Branko Marcetic argued in Jacobin after Baker's arrest, cases like this exemplify how the invocation of domestic counterterrorism efforts against the right will inevitably harm the left, given the state's reactionary ideological tendencies. The government made much of Baker's "dangerousness," citing his ownership of two firearms and the fact that he had placed an order for one more — hardly proof of a planned attack: Gun sales jumped 80 percent nationwide in January following the Capitol riot.

The prosecution focused, too, on Baker's brief military training. He had joined the U.S. military in his late teens but refused to be deployed overseas. "His conscience prevented him from deploying with people he didn't trust to uphold human rights in a far off corner of the world," his friend, Champagne, told me. Baker then received an "other than honorable" discharge, receiving no benefits.

Baker would later choose to use his military and medical training for a cause he believed in. Like dozens of other anarchists, communists, and socialists from around the world, Baker spent his savings to fly to Syria to join the feminist-led, environmentalist, and directly democratic political project in Rojava. There, he fought with the Kurdish People's Protection Units against ISIS. From his Kurdish comrades, he told me he learned the concept of "welatparazi," which, he said, "denotes a sentimental feeling of loyalty and obligation of service towards one's community which shelters and nourishes us."

The internationalist involvement in Rojava has been compared to the communist International Brigades who fought against Francisco Franco's forces in the Spanish Civil War. Despite the fact that the U.S. had backed the very same Kurdish units in their fight against ISIS, Baker's participation was consistently cited by the government as proof that he poses a terror threat.

At his sentencing hearing, U.S. District Judge Allen Winsor, a Trump nominee whose appointment was vehemently opposed by a coalition of over 200 civil and human rights groups, said that Baker had intended to commit acts of violence, "like he went to Rojava to do."

"The government's case relied heavily on the fact that Dan is anarchist," Thomson, the civil rights attorney, noted. "There is a long history in this country of police, prosecutors, and courts targeting anarchists for trumped up charges and excessive sentences. This legacy goes back to Haymarket and continues to today, with Dan's case being the most recent example."

Baker described his first months held at the Federal Correctional Institution in Tallahassee as harrowing. "I was placed in a cell covered in feces and rotated to other tainted cells every three weeks," he wrote via email. Another man held next to him in the Special Housing Unit — solitary confinement — was severely mentally ill, traumatized, and autistic. "He was soiling himself and throwing his waste all over the cells and out under the door several times a day," Baker told me, noting that the "crueler guards" would consistently abuse the man. "I eventually contacted his family with the help of a sympathetic guard," Baker said.

The quotidian cruelties of prison life abounded. Baker had to plead for weeks to get vegan meals; as a Hare Krishna, he does not eat meat as a point of respect for human and nonhuman life and is lactose intolerant. "It took nine months to get them to stop sending me dairy products," he said. He's had equal trouble accessing prayer beads and says his legal mail was opened by prison staff, which is illegal. He has filed a civil suit against the prison and a number of named guards in relation to the alleged violations. The Bureau of Prisons declined to comment on Baker's lawsuit or the conditions of his confinement.

Baker's friends in Tallahassee are concerned for his emotional and psychological well-being. Music teacher Desiree Gattis described herself as playing "sisterly/motherly role" to Baker. She met him while he was unhoused and helped him get back on his feet. Gattis, who has helped organize Baker's legal and financial

support, is less interested in his lionization as a political prisoner and would rather he be primarily recognized as a vulnerable person, who has suffered serious trauma from seven months in solitary confinement. She called the government's treatment of her friend "cruel and absurd." "This is not a threatening person," she said.

Gattis said that prior to his imprisonment, Baker helped her "a great deal" with her regular work with the city's unhoused community. "When you remove one person from that sort of support network, it creates a great burden on the people who are left," she said. In a separate conversation, Champagne echoed the same message: "For each person in jail, a community suffers."

Baker worries that, because of his felony conviction, he "won't be able to find work or continue to rescue injured people" and that he will face far-right violence after his release and possibly while in prison too. He will be appealing his conviction, but the likely venue — the conservative 11th Circuit Court of Appeals — will not be a welcoming one. In the meantime, he told me that he plans to read and learn more about liberation movements and abolitionist histories.

At the end of our phone call on the day following his sentencing, he hurriedly read off a quote from the philosopher Bertrand Russell, which he had recently come across. "Three passions, simple but overwhelmingly strong, have governed my life: the longing for love, the search for knowledge, and unbearable pity for the suffering of mankind," he said. "That's how I feel."

29 Oct - Metropolitan Anarchist Coordinating Council (MACC) General Assembly

WHAT: General Assembly

WHEN: 6:30pm, Friday, October 29th

WHERE: Online (details below)

COST: FREE

MORE:

We will be hosting another "Virtual" General Assembly—lookout in your various Working Group platforms, e-mail listservs, Loomio, et cetera for details on how to join in and visit macc.nyc

General Assemblies are the most ideal place for new folks to plug-in to MACC, learn about our projects and ongoing efforts, and connect to organizers. 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 anarchist movement. Especially in our current context, when renewed attention has mixed repression with struggles for racial justice, abolition, and a humane economy. There will be a 6:30-7PM orientation for folks who would like to get connected and learn more about MACC's structure and history.

Accessibility statement: This is a virtual event at this time, which usually takes place on Zoom, although Jitsi is also an option if requested. We don't currently have ASL or language interpretation in use; we can do close-captioning. For closed captioning it is helpful, if possible, to coordinate that in advance so we can plan for someone to come to an event prepared to do that. We can coordinate in advance using the accessibility question on this RSVP, the email info@macc.nyc, or at the beginning of the meeting we will do a check-in and we encourage anyone who is comfortable doing so to use that time to whatever extent is desirable to them to share or request anything that will help them to experience a greater level of comfort and/or ability to engage fully in the event.

Please review these documents before coming: macc.nyc/organizing macc.nyc/safer-spaces