



POST OFFICE BOX 110034 BROOKLYN, NEW YORK 11211

Updates for January 28th

13 Jan - Happy New Year by David Campbell

Anti-racist political prisoner was recently moved from one unit of Riker's Island to another and he has a new writing that we are including below.

MORE:

Happy belated New Year! I'm still doing OK in here, and rounding the first corner on my time right about now — 1/16/20 is exactly 9 months before my release.

They moved us out of EMTC, the only facility for sentenced inmates on Rikers, on 1/7/20. Despite the fact that we moved literally across the street to RNDC (C-74), the process took over 12 hours, well over half of which was spent in holding cells with no food and no working toilets, or handcuffed together in the back of a bus. So that was fun.

RNDC is better by some measures, and I'm starting to settle into a new routine here, which is great because that's what makes the time fly. The main drawback is that this facility is used to house adolescent detainees, not solely sentenced inmates like EMTC. Some of these kids are likely to do long stretches upstate, and looking to make a name for themselves within the prison system. They often don't have the same incentive to behave as folx who are going home soon, and we're mixed in with them in the visiting waiting area and on the visiting floor. I haven't had any problems and I don't plan to, but it's an extra source of stress for those of us sentenced inmates who get visits. It's also probably illegal (it's definitely illegal for them to house us together), but of course the DOC does what it wants.

I was able to stay on top of my mail and actually respond to everyone who included a return address up until about Christmas. I've had so much love pouring in it's impossible for me to respond to it all! I'll write back as much as I can, but if you don't get a response, please forgive me. Please keep it coming! Every letter I receive brings a smile to my face — and as a bonus, I can use it to line my paper-thin mattress. And THANK YOU to everyone who's taken the time to drop me a line. It's been really humbling and helps keep me sane.

I'm still staying safe and staying busy. My new schedule in RNDC seems to allow me more time to work on writing and translation, so I'm trying to take advantage of that.

13 Jan - US listed climate activist group as 'extremists' alongside mass killers

DHS listed activists engaged in non-violent civil disobedience targeting oil industry alongside white supremacists in documents.

MORE:

by Adam Federman (*The Guardian*)

A group of US environmental activists engaged in non-violent civil disobedience targeting the oil industry have been listed in internal Department of Homeland Security documents as "extremists" and some of its members listed alongside white nationalists and mass killers, documents obtained by the *Guardian* reveal.

The group have been dubbed the Valve Turners, after closing the valves on pipelines in four states carrying crude oil from Canada's tar sands on 11 October 2016 which accounted for about 15% of US daily consumption. It was described as the largest coordinated action of its kind and for a few hours the oil stopped flowing.

The five climate activists, members of Climate Direct Action, cut their way through fencing and turned the valves. The activists notified the energy companies whose pipelines were being disrupted and posted videos of their protest online and waited patiently to be arrested.

They have since been dubbed the “Valve Turners”, profiled in the *New York Times* magazine and featured in a recent documentary titled *The Reluctant Radical*. Their trials have also tested the willingness of courts to allow climate activists to make use of the necessity defense – the idea that a criminal action is justified if it helps to prevent greater future harm – as part of a legal strategy.

But the group’s actions attracted the attention of the DHS.

In a recent intelligence bulletin evaluating domestic terrorism threats between 2018 and 2020, the department included the Valve Turners and described the group as “suspected environmental rights extremists”.

The document also listed two of the group’s members alongside violent white supremacists and other extremists who have engaged in mass killings, including the man behind the racist 2015 slaying of nine black churchgoers in Charleston, South Carolina.

The document obtained by the not-for-profit Property of the People through a Foia request defines domestic terrorism as “any act of violence that is dangerous to human life or potentially destructive of critical infrastructure or key resources” and that is intended to intimidate or coerce a civilian population or government body. The assessment is directed at departmental leadership and is based on a review of roughly 80 violent incidents between 2014 and 2017, according to the document.

The document points to an uptick in “sabotage attacks” conducted by anarchist extremists, environmental rights and animal rights extremists against the Dakota Access pipeline in 2016 at the height of the pipeline protest. Nearly 800 activists have been tried on a variety of North Dakota state charges, in relation to the pipeline protests, according to Water Protector Legal Collective, a legal support organization.

This activity was met with heavy law enforcement presence, FBI and DHS surveillance, and aggressive military style tactics deployed by pipeline security contractors.

In addition to providing an overview of domestic terrorism threats the document includes an appendix summarizing select incidents over the past few years. Two of the Valve Turners are listed alongside violent white supremacists such as Dylann Roof and James Fields, who have both been convicted of murdering innocent civilians. Roof killed nine black churchgoers in a rampage in South Carolina. Fields drove his car into a group of activists protesting a white supremacist rally in Charlottesville, Virginia, killing one and injuring at least 19 others.

The document also states that “racial and environmentally themed ideologies” were among the primary drivers of terrorist attacks in the United States during this time.

Mike German, a former FBI agent who is now a fellow with the Brennan Center for Justice, wrote in an email that the DHS framing was “highly misleading because white supremacists are responsible for the bulk of this violence and almost all of the fatalities that result”. “There is little evidence,” he added, “that environmentalists have engaged in the types of deadly violence that would meet the statutory definition of domestic terrorism, as codified by Congress”.

The Department of Homeland Security did not respond to multiple requests for comment.

Sam Jessup, one of the activists named in the document, said the bulletin shed light on the role law enforcement and intelligence agencies have played in suppressing dissent.

“Equating mass murder by white supremacists with what Michael and I did is totally obscene,” Jessup said in an email. “This whole infrastructure of so-called security has done little more than secure the future of the fossil fuel industry by terrorizing people into silence.”

Jessup, 34, served as a driver and videographer, live-streaming the action in North Dakota. Michael Foster, a former family therapist who lives in Seattle, turned the valve.

Foster said even though the action involved a high level of legal risk, it was a small price to pay in light of the cascading impacts of climate change.

“The only way to force society to change fast enough is to refuse to participate and fill the jails,” Foster said.

Both he and Jessup were convicted on felony conspiracy charges and Foster spent six months in jail. During closing arguments the prosecutor compared Foster to the Unabomber and the 9/11 hijackers. He is now on probation and barred from engaging in direct action protest for another two years.

In the more than three years since the action, several states have passed legislation making it a crime to trespass on property containing critical infrastructure. The Trump administration has advocated for stiffer penalties against activists who engage in non-violent direct action targeting fossil fuel infrastructure.

Carl Williams, executive director of the Water Protector Legal Collective, which has defended a number of DAPL protesters, says the push to criminalize dissent is part of a larger rightwing strategy that has also targeted the BDS movement and Black Lives Matter.

“I think there is a strategy that rightwing forces are using to criminalize dissent,” Williams said. “This bulletin shows that dirty hand.”

But Williams also says it shows that these same movements are making inroads. “Liberation movements know that this is happening and we’re fighting against it,” he said. “They’re doing this because they’re afraid of the power of these movements.”

15 Jan - Will Albany Give Older NY Prisoners A Chance At Freedom?

As fake progressive Governor Cuomo hides from the issue, folks on the street are taking it directly to him.

MORE:

by Victoria Law (*Gothamist*)

Theresa and her husband Morris have been together for 45 years, 11 of them married. She’s known Morris since early childhood and has stuck by him through multiple arrests and prison sentences, as well as his crack cocaine addiction. For the last 14 years Morris has been in prison, stemming from his participation in a group robbery, which included an assault and led to charges of attempted murder and a 40-year sentence.

“My husband is a very different man [than he was 14 years ago],” Theresa told *Gothamist*. (Theresa asked that the couple only be identified by their first names to prevent retaliation from prison officials.)

Morris is now drug-free and a grandfather. He has completed various programs in anger management, substance use and violence prevention. “I don’t see the person I used to see in the ‘80s and ‘70s,” Theresa noted. “He no longer talks about ripping and roaring in the streets, his old friends, getting back with them. He wants to go back to church—he was a church boy [before]. He wants to sit at home and get to know his grandchildren, repair his relationship with his daughters.”

Morris, who is 65 years old and will not be released until age 91, is one of 354 people in New York who are serving what’s known as a “virtual life sentence,” or a sentence that will likely exceed his lifespan.

New York has the nation's eighth highest rate of people serving life sentences. This includes 291 people serving life without parole, meaning that they cannot appear before the parole board, regardless of their behavior or rehabilitative efforts in prison. Another 8,625 people have prison sentences that can last as long as their lifespans (such as 20 to life, 40 to life, 75 to life).

In 2015, Governor Andrew Cuomo announced the creation of an Executive Clemency Review Board, which would identify people eligible for commutation, or a shortening of their prison sentence. (The other form of clemency is a pardon, usually granted after a person has served their prison sentence, which expunges a person’s criminal history.)

But Cuomo hasn’t given much hope to the families of those serving decades-long prison sentences.

In 2019, Cuomo’s office granted no commutations. On Friday, January 3, 2020, Cuomo granted two commutations, bringing his total commutations to 21 during his nine years in office.

For Theresa and other family members of the nearly 10,000 people serving decades-long, if not life, sentences in New York's prisons, that's far from enough. They're advocating for legislative changes that would enable their loved ones to appear before the parole board sooner, demonstrate their transformation, and get an opportunity for an earlier release.

One of those measures is the Elder Parole Act (A9040/S2144), which would require an immediate parole interview for people ages 55 and older who have served at least 15 years of their sentence. The Act does not require the parole board to approve a release, just grant the interview.

If passed, Morris would need to wait just one year, rather than two and a half decades, before appearing before the parole board.

“This is part of an ongoing understanding that older New Yorkers are not a danger to the community,” said State Senator Brad Hoylman, the lead sponsor of the Senate bill. “I believe that rehabilitation is not only possible, but a value of our penal system. When you keep 10,000 New Yorkers in prison until they die, that’s death by incarceration.”

That’s not the only change that Theresa and other advocates are fighting for. They also want to change the way that parole commissioners consider an applicant.

Parole commissioners frequently give more consideration to the nature of the initial crime than to a person’s rehabilitative efforts in the ensuing years. That’s what happened to John Mackenzie, who spent 41 years in prison after being found guilty of fatally shooting a police officer in 1975. Shortly after the parole board denied Mackenzie for a tenth time, citing the nature of his crime, Mackenzie died by suicide at age 70.

Under the Fair and Timely Parole Act, commissioners would have to evaluate an applicant based on their rehabilitative efforts rather than the crime that they were convicted of. If passed, that would mean that commissioners would consider Morris's efforts at rehabilitation and transformation, not solely by his actions 14 years earlier.

That's the chance that Roslyn Smith received in 2018. Smith and her co-defendant Valerie Gaiter had been the state's longest-serving women prisoners. In 1979, Smith, then age 17, and Gaiter, age 21, were sentenced to 50 years to life for the robbery and fatal stabbing of an elderly couple in Flatbush, Brooklyn.

"I did a lot of work inside," Smith, now in her fifties, reflected. "I did a lot of therapy and groups." While in prison, she wrote a letter to the daughter of her victims. "When you commit a violent crime, you have to take responsibility for it. You took somebody's life or harmed them in some way that disrupted their life. You have to understand the harm that you caused."

In 2018, after 39 years in prison, Smith was resentenced to 25 years to life. She appeared before the parole board and was released that October. Now, she wants others to have that same opportunity. "You need to look at the whole person, not just the crime," said Smith. "See if that person has changed their life around. A lot of times, in the criminal justice system, we're defined by that one act."

Gaiter, however, did not have that opportunity. In August 2019, four years after Cuomo had denied her request for clemency and 10 years before becoming eligible to appear before the parole board, she died at age 61. Gaiter's death saddened and outraged Smith, pushing her to become involved with parole justice efforts.

Smith acknowledged that the bills have an uphill battle given the backlash against the state's new bail reforms that passed last year. "It's a hard call. You're talking about people who have been convicted already. 'Lock them up and throw away the key,' that's what everybody thinks," Smith said.

Jose Saldana, director of the Release Aging People in Prison (RAPP) campaign, is more optimistic. Saldana was also denied parole based on the nature of his crime -- attempted murder of a police sergeant -- four times, but was released after 38 years in prison at his fifth parole hearing.

"The community is behind us," Saldana told *Gothamist*. "We're hoping to create a real critical voting bloc that will move the dial somewhat because, right now, our elected officials aren't representing their communities. They're being influenced by special interest groups like the PBA."

The Police Benevolent Association (PBA) has long opposed parole reforms and lobbied its members to oppose parole for those convicted in the deaths of police officers. The PBA did not immediately respond to *Gothamist's* request for comment, but in 2019, PBA president Pat Lynch told City Limits, "Aside from the fact that today, 55 years old does not qualify as 'geriatric' in anyone's book, the concept of parole based upon age is devastatingly flawed on several levels." Lynch pointed to two studies on recidivism, but neither study focused on people over age 55, the population that would be eligible under Elder Parole.

On Tuesday, Saldana and other advocates brought 500 family members and other advocates to Albany to press their legislators to co-sponsor and vote for these two bills.

Senator Brian Benjamin, who represents Harlem where Theresa lives, does not believe in locking up and throwing away the key. He co-sponsored the Fair and Timely Parole Act, but told *Gothamist* that he does not support the Elder Parole Act as it is currently written.

“I support the premise,” he explained. “There are a number of folks, including this woman’s husband [referring to Morris], who deserve consideration after 15 years.” But he’s concerned that people convicted of sexual offenses, including sexual offenses against children, would be eligible for parole consideration after 15 years. “For me, that’s a big stickler. I have concerns about the Jeffrey Epstein, Harvey Weinstein types. I don’t think those folks should be included.”

Melissa Tanis, one of Benjamin’s constituents and a RAPP member, disagrees. “It’s a chance of release,” she pointed out. “It’s not an automatic granting of parole. Every single person still has to go through a process. It’s just giving more people that opportunity.”

Tanis’s own father died in a Kentucky prison at age 56; he had been convicted of multiple sex offenses and had already served 22 years. During his last weeks, there were no visits or calls because he was physically unable to make it to the visiting room or to the phones. But because of his conviction, she said, he was unable to apply for medical parole or compassionate release, which would have enabled him to spend his last days with his family. By that point, said Tanis, “it was not a matter of what crime he committed. If they let him come home, he wasn’t going to run and commit another crime again.”

Tanis has also been on the other side of sexual violence. “I have had to wrestle with being the victim of sexual harm, been friends with victims and the daughter of someone who has caused sexual harm to other people,” she said. “Yes, I think people should be held accountable when they cause harm.” But, she continues, the bill should not exclude them from the chance at parole consideration.

That sentiment is shared by some victim organizations, including the New York State Coalition Against Sexual Assault, the Downstate Coalition for Crime Victims, and STEPS to End Family Violence, who co-signed a letter to legislative leaders in October urging them to pass the Elder Parole Act.

Hoylman noted that recidivism rates for older people are less than 10 percent (with nine percent for parole violations, not new crimes). The Senate bill already has 14 co-sponsors and he plans to speak with colleagues and others about their concerns during the upcoming session.

Assembly Member Carmen De La Rosa, lead sponsor of the Assembly version of the Elder Parole Act, shares Hoylman’s and Saldana’s optimism. “Last year, we didn’t know if bail reform would pass,” she said. But advocates and supporting legislators continued to press, garnering the votes needed to pass and, ultimately, the governor’s signature. “I don’t think the momentum will die from the progressive members of our chamber.”

As for whether the governor might eventually get on board, she replied, “I think there’s some willingness to listen.” (Cuomo’s office has not yet responded to our request for comment.)

At the same time, De La Rosa is under no illusion that Elder Parole will be an easy bill to pass. “Bail reform took years to come to fruition,” she pointed out. “We have to continue to push the conversation and change the narrative about people languishing in prison.”

15 Jan - A Statement from Some J20 Defendants in New Orleans 3 Years Later

Statement from former J20 defendants from so-called New Orleans looking back on the case and the impact of State repression.

MORE:

via It’s Going Down

Three years ago, to those of us arrested, J20 seemed like a defeat. Despite the camaraderie and joy of being together in the streets, the fascists had won. Their boy was in the White House and the police had his blessing to brutalize us rowdy discontents. As we tried to sleep that first night in jail the judiciary and the media sharpened their swords and measured them to our necks. The second night—after the arraignment—we did the math on our fingers: 5 years? 10 years? 20? 40?

But it turns out there's something more powerful than the dread of the state: our friends and our communities. They bailed us out and picked us up, and held us when we cried, and told us it would be okay, and helped us work together to beat those trumped up charges. Some of those bonds were strengthened, and others were shattered, but what's become clear these last three years—if it wasn't clear already—is that we can't count on the state, or the police, or the ballot box, or the Army Corps of Engineers to save us. Indeed, they can't even count on themselves, so used to breaking their own laws that every single one of us went free! All we can count on is each other.

J20 was not our final battle. Since then, some of us have defended the swamps, marched down Bourbon Street when the pigs raided strip clubs, kicked Nazis out of New Orleans, wrote hundreds of letters to comrades behind bars, held workshops, and made new friends—all in spite of the felony charges hanging over us and the dread, doubt, and self-policing they were meant to inflict.

While the world around us seems more hostile everyday, the flames of resistance will not be easily extinguished. In Chile, Lebanon, Kurdistan, El Norte—from the streets of Hong Kong to the cells of Angola—the message is clear: We will not go quietly! There are more of us than you can ever hope to control!

So let's make the lessons of J20 a daily practice, rather than just a yearly reflection.

Fuck the state, fuck the police, fuck capitalism! Solidarity forever!

Rest in power Nathan!

15 Jan - Why Andy Young seeks mercy for Jamil Al-Amin

An Atlanta reporter chimes in on Andrew Young's consistent support of Imam Jamil Al-Amin

MORE:

by Bill Torpy (*The Atlanta Journal-Constitution*)

Andrew Young is a national treasure located here in our backyard.

The civil rights hero/ambassador/mayor has for decades captivated crowds with homilies that resemble unfamiliar mountain roads — curvy and circuitous and leaving you with no idea of the ultimate destination.

He delivered such an oratory last week at Tyler Perry's studio during an event to commemorate the Fulton County district attorney's new Conviction Integrity Unit. The goal of the unit is to help free the wrongfully convicted or help shorten inordinately long prison sentences. The event featured some innocent men who had been imprisoned for crimes they didn't commit.

Young was his old raconteur self, talking about justice, race, the causes of crime, the cost of prisons, Martin Luther King Jr., German Shepherds and then, finally, about a case “that weighs heavy on my heart because I really think he was wrongfully convicted.”

Young said the man, a Muslim, had helped “clean up” Atlanta's West End.

“I’m talking about Jamil Al-Amin,” he said, “H. Rap Brown.”

“I think it’s time to rejudge,” said Young. “He’s been dying of cancer and has been suffering away from his family in the worst prisons of this nation.”

He turned to those in the new unit and said, “Anything you can do, even bring him home to be close to his family and friends,” before concluding with, “We must stand for justice, but we must never forget mercy.”

That’s also what Young said in 2002 as a character witness in the murder trial of Jamil Abdullah Al-Amin. People at the trial say Young’s testimony in the sentencing phase helped Al-Amin escape the death penalty.

Al-Amin was convicted of wounding Deputy Aldranon English and killing Deputy Ricky Kinchen, firing three shots with a semiautomatic rifle into Kinchen’s groin as he lay wounded on the ground. The deputies on that fatal night of March 16, 2000, were trying to serve a warrant on Al-Amin in connection with a stolen car.

The case has been grist for conspiracy theorists — that Al-Amin, a strong black man who had stood up to the government for decades, was being muzzled. Al-Amin was formerly H. Rap Brown, the young 1960s’ civil rights activist turned militant famously quoted saying, “Violence is as American as cherry pie.”

Al-Amin became a Muslim in prison after getting wounded in a 1971 shootout with New York cops. He moved to Atlanta in 1976 and settled in the West End, where he became an imam and fostered a Muslim community.

It’s often said he kept the impoverished neighborhood safe. But you don’t run off drug dealers by simply praying them away.

In 1995, he told the AJC that Muslims were “pushing back the other lifestyles” in the neighborhood. At night, “we do have brothers walking the neighborhood for security,” he said.

Police and the FBI believed it was more than just security details. During the 1990s, they investigated him in connection with everything from gun-running to domestic terrorism to 14 homicides in the West End. They never hooked anything on him.

In 1995, a 22-year-old got shot in the leg at West End Park, which is across from the small grocery store Al-Amin ran. The cops said the man implicated Al-Amin and got a visit from the cleric after returning home from the hospital.

“Sorry this thing happened to you, little brother, but if it had been me doing the shooting, you’d be dead,” the man quoted Al-Amin as saying in a police report.

The man backed off his ID and insisted the cops pressured him to finger Al-Amin, who faded from notoriety until March 2000, when the shootout occurred.

The trial was postponed until 2002 because of the Sept. 11, 2001, attacks.

The defense poked holes in the prosecution, pointing out that both English and Kinchen said they wounded their attacker, but Al-Amin was unhurt when captured days later. They said an FBI agent who spit at and

kicked a handcuffed Al-Amin could have planted the guns near the fugitive during his arrest in Alabama. They said English insisted his attacker had “gray” eyes. Al-Amin’s eyes are brown.

But an emotional English was unequivocal that it was Al-Amin. And his Mercedes, found in Alabama, had bullet holes matching those from the deputies’ guns.

A jury consisting of nine blacks, two whites and a Hispanic took 10 hours to find him guilty on all counts. “The defense case did not have any meat,” a juror told the AJC. “Unless you were very biased, you could never believe the conspiracy theory.”

In 2007, Al-Amin was moved from state prison to the feds’ Supermax prison in Colorado. State officials feared Al-Amin’s leadership skills, worrying he’d radicalize fellow prisoners.

Since then, a team of lawyers from Kilpatrick Stockton, appointed by the courts, have appealed and lost in the Georgia Supreme Court, federal court and federal appeals court, and now have petitioned the U.S. Supreme Court to hear the case. The state has to respond next month.

The main point being argued is that a young hotshot Fulton prosecutor performed a “mock cross-examination” of Al-Amin during closing arguments. “Why would the FBI care enough to frame you? How did the murder weapons end up in (Alabama)? How did your Mercedes get shot up? Why did you flee?”

The courts have all ruled that the prosecutor — who is now Fulton’s chief judge, Robert McBurney — crossed the line in attacking Al-Amin’s Fifth Amendment right not to testify against himself. But they’ve also all ruled there was enough evidence to put Al-Amin in a cell for the rest of his breathing days.

Fulton District Attorney Paul Howard said in a statement that Young’s comments were a “call for mercy” for a dying man, but not an “official request ... that would be consistent with the mission of the FCDA Conviction Integrity Unit.”

Al-Amin’s son, Kairi, a lawyer himself, told me his father is blind and fighting cancer in a federal prison hospital in Tucson, Arizona. The court battles have been frustrating, he said, adding, “We will have to take this to the court of public appeal.”

I was unable to get a hold of Deputy Kinchen’s brother to capture his opinion.

17 Jan - Why Chelsea Manning Is Still in Jail?

Three years to the day after her sentence was commuted, a look at how things got to where they are.

MORE:

by Leila Ettachfini (VICE)

When Barack Obama commuted Chelsea Manning’s 35-year sentence three days before the end of his presidency, it signified a shift in the political landscape—one that her supporters and those long-critical of the United States military welcomed.

“Let’s be clear: Chelsea Manning has served a tough prison sentence [...] it makes sense to commute—and not pardon—her sentence,” he said of his decision. Obama’s action suggested that the United States was finally willing, perhaps, to reckon with its destructive military operations overseas, and the ways the system treats trans people at home. The moment was hopeful and relieving to the many who saw Manning not as the traitor she was accused of being, but as an American heroine.

But neither their hope—nor Manning’s freedom—would last.

Since she leaked classified documents about Iraq and Afghanistan in 2010, the former Army intelligence analyst has become the face of a grassroots movement challenging the unchecked might of the U.S. military, and its disregard for the people in the countries it routinely invades. But in the three years since Obama announced Manning’s commutation, she’s also become a figure in the fight against an unjust system, after refusing to comply with a grand jury investigation, a decision that has cost her her freedom—again. To detractors, though, including a new presidential administration hostile to whistleblowers of Manning’s ilk, she remains no more than a traitor.

It is because of this hostility that she is now back behind bars under the Trump administration with no plans to acquiesce to the government. The question remains whether or not the government will acquiesce to her.

How a Leak of Military Documents Led to a 35-Year Prison Sentence

In 2010, Manning smuggled more than 700,000 classified military documents out of an army base in Iraq by downloading them onto a CD labeled “Lady Gaga.”

The documents contained a massive amount of mostly classified information, including the number of civilian deaths in Iraq and Afghanistan, video of U.S. soldiers in Baghdad laughing as they killed and injured civilians, as well as other evidence of American troops knowingly harming civilians, including children. After several national news organizations turned away the leaked documents, Manning sent them to WikiLeaks, igniting a national controversy.

Consequently, in 2013, a court-martial charged Manning with violating the Espionage Act, among other charges. During the trial, she told the judge that she decided to share the files because they “document the true cost of the wars in Iraq and Afghanistan,” and she thought that they “might cause society to reevaluate the need or even the desire to even to engage in counterterrorism and counterinsurgency operations that ignore the complex dynamics of the people living in the effected environment every day.”

Despite her testimony, Manning began serving her 35-year sentence in May 2010, which was heavily criticized as “excessive,” compared to previous cases involving leaks. Manning would not be free again until May 2017, four months after President Obama commuted her sentence.

Why Chelsea Manning Is Back in Jail

The country that Manning stepped into in 2017 was very different from the one she essentially left in 2010. For one, Donald Trump was president, and his administration was already outwardly hostile toward her—only days after he was inaugurated, Trump called Manning an “ungrateful traitor” in a tweet.

On the other hand, trans visibility had entered the mainstream while Manning, arguably among the country’s most famous trans women, was behind bars. In addition to becoming a figure of the anti-military crowd, Manning left prison—where she faced intense gender-based discrimination amounting to inhumane treatment according to the United Nations—to find that she’d already become an icon in the fight for trans rights.

Manning had 22 months of freedom before she’d be back in jail. She wasted no time jumping back into the political fray, though this time choosing a more conventional route. In January 2018, she announced her run for a U.S. Senate seat in Maryland on a radical platform that included abolishing prisons and dismantling ICE. She did not win the Democratic nomination, but she did gain a new following based on her politics.

In February 2019, Manning's freedom was jeopardized when she was subpoenaed to testify before a grand jury in the U.S. government's case against the founder of WikiLeaks, Julian Assange. She refused.

Her objections, she said, have less to do with the specific case and more to do with the entire grand jury system, which she says operates on the basis of secrecy and coercion. Unlike a trial jury, a grand jury case takes place completely behind closed doors, with a high indictment rate of 99 percent (hence, the popular term, "A grand jury could indict a ham sandwich"). The system has been criticized for failing to indict police officers. Those called to testify before a grand jury are not allowed to have anyone present, including an attorney, and may not be warned whether or not they are being considered as a target or a witness.

"I object strenuously to this subpoena, and to the grand jury process in general," Manning told *The Washington Post* in a statement at the time. "We've seen this power abused countless times to target political speech. I have nothing to contribute to this case and I resent being forced to endanger myself by participating in this predatory practice."

Manning has been held in contempt of court since then, with the exception of one week in May 2019 between grand jury terms.

"I can't imagine it came as a shock to very many people to see that the U.S. government managed to find a way to disrupt her life, post-commutation," said Moira Meltzer-Cohen, Manning's lawyer.

Manning will be held for the entirety of the 18-month grand jury term, unless she agrees to testify, which is unlikely. "I am prepared for her, and more importantly she is prepared, to spend the maximum 18 months behind bars in the service of her principles," Meltzer-Cohen said. In addition to jail time, Manning is being fined daily for refusing to testify: \$500 per day in custody after 30 days, and \$1,000 per day after 60 days.

The conditions of Manning's confinement have been criticized, most notably by Nils Melzer, the UN's Special Rapporteur on Torture, who called the conditions of her detainment "torture" and "incompatible with the international human rights obligations of the United States" in a public letter. Melzer called for her immediate release and the reimbursement and cancellation of all fines she has accumulated.

Manning has used the circumstances to vocally oppose the entire grand jury system. In June, she wrote a nearly 3,000-word letter to Judge Anthony Trenga, who ordered her coercive confinement, detailing the reasoning behind her objection to grand juries: namely, the way they aim to punish activists and, in her opinion, undermine due process. She wrote:

I understand the idea that as a civil contemnor, I hold the key to my cell – that I can free myself by talking to the grand jury. While I may hold the key to my cell, it is held in the beating heart of all I believe. To retrieve that key and do what you are asking of me, your honor, I would have to cut the key out, which would mean killing everything that I hold dear, and the beliefs that have defined my path.

Manning's astonishing commitment to her own ethical code—one that has been put to the test as a soldier, a political candidate, and now, a citizen refusing to testify—has earned her a fair share of supporters (including fellow whistleblower Edward Snowden), in addition to her adversaries. The former have been rallying behind her as she awaits the 18-month grand jury term, launching a petition demanding her release with tens of thousands of signees and advocating on her behalf via the hashtag #FreeChelsea.

According to Meltzer-Cohen, the government's response to Manning's refusal to testify has zero chance of convincing her to change her mind. "The government and the judge have an opportunity here to recognize

that Chelsea is incoercible, and therefore must be released, and I certainly hope they rise to the occasion,” she said.

As of now, Manning has eight months left before reaching the maximum amount of time that the government can hold her for refusing to testify, but it’s unclear if her freedom will be guaranteed after that. Though in order to keep Manning in jail after the expiration of the current grand jury term, a prosecutor would have to find a new basis to issue another subpoena.

After Special Rapporteur Melzer published his letter condemning the U.S. government for using coercive confinement against Manning, Manning issued a characteristic response.

“I am thrilled to see the practice of coercive confinement called out for what it is: incompatible with international human rights standards,” she said. “Regardless, even knowing I am very likely to stay in jail for an even longer time, I’m never backing down.”

18 Jan - Move 9 member Delbert Orr Africa freed after 42 years in prison

Members of black liberation group given long sentences after 1978 police siege on Philadelphia commune, during which officer died.

MORE:

by Ed Pilkington (*The Guardian*)

One of the great open wounds of the 1970s black liberation struggle came closer to being healed on Saturday with the release of Delbert Orr Africa, a member of the Move 9 group who has been imprisoned for 42 years for a crime he says he did not commit.

Del Africa walked free from Pennsylvania’s state correctional institution, Dallas, on Saturday morning after a long struggle to convince parole authorities to release him. He is the eighth of the nine Move members – five men and four women – to be released or to have died while in prison.

Only one of the nine, Chuck Africa, remains behind bars.

The nine were arrested and sentenced to 30 years to life following a dramatic police siege of their communal home in Philadelphia which culminated with a shootout on 8 August 1978. In the maelstrom a police officer, James Ramp, was killed with a single bullet. Move has always denied that any of its members were responsible.

Brad Thomson, a member of Del Africa’s legal team, said the decision to release him on parole “affirms what the movement to free the Move 9 has been arguing for decades: that their continued incarceration is unjust”.

Thomson added: “With the release of Delbert, that leaves Charles ‘Chuck’ Africa as the last member of the Move 9 to still be in prison. Chuck went before the parole board last month and we are optimistic that he will be released in the very near future.”

The *Guardian* told the story of Del Africa and his fellow Move 9 member Janine Phillips Africa in a series of articles on black radicals who have been incarcerated for decades as a result of their activities in the 1960s, 70s and 80s.

Move was formed in Philadelphia as a group of black radicals committed not only to the liberation from racial oppression, in tune with the Black Panther party of the time, but also to environmentalist and back-to-nature ideals. They lived, as they still do today, as a family, taking “Africa” as their shared last name.

Over two years, from prison, Del Africa related his story to the *Guardian* in emails and a three-hour interview. He recounted how he became engaged in the black struggle when a girlfriend introduced him to the Black Panther Party in Chicago in the late 1960s.

Later, he moved to Philadelphia and drifted into Move. He was inside the Move house in Powelton Village in the summer of 1978 when it came under police siege.

The city, under a notoriously brutal mayor, Frank Rizzo, wanted to evict the group on the grounds that they were a nuisance and an affront to public decency.

When the shootout broke out, police went in with guns and water cannon. Del Africa provided one of the astonishing images of the black liberation struggle when he emerged from the house with his arms outstretched, as if on the cross, while a police officer jabbed a rifle in his neck.

Video footage shows two officers throwing him to the ground and kicking him on the head, which bounces between them like a ball.

Africa described the event: “A cop hit me with his helmet. Smashed my eye. Another cop swung his shotgun and broke my jaw. I went down, and after that I don’t remember anything till I came to and a dude was dragging me by my hair and cops started kicking me in the head.”

For six years of his incarceration, Delbert Africa was put in an infamous solitary confinement wing known by prisoners as the “dungeon”. His isolation was imposed because he refused to have his dreadlocks cut – part of the Move philosophy.

He recalled in *Guardian* interviews how he survived in solitary confinement by developing a black history quiz with other prisoners, which they would play by tapping out messages. Other prisoners joined the game, which asked questions like: when was the Brown v Board of Education ruling in the US supreme court? What year was the Black Panther party founded? Who was Dred Scott? For what is John Brown remembered?

In 1985, when Del Africa had been in prison for almost seven years, tragedy struck again. He learned that Philadelphia police had conducted a second siege on the Move communal home, which was now located in Osage Avenue.

On this occasion, the police dropped an incendiary bomb from a helicopter. The bomb ignited a fire that spread through the overwhelmingly African American neighborhood.

City leaders allowed the fire to rage. Sixty-one houses were razed and 11 people in the Move house were killed, including five children. One of the survivors, Ramona Africa, was badly burned. She was duly put on trial and sentenced to seven years in prison.

One of the children who died was Delisha, Del Africa’s 13-year-old daughter. He told the *Guardian* how he responded to the news that she had been killed in an inferno: “I just cried. I wanted to strike out. I wanted to wreak as much havoc as I could until they put me down. That anger, it brought such a feeling of helplessness. Like, dang! What to do now? Dark times.”

With the 35th anniversary of the bombing approaching in May, Del Africa is free. At the end of the *Guardian*'s interview with him, he described how he had managed to endure four decades behind bars.

"I keep staying on the move. Stagnation is the worst thing. I'm on the move, and I hope you are too," he said.

"We've suffered the worst that this system can throw at us – decades of imprisonment, loss of loved ones. So we know we are strong. For all of that, we are still here and I look on that with pride."

23 Jan - Josh Harper & Andy Stepanian on the New Documentary 'The Animal People' and Lessons from the SHAC 7

In the latest episode of the It's Going Down podcast, they speak with both Josh Harper and Andy Stepanian, who both served several years in prison for being involved in the group, Stop Huntington Animal Cruelty (SHAC), which organized against Huntington Life Sciences, a lab which is paid by corporations to test products on animals.

MORE:

As CrimethInc. wrote:

Unrivaled by any campaign of comparable scale and effectiveness, SHAC took off quickly in the US. Thanks in part to superior funding,³ the propaganda was colorful and exciting, as were promotional videos that juxtaposed heart-wrenching clips of animal cruelty with inspiring demonstration footage to a pulse-racing soundtrack of techno music. The campaign offered participants a wide range of options, including civil disobedience, office disruptions, property destruction, call-ins, pranks, tabling, and home demonstrations. In contrast to the heyday of anti-globalization summit-hopping, targets were available all around the country, limited only by activists' imaginations and research. The intermediate goals of forcing specific investors and business partners to disconnect from HLS were often easily accomplished, providing immediate gratification to participants.

SHAC, which served as the public face for the movement which operated in both the UK and the United States, waged an unrelenting campaign which sought to change the way in which activists targeted corporations. In the SHAC model, activists went after the shareholders and supply companies, organizing a variety of pressure campaigns and conducting demonstrations at the homes of executives. These tactics has a major impact on the company.

In response to the campaign, the government pushed back. Targeted under the Animal Enterprise Terrorism Act (AETA), 7 SHAC organizers were eventually given several years in prison for their roles in running the SHAC website and speaking on behalf of the movement against HLS; essentially being targeted as a form of collective punishment which was intended to send a message to the wider movement.

Again, from CrimethInc.:

On May 26, 2004, Lauren Gazzola, Jake Conroy, Josh Harper, Kevin Kjonaas, Andrew Stepanian, and Darius Fullmer were indicted on various federal charges for their alleged roles in the campaign. Teams of FBI agents in riot gear invaded their homes at dawn, threatening them and their pets with guns and handcuffing their relatives. The investigation leading up to the arrest was reportedly the FBI's largest investigation of 2003; court documents confirm that wiretap intercepts in the investigation outnumbered the intercepted communications of that year's second largest investigation 5 to 1.

The defendants were all charged with violating the Animal Enterprise Protection Act, a controversial law intended to punish anyone who disrupts a corporation that profits from animal exploitation; some were also charged with interstate stalking and other offenses. The defendants were never charged with engaging personally in any threatening acts; the government based its case on the notion that they should be held responsible for all the illegal

actions taken to further the SHAC campaign, regardless of their involvement. They were found guilty on March 2, 2006, sentenced to prison terms ranging from one to six years, and ordered to pay tremendous quantities of money to HLS.

The SHAC 7 trial was clearly intended to set a precedent for targeting public organizers of campaigns that include covert action; its repercussions were felt as far away as England. In 2005, the British government passed the "Serious Organized Crime and Police Act" specifically to protect animal research organizations. On May 1, 2007, after a series of raids involving 700 police officers in England, Holland, and Belgium, 32 people linked to SHAC were arrested, including Heather Nicholson and Greg and Natasha Avery, among the founders of SHAC in Britain. In January 2009, seven of them were sentenced to prison terms between four and eleven years.

With the release of the new documentary film, *The Animal People*, we caught up with both Josh and Andy to talk about the SHAC 7 case, why the SHAC campaign was so successful and created a new working model for anti-capitalist organizers, and the lessons for social movements.:

ia601503.us.archive.org/33/items/SHACigd/SHACigd.mp3

23 Jan - "If Words" a poem by Eric King

We are always excited to be able to share new poetry from Eric King. Enjoy!

MORE:

If words are as dangerous as bullets
and sharp as knives
Can we start filling the pages?
grinding our pencils to stubs
Turning ink into guillotines
prose the ropes onto their wrist
and rhyme these prison walls to paste
cause nothing else seems to be working
heads aren't rolling, the streets are on holiday
maybe enough words can spark
a million fires in our hearts
which would create a million fires in the banks
a million convicts in the streets
Not giving a fuck about a voters box
Giving a fuck about having a life
our words can break these chains?
then gather our dictionaries
there aren't enough thesaurus' in the world
I need to fight more, I need to write more
My tongue has been shackled
I haven't resisted, I haven't insisted
More words, more battles, more victories
more poems, more struggle, more bumps
We'd be fighting w/our minds
dismantling the system that strangle us
Then turning those words into life
A life more important than burning & bombing
Enough magic, love, growth & life
We can grow into a space worth existing in
Our words can get us free

1 Feb - NYC Anarchist Assembly for People of Color

WHAT: Assembly

WHEN: 7:00pm, Saturday, February 1st

WHERE: The Base – 1302 Myrtle Avenue Brooklyn, New York 11221

NOTE: The Base is on the ground floor, is wheelchair accessible, and has a gender neutral toilet.

COST: FREE

MORE:

The growth of anti-police organizing, anti-imperialist and anti-colonial struggles, and the movement against prison slavery has been central to revolutionary organizing and activity. These struggles primarily affect black and brown people in the United States. In light of this reality, we are calling for an assembly exclusively for people of color. Please come to what will be our first of many of these assemblies.

These will be some points of discussion, but other points and topics are welcome and encouraged:

- What steps do we take to put forth a form of politics that makes opposition to the United States central to anarchist politics?
- How do we start building an alternative to electoral politics?
- What are some next possible steps for FTP anti-pig activities in NYC?

7 Feb - Metropolitan Anarchist Coordinating Council (MACC) General Assembly

WHAT: General Assembly

WHEN: 6:30-9:00pm, Friday, February 7th

WHERE: Verso Books–20 Jay Street, Brooklyn

COST: FREE

MORE:

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

Agenda will be announced after the organizing assembly.

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