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Updates for August 24th

9 Aug - Support the Renewed Clemency Campaign for Dr. Mutulu Shakur

The legal team has renewed Dr. Shakur's application for executive clemency with the Biden administration and need your support.

MORE:

If you have a working relationship with your congressional representative that could help this campaign please contact us at mutulushakur@hotmail.com. And sign the petition at campaigns.organizefor.org/petitions/grant-clemency-for-dr-mutulu-shakur-a-father-grandfather-healer-human-rights-activist

10 Aug - I Was Sent To Jail After A Fight At An Antifa Protest. Here's What Happened There.

David Campbell was arrested in January 2018 at an anti-fascist protest of an alt-right gala in New York City's Hell's Kitchen neighborhood.

MORE:

by David Campbell (*HuffPost*)

Nearly a thousand people, many of whom were Proud Boys, were celebrating the one-year anniversary of Trump's inauguration inside a venue there. Outside, roughly a hundred protesters milled around with signs and slogans. Most, including myself, were in black bloc attire, but the protest was very tame, which was fine with me.

Unfortunately, around 10:30 p.m., a cluster of attendees from the gala, clearly drunk, ran into a cluster of protesters. I don't know how it started, but it soon became a melee with a half-dozen people from each side fighting. I had been in the streets since the Women's March that morning, over 12 hours by that point. I was tired, cold and hungry, and I'd been about to leave. Before I did, drunk alt-right guys in suits started trying to punch me and I defended myself.

Shortly after the fight broke out, a cop appeared and grabbed the first person in black he saw: me. Much larger than me, he attacked me from behind without a word and threw me to the pavement, shattering my shinbone. I spent four days in the hospital in handcuffs.

The cops never arrested the alt-right guys who likely started the fight. During the brawl, one of them had been knocked unconscious. He was 56. He had bruising and tiny fractures on one side of his face, but he'd been well enough to walk out of the ER shortly after arriving. I was slapped with a shocking litany of fabricated charges: stalking, strangulation, obstruction of oxygen, even loitering. The alt-right Twittersphere exploded with outrageous stories about how I'd tried to kill an old man. The surveillance footage from the scene, to my mind, disproves all of this. When the prosecution got ahold of it a few months later, they dropped these charges in favor of new ones. Among the new charges was gang assault, which is all but impossible to beat. It carries a three-and-a-half-year mandatory minimum sentence, and it doesn't require the prosecution to prove those involved are part of an actual gang or even know each other. All they had to prove was that I and at least two other people had struck someone.

I fought my case for nearly two years. For most of the first year, the Manhattan district attorney refused to offer me less than a four-year sentence, despite the fact that I had no criminal record and the police had arrested no one else on either side, though very few had fled the scene. My lawyers told me if I lost at trial — and I almost certainly would on at least one of the charges — I'd likely get sentenced to anything

between two and seven years. Negotiations finally bottomed out at 18 months. I had no choice but to take it to cut my losses. I pleaded guilty to kicking a man twice, and was convicted of attempted gang assault and assault with an instrument, both violent felonies (the “instrument” was my shoe, a lightweight mesh-top running sneaker).

Before I went to jail, I was fortunate enough to be put in touch with a number of former political prisoners, including one who’d served time in Rikers Island, the same facility where I would be incarcerated.

“Look, it’s gonna suck in there,” he told me, “but it’s not ‘Oz.’ And another thing — people are gonna come up to you and shake your hand for this.”

Only four days into my sentence, I spent a few days in a dorm with a Proud Boy who had been arrested during an incident on New York City’s Upper East Side in October 2018. I was in the initial adjustment phase then, undoubtedly the hardest part of my time in jail. I was overwhelmed by my new world of cold, hard surfaces, terrible food, a total lack of privacy and autonomy, clanging, shouting, default attitudes somewhere between indifference and animosity, and alien social rules, I desperately needed to put my thoughts on paper but had nothing to write with. The Proud Boy didn’t exactly want to shake my hand, but he gave me a golf pencil, and in return I agreed not to out him to the rest of the prisoners as a Trumpster. (He was telling people that he’d been in a “bar fight.”) To my embarrassment, he also trounced me in a round of Scrabble.

In my research and preparation for jail, I was often encouraged to stay quiet and mind my own business, especially at the beginning. Minding my business was easy, but I couldn’t keep nearly as quiet as I’d planned. Nerdy white guys kind of stand out in there. There are very few white people at Rikers and many of them are addicted to hard drugs or alcohol. A sober, college-educated white person, the jailhouse thinking goes, must have done something pretty terrible to be sentenced to jail time instead of, say, probation or community service, so people often asked what I was in for. Explaining my case served as an icebreaker of sorts and it dispelled suspicions I’d been convicted of something more noxious, like sexual assault. It also seemed like the sheer novelty of it added some welcome variety to the steady stream of standard-issue petty crimes for which people usually serve time on Rikers.

As predicted, some of the inmates did want to shake my hand. Within a few weeks of my arrival in October 2019, people were slapping my back or squeezing my shoulder, chuckling “Fuck Trump!” so often throughout the day that it actually started to get kind of annoying. That tapered off, but throughout the 12 months I ultimately served, guys I didn’t know would occasionally approach me and congratulate me. Of course, not everyone knew or cared who I was — far from it. There are thousands of inmates spread across numerous buildings on Rikers Island and they all have more than enough concerns. But I generally enjoyed much more respect, approval and popularity in jail than I ever expected, all due to the circumstances of my arrest, which made my time there easier and conflict less likely.

In fact, while my case might have been a liability elsewhere, it was an advantage at Rikers. Often, when I told other inmates what I was in for, their eyes would light up, they’d laugh and give me a fist bump or an incredulous “No way!” Though I met a handful of prisoners with radical sympathies, most were pretty apolitical, and very few had any idea what “antifa” was. On three separate occasions I told people I was arrested at an anti-fascist protest only to have them screw up their faces in confusion and ask “anti-fashion?” That said, Trump was almost universally unpopular; most guys had at least a vague sense that he was a racist asshole and that antifa fought against racist assholes, among other things. Most prisoners, including Trumpsters, also appreciated that I didn’t like cops, and that I’d “held it down” (taken a non-cooperating plea).

Trumpsters among my fellow inmates were rare, and most were not Proud Boys, just kind of Trumpy. They were typically attracted to Trump for a single issue — his rhetoric, his windbag-bully persona, or some other reason. (“I voted for him because my mom likes him,” one guy told me.)

And though there were no Nazi gangs at Rikers, there was one guy who liked to wear a homemade stocking cap with a few hand-drawn decorations, including swastikas. He wasn’t a Nazi or even a Trump supporter, just an old Puerto Rican biker dude who’d used lots of heroin. I figured he was doing it for shock value, but after the sole Jewish guy in our dorm and a few Black friends of mine mentioned it to me, I decided to speak to him.

I waited for a moment to get him alone and informed him that the swastika was a racist symbol. I told him I thought he was a cool guy, but I really didn’t like racists. “Oh,” he muttered, swiping the cap from his head, “somebody ... gave this ... to me,” and then he buried it deep in the nearest trash can. Sometimes, just like on the outside, all it took to change a mind was talking to someone.

In fact, this was my principal strategy in dealing with Trumpy guys in jail: less confrontational, more based on appealing to their sense of solidarity. I only felt comfortable approaching the inmate with the swastika cap because we’d previously established a rapport. I was as frank, transparent and unapologetic about my case and my politics with the Trumpsters as with everyone else, but I also gently tried to engage them in dialogue. More importantly, I showed them, as I did everyone, as much solidarity as I could afford to.

In an environment as authoritarian as jail or prison, any act of solidarity between inmates is an anti-authoritarian — if not anti-fascist — act. Daily life is pure Kafka. Literally at any moment, for example, a swarm of correction officers, or COs, in riot gear might barge in and ransack everything, piling it onto your bed, sometimes crowned with paperwork. They’d snatch a hodgepodge of things, many permissible, like T-shirts, and leave “contraband” ones, like pens and fruit. A few days later, it would happen again, and this time they’d confiscate your neighbor’s T-shirts, pens and fruit without touching your bed.

All rules were enforced in this arbitrary fashion, often at the whim of individual officers. Accountability was unheard of; obfuscation and passing the buck were the norm. Paperwork was ubiquitous and rarely intelligible. Even little things followed this pattern: The fire alarm might go off for hours on end because someone smoked a cigarette. Spaghetti was often served with a plastic spoon, while cereal was served with a fork. Once COVID hit, the Department of Corrections put up posters encouraging social distancing even as they packed our dorms to capacity. We had to strike just to get masks and soap — a wonderful instance of solidarity, but completely absurd.

Offering someone your extra pen, then, if his was grabbed during a search, or an ibuprofen if his head hurt, or a clothesline to hang his laundry on, a minute to listen, or help filling out paperwork (I became the go-to guy for this in my unit) — these things punched way above their weight in jail and constituted the bulk of my anti-fascist action at Rikers Island. With Trumpsters, these micro-solidarities served a double function: They resisted the alienation and oppression of the carceral system and simultaneously built goodwill between them and me, an unrepentant (and allegedly violent!) anti-fascist. The results were often evident: One guy evolved from scoffing “Ha! He’s against Benito Mussolini!” when he first heard me say I was an anti-fascist, to “You antifa people are all right. I’m down with what you’re doing,” about two months later. Another went from equivocating, bizarrely, “I don’t like Trump, I just like his Twitter,” to, just a few weeks later, “What the hell is wrong with that guy’s Twitter? I think he’s going crazy!”

I’m not claiming to have converted these guys to radical anti-fascism. Most still had pretty reprehensible views on women, queer folx, and sometimes immigrants. And it would’ve been impossible for me to take a combative call-out approach to every racist, sexist or homophobic thing I heard, due to both the quantity

and my concern for my personal safety. But if and when I could make them reconsider their views, that was a victory, and if I could impart a more nuanced understanding of my politics, anti-fascism, or people they saw as “other,” that was a bonus.

I’m also not claiming to have been a nerdy white savior in jail. Nearly all of the Trumpy guys I tried to deradicalize with solidarity were also white. When I first arrived, I was so hyper-concerned about being a patronizing white know-it-all that I never volunteered information, but guys kept approaching me and asking about my opinion, or things they thought I’d know, because I “looked smart.” (I assume partly because I’m white and partly because very few people in jail have college degrees.)

Nor did I invent solidarity at Rikers; I took my cue from the people around me. Most shared and gifted things to each other regularly, and offered words of encouragement as their release dates approached. And I learned a lot from other inmates of all backgrounds: not only tips and tricks to get by while inside, but things I’ve carried with me since my release, like patience, an appreciation for what I have, and a much deeper skepticism of the police, courts and carceral institutions.

The COs, like the inmates, were very diverse and overwhelmingly Black and Latinx. Most didn’t care for Trump, and a few praised me outright for brawling with the far right. (One even pulled me aside to say I was a “hero.”) Some were Trumpsters, of course, and on several occasions they speculated in hushed tones about whether I was “antifa,” but they didn’t seem rabid, they didn’t have the numbers, and unlike the upstate prisons, they were always on camera. Unsurprisingly, the ones who supported Trump were mostly white, though there were many COs of color who somehow overlooked the intrinsic white nationalism of Trumpism — the type with Blue Lives Matter patches who bought into Trump’s “businessman” shtick. The vilest strains of Trumpism, however, were thankfully absent, so I never felt at risk of getting jumped by Nazis or COs or Nazi COs. There was even one CO, almost certainly Trumpy, who cheerfully greeted me as “Anarchy” when we passed in the hall.

I knew when I took my plea that Rikers would be a safer place for me than the prisons upstate, which are mostly staffed by rural, white, Trumpy COs, and often include gangs of white supremacists among the inmates. This was a factor in my decision to serve my time in Rikers and in my negotiations with the DA. Some inmates who’d been upstate thought I might have been all right there, depending on the facility, but most said I’d made the right call in choosing Rikers.

Of course, it was jail, and frankly, it sucked, but I was pleasantly surprised by how much of a boon my case was there. After months of research, I was pretty sure I wouldn’t be singled out for harsher treatment while serving my sentence, as antifascist prisoners (like Eric King, for example) sometimes are, but I never expected such positive reactions. Inside, I was told that Rikers was an outlier in the carceral world. Maybe my experience as an anti-fascist there is an outlier, too. I can’t say. But I do know that every facility is unique, and I’d bet there are others where serving time for something related to a protest would actually be an advantage, like it was for me.

Though I hate to admit it, the experience changed me greatly. It made me aware of just how easy it is to convict someone of a felony, even a violent one. It made me understand just how harmful our carceral system is: I truly believe of all the thousands of guys I met behind bars, perhaps five really needed to be there. Since my release, I’ve been doing jail and prison support work. I don’t regret taking a stand against the far right, and I still allow myself to go to protests, but I give anything with a potential for rowdiness a wide berth. I have a record now, and I know firsthand how easy it is to get “caught up,” as they say in jail.

10 Aug - Bring Sundiata Acoli Home! Postcard to NJ Governor Phil Murphy

Provide an email, name, and zip code in the form at sundiataacolifc.org/uncategorized/postcard-to-nj-governor-phil-murphy and a printed postcard will automatically be generated and mailed to NJ Governor Phil Murphy, telling him to allow Sundiata to come home to his family.

MORE:

The messaging on the postcard is:

"Grant clemency to Sundiata Acoli today! It is time for you to do justice and send Sundiata Acoli home to his family! He's 84 years old and has been incarcerated for over 48 years. Sundiata has early stage dementia and his deteriorating health is further complicated by his hospitalization for COVID-19 in 2020. Despite the fact that he has had NO disciplinary infractions for over 27 years, he has been denied parole 8 times! He has served nearly double the years of his original sentence. It's time for Sundiata to go home to his loving grandchildren and family!"

10 Aug - Jailhouse Lawyers Take On COVID-19 Where Prisons Won't

Jailhouse lawyers are no strangers to the enormous challenges brought about by waging legal battles on behalf of themselves and other incarcerated people.

MORE:

by Lucia Geng (*Shadowproof*)

Throughout the COVID-19 pandemic, they have worked through even greater challenges stemming from a lack of safety measures, and increased restrictions on privileges and mobility.

Over the past year and a half, jailhouse lawyers—incarcerated people who use their legal knowledge to research and submit legal filings—have been forced to face obstacles brought on by the pandemic, such as limited law library access, as well as challenges that existed prior to the pandemic rooted in unfavorable laws and court decisions.

They've undertaken abolitionist organizing and collaborated with lawyers on the outside to build class-action lawsuits. Their advocates on the outside have persisted in lending their support.

Jonas Caballero is one such advocate. A paralegal at the Pittsburgh-based Abolitionist Law Center, Caballero reads and responds to dozens of letters each week from prisoners, many of whom are jailhouse lawyers.

Caballero also filed lawsuits when he was incarcerated. His journey to practicing jailhouse law started in late 2017 with a stint at the Brooklyn Medical Center (BMC), where he underwent treatment for a heart problem and faced conditions that were not conducive to his health.

At BMC, Caballero was chained to his hospital bed night and day, forbidden from using the bathroom or walking around at all. At one point, a nurse forced him to remove his own IV tubes with his one free hand and his mouth before joking "now stay put" and leaving the room, according to court documents.

"I didn't know the law at that time," Caballero recalled. "I didn't know the policies on shackling a person to a bed by hand and foot for 24 hours a day, seven days a week, but I knew that it wasn't right."

After returning to the Brooklyn Detention Center, where he was detained pre-trial, Caballero got to work learning about the law. He began reading policies about the treatment of prisoners at outside facilities in New York City. That snowballed into him reaching out to New York's Legal Aid Society, researching Eighth and Fourteenth Amendment claims, and finally writing and filing a lawsuit against the city and staff at BMC—without the help of a lawyer.

Although a federal judge granted BMC's motion to dismiss Caballero's case against the hospital staff, he was awarded money in a settlement over his claims against the city defendants. Caballero also reached a cash settlement in a second lawsuit against the city, again for constitutional rights violations that he experienced.

Caballero was released on parole in December 2019, and is currently the lead plaintiff in a lawsuit challenging the New York State Department of Corrections and Community Supervision's policy of excluding people with mental health disabilities from its early release programs.

LEARNING JAILHOUSE LAW

Jailhouse law is "law learned in the bowels of the slave ship, in the hidden, dank dungeons of America—the Prisonhouse of Nations," Mumia Abu-Jamal, the nation's best-known jailhouse lawyer, wrote in his 2009 book. "It is law learned in a stew of bitterness, under the constant threat of violence, in places where millions of people live, but millions of others wish to ignore or forget."

Ronald Simpson-Bey turned to the practice for financial reasons. Despite spending \$30,000 on attorneys' fees, he was sentenced to 30-50 years in prison, well beyond the sentencing guidelines for his offense.

"That didn't make any sense to me. I told my family, 'you're not spending another quarter on attorneys. I will figure this out myself,'" said Simpson-Bey, a former jailhouse lawyer who was incarcerated in Michigan for 27 years, and who now works at JustLeadership USA as an advocate for formerly incarcerated people.

Simpson-Bey was able to win his own release in 2012 thanks to his own legal research and work, an unusual accomplishment for a jailhouse lawyer. He was also one of the lead plaintiffs in a massive class-action lawsuit against the Michigan Department of Corrections that spanned 15 years. The magnitude of the lawsuit was such that the state had to drive a semi-trailer filled with evidence to the prisoners' office during the discovery phase of the lawsuit, recalled Simpson-Bey.

Paul Redd began his decades-long jailhouse lawyering career with a desire to learn more about his own case.

During yard time, he would ask guys experienced in legal research about how to navigate the prison's law library. That quickly morphed into an obsession with providing legal assistance for other incarcerated people.

"I got addicted to it," Redd said. "Your whole cell is scattered out with paperwork on the floor and law books all open. And when they come with your food, you got to put the food aside because you're so concentrated on this research."

Redd started jailhouse lawyering in the late 1970s. During the 1980s, he was part of a lawsuit to improve conditions at Folsom Prison, where he was incarcerated at the time. He also testified about conditions at Folsom in front of the California Legislature.

In 2011 and 2013, Redd participated in the hunger strikes that took place at Pelican Bay State Prison, and in 2012, he became a named plaintiff in *Ashker v. Brown*, a class-action lawsuit challenging California's solitary confinement practices.

Ashker began with a handwritten complaint filed pro se in 2009 by two incarcerated people, Todd Ashker and Danny Troxell. (Pro se is the formal legal term for people who represent themselves, without the assistance of a professional attorney, in a legal proceeding.) Later, the case was taken on by attorneys from the Center for Constitutional Rights, whose communication skills and willingness to seek input from their incarcerated collaborators impressed Redd.

“They made you feel a part of the litigation,” Redd said. “From the day one, they came on to the case, and we all had a conference together.”

Redd was released from prison in May 2020 after Danielle Harris, a public defender in San Francisco who specializes in post-conviction work, helped him put together a package to guide him through his resentencing hearing. He was incarcerated for 44 years.

Redd now works as an advocate with the abolitionist American Friends Service Committee in Oakland, although he’s gotten job offers from law firms and is looking to land a gig that will let him use his legal skills to get people out of prison.

Incarcerated people are also affected by, and need representation for, everyday legal proceedings. That includes matters like child support and custody, divorces and marriages, and bankruptcy and other financial issues.

“Just because people go to prison doesn’t mean their legal needs somehow are just being in prison and just the conditions of confinement they’re being held under,” said Paul Wright, an editor of Prison Legal News who has litigated censorship and public records cases against prisons as both a jailhouse lawyer and on behalf of the publication.

INDISPENSABLE CONTRIBUTIONS TO THE LAW

Jailhouse lawyers have been demonized by members of law enforcement and the legal profession as amateur hacks more likely to file frivolous lawsuits over receiving crunchy instead of creamy peanut butter rather than over matters of life and death.

“It’s not untrue that prisoners bring lots of frivolous cases,” says Margo Schlanger, a law professor at the University of Michigan. But those prisoners had been deprived of other methods by which they could petition for their rights.

And that peanut butter lawsuit? The prisoner who filed it didn’t do so because he received the wrong kind of peanut butter but because he was being charged money for an item he ordered but never received.

In fact, jailhouse lawyers have made an indispensable contribution to how the law functions by developing and creating entire areas of case law.

One such example: laws regarding prison disciplinary hearings, according to Wright. In addition, the 1994 Supreme Court decision that established the standard by which prison officials can be found to have violated the Eighth Amendment originated from a petition filed by an incarcerated person. And thanks to a federal district court filing by an incarcerated person who received assistance from a seasoned jailhouse lawyer, the Supreme Court recently denied an officer qualified immunity for the first time since 2002.

“Jailhouse lawyers often identify issues and challenges to the law that people on the outside wouldn’t think of,” said Hanna Lauritzen, the 2020-2021 Editor-in-Chief of *A Jailhouse Lawyer’s Manual* (JLM), a publication designed for use by incarcerated people that gives readers an overview of how to exercise their

legal rights and navigate procedures. The JLM is written and managed by students at Columbia Law School.

Jailhouse lawyers are the legal minds who are closest to the everyday abuses and rights violations that occur inside prisons. That makes their work crucial for informing outside lawyers when prison officials are violating consent decrees, according to Jenipher Jones, a civil rights attorney.

Jones worked previously on *Winston v. Polis*, a case concerning prison conditions in the Colorado Department of Corrections that resulted in a consent decree.

“Jailhouse lawyers have been the ones who have let us know, those of us who file the cases,” said Jones, who is the co-chair of the National Lawyers Guild Mass Incarceration Committee. “Those are often the entry point to understanding whether or not jails and prisons are complying with the terms with regard to COVID-19 and using the health and safety protocols necessary.”

The accomplishments of jailhouse lawyers stem in part, however, from the criminal legal system’s failure to provide incarcerated people with sufficient access to meaningful and affordable professional legal assistance.

Twenty-five years ago, Congress passed the Legal Services Reform Act of 1996, which forbade any grant money provided by the federal Legal Services Corporation from paying for any civil litigation on behalf of prisoners.

“In some respects, I think that the whole phenomenon of jailhouse lawyering is a symptom of a very oppressive, dysfunctional system,” said Wright. “I think it’s a symptom of a bad thing rather than a positive.”

After all, how many prisoners would pick the services of a jailhouse lawyer over a professional one, if they really had a choice?

JAILHOUSE LAWYERING FOR PANDEMIC PROTECTION

In the letters he receives from incarcerated people, Caballero is seeing more people turn to jailhouse lawyering who are seeking relief under the increased danger of COVID-19.

Most of the letters Caballero reads are from Pennsylvania, though a few are from out-of-state. These days, he’s getting letters arguing that prison officers are demonstrating deliberate indifference by refusing to wear their masks, that the prison they’re incarcerated in possesses an inadequate ventilation system, and that their limited access to the law library during the pandemic constitutes a due process violation.

Even in the midst of the COVID-19 pandemic, jailhouse lawyers like Pierre Pinson are advocating for themselves and others. One of the main challenges they’re up against: prison administrators reducing or completely rescinding law library access.

Pinson began jailhouse lawyering because he was failed by his court-appointed attorney.

“I didn’t know how to fight, all I knew is that my life was on the line so I had to fight,” he wrote in a message to *Shadowproof*.

In 1999, when Pinson was in a county jail in Pennsylvania, he started going to the law library.

“I asked questions, researched, and even filed handwritten motions that meant nothing because my court-appointed attorney had already planned to sell me ‘down the river.’”

Pinson was sentenced to 50 to 150 years in prison. He is currently incarcerated at SCI-Fayette in Pennsylvania.

Pinson wrote that during the lockdown, incarcerated people at Fayette were “restricted from all activities including law library.” As Fayette began to reopen, the prison administration gave certain prisoners access to the yard and gym, but not the law library—and cited a directive from the Department of Corrections as the reason why.

“The directive limits access to the law library only allowing those who are pro se prisoners with a deadline to meet,” wrote Pinson.

The problem is not limited to SCI-Fayette. It’s also ongoing at SCI-Cambridge Springs, a Pennsylvania women’s prison, according to Donna Hill, a member of Let’s Get Free, an organization that supports women and trans prisoners in the state.

Hill’s daughter, Charmaine Pfender, is incarcerated at Cambridge Springs, where Hill says prison officials were recently only scheduling incarcerated people with active cases for time in the library. Incarcerated people are only permitted to access the library one hour a week, when it’s available.

The situation was similar at the California Medical Facility, the state prison where Redd was incarcerated at the onset of the pandemic. At that time, the California Department of Corrections and Rehabilitation (CDCR) implemented a variety of policy changes.

“The law library was shut down. Access to material was virtually non-existent,” Redd recalled.

Asked whether officials are only allowing prisoners with active cases to be scheduled for time in the law library, Pennsylvania Department of Corrections Press Secretary Maria Bivens wrote in a message to *Shadowproof* that “as we begin to allow inmates back into these areas, those inmates with a valid court deadline will be given priority.”

“Physical libraries were closed at different times throughout the pandemic depending on the quarantine situation. However, inmates were able to request materials and they would be delivered to the units by staff,” Bivens said.

The CDCR did not respond to a request for comment.

Within the South Carolina Department of Corrections (SCDC), incarcerated people’s access to prison law libraries is further restricted by what’s known as “collective punishment:” when one or two prisoners break a rule, SCDC sometimes chooses to punish hundreds of prisoners for it, including by limiting their hours to the law library.

That’s according to T-Black, an organizer with Jailhouse Lawyers Speak, an abolitionist collective of incarcerated people fighting for human rights. *Shadowproof* granted T-Black anonymity due to the possibility of retaliation against incarcerated organizers.

Asked how COVID-19 affected JLS’s organizing, T-Black responded that the group’s work is still going strong, and that the organization has been undaunted by the pandemic.

“We’re not really concerned about that because, you know, JLS is the vaccine. We is the COVID vaccine,” said T-Black. “I know you’ve heard of the one shot, two shot. We’re the three shot.”

This year, JLS is calling for national “shut ’em down” demonstrations to take place on August 21 and September 9, the dates that the 2018 prison strike, which JLS also helped to organize, took place.

Both dates are deeply symbolic ones in the history of prison organizing: August 21, 1971 was the day that George Jackson was shot and killed in California. Jackson was an incarcerated Black Panther at the time. Meanwhile, September 9, 1971 was the day that the Attica prison rebellion began.

“The shut ’em down call was made due to the Abolitionist Movement momentum seeming to have stalled in the face of our recent past presidential election,” a JLS organizer wrote in an email to *Shadowproof*. “We want people to understand that we have to start mounting direct challenges to the building of cages and demand the closing down of jails, prison[s], and immigration jails all over the country. Each event is autonomous, so the success will depend on the local organizers in each state.”

LAWYERING IN THE FACE OF INCREASING OBSTACLES

All of the difficulties that jailhouse lawyers face during pandemic times are, of course, additional to the mountain of obstacles that they face during non-pandemic times. Such obstacles include legal ones, such as the Prison Litigation Reform Act.

“There was a real spike in prison litigation in the early 90s,” according to Schlanger, the University of Michigan law professor. That shift was one factor that led to the passage of the PLRA in 1996, which made it much more difficult for incarcerated people to file federal lawsuits.

In particular, the PLRA prevents prisoners from filing a lawsuit in federal court unless they have “exhausted” their prison administration’s grievance process.

In the quarter-century since the PLRA was passed, incarcerated plaintiffs have been winning fewer cases through pre-trial decisions and going less often to trial, according to data analyzed by Schlanger. However, prisoners have had roughly the same level of success when it comes to winning at trial.

The percentage of voluntary dismissals has also gone up in recent years. But Schlanger acknowledges that it’s difficult to ascertain from the data whether that means incarcerated people are giving up and walking away from their lawsuit, or whether they’re settling for something worthwhile, because those two possibilities can fall under the same category of outcomes.

The same year the PLRA was passed, the Supreme Court delivered a devastating blow to law library access for prisoners in its decision in *Lewis v. Casey*. The decision illustrated the pitfalls prisoners face when seeking legal remedies.

Lewis greatly restricted the scope of a previous decision of the Court—*Bounds v. Smith*—in which the Court determined that authorities were required to provide prisoners “with adequate law libraries or adequate assistance from persons trained in the law.”

Under *Lewis*, an incarcerated person cannot claim that their constitutional right to access to the courts was violated simply because their prison’s law library was missing something. They must satisfy the additional burden of proving that their law library was missing something that prevented them from bringing forth a legal claim.

The political environment inside prisons has morphed in the last few decades, according to Wright. When he litigated prison censorship cases in Washington state during the 1990s, Wright relied on cases regarding the censorship of leftist literature that were brought forth by prisoners in the 1970s. But he sees much fewer cases like those now.

“Leftist politics in prison have definitely taken a nosedive,” said Wright. And prison officials are “probably more reactionary now than they’ve ever been at any point in the past.”

Prison officials frequently retaliate against jailhouse lawyers. Caballero experienced this on multiple occasions. In one instance, after he returned to his cell from a medical appointment, he found that his legal property had been confiscated.

For Redd, retaliation was something that he learned to accept as a jailhouse lawyer. “I don’t worry about it because it just happened,” he said. “To me, it was the norm.”

ADJUSTING STRATEGY FOR UNPRECEDENTED PROBLEMS

Pandemic-related factors and obstinate prison administrators have forced outside advocates to adjust their strategies. Caballero has been printing out chapters from the JLM (a work he utilized during the course of his own jailhouse lawyering) and sending the papers to people on the inside who have questions about their cases.

Prior to COVID-19 restrictions, incarcerated people would’ve been allowed to print that material for themselves at their institution’s law library.

The pandemic also forced the staff behind the JLM to completely overhaul their workflow. The closure of Columbia’s campus in March 2020 left them without a physical office; it also scattered them across the country.

Lauritzen returned to California, where she rented a P.O. box. For the next six months, incarcerated people who wished to correspond with them sent their letters to that address, until Columbia reopened its campus in the fall of 2020.

JLM staff responded to letters and shipped out copies of the manual from all over the country. They set up an online system to keep track of requests for the resource, and even completed and published a 12th edition.

Despite the staff’s resilience, the organization encountered unprecedented problems. Because copies of the manual weren’t being sent from the organization’s typical New York address, prison officers flagged some of them as contraband and returned them.

Incarcerated people were also left in a lurch by the court closures brought on by the pandemic, according to Lauritzen. Prisoners wrote to JLM staff asking whether the pandemic affected what court address they should file cases at, but those questions weren’t the type that they are equipped to answer quickly.

Prison lockdowns further compounded the obstacles. “People expressed a lot of doubt as to whether the letter they were writing would actually reach us,” said Lauritzen.

The situation deteriorated around the time of the 2020 election: there was a drop in the number of letters the JLM staff received then, the cause of which Lauritzen attributes to the U.S. Postal Service's effort to slow down mail and suppress voters.

Another popular resource amongst jailhouse lawyers is the Jailhouse Lawyer's Handbook, published by the Center for Constitutional Rights and the National Lawyers Guild. One of its editors, Rachel Meeropol, worked as an attorney on *Ashker v. Brown*.

With limited office access during the pandemic, CCR's staff also faced the challenge of responding to the hundreds of letters they get each month from incarcerated people who want to get a copy of the handbook.

LAWYERING TOWARD COLLECTIVE LIBERATION?

Jailhouse lawyering is laden with theoretical tensions bordering on contradictions. It is an act that contains both a multitude of promises (the possibility of freeing oneself and others, or of prevailing against prison officials despite the odds) and perils (the risk of retaliation, or of reifying a criminal legal system that legitimizes so much everyday injustice).

The fact that the criminal legal system allows the practice at all does not signify its virtues, but rather its failures. It demonstrates that the system expects at least some jailhouse lawyers to succeed where they have previously been failed at every turn by legal workers and institutions.

The relationship between jailhouse lawyering and prison abolition is complex as well. Some jailhouse lawyers (like those affiliated with JLS) are explicitly and unapologetically abolitionist, while others are simply interested in their own case. Still other jailhouse lawyers may not self identify as abolitionists, and yet their work is in alignment with its precepts.

"I can't remember a single jailhouse lawyer that was actively advocating for abolition even though all of them want prisons to be abolished," said Simpson-Bey, the former Michigan jailhouse lawyer. "It's because we just didn't have the bandwidth, the capacity to actually do that. I mean, you only get six hours a week in the law library, your main thing is to try to get yourself out."

"I think that people who work on the outside, directly with people who are incarcerated, sometimes worry that having an explicitly abolitionist framework could actually jeopardize the people on the inside," Lauritzen told *Shadowproof*. "Because at the end of the day, we who do support people who are incarcerated, we rely on corrections officers basically to be able to communicate with incarcerated people."

Lauritzen and Jones, who have received formal legal training, both said that they want to see the legal profession more openly welcome jailhouse lawyers into its ranks.

"I think more and more, jailhouse lawyers and the people supporting them on the outside are thinking in an abolitionist framework," said Meeropol, the CCR lawyer. "Our approach to this work is to understand that abolition will only occur through the leadership of people inside prison, who are organizing through their own liberation."

Despite the risks, some jailhouse lawyers embrace prison abolition. Mumia Abu-Jamal has called for abolition in both his writing and his speaking.

For his part, Pinson wrote that he believes that "jailhouse lawyering is an effective tool of the prison abolition movement."

Asked how much of the jailhouse lawyering that he's seen has been abolitionist, Pinson responded: "A small percentage, most is concentrated on gaining individual freedom. In time, the system reveals its teeth and forces one to realize that individual freedom is a victory in battle but only a drop of blood saved in a war that has killed people and left them alive."

T-Black, the JLS organizer, said that he doesn't at all feel that prison abolition and jailhouse lawyering are contradictory. "We [JLS] are the prison abolition movement, I even go so far as to add that," he said. "And you can quote me on that."

As for the organization that Caballero works for, the Abolitionist Law Center, it has stayed true to its name by lending legal support to Abu-Jamal.

"Mumia's jailhouse lawyering resources on the inside definitely were key to helping me develop my own strategies," said Caballero. "To be on the outside now and communicating with him directly, because he's one of our clients is just like—I'm totally honored and awestruck and starstruck."

"Whether abolition is your target when you set out to create a new lawsuit to try to change the situation for yourself and for others on the inside, ultimately, it's all connected," he said. "It's all interwoven into the same beautiful package which is the package of abolition."

11 Aug - Jessica Reznicek self surrenders for an unjust sentence

On August 11th water protector Jessica Reznicek self-reported to the Waseca Federal Correctional Facility to begin serving her 8 year prison sentence for the actions she took to stop the Dakota Access Pipeline.

MORE:

Jessica spent the week leading up to her imprisonment emotionally preparing with her spiritual community. When asked how she felt she said:

"Today I feel sad to be saying my final goodbyes to loved ones. I am strengthened, however, knowing that I'm still standing with integrity during this very important moment in history, as there truly is no other place to be standing at a time like this."

Jessica's harsh sentence was the result of a domestic terrorism enhancement that federal prosecutors are increasingly using against water protectors and climate justice activists who endanger the fossil fuel industries profits. Jessica is still actively pursuing an appeal. Her lead attorney Bill Quigley gave an update: "The legal team is working hard on this appeal to challenge the length of the sentence and to reverse the terrorism enhancement. A number of environmental organizations have agreed to consider signing onto amicus or friend of the court briefs supporting Jessica. The deadline for filing briefs is currently August 19 but we expect that will be pushed back at least a month."

Jessica and her support team are asking the public to sign this petition to take a stand against the criminalization of water protectors. So far over 5,600 have signed along over 50 organizations including Veterans For Peace, MN350: Building a Climate Movement in Minnesota, National Lawyers Guild, CODEPINK: Women For Peace, Chesapeake Climate Action Network, About Face: Veterans Against the War, and Center for Protest Law & Litigation.

A statement from the support team read "It is important to highlight this moment. Only days ago the Intergovernmental Panel on Climate Change released their most dire report yet, calling it a code red for humanity. We're in a moment when scientists, indigenous people, and global ecosystems sound the alarm,

and over a dozen state governments in the US introduce critical infrastructure bills targeting pipeline protestors under the guise of "national security". A moment when the sheriffs and police in Minnesota arrest over 600 people fighting to stop the Line 3 pipeline and charge 100 with the new critical infrastructure laws and dozens more with felonies. A moment when a federal judge orders Jessica Reznicek to pay 3.2 million in restitution to a fossil fuel corporation responsible for building a world that humans cannot survive in, a moment when, today, Jessica reports to prison to start an 8 year sentence labeled a terrorist by Joe Biden's Department of Justice. What happens to Jessica, happens to all of us! In this moment we must unequivocally tell Joe Biden protecting water is never terrorism. Acting on clear directives from climate science with direct action is never terrorism. "

When life on this planet is under attack, as Jessica says "there truly is no other place to be standing at a time like this." Sign the petition at tiny.cc/JessRez_Petition

11 Aug - Daniel Hale is a true American hero — and was punished for it

Air Force vet Daniel Hale leaked classified documents exposing America's heinous drone war.

MORE:

by Lawrence Wilkerson (*Salon*)
That's what heroes do.

According to British Army Capt. John Montresor, among the Revolutionary War spy and early patriot Nathan Hale's final words before his hanging were: "I only regret that I have but one life to lose for my country." Joseph Addison's play "Cato," a popular drama among America's revolutionary elite at the time, contained similar sentiments, so it's not hard to imagine the young Hale uttering the words. Certainly the dangerous mission he had undertaken spoke to his courageous credentials in that regard. Hanging was the inevitable endgame should he be apprehended — and Hale knew it.

Much has changed since those heady days of our nascent republic. Still, figures like Edward Snowden, Tom Drake, Chelsea Manning, John Kiriakou and a host of other whistleblowers loom large today above a world full of mostly sycophantic, cowardly and selfish adherents to the "rules."—Such truth tellers actually better represent the traditional nonconformist American ideal than any of their rule-of-the-road, stick-to-the-script fellow citizens. This is "patriotic dissent," according to combat veteran and author Danny Sjursen — and he's dead-on correct. After more than 20 years of hugely expensive, largely nonsensical, military contractor-enriching, people-murdering wars, one must ponder deeply and long the very sanity of our nation. I imagine the latest Hale did, and is doing, just that — as he pays the price for exposing the indecency and arbitrariness of America's death-from-above drone campaign.

I'm referring to Daniel Hale, America's latest patriotic dissenter. A former member of the Air Force, Hale entered a plea of guilty in that bastion of faux liberty and equally faux justice, the Alexandria, Virginia, courtroom of Judge Liam O'Grady. Hale pled guilty to avoid the possible 11-year sentence he could have faced had he fought the charges and subsequently been convicted. But Hale readily admitted he was guilty — guilty of trying to save human life rather than destroy it. Guilty of thinking that maybe, just maybe, if he exposed the nature of America's monstrous actions, citizens who still cared might be sufficiently aroused that they would take action to reclaim their republic and stop the obscenity done in their names. Oh ye naive young man!

In the courtroom, Hale exclaimed: "I am here because I stole something that was never mine to take — precious human life."

But in that he was mistaken. He was in the courtroom because his powerful desire to prevent further murder such as his so overwhelmed him that he felt he had to expose it. By doing so, he put himself in jeopardy, at the mercy of the court.

There the judge had the audacity to argue that Daniel should have registered his complaints through the normal chain of command. O'Grady said that Hale was "not being prosecuted for speaking out about the drone program killing innocent people;" that in fact he "could have been a whistleblower ... and not [taken] any of these documents" — supposedly the specific "crime" for which he was tried, taking classified government documents.

Not a "Daniel come to judgment," this O'Grady fellow. The chain of command, the inspector general process, all the rules to shield and protect so-called whistleblowers are so much a sham, a complete and utter sham. None of them work; indeed, all of them funnel any conscientious individual inevitably to one of two destinations:

- Absolutely no positive action and very possibly punishment for having tried, or;
- If one's conscience still prevails after experiencing option one, going the route that Daniel Hale and almost every effective whistleblower winds up ultimately traveling — the "illegal" route of public dissemination of their knowledge.

Tom Mueller's must-read book, "Crisis of Conscience: Whistleblowing in an Age of Fraud," documents this inevitable process so dramatically and disturbingly that one struggles not to wet a few pages with his or her own tears — or rip a few out in pure rage. Perhaps a copy should be shipped Judge O'Grady's way...

Hale will serve his time with dignity, like others of his stature who came before, and are serving sentences with him. Then he will emerge again into the light and hopefully continue his quest for justice. Not for himself, but for his lamentable nation.

Real justice would mean an end to the murders, an end to the profits of warmongers and their disciples and supporters, and an end to the bestial and brutal imperial writ America has assumed.

Real justice would see Daniel Hale receiving recognition in the gallery during a State of the Union Address — rather than a Rush Limbaugh.

Real justice would turn America's empire upside down.

Real justice would place patriotic dissent at the very pinnacle of our society's most esteemed qualities.

Like his namesake Nathan, Daniel Hale would be seen as the hero he truly is.

13 Aug - Registration open for NYCABC's Running Down the Walls!

PLEASE DONATE AND SIGN UP TODAY: paypal.me/nycabc | venmo.com/nycabc

MORE:

WHAT: Running Down the Walls – 5k Run/Walk/Jog/Bike/Hang

WHEN: 2:00-7:00pm, Sunday, September 12th, 2021

WHERE: Prospect Park– Lincoln Road/East Lake Drive, east of the Terrace Bridge (see the below map for exact location)

COST: \$10 registration (if COVID permits, will include food/drink afterwards. TBD)

NYC

RUNNING DOWN THE WALLS



September 12 2021

★ Prospect Park
Brooklyn

NYCABC.WORDPRESS.COM FOR MORE INFO

We're excited to announce Running Down the Walls 2021, COVID permitting. After making the difficult decision to not hold last year's event in person, we are very much looking forward to gathering as a community for the first time in a long time. Please stay tuned to our website, sign up for our newsletter, and follow us on tweeter (@nycabc) for updates.

Every year, prisoners and supporters of political prisoners organize solidarity events with Running Down the Walls. In previous years, we've had runs in Albuquerque (NM), Arcata (CA), Ashland (OR), Bellefonte (PA), Boston (MA), Buffalo (NY), Chico (CA), Denver (CO), Elmore (AL), Inez (KY), Los Angeles (CA), Marion (IL), Minneapolis (MN) New York (NY), USP Navosta (TX), Pelican Bay (CA), Phoenix (AZ), Tucson (AZ), Seattle (WA), and Toronto, Ontario. This year we hope to expand the amount of runs in prisons and other cities, as well as increase the amount of funds raised for community projects. NYC ABC's goal with

this year's run is \$4,000. You can donate online by going to paypal.me/nycabc or venmo: @nycabc

This year's run will take place on Sunday, September 12th, 2021 at 2:00 pm in solidarity and conjunction with runs that will take place in cities and prison yards across the country at the same time.

REGISTER AS, OR SPONSOR, A PARTICIPANT

To raise our goal of \$4,000, we need your support:

- * Promote – print and distribute flyers to friends and local businesses, your doctor's office, laundromat, food co-op, wealthy benefactor, et cetera.
- * Run/walk/bike/roll in the 5k – We need participants who can run/walk/bike/roll the 5k and are able to collect financial pledges to offer as donations to the run. Download the brochure, complete with registration and sponsor form right at tiny.cc/RDTW21_Form
- * Volunteer for the run – We need folks who are willing to hand out water, bike the route as street medics, and help chalk the route beforehand.
- * Donate online at paypal.me/nycabc; venmo @nycabc
- * Donate to the run/sponsor a participant – If you are not able to attend, but want to support this fundraising effort, please mail donations to:

NYC ABC

Post Office Box 110034

Brooklyn, New York 11211

Your donation of \$10 or more entitles you to the celebratory picnic after the event.

Each year, we split proceeds between the Anarchist Black Cross Federation's Warchest Program and a local organization. This year, local funds are going to recently released New York state political prisoners.

The Warchest Program:

The Anarchist Black Cross Federation (ABCF) has initiated a program designed to send monthly checks to those Political Prisoners and Prisoners of War who have been receiving insufficient, little, or no financial support during their imprisonment. The Warchest program was initiated in November 1994. Its purpose is to collect monthly funds from groups and individual supporters, and send that money to Political Prisoners

and Prisoners of War (PP/POW) via monthly checks. Over the last twenty five years, the ABCF warchest has dispensed over \$100,000 to political prisoners in the United States. Currently, there are 18 imprisoned comrades who receive a monthly stipend as part of the program; they are Abdul Azeez, David Gilbert, Doug Wright, Ed Poindexter, Eric King, Hanif Bey, Jamil Al-Amin, Joseph Bowen, Kamau Sadiki, Leonard Peltier, Malik Smith, Mutulu Shakur, Oso Blanco, Ronald Reed, Ruchell Magee, Sundiata Acoli, Veronza Bowers, and Xinachtli (FKA Alvaro Luna Hernandez).

For more information, visit: **abcf.net/warchest-program**

We will be starting just inside Prospect Park, near Lincoln Road and Ocean avenue (map at event link above).

From the Q train, get off at the Prospect Park stop. Walk to Lincoln Road and turn right into the park. We'll be about 700 feet away.

The event will be one lap around what is known as the Main Loop, and will total five kilometers.

If you have any questions, feel free to e-mail us at nycabc@riseup.net.

See you there!

15 Aug - Interview with Jaan Laaman

Listen to interview with former Political Prisoner Jaan Laaman on WORT Madison's A Public Affair show at wortfm.org/jaan-laaman-on-life-as-a-political-prisoner

MORE:

"Back in May, political activist Jaan Laaman walked out of McCreary Federal Prison after serving thirty-seven years.

Today on the show, Jaan tells us about life on the inside—and what allies on the outside can do to help political prisoners.

You can read more about Jaan Laaman's life and incarceration here tiny.cc/JaanFreedom."

16 Aug - Jamil Al-Amin Update

We are sharing a corporate media article and an update. Please read the former with a critical eye.

MORE:

August 16th - Ex Black Panthers leader imprisoned in Tucson fighting for exoneration

by Jamie Donnelly (*Arizona Daily Star*)

Supporters of a former Black Panthers leader, Imam Jamil Al-Amin, who is being housed in a federal prison in Tucson are calling for his exoneration.

Al-Amin, formerly known as H. Rap Brown, was a Black Panthers leader and a former chairman of the Student Nonviolent Coordinating Committee in the 1960s, according to the Associated Press.

He was living in Atlanta in 2000 when authorities say he shot two sheriff's deputies, killing one, the Associated Press said. He was convicted of murder in 2002 and sentenced to life in prison.

In 2019, Al-Amin challenged his imprisonment stating his constitutional rights were violated at trial, the Associated Press said. The Supreme Court declined to take his case.

Despite serving a life sentence for a Georgia state offense, Al-Amin is currently being housed in the United States Penitentiary in Tucson.

He is in his 21st year of the life sentence, according to a news release from Mass Liberation Arizona. They claim another man has repeatedly admitted to committing the crime under oath, stating there is no evidence that places Al-Amin at the scene of the crime.

The supporters on Sunday called for Al-Amin to be transferred back to the custody of the state of Georgia so that he can effectively fight for exoneration. They also called on the federal government to provide proper medical treatment to Al-Amin. The press release said he has recently become legally blind due to denial of cataract surgery for three years.

“This has been a personal fight for me for 21 years,” said Kairi Al-Amin, son of Al-Amin. “I’m tired, this thing is weighing on me and it’s heavy. Hopefully the weight will be lifted soon and he’ll walk out those doors and spend the rest of his life on this side of the wall.”

Members from Mass Liberation Arizona, Black Lives Matter Phoenix Metro, the Arizona chapter of the Council on American-Islamic Relations and Students for Imam Jamil spoke at the event, demanding that Al-Amin gets justice.

“Today we are here to draw attention to the injustices that Jamil Al-Amin and his family has faced due to the continued devaluation of Black voice, Black thought, Black action and Black life in this country,” said Mimi Arrayaa, co-director of Black Lives Matter Phoenix Metro. “We demand for the courts to provide Imam Jamil proper medical treatment and to get him out of the hands of federal government of the United States Penitentiary in Tucson and back in Georgia where he can be exonerated and freed.”

Supporters said they will continue to fight and bring attention to Al-Amin and his story.

“It’s very important we begin to show up and show out,” Kairi Al-Amin said. “This is the beginning and God willing, it will continue to grow.”

August 22nd - Update

We have confirmed that Imam Jamil has received cataract surgery in both eyes, and his eyesight is fully restored.

He received his surgery on Wednesday, August 18th, just 3 days after the protest in Tucson.

All of your support in sending emails and donating to his legal defense is working.

Thank you to everyone who has supported this far! We couldn't have got here without you.

16 Aug - Urgent Update on Russell Maroon Shoatz

On August 12, Maroon’s petition to quietly live out his days in hospice care was denied.

MORE:

Judge Kai Scott of the Philadelphia Court of Common Pleas denied Russell Maroon Shoatz's petition for a medical transfer, despite his immobility and terminal cancer diagnosis, because she believes he is a danger to the community and a risk of escape.

Statement from the 'Free Maroon Now!' Coalition

We are in total disagreement with the obviously politically influenced decision by Judge Scott of the Philadelphia Court of Common Pleas to currently deny our Elder's petition for transfer to hospice care, due to an unfounded belief that Maroon is still a "threat to escape & a threat to society."

Too, we are vehemently opposed to the needless days of waiting that the family was forced to endure between the two court hearings and to then have to come to grips with this falsely hopeful "selling of a dream" decision that was both totally unreasonable and emotionally cruel.

The armed domestic war during the late 60s, 70s and early 80s in the United States between the Police & Black Radicals has long since passed with extreme casualties on both sides and the call for peace & reconciliation is the only way for society to justly move forward from those turbulent years of struggle in America.

Russell Maroon Shoatz can no more be considered "a threat to escape & a threat to society" than the elderly bedridden ICU patients on ventilators from COVID that he too, by the grace of God & community support, somehow survived from the medical neglect that so many other prisoners have died from.

We call upon all clergy, community activists, educators, elected officials, and freedom loving people to join in our struggle to support and call on Judge Scott have the courage to reverse her decision at the next appeals hearing and grant Maroon's petition to hospice care: linktr.ee/FreeMaroonNow

Statement from the Shoatz Family

On behalf of the children, grandchildren, great-grandchildren, brothers, sisters, nieces, nephews, cousins, aunts, uncles and the ancestors of Russell "Harun-Maroon" Shoatz, we would like to first thank all of those who have stood with us over the years in action & prayer to help bring our beloved Elder Patriarchal Father back home to us.

That said, we are saddened but not disheartened about the recent decision by Judge Scott of the Philadelphia Court of Common Pleas to deny our Elder's petition for transfer to hospice care and pledge to continue our struggle to have Russell Harun-Maroon Shoatz peacefully spend his last days amongst both his loving family and the duly respected members of our community.

We unequivocally disagree with Judge Scott's opinion that a 78-year-old deeply religious, COVID-surviving, partially blind, wheelchair bound, urinary catheter bag dependent, and waiting to die from stage 4 pancreatic cancer person could in any way possibly "still present a risk of escape and threat to public safety".

We therefore would respectfully appeal to her stated belief in mercy to ultimately reverse her decision to grant the hospice care petition and insure that Russell Harun-Maroon Shoatz not die in prison.

Statement from Russell Maroon Shoatz's Legal Team

Maroon's petition for transfer to hospice care was denied by Judge Scott of the Philadelphia Court of Common Pleas after two hearings. That law that allows people in Maroon's position to request transfer to hospice care is very limited, and requires people to meet a strict set of criteria to be eligible for transfer to hospice care. Even then, judges have the discretion to deny these petitions if they choose.

In Maroon's case, Judge Scott acknowledged that he met every eligibility requirement except for one — that we must prove he does not present a risk of "escape" or a threat to public safety. Judge Scott acknowledged many factors weighing in favor of Maroon — his medical and physical condition, letters of support describing how he has mentored countless people over the years, decades without being charged with any crimes or misconducts in the DOC, and the extensive support he would have from the community around him. Judge Scott also expressed that she believes in mercy and that everyone should be able to transition to the next life with their loved ones around them.

Ultimately, however, Judge Scott said that she would not be doing her job as a judge if she granted Maroon that mercy. She decided that, based on his past criminal convictions from the 1970s and 80s, Maroon still presented a risk of escape and threat to public safety. We obviously disagree with this decision, and we're committed to continuing to work with Maroon to carry out his wishes.

18 Aug - Urge outgoing Governor Cuomo to commute David Gilbert's sentence

There is still time to act, but not much. UPDATE: While not granted commutation, David has been granted clemency to appear before the parole board. More information as it becomes available.

MORE:

Call Albany Executive Chamber: 518.474.8390 x 3, then x 1 to leave a message

Call NYC Executive Chamber: 212.681.4580, leave a message

Go to governor.ny.gov/content/governor-contact-form to email Governor
(Choose the category 'Criminal Justice')

18 Aug - New Illustrated Guide to Political Prisoners released

NYC Anarchist Black Cross has released our new Illustrated Guide to Political Prisoners and Prisoners of War (Version 14.6). Download it at tiny.cc/Guide_Aug_21

MORE:

"We've finished the latest version of the NYC ABC "Illustrated Guide to Political Prisoners and Prisoners of War" and it's available for viewing (and download). This update includes updated mini-bios, photos, and address changes for several prisoners. Unfortunately, we are adding a prisoner to the guide this month—Water Protector Jessica Reznicek. We are thankful to remove Kings Bay Plowshares 7 prisoner Clare Grady (halfway house)!"

20 Aug - Gratitude

Please read the latest from Kings Bay Plowshares prisoner Patrick O'Neill.

MORE:

As my transfer date gets closer (Mary picks me up at Elkton August 24 around 9 a.m.) I want to thank all of you who have so kindly supported me and sent prayers of Love for Mary and me and our family over the last 7-plus months. I won't say this has been easy, but I'm blessed to have had this opportunity to see how oppressive the prison industrial complex has become. I have been able to walk a few miles in the shoes of men who have been here for more than a decade, and others who have more than decade to go. It is hard to imagine spending thousands of days in this miserable place. I stand in awe of the men imprisoned here who are able to keep their hopes alive even under very harsh circumstances. The sentences here are brutally long, most often for nonviolent offenses.

The prison system is a total failure, and it needs to be abolished in lieu of something more humane and rehabilitative. There is plenty of money for punishment in this system, but little for programs of human uplift. The captives or “offenders” as we are called in the mass media (including NPR), are most often held in contempt by staff. Many of the men here are in need of mental health care instead of prison. The conditions we have lived under during the Covid-19 lockdown have contributed even more to the stress and oppression of incarceration. There needs to be some checks and balances so problems are uncovered and changes made.

This is a problem with deep roots in our culture, and it should have been addressed long ago. We all should work on this in the months ahead. Stay in touch with me, and we’ll get to work.

August 21st - Patrick O’Neill. Final Prison Letter.

At this writing I have 5 days left in FCI Elkton before my transfer to a Raleigh halfway house. While here I have interviewed more than 15 men about their lives and their cases. One man, who turned 30 since he was sentenced, has a 22.5-year sentence — that’s more than 8,000 days in prison for a nonviolent charge. Many of the men I have met here have sentences of 5,000 days or more (that’s actually common). As one British barrister, who is in here as a captive, told me when we were talking about sentencing practices in the UK, the United States is a “monstrous outlier” in terms of the draconian sentences we impose on “offenders.” And so many of the men here have mental health issues, Autism, depression and worse. They should not be in prison at all. We approach all situations with one method — Punishment.

Forty-four years ago (April 19, 1977) Fr. Charlie Mulholland, a priest in the Diocese of Raleigh, picked me up at my family home in Little Neck, Queens and brought me to St. Gabriel’s rectory in Greenville, N.C. where I worked as his pastoral assistant for a year. When Charlie was transferred to Mother of Mercy parish in Washington, N.C. I did the same work at St. Gabe’s for then-Fr. Tony Simeone. They were both fine mentors to me while I was in my early- to mid-20s. Charlie died in 2002, but Tony and I remain good friends; he lives in Raleigh with his wife, Laurel.

Today, the prison cancelled visitation for the third time since Covid-19 started. They will vigorously enforce mask wearing, which of course is a good idea, but the major problem with Covid is not related to the captives. The ONLY way it gets into Elkton is via the guards or if new captives are admitted (I was sent here in the midst of the pandemic despite requesting a delay from my judge, Lisa Wood, that she denied.)

The Bureau of Prisons should be releasing all nonviolent captives, but as I have written before, this place is full of disabled and elderly men, who should have been sent home a long time ago. There’s a parade of them with canes, walkers and wheelchairs who hobble to the chow hall to get their food; it is terrible to watch. As I have also said before: The modus operandi of federal prisons is oppressive and fully inculcated as “Normal.” And there is no one who wants to change the system. After all, the laws and sentencing guidelines come from Congress, then the judges, U.S. attorneys and probation officers work in concert to maximize the sentences, while offering literally NO ALTERNATIVES to incarceration. There’s only One Way — incarceration, and we have to find a way to expose this incredible failure and miscarriage of justice. We need to start a movement for change, and start putting pressure on Joe Biden, who is actually responsible for voting to make the system cruel and unusual when he was in the Senate. Once an operating system is entrenched like the BOP, it becomes very hard to infuse systemic change to correct a bureaucracy’s failure.

I have promised the men here that I will be working hard for changes. I plan to go to the White House and Congress to make my case for humane changes to these terrible BOP practices. Please join me in the months ahead in this massive undertaking for Justice for the 2-million plus people being held in U.S. jails and prisons.

In the cellblock I am in for quarantine I can stand by cubicle windows of unoccupied cells and look out through the five sets of steel bars at a copse of trees just beyond the Elkton double fence line. There is a break in the tree line where a road is located that goes up and down a hill on the west side of the prison. If a car or truck passes by I catch a quick one-second glimpse of its passing, which I love because I am seeing those who are not in here with me, those going about their daily lives on the “free” side of the fence. The prison is so isolated that you almost never see anyone other than those inside the compound with you. When I was in my former cellblock, a friend of mine, Julie Shocksnyder, parked on that road a few times and we prayed the lectionary together and I could see her! But, the prison guards ran her off and that was the last time I saw her, although she did keep coming back to pray on Tuesdays. Julie was my first “visitor” here at Elkton.

I pray while standing at the window, wrapping my fingers around the iron bars as I count off the Hail Marys of the rosary. I also do a daily litany of prayers for individuals, a long list of many or most of you reading this post. Scripture tells us to “pray unceasingly,” which prison affords me the time to do!

I have been packing up my things as I get ready to depart Elkton. I have a very heavy box of mail from many people. The letters, postcards and books and other reading material were a delight for me. Thank You Everyone! I am really looking forward to seeing Mary and the children. Today I received an envelope from Brianna, my oldest child, that included letters from her, Mary, Annie, Veronica and Michael; what a treat!

During my time here facing the oppressive Bureau of Prisons I have also continued to seek out ways to abolish war and banish violence from the world. Since I arrived at Elkton, the United Nations Treaty on the Prohibition of Nuclear Weapons has come into full force as the Law of The World!

In order to assure a future for the human family and God’s Creation, war and nuclear weapons must be banned, and all nations have to cease and desist from the use of violence to resolve conflicts. As A.J. Muste said: “There is no way to Peace — Peace is The Way.” To reverse climate change we must abolish war. Humanity needs to devote all of its resources and brain power to Life-affirming actions. As Pope Paul VI said: “No More War. War Never Again.” More recently, Pope Francis said of nuclear weapons: “... the threat of their use, as well as their very possession, is to be firmly condemned.”

My Kings Bay Plowshares codefendant, Clare Grady is quoted in Thomas Lee’s new book, *The Warning: A Novel for the Nuclear Age*. Says Clare: “We cannot build, possess, maintain, and threaten the use of nuclear weapons and love God.”

Let us continue to follow the leadings of the Black Lives Matter Movement for social change; let us ride this momentum toward justice and peace and put an end to the “Triplets of Evil” identified by the Rev. Martin Luther King Jr. — Racism, Militarism and Materialism. As Prof. Morrie Schwartz said: “Love is the only Rational Act.”

There’s simply no place for war and violence in our world.

25 Aug - “Free All African Political Prisoners: Reparations Now!”

WHAT: Webinar

WHEN: 7:00pm, Wednesday, August 25th

WHERE: Online

COST: FREE!

MORE:

Many African (Black) prisoners in the U.S. have been incarcerated for decades because of their courageous stance in the Black Revolution of the 1960s.

Join this LIVE webinar calling on white activists to uphold these courageous freedom fighters in a way that recognizes African people's struggle for national liberation.

FEATURED SPEAKERS:

- Chairman Omali Yeshitela
- Jihad Abdulmumit
- Penny Hess
- Jaan Laaman

Register at tiny.cc/APSC_Webinar

27 Aug - Metropolitan Anarchist Coordinating Council (MACC) General Assembly

WHAT: General Assembly

WHEN: 6:30pm, Friday, August 27th

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 new folks that 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