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Updates for November 3rd

15 Oct - A Son's Fight for His Father's Freedom

Russell 'Maroon' Shoatz and Russell Shoatz III share how they built an unshakable relationship in spite of incarceration and separation.

MORE:

by Russell Maroon Shoatz (*LEVEL*)

Russell “Maroon” Shoatz is an activist, writer, founding member of the Black Unity Council, former member of the Black Panther Party, and soldier in the Black Liberation Army. Incarcerated since 1972 and now 77 years old, Maroon is serving multiple life sentences in Pennsylvania as a U.S.-held political prisoner of war. After escaping prison twice, in 1977 and 1980, he earned the name Maroon from fellow incarcerated men, a nod to Africans who fled chattel slavery and created autonomous communities throughout the Americas. His son, Russell Shoatz III, is a longtime activist, educator, and live event producer. For the past three decades, he’s worked tirelessly for his father’s freedom and that of all U.S.-held political prisoners.

Below, Maroon and Russell discuss their life together while being kept apart, the traumas they’ve suffered at the hands of the carceral state, and how, in spite of all of this, they still have an unbreakable relationship as educators, as freedom fighters, and as father and son.

This conversation has been edited and condensed for clarity.

Russell “Maroon” Shoatz: From as far back as I can remember, my son has intrigued me with his analysis on a multitude of different subjects. I guess it should come as no surprise since the Shoatz family is steeped in a long tradition of education and profound thinkers.

Russell Shoatz III: Some of my earliest memories are of attending Samuel B. Huey Elementary School on 52nd and Pine in West Philadelphia. My mother worked at the school.

Maroon: My mother, Gladys Shoatz, was a trailblazer in supporting her community and her neighbors’ families in Philadelphia. She made sure that the educational systems worked for her community and that the people knew exactly what they were supposed to receive from the school board.

My now-deceased sister Ida Shoatz also became an educational icon in Philadelphia and abroad. In Peru, she helped organize school lunch programs for over a dozen villages in the Andes. When she returned home, Ida channeled her experiences back into her own community, challenging the educational system to properly serve poor and disenfranchised communities in ways few, if any, African American women had before. My other sister, Dr. Suzette Hakeem, also became a lifelong education advocate and supported countless students of all ages.

So over 40 years ago, when my son, Russell, began to ask me about a myriad of topics — my criminal case and why I was incarcerated, my spiritual beliefs, my cultural beliefs, what books I was reading, my relationships with women — I immediately knew we would be engaged in a lifetime educational journey.

Russell: From my formative years until I was a preteen, my mother was extremely diligent in shielding me from any harm or danger and specifically making sure that any of the political actions that my father was involved in from the turbulent ’60s didn’t affect my growth, development, and abilities to prosper in general.

In elementary school, though, I first began to recognize that I was a little different than most children around me. My good friend Reginald Barnes, whose father was a police officer and a pastor, would occasionally invite me over to do homework. Mr. Barnes told me that every time I came over to study with Reggie, he would bring us pizza. I was more than obliged to take him up on this offer.

Shortly after, my father escaped from prison for the first time. It was a surreal experience, especially in the context of Philadelphia in the '70s, widely experienced by Black and disenfranchised communities as a police state. Frank Rizzo was the police chief, and police terror reigned.

That day started off as usual, but just as first period was beginning, we were all alerted by the sound of a three-toned xylophone over the public announcement system. Usually, the xylophone would be followed by a fire drill or some other school-specific message. This time, however, it was considerably different as the principal began delivering what can only be described as a student's dream: He stated that there would be an early dismissal that day! The entire school, myself included, erupted in joy at his proclamation.

But that joy would soon turn into bewilderment. As my classmates and I exited the building, we discovered our school was surrounded by Rizzo's police force, armed to the teeth. A teacher walked me across the street to my home. But it wasn't the home that I had known. My home was filled with intruders. The intruders were police officers — police officers who I immediately saw as a threat. I witnessed my mother intensely arguing with them. I watched those intruders set about destroying everything in the house, from furniture to framed family photos. They claimed that they were looking for my father.

From that day on, school at Samuel B. Huey would never be the same. Nonstop, classmates would ask me how my father got on TV. Regularly, some of my childhood friends would bring up that my father was on the front page of the newspaper. What stays with me the most, though, is classmates casually saying, "Tell your father to escape again so that we can have another early dismissal." I was only 10 years old.

I was 10, trying to navigate anger and sorrow over my father's absence. I was 10, trying to make sense of the little information I'd overheard from family members about my father taking up arms to defend our community against police violence. I was 10, dealing with flashbacks of law enforcement forcing their way into my home, claiming to be looking for my father.

Yet, to some of my peers, all that mattered about him was the possibility of getting another day off from school.

Maroon: Like most people, Russell wanted to know the in-depth specifics of how I ended up with a sentence of life without parole and all of the gritty details surrounding my involvement with the Black Unity Council and, later, the Black Liberation Army. I explained to him, as I've been explaining to people until now, that those details, if exposed, could incriminate me and others.

He recognized early on that phone calls and letters would limit him in the information for which he was mining. This led to relentless visitations and many hours of travel. I was always considered an escape risk, so I remained in solitary confinement for nearly 30 years — 22 of them consecutive. At Dallas, Pennsylvania, they forced my family to unsafely travel through the entire prison in order to visit me in my dark, dank basement cell, as if I were Hannibal Lecter.

At one point, my son even traveled to Fort Leavenworth, Kansas, where I was illegally transported following the Camp Hill prison uprising of 1989, in which incarcerated people in Pennsylvania rose up against overcrowding and inhumane conditions.

After days of skullduggery, mental jousting, intense questioning, and eating all of the vending machine food, including my favorites, coffee and cake, Russell sat quietly in that Kansas prison, staring downward. Then he raised his head to ask a question that took me by total surprise: He said that based on the bulge in my pants, it seemed that he was not endowed with the same size penis as me. I chuckled and explained to him that the bulge came from repeated beatings, where my attackers would all kick me in the groin until I was completely disfigured. Still thirsting for more, he would ingeniously pry information from me and intensely debate me.

Russell: Historically, these conversations with my father have been like mentally battling one of the greatest mixed martial arts fighters of all time. Gracie Jiu-Jitsu has nothing on the mental warfare I've endured and the ingenious ways by which the crafty old veteran has forced me to tap out!

Maroon: I was never bothered by his mental attacks, as this was common amongst the younger men in prison who, after failed physical attacks, would resort to the intellectual bumrush. I welcomed these opportunities and created African-centered solitary confinement study courses. As the hardened young men would be sent to the hole, my comrades and I would immediately engage them about why they were in prison and stress how important it was that they educate themselves before leaving. It was literally a mental boot camp in which I shared my personal library of books that family and supporters would send me. The young students were engaged, encouraged, and tested on what they had read until we felt they had properly retained the information. Similar to the ongoing mental battles I endured with my son, these young men became some of my greatest teachers.

A recent debate I had with Russell focused on Marvel's movie Black Panther and the character Killmonger. I proposed that someone had done some intense research of our movements in the '60s, including the Black Panther Party and Black Liberation Army, and had synthesized our rage and anger into this uncoincidentally Oakland-reared character.

Russell: I had to agree that, due to the Hollywood budget and cultural context of the Marvel movie, there seemed to have been some significant research of movements and strategies by our most recent freedom fighters. But I've challenged some of my father's analysis of the film, in particular his overarching critique of Killmonger.

Maroon: I believe he is an example of how militants can be blinded by thoughts of physical and military conquest as retribution. This blind rage is a gateway to a host of schisms, from misogyny to power-hoarding to an overall loss of focus on what Che Guevara famously stated as the reason why we fight: "a love for the people."

Russell: Most people that I've engaged with, be they activists, academics, or everyday folks in my world, love Killmonger for his desire to fight the oppressor and channel his anger, even if some in the village didn't understand his tactics. Personally, I'm a fan as well, though I do have my share of questions surrounding the portrayal of some not-so-glamorous details about his past, namely his father's dirty dealings with a mercenary and the sweeping trauma that defines his childhood as a result of his father's brutal death.

Hollywood continues to give credence to the stereotype of Black men not being present in crucial ways and not being able to overcome particular challenges. It's not lost on me that I'm calling this convention to task as a Black man whose own father was locked up or on the run since I was three years old. But lurking beneath all of the great fight scenes and the machismo and bravado that Killmonger embodies is his dysfunctional childhood, which feeds his blind rage.

This narrative of the traumatized Black male child whose only outlet is self-destruction, which in most cases leaks out onto his very own community, is well-worn and cliché. Think about how this storytelling technique shows up consistently throughout Hollywood depictions of Black communities. I'm not knocking Black Panther as a whole. There's plenty to admire in its script, enactment, and production. But while I support the broadening representation of Black folks in Hollywood and our ability to shape our own narratives and tell our own stories, the critic in me can't help but point out these striking contradictions. What good is increased access to large-scale cultural production if we're reproducing outdated tropes anchored in pathologizing Blackness? I suppose, then, my critique of how Killmonger's childhood is represented in the film ultimately overlaps with some of my father's concerns about the character as an adult.

Some years ago, my father encouraged my sisters and me to take on African names. He urged us all to do it as a reclamation of cultural heritage erased by our upbringing and socialization in the U.S. I picked "Jela," which in Swahili means "father was troubled around the time of my birth." Killmonger's past also involved his father facing trial and tribulation rooted in a commitment to liberating Black people when he was young.

Unlike the Hollywood caricatures, though, I've spent 40 years learning from my father's struggles. We don't see eye-to-eye on all topics related to our people's fight for liberation. But when it comes to character, courage, commitment, and critical thinking, I must admit that those disgruntled teachers, authority figures, and police officers from my youth were spot on: I have proudly ended up being just like my father — and my father deserves to be free.

It is 2020. My father was born in 1943. He's 77 years old. He is a grandfather. He is an elder suffering from stage 4 colorectal cancer. He is a threat to no one. He is a prisoner of a war waged against Black people by the U.S. government. The only threat that he serves is to anyone who believes that Black people are unworthy of defending themselves against state-sanctioned acts of terror. He is a human being who has been dehumanized, confined in a cage, alone, and tortured. My father deserves to be free. All political prisoners deserve to be free.

Free. Them. All.

16 Oct - Kings Bay Plowshares 7 Update

Updates, including the sentencing of Father Steven Kelly and Patrick O'Neill, are below.

MORE:

October 16th - Priest at peace with sentence for Georgia anti-nuke protest

by Joshua Sharpe (*The Atlanta Journal-Constitution*)

Before his sentencing Thursday, Father Steve Kelly, a Jesuit priest and prolific anti-nuclear weapons activist who has been arrested numerous times, told the court he would refuse to pay any restitution or follow any probation rules. Instead, he asked the judge to give him extra prison time.

Kelly was one of seven Catholic activists from around the U.S. who broke into Naval Submarine Base Kings Bay, near Cumberland Island in coastal South Georgia, in April 2018. They hung banners, defaced signs and spread human blood to call for worldwide disarmament by "symbolically disarming" the facility. The activists believed nuclear warheads were stored at the facility. The government has declined to confirm or deny it.

Kelly, 71, who has spent more than a decade in jails and prisons for protests around the United States, was sentenced to 33 months in federal prison for conspiracy, destruction of federal property, destruction of naval property and trespassing. U.S. District Court Judge Lisa Godbey Wood gave him credit for the time served since his arrest hours after the break-in, meaning he has only a few more months behind bars.

"I am a political prisoner," the priest said in a statement to the court.

The judge also gave Kelly three years of supervised release, which as always he said he intends to ignore. Once he is released from custody in this case, he will be sent to federal authorities in Tacoma, Washington, to face a warrant taken out because he ignored supervised release there.

"My participation in any aspect of supervised release is to comply with and accommodate the U.S.' compelling interest of the nuclear weapons agenda," the priest said in his statement to the court. "Compelling interest is a euphemism for thousands of Hiroshimas and Nagasakis."

Like his co-defendants, Kelly is part of the Plowshares movement to end all possession of nuclear weapons. The name comes from the Bible in Isaiah 2:4, where nations are urged to "beat their swords into plowshares" and stop war. (A plowshare is the blade of a plow.) The movement started in 1980 and has taken on new life in recent years, particularly after brinkmanship between the U.S. and North Korea.

U.S. Secretary of Defense Mark T. Esper and other national leaders take the position that the weapons are needed to protect America from adversarial nations that have or could obtain their own warheads. The government considers protests like the one by the Kings Bay activists troublesome because of the property damage and a potentially dangerous disruption.

The Kings Bay Plowshares 7, as the group refers to themselves, refused to take a plea deal for the 2018 break-in. Their movement generally calls for three steps to a protest: symbolic disarming, testifying at trial, and going to jail. Their attorneys argued against the charges, saying the Religious Freedom Restoration Act of 1993 protected their protest because they were motivated by their faith. All seven defendants were convicted last year.

The Kings Bay Plowshares 7 have spent their lives protesting for various causes and working in Catholic houses of hospitality. While Kelly remained in jail, the others were eventually released on bond.

Sentencing hearings for the other defendants are scheduled in the coming weeks, except for Elizabeth McAlister, 83, a former nun who was sentenced previously to 17 months in prison but had already served that much time in jail. She was given three years of supervised release.

Bill Quigley, an attorney who represents some of the other Kings Bay Plowshares members, said Kelly refuses to cooperate with even the requirements of prison.

"They end up putting him in solitary confinement for most of the time," Quigley said. "He's OK with that. He prays, he reads, he meditates."

October 17th - Another Kings Bay sub base vandal sentenced to federal prison

by News4Jax Staff (*News4Jax*)

A North Carolina man convicted of the April 2018 illegal entry and vandalism of Submarine Base Kings Bay has been sentenced to federal prison.

Patrick O'Neill, 63, of Garner, N.C., was sentenced by U.S. District Court Judge Lisa Godbey Wood to 14 months in federal prison and ordered to pay \$33,503.51 in restitution, said Bobby L. Christine, U.S. Attorney for the Southern District of Georgia.

O'Neill, along with six other defendants, was found guilty after a four-day jury trial in October 2019 on charges of conspiracy, destruction of property on a naval installation, depredation of government property, and trespass. He was ordered to serve three years of supervised release after completion of his prison sentence.

There is no parole in the federal system.

"Patrick O'Neill willingly broke into and vandalized a restricted military installation, and brazenly filmed himself and others doing so," Christine said. "None of this group's actions is defensible as peaceful protest, and in fact represents wanton destruction of government property and callous disregard for their safety and the safety of all the personnel at Kings Bay."

As admitted by the defendants during the trial, including O'Neill's body-worn camera video recording of the activities shown to jurors, the seven entered an outer security fence at the naval installation in St. Marys, Georgia, after cutting a padlock from a gate during the late hours of April 4, 2018. Once through the security fence, the trespassers split into two groups and then damaged and vandalized property inside the facility before being taken into custody by naval security personnel.

O'Neill, a freelance journalist, has a long history of arrests including those related to trespassing and damaging government property.

Stephen Michael Kelly, 71, of Massachusetts, previously was sentenced to 33 months in prison in the case, and Elizabeth McAlister, 80, of New London, Conn., was sentenced to the 17 months, nine days of time already served in the case. The remaining defendants -- Mark Peter Colville, 59, of New Haven, Conn.; Clare Therese Grady, 62, of Ithaca, N.Y.; Martha Hennessy, 65, of Perkinsville, Vt.; and Carmen Trotta, 57, of New York, N.Y. -- are scheduled for sentencing in November.

October 29th - Four Defendants To Seek More Delay For Sentencing, Welcome the Anti-Nuclear Treaty

Amidst national spikes of more than 81,000 COVID-19 cases and 1,016 US deaths on Oct. 28th, the remaining four Kings Bay Plowshares 7 defendants have decided to request further postponement of their sentencing scheduled for November 12 and 13 in Brunswick, GA. Nationwide there has been a 41 percent increase in COVID-19 cases in the last two weeks. The governors of New York State and Connecticut have recommended that people not travel out of state at this time and have imposed a 14-day quarantine upon return for those who do.

The four defendants, Carmen Trotta, Martha Hennessy, Mark Colville, and Clare Grady want to appear in person in open court to be sentenced with supporters and public present. It is not known if Judge Wood will grant this continuance. We should know better in a week.

Fr. Steve Kelly, S.J. and Patrick O'Neill were sentenced two weeks ago in a socially distanced courtroom. Steve was given a sentence of 33 months, three years of supervised release and restitution of \$33,501 jointly with the other six defendants. He has fulfilled that time with his confinement in county jails since the action but has a probation violation from a prior trespassing arrest at the West coast Trident base. He is awaiting transport to the court there.

Patrick O'Neill was sentenced to 14 months, less than expected under the guidelines, and the same additional conditions. He is planning to report to federal prison on January 14. In his sentencing statement he referred to international law and the imminent United Nations treaty outlawing nuclear weapons.

"In fact, our government has violated many vital laws regarding nuclear weapons, the Non-Nuclear Proliferation Treaty clearly, among many others. But there is also good news. The Treaty on the Prohibition of Nuclear Weapons any day now WILL be International Law. As of this week, 47 nations have ratified the treaty. Only three more nations are needed for global ratification that will mean there is NO doubt that we will have this new International Law on the books in the very near future.

"That's why you, Judge Wood, in perhaps the only time you expressed your personal opinion during the trial, said Trident is probably not unlawful. The United States' refusal to recognize international law does not make international law irrelevant."

Steve Kelly also referenced the treaty in his statement prepared for the Oct. 11 Festival of Hope. "Felice and Jack (Cohen-Joppa of the Nuclear Resister) provided me with a statement by doctors who are part of the International Physicians for the Prevention of Nuclear War (IPPNW), awarded the Nobel Peace Prize in 1985, and co-founders of ICAN, the International Campaign to Abolish Nuclear Weapons. They assert that as the virus health crisis is depleting resources and exhausting medical staff first responders, just one nuclear exchange, say between Pakistan and India, in a time of food and economic insecurity, not only would kill millions in the first moment, but the eventual spread of dust and ash would darken the skies and plunge the world into a nuclear ice age."

A week after that sentencing, a historic milestone was reached. On Oct. 24 the Treaty on the Prohibition of Nuclear Weapons was ratified by the 50th nation necessary for this international law to enter into force. This law now takes effect on Jan. 22, 2021, a little more than 75 years after the US dropped atomic bombs on the cities of Hiroshima and Nagasaki.

According to the Nobel Prize-winning International Campaign to Abolish Nuclear Weapons, the group spearheading the global effort since 2017:

"This is just the beginning. Once the treaty is in force, all states parties will need to implement all of their positive obligations under the treaty and abide by its prohibitions. States that haven't joined the treaty will feel its power too – we can expect companies to stop producing nuclear weapons and financial institutions to stop investing in nuclear weapon producing companies.

How do we know? Because we have nearly 600 partner organizations in over 100 countries committed to advancing this treaty and the norm against nuclear weapons. People, companies, universities and governments everywhere will know this weapon has been prohibited and that now is the moment for them to stand on the right side of history."

"Setsuko Thurlow, survivor of the atomic bombing of Hiroshima, said 'I have committed my life to the abolition of nuclear weapons. I have nothing but gratitude for all who have worked for the success of our treaty.' As a long-time and iconic ICAN activist who has spent decades sharing the story of the horrors she faced to raise awareness on the humanitarian consequences of nuclear weapons this moment held particular significance: 'This is the first time in international law that we have been so recognized. We share this recognition with other hibakusha across the world, those who have suffered radioactive harm from nuclear testing, from uranium mining, from secret experimentation.' Survivors of atomic use and testing all over the world have joined Setsuko in celebrating this milestone."

20 Oct - Passing Elder Parole bill would be a step toward justice

During this year of unprecedented suffering and loss, it has been made starkly clear that our criminal justice system needs to change.

MORE:

by Barbara Smith (*Times-Union*)

More and more people recognize that humane and restorative justice practices achieve much more positive outcomes than the current punitive system that only compounds harm. In light of a national reckoning about criminal justice, it is past time for Gov. Andrew Cuomo to grant clemency to long-serving elders in New York's prisons who do not pose any threat to community safety and who are at serious risk for contracting COVID-19.

One of those elders is my longtime friend, David Gilbert.

I first met David Gilbert in the early 1990s, when he was incarcerated in Great Meadow prison in Comstock and I was publisher of Kitchen Table: Women of Color press in Albany, about an hour and a half away. We were introduced by a mutual friend and we started a correspondence. A couple of years after meeting via letters, I visited David for the first time and have visited him every year since the mid-1990s.

What I remember most about our first meeting was David's gentle and unassuming manner. The thoughtfulness, intellectual curiosity, and humor I had observed in his letters were even more apparent in person.

At that time he was a frequent book reviewer, and he wrote about several books published by my press. His reviews of books about women, race, and history were thoughtful essays that made insightful contributions to the subjects he covered.

As a Black woman and a feminist who has been committed to nonviolence throughout my life, I have experienced the many ways in which David is thoroughly committed to nonviolence and peacemaking, which his exemplary disciplinary record reflects. As an author and activist centering issues of white supremacy, patriarchy, and heterosexism, I am moved by his lifelong commitment to racial and gender justice.

It is now nearly 30 years since we met, and David, one of the kindest and gentlest souls I know, is still incarcerated in a New York state maximum-security prison. At age 76, after 39 years of incarceration, he poses no threat to the community and quite the opposite would increase the community's measure of kindness, generosity and wisdom.

It is time for New York to move past the paradigm of retribution and endless punishment and take a second look at the harsh sentencing laws passed in the early years of the mass incarceration era and still in effect today. David, who is white, is serving a life sentence for his participation with a Black radical group in the 1981 Brinks robbery, which turned tragically fatal with the deaths of a Brinks armored car guard and two Nyack police officers. Although he was unarmed and did not shoot anyone, under New York's felony murder law he was convicted of murder for his role as a getaway driver and sentenced to 75 years to life, a virtual life without parole sentence.

Three other participants in the Brinks robbery have been released over the years. Marilyn Buck was released for medical reasons a month before she died of cancer. Two others, Judith Alice Clark and Kathy Boudin, were paroled. David's only paths to freedom would be gubernatorial clemency or the passage of the Elder Parole bill, currently before the state Legislature, which would allow long-serving elders to be

evaluated for release at a parole hearing. These two measures are urgently needed in David's and other elders' cases, not only to prevent more COVID deaths but also to mitigate the harm, primarily to communities of color, done by an overly long, harsh, and retributive sentencing structure.

I urge the Legislature to pass the Elder Parole bill, and I join hundreds of other supporters, including four Nobel Peace laureates and the renowned author Michelle Alexander, in calling on Cuomo to grant clemency to David Gilbert.

21 Oct - From NYC to the World: A Call for a People's State of Emergency

Call for community mobilizations in the face of the upcoming 2020 election.

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This is an emergency. It's an emergency many of us have been living for a long time: from here in New York City, capital of global capitalism and onetime epicenter of COVID-19, to every corner of occupied Turtle Island.

But it is also an opening. Millions of people have woken up to this reality since the onset of the recession and the eruption of the George Floyd rebellion, and millions more will join us in the coming months no matter what goes down on Election Day.

Starting November 4 and continuing every Wednesday following until January 20, we will come together to claim a regular space and time for coordination among popular forces, and for sustained non-cooperation with the regime.

Think direct action: road blockades, sit-ins, shutdowns, mass disruptions. Think social strike: student walkouts, worker wildcats, rent and transit and debt strikes.

This call is in solidarity with Black Lives Matter, People's Strike, the migrant labor movement, and indigenous peoples everywhere.

It is not affiliated with any political party, but open to all anti-racists, anti-sexists, and anti-capitalists who know another world is possible and are prepared to fight for it wherever we live, work, and struggle.

For updates from across the continent, text HELLO to 205.576.7193 on the Signal app.

And contact nystateofemergency@riseup.net with any questions!

DON'T JUST VOTE — REVOLT!

- Mark your calendars, reach out to your people, come up with a plan of action for weekly days of rage.
- Build or strengthen relationships with other oppressed people that will endure beyond January 20.
- Consider calling a council and taking up this call together in the town or city where you are based.
- Spread the word to your neighbors, your coworkers, your classmates and comrades and friends.
- Don't stop at social media. Try some old-fashioned wheatpaste or packing tape and hit the streets.
- Share photos, stories, and updates with your networks. Use the #AllOut #FallOfTheRegime and #StateOfEmergency hashtags. Or come up with one of your own!
- Protect yourself and others: respect people's need for anonymity and their right to autonomy, obscure any identifying information, and always ask for consent.

- Assess the needs, capabilities, and vulnerabilities of the people in your crew before taking action.
- Arrange for jail, legal, and medical support, and have each other's backs in the face of repression.
- Everyone is essential here – from the streets to the scanners, direct action to mutual aid and aftercare.

22 Oct - Fundraiser to Free Political Prisoner Sundiata Acoli

The New Jersey Appellate Court denied Sundiata's release on parole in a decision dated Dec. 27, 2019. He gets a mandatory appeal to the New Jersey Supreme Court.

MORE:

Sundiata's attorney must get transcripts and will have other expenses, including printing, and of course his legal fees, as he prepares the next phase of this case. A minimum amount of \$20,000 is the fundraising goal. His attorney needs funds now. He has done a great job so far on behalf of Sundiata, and no doubt will continue to do so.

Fundraising needs to continue, as there always are expenses in connection with all these legal proceedings. For example there is an appeal to denial of parole, which likely will be the case. Bruce has been sent \$20,000. Our goal is \$30,000. We are still short of that amount. We still need about \$5,000.

Please give generously to ensure that lack of funds does not contribute to any delay in pursuing freedom for Sundiata, who is 83 years old and has been in prison for 47 years.

Sundiata deeply appreciates the support, and commitment to getting him released. Much thanks in advance, on his behalf.

Make checks or money orders payable to Sundiata Acoli Freedom Campaign (or SAFC). Mail them to: Florence Morgan, 147-25 Northern Blvd. #5Q, Flushing, New York 11354.

Or, if paying via Pay Pal, use this email: SAFC766@gmail.com.

24 Oct - New AIM Book and Leonard Peltier Update

Please check out this new book by Sheron Leonard, about AIM and four dear dear comrades: simonandschuster.com/books/I-Will/Sheron-Wyant-Leonard/9781951627768

MORE:

Also I want to let you know, that while Leonard is doing ok, his elder unit has been put on quarantine for 14 days starting last Wed the 21st. It seems that a food worker tested positive who lives in his unit. The kitchen workers live in the same unit as Leonard because it is closest to the kitchen and mess hall making it easier for the elderly prisoners to get there.

If you haven't had the chance you should check out New Observation Magazine 135. This edition is centered on Pine Ridge Prisoner of war camp which includes over 35 of Leonard's paintings including many of his early works: newobservations.org

I also want to thank all of you that have supported the committee and Leonard with donations through Facebook, Amazon Smile and the Network for Good. It is most appreciated by me and Leonard as it helps keep the committee running and Leonard's with commissary funds!

25 Oct - You Cannot Decarcerate by Using the Tools of Incarceration

Below is a recent interview with Mumia Abu-Jamal, followed by an article written by him.

MORE:

by Maresi Starzmann (*Truthout*)

The somber baritone of Mumia Abu-Jamal is unmistakable. Before we can exchange greetings, one of several automated announcements interrupts the call, reminding us that our conversation will be subject to recording and monitoring. Abu-Jamal is phoning from State Correctional Institution Mahanoy, a medium-security prison in Pennsylvania. Convicted in 1982 for the alleged killing of white Philadelphia Police Officer Daniel Faulkner in a racially charged trial that, according to Amnesty International, failed to meet international standards, Abu-Jamal's death sentence was commuted to life imprisonment in 2011. In April 2019, a new path for Abu-Jamal to appeal his life sentence was opened by reform-leaning Philadelphia District Attorney Larry Krasner, who withdrew his initial opposition for a new appeal to go forward in the courts. Yet, 64-year-old Abu-Jamal remains skeptical when it comes to criminal legal reform in the United States. Despite calls to defund the police and a string of electoral victories for more progressive prosecutors like Krasner, the current administration is actively rolling back reforms. Most notably, Donald Trump has lifted the 17-year moratorium on federal executions and reinstated Department of Justice contracts with private prisons. For Abu-Jamal, with whom I spoke about abolition, the history of slavery and racialized state violence in the United States, this fraught political moment requires an entirely different mindset that allows us to think about decarceration in new ways.

Maresi Starzmann: Donald Trump claims to have instituted prison reforms, because he introduced the First Step Act, a bipartisan federal sentencing and reform bill, and granted clemency to several select, high-profile or celebrity prisoners. What do you make of this?

Mumia Abu-Jamal: Trump is a wolf. He does not understand the meaning, much less the function of the word "empathy." One cannot seek to help the people who are caged in this carceral state without empathy. Trump really has no substantive prison reform programs at all. But he takes a thimble and makes a bucket out of it. I've heard him in debates talking about prison reform, but that's not really what he supports. It is a political tool meant to pry people away from other candidates in support of his reelection. While it is true that some people have gotten out on the First Step program, Trump has also supported the reinstitution of some of the most repressive institutions in the carceral state — private prisons. This takes us far back to post-Civil War traditions in American life when the state sublet its function to private corporate entities and Black people were forced into slavery by another name.

Can you explain this term, "slavery by another name"?

I refer to the post-Civil War era of the 1870s and the period after Reconstruction that resulted in the eruption of what can only be called a fascist state — openly at first in the Southern half of the United States, then suddenly and quietly in the rest of the country. Against Black life, Black freedom, Black liberty and ostensibly Reconstruction. The people, who were formerly enslaved, were now submitted to Black Codes — laws that only applied to Black people. It was a form of legalized bondage of African Americans under the power of the state. This continued throughout the beginning of the 20th century, which was itself marked by pogroms and race riots in major American cities against Blacks. At the time, white workers were mobilized, both north and south, because Black people were considered threats to their jobs. It was absurd and it was patently unconstitutional.

Can we still see remnants of this today?

Many Americans think that the 13th, 14th and 15th Amendments were introduced to grant freedom and equal rights to Black people. In fact, however, they did nothing of that kind. We are living in a period where

Black people are attacked by forces and agents of the state, like the police, with very little control or comeback. This is the kind of unspoken, unwritten impunity that targets Black people in the North, in the South, in the East, in the West, in their homes, in their cars, on the streets, at the job, anywhere.... Black people speak openly about driving while Black, walking while Black and breathing while Black.

Could you talk more about the historical roots of this system, in particular with regards to American policing, and what this means for the present political moment?

American policing really differs from the police systems that emerged in European states. There is no co-referent to these systems, they are distinct. Most people lazily believe that American policing emerged as an offspring of Scotland Yard in London. Nothing could be further from the truth. The American police system emerged from the slave system and from a perpetual war against the freedom, movement and liberation of Black people from the land of their oppressors. It was designed to terrorize, humiliate and often destroy Black people as a message to other Black people, who dared to run away from slavery. Forces known as the Ku Klux Klan, the Knights of the White Camelia, and similar organizations performed a super-policing of Black people through terrorism. This was fascism in every sense. Fascism is not [only] an Italian or even a German thing; in many ways, it's an American thing. And we saw what that means when we looked at that video of George Floyd dying, begging for his life and calling for his mother. The cop kneeling on his neck could not be more nonchalant, more comfortable, more arrogant, because he is doing his job.

And yet, we also see reform movements in the criminal legal system, like the election of progressive prosecutors, many of whom are Black women who ran on platforms to reduce racial disparities in prosecution. Isn't that a positive development?

Reform movements are playing around the edges of the problem. It is interesting that people think progressive prosecutors could mend this broken system, because, in the end, they are still prosecutors. Their job is to put people in prison. And why are we not talking about changing judges or legislators, who are also engines in this system? Or the media? The media play a remarkable role in driving mass incarceration in America. When people work their way out of the system after 20, 25, 30 or 35 years, it is the media making money by selling stories about the prisoners' redemption. When you look at the scope of the problem — the fact that millions of people are incarcerated and that the prison system has become a generational employer for the white rural working class — then you see the kind of economic and political impediment to the abolition of this system. We will never heal the social wound of mass incarceration by changing the prosecutors.

Can you elaborate?

Reforms allow us to ignore the structural element that has created mass incarceration. You cannot decarcerate by using the tools of incarceration, because they have a specific function. Decarceration calls for a completely different mindset. I prefer the term adopted by Dr. Angela Y. Davis: abolition. We must move for what we want, not for what we think the system can produce, because the system is the problem, not the solution to the problem.

Given your own experiences with the system, do you at all believe that deep, systemic change is possible?

I obviously think all things are possible. The question is, is it probable? That's an open political question, because freedom has always been contested in the land that claims to be the land of the free. This is also the land of the incarcerated. There is a reason we speak of "prison nation," because the numbers in the millions

are an American phenomenon. And mass incarceration is a direct response to freedom movements in the United States. Change is contested. But where there is struggle, there is progress. That's the lesson of Frederick Douglass, and we do well to listen to the original abolitionists to get a sense of what is necessary for this moment. It is relentless, continuous struggle wherever it's possible — and sometimes even in places where one may think it to be impossible.

October 26th - From One Struggle to Another: Lessons From the First Abolition Movement

by Mumia Abu-Jamal (*LEVEL*)

When people came together in the 19th century to oppose the expanding slave system, they were considered an aberration — but the course they charted continues to this day.

When one thinks of the term abolition, there is a tendency to see it as a threat emerging from the left. Another perspective understands, however, that abolition is a natural response to a situation that has become untenable.

What condition lay before the nation in its founding days? Slavery: human bondage, which sat like an incubus upon the new nation's foundation, and transformed its stated aims and ideals into lies. After some reflection, perhaps, we will see that the notion of abolition has deep historical roots. Consider summer, 1776, when delegates from the Continental Congress gathered in a sweltering room in Philadelphia. These men, some of the country's intellectual elite, were scientists, writers, doctors, and thinkers, yet their claims of the new nation's ideals were thick with contradiction. They wrote and adopted a document that said, among other things, the following:

We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness. That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed, that whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or abolish it.

These words emerge from the Declaration of Independence, adopted July 4, 1776, and celebrated throughout the U.S. annually on Independence Day today.

When people came together in the 19th century to oppose the expanding slave system, they were called abolitionists. Among both the rulers and the press, such people were regarded as oddballs at best, and nuts at worst. Despite present popular opinion, slavery was the air that people breathed. The nation was so deeply and openly negrophobic and racist, that the idea of a multiracial group opposed to slavery was considered aberrant.

Furthermore, the document, signed by such luminaries as Ben Franklin, Thomas Jefferson, Dr. Benjamin Rush, and John Adams, included platitudes like “all men are created equal,” while dark men, property-less white men, and all women were neither able to vote nor be voted for posts of political power. Indigenous people were seen as part of a distant wilderness and not part of the nation that was being contemplated.

In October 1859, white abolitionist leader John Brown, joined by 21 men, raided the U.S. Armory at Harpers Ferry, Virginia, in an attempt to arm African captives in neighboring plantations so they could strike out for freedom. Such an attempt had to face fierce logistical challenges, given the communications needed to gain the ear and trust of a largely illiterate and deeply repressed enslaved community, constantly subjected to white armed militia surveillance.

Abraham Lincoln, one of the most admired presidents in history, would describe the raid and the raiders as little better than lunatics and regicides, less than a year after the attack failed. In February, 1860, Lincoln

spoke before a crowd at New York's Cooper Institute (now known as Cooper Union) to distance himself and his party (Republicans) from the Harpers Ferry raid. Lincoln told his audience that Brown wasn't a Republican, and that Republicans had nothing to do with the raid. Indeed, Lincoln assured his northern audience that neither he nor his party supported abolition. And, truth be told, this is far from a remarkable perspective, for the fact of chattel slavery was one deeply normalized in American experience and history.

Indeed, abolition was the exception, not the rule.

What this means, of course, is that abolitionists were truly remarkable people who saw beyond the present into a time not yet born. Spurred often by religious convictions, abolitionists supported attacks against the slave system, which they saw as an unnecessary evil.

In 1858, a year before the Harpers Ferry raid, Lincoln opined that slavery would last for at least 100 more years — or at least until 1958 or the 1960s. It is important to note that Lincoln's prognostication was meant to appease the slavocracy. It was not an assessment of the counterrevolutionary dynamic that would detonate after the war.

Despite this observation, what that means to us writing from the 21st century is that people we now regard as successful African American leaders and entrepreneurs like Oprah Winfrey, Rev. Dr. Martin Luther King, Jr., Thurgood Marshall, Rev. Jesse Jackson, Duke Ellington, Lena Horne, Muhammad Ali, Dr. Maya Angelou, Debbie Allen, Toni Morrison, Malcolm X, Bessie Smith, Maxine Waters, Alex Haley, Lerone Bennett, Hank Aaron, and, yes, even Supreme Court Justice Clarence Thomas, would have been born into captivity, if Lincoln's opinion prevailed.

Abolitionists brought forth another vision, and hence, another future. Harpers Ferry, Virginia, was a step in the fateful march to war that, after earth-shaking sacrifice, led to the abolition of slavery. Thus, abolition was not a skip in the park. It is a deep, committed movement of social transformation that seeks to bring down institutions that needlessly inflict pain upon the People.

Abolitionists like Frederick Douglass, Harriet Tubman, and John Brown forged a new America, one unimaginable to earlier generations. They saw farther than their contemporaries, and even warned them of problems threatening from the periphery.

In May 1865, a month after the Confederacy surrendered to Union forces, Douglass delivered a potent warning for his fellow abolitionists about the counterrevolutionary threats that emerged from the ruins of the Civil War:

Slavery has been fruitful in giving itself names. It has been called 'the peculiar institution,' 'the social system,' and the 'impediment'... It has been called by a great many names, and it will call itself by yet another name; and you and I and all of us had better wait and see what new form this old monster will assume, in what new skin this old snake will come forth next.

Douglass's warning, about the mutability of that old racist snake, was not heeded. The achievements of Reconstruction were drowned in a sea of terror and blood.

In the Reconstruction Amendments set forth in the 13th, 14th, and 15th Amendments to the Constitution, which were designed to protect the rights of Black citizens.

The Reconstruction Era marked the brief period of Black postwar freedom until the U.S. Supreme Court overturned the 1875 Civil Rights Act. In that era, white supremacists waged a terror war against Black people, and maintained it for the better part of a century, until the emergence and rise of the Civil Rights

Movement of the 1950s and 1960s. The lessons of the noble anti-slavery Abolition Movement are before us. The lessons to struggle and struggle, from generation to generation, until the People are finally free, and that “old snake” has no more masks behind which to hide.

The 13th amendment ensured the continuation of slavery by another name — in the guise of the carceral state. Today, prisons are the third largest employer in the nation according to sociologist Loïc Wacquant — and Black people are, once again, its currency.

Although we have drawn from the text of the Declaration of Independence to cite “the Right of the People... to abolish” unjust systems that threaten the Life, Liberty, and Pursuit of Happiness of the People, that right doesn’t arise from the document. It comes from the hearts, minds, and urgings of the People — the living People who today breathe the air that sustains us all. Is that not the same energy that calls us to support today’s abolition movement, that works to tear down the system that deprives millions of people — entombed in prison cells and solitary confinement and in this prison house of nations — of their Life, Liberty, and the Pursuit of Happiness?

We need not historicize questions, nor cast them into the hoary days of the past. They live within us, in our hopes, our dreams, our visions of a world free of such repressive systems that are but the shadows of slavery. Abolition Now!

26 Oct - USP Canaan now using Smart Communications

It looks like USP Canaan is now using Smart Communications like the Pennsylvania Department of Corrections. This is a step toward privatized mail handling for federal prisoners and is, objectively, bad for folks on the inside.

MORE:

That means mail for someone in a federal prison needs to be sent to Florida so this vampiric company can scan and email back to the prison in Pennsylvania. This will likely spread in the Bureau of Prisons.

bop.gov/locations/institutions/caa

27 Oct - America's protest crackdown: five months after George Floyd, hundreds face trials and prison

Some protesters face stacked charges and threats of deportation; others have been charged with police assault with no reports of injuries.

MORE:

by Sam Levin and Maanvi Singh (*The Guardian*)

Lee Percy Christian III didn’t think Arizona law enforcement could stop him from protesting – until they locked him up indefinitely.

Earlier this month, Christian, 27, was arrested for “unlawful assembly” after a Black Lives Matter protest in Phoenix and jailed without bond because of outstanding charges from previous demonstrations. Prosecutors later suggested bond be set at \$100,000. Christian’s lawyers and a judge agreed he could be released on a lower bond – if he didn’t participate in future public protests.

Christian was mortified, but agreed to sign away his right to protests so he could leave jail – he had spent nine days locked up. “I’m guilty until proven innocent,” he said recently on the phone. “We’re in a police state, and the last thing the police want is for me to be out there using my voice.”

Since the killing of George Floyd in Minneapolis in May, millions of Americans have marched in cities big and small to protest racial violence and police brutality. The demonstrations have been overwhelmingly nonviolent, yet in many jurisdictions law enforcement has responded with force. Tens of thousands of demonstrators, activists and BLM supporters have been arrested.

More than five months since the start of the unrest, hundreds of these protesters have been slapped with serious charges by federal and local prosecutors, according to researchers and a review of court data. Some protesters have faced stacked charges and threats of life sentences. Others have been charged with “assaulting” police officers where there’s no evidence of violence and no reports of injuries. Some arrested protesters have been transferred to immigration authorities.

The crackdown comes as Donald Trump, eager to put Democrats on the defense, has ramped up warnings about Black Lives Matter, anti-fascists and the “far left” in the lead up to the election. He has called BLM a “symbol of hate” and claimed without evidence that “Antifa” will “attack your homes”.

A crackdown from the ‘top levels of government’

Research has shown that the vast majority of BLM-related demonstrations this year have not involved damage to property, harm to people or ties to extremist groups. In fact, physical force at protests has typically come from militarized police units, and the FBI continues to regard white supremacists and far-right groups as the most lethal domestic terror threat.

Still, federal prosecutors have doubled down on cases involving leftist protesters. From the end of May through October, federal prosecutors have filed more than 300 cases related to protests, according to The Prosecution Project (TPP), a research group that tracks political violence. Of those 300, roughly 30% are in Oregon (where nightly protests have received national attention), 9% in New York, 7% in Pennsylvania and 6% in Minnesota. Most are felonies.

There are cases in at least 25 other states. The most common allegations include arson, illegal firearm possession, rioting and interfering with officers. Some involved incidents where property was damaged or destroyed during unrest in Portland, Minneapolis, Philadelphia and other cities.

The vast majority involve defendants tied to leftist actions such as BLM or anti-fascism, though a small handful have far-right affiliations, according to Michael Loadenthal, director of the project and a Georgetown University professor.

Loadenthal noted several other patterns. Prosecutors have classified at least 80 cases as involving “interstate” crimes, a move that increases the potential sentence. But the justifications for this enhancement were sometimes flimsy.

A protester in Jacksonville, Florida accused of using a Patron bottle as a weapon was charged with a crime affecting “interstate or foreign commerce”, because Patron liquor is made in Mexico. A protester accused of vandalizing a police car in Utah had charges classified as “interstate” because the car was manufactured in Canada and used on interstate highways.

It was also unusual to see the federal government devote such extensive resources to investigating these cases, Loadenthal said, with nearly a dozen different agencies working together, in some cases arresting people at their homes after the protests. The DoJ has further pursued misdemeanors, and publicized these cases, which is also atypical at the federal level, he added.

Michael German, a former FBI agent and fellow with the Brennan Center for Justice, said federal prosecutors have targeted leftist protesters more intensely than far-right activists. “Clearly, there is an effort that is directed from the top levels of the justice department to target protesters more aggressively if they are Black Lives Matter, anti-fascist, anti-racist,” he said.

A DoJ spokesperson declined to comment, but noted that a recent agency memo encouraging US attorneys to pursue specific charges related to “violent riots”.

Secret indictments and indefinite jail time

The Prosecution Project also tracked more than 500 felony cases connected to protests filed by state and local prosecutors, Loadenthal said. There are likely many more.

Although some district attorneys have declined to prosecute protest cases brought to them by municipal police departments, other local prosecutors’ offices have repeatedly partnered with police to bring charges.

One such district is Arizona’s Maricopa county, which includes Phoenix and its surrounding cities, where activists say county attorney Allister Adel’s aggressive response to local BLM activists has felt like an attempt to silence them.

The local protests have been fierce, fueled by anger at the Phoenix police department over the deaths of several civilians and a string of abuse and excessive force scandals. Bruce Franks Jr, a former Missouri state representative and prominent Ferguson activist who now lives in Phoenix, was arrested at a small demonstration honoring Michael Brown on 9 August, and booked into jail on 13 counts, including assaulting officers.

Franks, 36, said officers abruptly grabbed him as he tried to de-escalate tensions that had erupted when a line of officers approached with heavy riot gear and shields. In police files reviewed by the *Guardian*, officers wrote that a supervisor had advised them to take Franks into custody, noting that he was an organizer. Police shouted at Franks to stop resisting, even though one officer noted he heard Franks respond “OK” as he was arrested.

A judge dismissed a majority of Franks’ charges, but the Maricopa county attorney’s office convened a grand jury to indict him, a process that allows for a closed-door proceeding. He now faces police assault charges even though officers’ reports make no mention of him causing specific injuries. Franks, who has since filed a claim against the city, noted he has never faced felonies like this in his six years of protesting.

Arizona law gives wide latitude to allege assault on officers even when no injuries have occurred, criminal defense lawyers said. “All you gotta do is sneeze wrong, and it’s ‘assault’,” said Franks.

“We have so many laws on our books that if prosecutors want to get a charge, they’ll get a charge,” said Kate Levine, a professor at Cardozo Law and expert on district attorneys. Prosecutors face minimal oversight, and many of their calculations are political, she added: “They base their decisions on what is going to get them elected. And police have tremendous power over DA elections.”

Lee Percy Christian III said he started protesting in Phoenix this summer because he was sick of watching videos of police killing Black men. He didn’t think police could legally find a way to stop his demonstrations, until this month when prosecutors fought to detain him indefinitely.

Prosecutors later suggested a \$100,000 bond and, in an initial hearing, Christian's lawyers said they would advise him to avoid protests because they feared police would continue to target him and file false charges. The judge agreed to lower the bond to \$1,000 – if Christian agreed to “no public protests” as a formal release condition. The judge acknowledged it was not a “normal” order, adding, “I’m not trying to put a full silence on you in any way. Really, I don’t want to see more charges.”

Christian said it was hard to accept losing certain first amendment protections, but he was anxious to leave jail: “It hurts. I don’t want to give up my rights. This is intimidation.”

Now, he’s trying to figure out how to stay engaged while avoiding street protests: “I don’t want to risk my life. My goal is not to end up in prison because of this movement. My goal is to see change – and I can do that better if I’m not on the inside.”

Adel is up for election next month in a county that voted for Trump. Her spokeswoman declined to comment on specific cases, but noted that the courts and Christian’s attorneys ultimately decided his release conditions. She said there were assault cases “where officers received injuries”, but did not provide specifics. Prosecutors pursue charges and indictments when there is a “reasonable likelihood of conviction”, she added.

Máxima Guerrero, a well-known migrant rights activist in Phoenix, was arrested at the end of May when she, along with more than 100 BLM supporters and people in the vicinity, was taken into custody. She was transferred to US Immigration and Customs Enforcement (Ice) custody, because she is a Deferred Action for Childhood Arrivals program (Daca) recipient. Suddenly, she was threatened with deportation to Mexico.

“I was angered and frustrated and confused,” said Guerrero, 30, about arriving to an Ice jail. She feared contracting Covid-19 in detention and then pondered what it would mean to be removed from the US and separated from her family: “I thought, what happens to my car? What happens to my house? What happens to my whole life?”

She was released after intense backlash from the community, but forced to wear an ankle monitor as her Ice case moved forward. Her protest charges have since been dropped, which means she is no longer threatened with deportation, and her ankle monitor was removed. But uncertainty and fear has lingered: “I go through phases where I don’t want to talk about it all. There’s a continuous toll.”

Phoenix police declined to comment on specific protesters’ cases, but said the people arrested “were involved in criminal activity”.

Lives derailed as cases drag on: ‘how do I survive this?’

In California, 20-year-old activist Tianna Arata’s life was turned upside down after she helped organize a demonstration in San Luis Obispo, on the central coast, on 21 July.

The college student mobilized after the local sheriff said he had “never seen any indication that systemic racism exists in this county”. Her group marched onto a highway and there were no conflicts with police, she said.

Once the protest was over, however, officers surrounded Arata and took her to jail, she said, accusing her of multiple felonies including “false imprisonment” and conspiracy. The local prosecutor is pursuing 13 misdemeanors against her.

"I was so shaken. Every single protest I've ever had any part in, I loudly advocate for nonviolence," she said. "But they are depicting me as this horrible, evil criminal and trying to ensure jail time."

After media outlets covered the charges against her, she faced an avalanche of racist hate, she said. Her address was leaked online and people even showed up to her home shouting slurs, she said. She has moved away from the region altogether: "I was just focused on how do I survive this?"

Police declined to comment, and the district attorney did not respond to inquiries.

The crackdown has had a chilling effect on others in San Luis Obispo who are now scared to protest, Arata said. The only silver lining, she noted, is that she now has a larger platform to speak out.

"It's made me realize my work is so far from done," she added.

27 Oct - Amidst GOP Outrage, Advocates Say There's Nothing Controversial About Restoring the Vote to Parolees

The Monroe County GOP and local right-wing commentators were busy fanning the flames of racist outrage in Rochester last week.

MORE:

by Darien Lamen (*Reclaiming the Narrative*)

The allegations read like a greatest hits of Republican fear-mongering tactics--alleged voter fraud, racial integration of the suburbs, a system gone soft on crime amidst a wave of "anti-police" sentiment--all as residents geared up for early voting.

During a press conference last Thursday, local Republican Party Chair Bill Napier claimed that a former Black militant who recently moved to suburban Rochester broke the law by submitting a voter registration form shortly after he was released from prison on October 7th.

"It raises the question, who else is in the database who isn't entitled to vote?" Napier said.

Local media ran with the story and the GOP's framing. WHAM went with the sensationalizing headline: "GOP calls for investigation after convicted cop killer registers to vote."

There's nothing new about local Republican Party operatives using racism and controversy to rile up their shrinking base during election season. Or about mainstream media using clickbait headlines to drive digital traffic.

But for the man at the center of the GOP-generated controversy, the stakes could not be higher.

Parole granted

Jalil Abdul Muntaqim was released from state prison in early October, just two weeks shy of his 69th birthday. He had been incarcerated for nearly 50 years.

Muntaqim entered the U.S. carceral system at the age of 19. At the time, Muntaqim was active in the Black Liberation Army, the organization of which Assata Shakur is perhaps the most celebrated former member.

Muntaqim was convicted alongside two co-defendants in the 1971 killing of two NYC police officers--one white, one Black. Muntaqim was sentenced to 25 years to life.

During the half century he spent in the prison system, Muntaqim earned two college degrees, vocational certificates, and commendations from prison officials for helping to calm prison uprisings, according to a 2019 New Yorker article.

When Muntaqim first came up for parole in 2002, law enforcement organizations led by the NYPD's police union began waging campaigns against his release. Those campaigns have relied heavily on statements from the family of Joseph Piagentini, the white police officer killed during the 1971 incident. Less frequently mentioned by the media is the fact that Waverly Jones Jr., the son of the Black police officer killed in the incident, has openly and actively supported Muntaqim's parole, citing the racial and political context of the 1960s and 70s.

Advocates say there were likely many factors involved in the NYS Parole Board's decision to grant Muntaqim parole this year. Among them are not only his achievements, but also growing public pressure led by activists and intellectuals including Angela Davis, Michelle Alexander, and Cornel West, as well as the ongoing statewide push to release aging people from prison (especially in the face of the COVID-19 pandemic).

But if Muntaqim's supporters had hoped the Rochester area might provide a safe and supportive environment for him to quietly continue his life, it seems as though the local GOP is eager to keep up the public campaign against him. They have called for Republican District Attorney Sandra Doorley to investigate, prosecute, and send Muntaqim back to prison for allegedly registering to vote. The DA says she's looking into it.

Incarceration as voter suppression

If Muntaqim were living in a different state, he might have been well within his rights to register to vote. In fact, people in Maine, Vermont, and Washington D.C. are eligible to vote from prison, even with felony convictions.

Under New York State law, however, people convicted of a felony are disenfranchised. They regain that right when they complete their maximum sentence, or when they are discharged from parole.

People who are jailed on misdemeanors or while awaiting trial in New York State do not lose the right to vote. But in practice, they have had to fight to exercise it. In 1972, for example, 72 people held in the Monroe County Jail filed suit against the Sheriff for refusing to provide them absentee ballots and failing to provide mobile polling or transportation to the polls. The U.S. Supreme Court ruled in their favor, calling the denial of absentee ballots "tantamount to deprivation of the franchise itself."

Civil rights and prison reform advocates note that the disenfranchisement of currently and formerly incarcerated people disproportionately impacts people of color.

In New York State, for example, about 15% of residents are Black, compared with roughly 43% of people in jail and 48% of people in prison. According to data compiled by the Vera Institute of Justice, New York State had the 4th highest incarceration rate in the country in 2018, with over 47,000 people in the New York prison system.

When scaled up to a national level, advocates say the system of U.S. mass incarceration amounts to massive voter suppression.

Rights and reintegration

Advocates say restoring the right to vote is an important part of a restorative approach to reintegration.

"Being able to vote not only gives you a voice in the policies and the laws that are being passed, but as a returning citizen back to your community, it gives you a stake in your own community," says Victor Pate, a long-time organizer and prison reform advocate, who is formerly incarcerated himself.

Pate currently works in New York City as statewide organizer for the New York Campaign for Alternatives to Isolated Confinement. But this is hardly his first campaign.

In 2017, Pate participated in the statewide push to restore voting rights to people on parole. The following year, Governor Cuomo issued an executive order making it possible for them to vote with a conditional pardon from the governor.

"The right to vote is fundamental and it is unconscionable to deny that basic right of citizenship to New Yorkers who have paid their debt to society," Cuomo said at the time. "Restoring a voice to men and women reentering their communities will strengthen our democracy, as well as the reentry process, which in-turn will help reduce recidivism."

According to a NYS Department of Corrections database, Governor Cuomo has not restored Muntaqim's voting rights.

Muntaqim was released two days before the October 9th deadline to register, leaving little chance of the state bureaucracy processing a pardon in time for him to participate in this year's election in any case.

It's uncertain whether the governor would have rushed to issue a conditional pardon in the highly-politicized matter, although notably, Cuomo has restored the voting rights of Herman Bell, the only other surviving co-defendant in the case. Bell was released on parole in 2018.

"Change this miserable system"

If Muntaqim had been cleared to vote in this year's general election, it would probably be the 69-year-old's first time casting a ballot. Muntaqim was arrested in August of 1971 when he was only 19. The 26th Amendment to the U.S. Constitution, which lowered New York State's voting age from 21 to 18, was ratified that same summer on July 1, 1971.

Muntaqim has been understandably quiet in the face of the recent GOP-generated controversy surrounding his voting rights.

In the first public statement on the matter since last Thursday's GOP press conference, Muntaqim's lawyer Nora Carroll told the Democrat and Chronicle this week that the calls to prosecute her client for voter fraud "are politically-motivated and baseless."

"Jalil did nothing wrong," Carroll said. "The facts will show that there was no voter fraud or even an attempt to commit voter fraud."

When asked what he thinks is at the root of the controversy, Victor Pate says, "I believe that they don't want people who have seen the worst of our system to be a part of changing the system. Because we know from being directly impacted what type of policies--especially as you talk about prisons and jails and criminal justice--should be passed to make it more transformative, more restorative, and more equitable," Pate says.

"They don't want to hear from us because we could change this miserable system. It's as simple as that."

28 Oct - "The brutality doesn't stop with the arrest"

We are always happy to be able to share the poetry of Eric King. Below are two of his latest.

MORE:

#1

Police Brutality is state brutality,
it's the media calling a protest "violent"
after pigs fired weapons and toxins,
into crowds of people exercising their "rights".

If the knee hadn't strangled George,
the "justice" system would have.
He would have been arrested
for trying to exchange non sanctioned paper
placed into federal custody.
He would have waited months
before being sent to federal prison
stripped of his "rights", dignity, family contactfor YEARS.

Police brutality is more than guns and sprays,
it is scanning every single piece of Mail you receive.
Its preventing you from speaking to your mom, post-surgery.
It's convincing you that YOU'RE the reason
for how THEY TREAT YOU.
It's the longing for your partner's touch,
while knowing,
your captives make six figures
to hold you in a fucking box

#2

Police brutality is state normalcy.
It's knowing that protests are popping off
not 5 minutes away
and the only thing stopping you from joining them
is 5 janky doors

It's the sadness,
thinking that those in the streets,
overlooked the fact that we in here,

suffering the existence of police brutality
mentally, physically, existentially
EVERY SECOND OF EVERY DAY

It's the indoctrination,
being taught
that we deserve this,
and there is no way out
except through their rules
and the goodness of their hearts.

That the days of Bill Dunne, Assata are over,
picket signs don't bend steel.

Police normality,
is convincing us
that those arrested
deserve their treatment.

Those five doors may as well be 500

29 Oct - Warchest Fund Report for October 2020

In our consistent effort to remain transparent, the ABCF provides a bi-monthly Warchest Fund Report so that our supporters can monitor the activities of the Warchest program. The Warchest Fund Report for October 2020 can be found at abcf.net/wp-content/uploads/2020/10/WFR-Oct-2020.pdf

MORE:

During the months of September and October, the ABCF Warchest has disbursed \$1,520 in Warchest Funds and \$3592.59 in Emergency Funds. All this would not be possible if it weren't for the continuing support from the larger political prisoner support community. And because of that support, and due to the recent release of Jalil Muntaqim, the ABCF will soon be adding two more comrades to the ABCF Warchest (David Gilbert and Joshua Stafford). The ABCF will also be increasing the monthly stipend from \$40 to \$50 per month.

Once again, your support is critical to ensure that our comrades are not forgotten. So thank you for your continued support.

30 Oct - Federal Agents Arrest Outspoken Philadelphia Activist Amid Rising Repression of the Black Lives Matter Movement

Report on the recent arrest of West Philadelphia community organizer Anthony Smith amid growing repression of the Black Lives Matter movement.

MORE:

Early Wednesday morning, federal agents raided the West Philadelphia home of Anthony Smith, an outspoken community activist and a leader in the movement for Black lives in Philadelphia. Smith, 29, was arrested and is being held on multiple Federal charges several hours away from his home at the Allenwood Jail as he and his community struggle to pull together his legal defense. Smith's arrest comes after nights of community uprising in West Philadelphia after the police killing of Walter Wallace Jr. There have yet to be

any charges brought against the officers involved in the shooting and as of yet the community has not even been told the names of the officers.

“After two nights of mass arrests and police brutality against community members calling for justice for Walter Wallace, seeing Federal charges brought against a movement leader like Anthony is sickening,” said longtime friend James Miles. “All this makes you wonder, ‘Is the Federal government arresting and charging movement leaders to try to scare the rest of us?’”

Anthony Smith has been the victim of police brutality on multiple occasions throughout his life. His first encounter with police violence was being stopped and frisked by Philadelphia Police officers at the age of 10. Over the years, as he became more outspoken about the injustices Black people face at the hands of police, he has become an explicit target at protests. Earlier this summer, Smith was arrested while peacefully protesting in West Philadelphia in the wake of the police killing of George Floyd. He was held without charges and threatened with violence from the police before being released hours later and forced to walk 3 hours home in the middle of the night.

“We’re tired of Black Philadelphians being targeted and held on trumped up charges for having the audacity to stand up for their community,” said Philly for REAL Justice steering committee member Kamau Mshale. “Whether it’s Mumia 40 years ago, or Anthony Smith last night, Black people are being thrown in prison for speaking truth to power.”

Smith is a beloved social studies teacher at YouthBuild Charter School, where he is known for the genuine connections he builds with his students inside and outside of the classroom. In his free time, he is an organizer and volunteer with multiple organizations throughout Philadelphia. He is a fixture at 60th and Market each Friday, where he serves free food to the community with Food not Bombs Solidarity. In addition to being a valuable asset to his workplace and a standout organizer, Smith is a beloved community member with a passion for making sure that everyone around him is protected at all times.

“Anthony is one of the most selfless people I know,” says college classmate Dr. Jasmine Peake. “Anything that he’s ever done has been in defense of his community. It really hurts to see him ripped from his family and friends in the middle of the night and thrown in jail.”

For years, Smith has organized with Philly for REAL (Racial Economic and Legal) Justice, an organization which just been recognized as being at the forefront of the movement to take #RizzoDown, has called for an end to stop and frisk policies in Philadelphia, and has supported the families of victims of police murder in calling for accountability for their loved ones. Philly for REAL Justice is also one of the convening organizations of the Black Philly Radical Collective which has released 13 demands calling for an “End to the War on Black People.” Smith’s arrest comes on the heels of mass arrests across Philadelphia over the last few nights and in the wake of federal charges being brought against Black Lives Matter movement leaders across the country.

We demand that these baseless, politically-motivated charges be dropped,” said fellow REAL Justice steering committee member Felicia Teter. “We demand the immediate release of Anthony Smith and all others who have been arrested for their participation in the Black Lives Matter movement We will not let Anthony become yet another political prisoner at the hands of this fascist government”

Up Against the Law Legal Collective is supporting Anthony Smith and all those on the streets protesting against Walter Wallace’s murder.

If law enforcement, federal or otherwise, approach you on the street, come to your home, or contact you in any way, do not speak to them without a lawyer present. You have the right to remain silent, exercise that right.

30 Oct - Feds go after protesters with rarely used civil disorder law enacted in 1960s

The statute has been used in at least two dozen cases across the country. But legal experts worry it can be "a dangerous road to go down."

MORE:

by Erik Ortiz and Steven Vago (*NBC News*)

When announcing federal charges against four men accused of torching police cars in Philadelphia during a protest in May, U.S. Attorney William McSwain gave a stark warning: He would use the full force of the federal government against others who cause mayhem.

"If you engage in violent civil unrest and commit a federal crime in this district, we will come after you as hard as we can," McSwain, of the Eastern District of Pennsylvania, said at a news conference Thursday. "You will go to jail."

In addition to the arson offenses, federal prosecutors said a grand jury had charged the men with one count each of "obstructing law enforcement in the commission of their duties during a civil disorder."

The statute, which dates back to 1968 and was enacted during a tumultuous period of civil rights and anti-war protests, has rarely been used following the Nixon administration, legal scholars say. But this year, in the aftermath of nationwide unrest set off by the killing of George Floyd, a Black man in Minneapolis who died after being pinned by a police officer's knee, federal prosecutors have leveled the civil discourse-related charge in at least two dozen cases across the country, a review by *NBC News* has found.

While Philadelphia is now the latest city where the charge has come up, U.S. attorneys have included them in cases in Houston; in Boston; in Chicago; in Delaware; in South Carolina; in Mobile, Alabama; in Rochester, New York; in Erie, Pennsylvania; and in Portland, Oregon, where there has been no fewer than seven cases of protest-related civil disorder charges.

"It was almost never used until this current administration," said Stephen Kanter, an attorney and dean emeritus at Lewis & Clark Law School in Portland.

"It's not normal to have this amount of aggressive, federal law enforcement in situations where the state and local jurisdictions are functioning well and can handle these cases," Kanter said, "and so in some cities, prosecution is being done against the will of even the local prosecutor."

This past summer, the newly elected district attorney in Portland, Mike Schmidt, said he would not presumptively prosecute people who have been arrested since late May for minor offenses, including interfering with the police, disorderly conduct and trespassing at protests, unless under extraordinary circumstances.

The city became a flash point for daily violence and unrest when residents and local leaders accused federal officers — dispatched under the Trump administration — of acting beyond the scope of protecting federal property while using "police state-like tactics."

Scores of people were arrested on various federal charges by agents guarding the federal courthouse, and the alleged crimes have ranged from arson to setting off explosives.

While it is routine for the federal government to seek prosecution of someone who damages federal property or assaults a federal officer, taking on cases with clear, underlying state or local crimes suggests the feds are overstepping and choosing to apply laws that might incur a heavier penalty, Kanter said.

The civil disorder charge is a felony offense that carries up to five years in prison. What makes it of federal interest is when the protest in some way obstructs, delays or adversely affects commerce between states, like when demonstrators shut down highways and effectively stop trucks from delivering goods.

The civil disorder charges in Philadelphia involve two separate cases. In one case, three men — identified as Khalif Miller, 25, and Anthony Smith, 29, both of Philadelphia, and Carlos Matchett, 30, of Atlantic City, New Jersey — are accused of starting a fire in a Philadelphia police patrol car with a road flare and putting combustible materials in the vehicle, prosecutors said.

The other case involves a man — Ayoub Tabri, 24, of Arlington, Virginia — who on that same day is accused of using a road flare to set a Pennsylvania State Police vehicle on fire.

A six-page indictment against Miller, Smith and Matchett does not detail who specifically set the patrol car on fire or provide evidence that the men knew one another or were part of a larger network.

Supporters of Smith, a Black activist and social studies teacher in West Philadelphia, believe he was specifically targeted by federal prosecutors. He is also a member of the grassroots Philadelphia Coalition for Racial Economic and Legal Justice.

"The charges are ridiculous," said coalition spokesperson Deandra Jefferson, adding that Smith has yet to see his lawyer or obtain a bail hearing.

Another supporter, Jackson Kusiak, of the Human Rights Coalition of Pennsylvania, said the charges are politically motivated by the U.S. attorney.

"I think this is case-in-point where they're taking orders from Attorney General William Barr, they're unsealing indictments within a week of an election, and they're applying a law that hasn't been used since the Nixon administration," Kusiak said.

McSwain, the U.S. attorney in Philadelphia, denied his office charged Smith because he is a prominent activist, telling reporters on Thursday that "we do not investigate people at the U.S. Attorney's Office; we investigate alleged criminal behavior."

McSwain has previously sparred with Philadelphia's district attorney, Larry Krasner, a Democrat, accusing him of supporting anti-law enforcement rhetoric and "making excuses for criminals."

Krasner's office on Friday declined to comment about the civil disorder charge brought by McSwain against protesters, but confirmed that the cases against those individuals had not been referred to the district attorney for review.

When asked about the use of the civil disorder charge, McSwain's office said Friday that it does not comment on charging decisions but "when the facts of a case fit a particular statute, we use it."

The Justice Department did not immediately respond to a request for comment about the apparent rise in civil disorder charges against demonstrators and whether it's part of a larger directive by Barr and the

Trump administration to federal prosecutors to aggressively pursue charges for violent actions, which The Associated Press previously reported.

President Donald Trump has painted certain protesters in major cities as being affiliated with left-wing extremist groups and attempting to sow anarchy — tied to his broader effort to use "law and order" as a major message of his re-election campaign.

An AP report this month found that very few of those arrested during racial injustice protests this year were linked to anti-fascist extremist organizations, and many were young, from the suburbs and had no previous run-ins with police, according to court documents.

In Mobile, Alabama, protester Tia Pugh, 21, became the focus of a federal investigation after authorities say she used a bat to smash the window of a Mobile Police Department cruiser while an officer was in it as demonstrators took to the streets on May 31.

Initially, Mobile police arrested Pugh and charged her with inciting a riot and criminal mischief, which are both misdemeanors in Alabama. But a week later, the U.S. Attorney's Office in the Southern District of Alabama announced it was going further, charging her with civil disorder.

A trial is set for December, a spokesman for the U.S. attorney said, referring questions about the case to the criminal affidavit. The affidavit argues that although protesters were unsuccessful in getting onto Interstate 10, which provides access to downtown Mobile, "this civil disorder still affected interstate commerce."

Pugh's attorney, George Armstrong, said he's never had to deal with a civil disorder charge and believes federal prosecutors should have left the case to the local municipal court.

"I've been practicing in defense in the federal court system since 1990, and this is the first time I'm aware this has ever been charged or brought in this district," Armstrong said.

Pugh has no criminal record, he added, and on the day of the protest, two weeks after Floyd's death, "emotions and passions were still high. She was a young, African American woman reacting to that moment."

Kanter, the law professor, said people engaged in illegal activity must be held accountable. But "it's a dangerous road to go down," he added, if the government chooses to misuse the law.

"It's one thing if state and local officials are asking for the federal government to prosecute," Kanter said, "but the mere fact you did something criminal doesn't mean you somehow violated federal interests."

31 Oct - "Dope is Death" podcast features Dr. Mutulu Shakur

This four part podcast series explores how Dr. Mutulu Shakur, stepfather of the late Tupac Shakur, along with members of the Black Panther Party and the Young Lords, combined community health with radical politics to create the first acupuncture detoxification program in America.

MORE:

dopeisdeath.com

By the early 1970s, heroin was flooding the streets of New York City. Black and Puerto Rican neighborhoods like Harlem and the South Bronx were hardest hit.

Over the course of the 1970s, the Lincoln Detox People's Program became a fixture of hope in the South Bronx and detoxed thousands of people off of drugs. DOPE IS DEATH explores why this program was considered a threat to the political and social stability of the United States. And how its brightest star, celebrated community activist and healer Dr. Mutulu Shakur, ended up one of the FBI's Ten Most Wanted until he was captured and convicted of RICO conspiracy.

Today, 34 years later, Dr. Mutulu Shakur remains incarcerated. Civil rights hero or enemy of the state? DOPE IS DEATH dives deep into the history of COINTELPRO and other legal tools that law enforcement can utilize to repress political dissidents.

13 Nov - Metropolitan Anarchist Coordinating Council (MACC) General Assembly

WHAT: General Assembly

WHEN: 6:30pm, Friday, November 13th

WHERE: YOUR HOME

COST: FREE

MORE:

We will be hosting another "Virtual" General Assembly for July - lookout in your various Working Group platforms, e-mail listservs, Loomio, et cetera for details on how to join the assembly. 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. 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.

Our topic for this month will be gendered violence in movement spaces. Often these type of conversations happen in private, out of the realm of a public political space, so we're giving them a forum. Let's build a culture of care.

Please review these documents before coming:

macc.nyc/organizing

macc.nyc/safer-spaces