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Updates for February 4th

20 Jan - Indigenous activist Leonard Peltier granted clemency by President Biden

The former president did the bare minimum by granting Leonard Peltier clemency, with required home confinement. One person didn't set Leonard free--it was the work of ALL of his thousands of supporters who made this happen. Welcome back, Leonard.

MORE:

by Allison Herrera and Melissa Olson (*Minnesota Public Radio News*)

In one of his last official acts before leaving the White House, President Joe Biden released Leonard Peltier from prison. The action is an extraordinary move that ends a decades-long push by Indigenous activists, international religious leaders, human rights organizations and Hollywood insiders who argued that the 80-year-old Native American activist was wrongly convicted.

The commutation was widely opposed by law enforcement who insisted that Peltier's actions were cold-blooded, and he should remain imprisoned for the rest of his life for murdering FBI agents Jack Coler and Ronald Williams in 1975. The agents' deaths came at a time when tensions were high over a nationwide struggle between the U.S. government and activists for Native American civil and treaty rights.

"Tribal Nations, Nobel Peace laureates, former law enforcement officials (including the former U.S. Attorney whose office oversaw Mr. Peltier's prosecution and appeal), dozens of lawmakers, and human rights organizations strongly support granting Mr. Peltier clemency, citing his advanced age, illnesses, his close ties to and leadership in the Native American community, and the substantial length of time he has already spent in prison." said Biden in a statement today.

Nick Tilsen, the executive director of NDN Collective, an Indigenous led non-profit, says Peltier's release is a historic moment that comes after many years of organizing and lobbying across the globe.

"Leonard Peltier now gets to go home. Every Indian person ever, ever wanted to do, was go home and back to their people. And now he's going to have an opportunity to do that," Tilsen said.

Biden's action isn't a pardon that forgives Peltier's offense, but rather a commutation – which lessens his sentence and effectively frees him from prison. Peltier suffers from complications related to diabetes, kidney disease and near blindness, and his attorneys argued that he would not survive much longer in prison.

Peltier has been held in Florida at Coleman 1, a federal detention center in Sumter County. He admitted shooting at the agents but always maintained his innocence.

"I did not kill those agents," Peltier told former *Minnesota Public Radio* Broadcaster Gary Eichten in a 1991 interview. Peltier was working on an appeal at that time.

Gary Eichten interviews Leonard Peltier in 1991

Peltier's latest bid for parole was denied last July. He wasn't eligible for another hearing until June 2026.

Biden's move is certain to anger many in the law enforcement community. FBI Director Christopher Wray lobbied against Peltier's most recent parole request.

"Over the last 45 years, no fewer than 22 federal judges have evaluated the evidence and considered Peltier's legal arguments." Wray wrote in a letter opposing Peltier's 2024 parole request. "Each has reached the same conclusion: Peltier's claims are meritless, and his convictions and sentence must stand."

The FBI also discouraged past presidents from pardoning or granting clemency to Peltier.

"They were down, they were wounded, they were helpless and he shot them point blank," Mike Clark, president of the Society of Former Special Agents of the FBI, told The Associated Press last summer. "It is a heinous crime."

The July 2024 AP article also shared a photo from a demonstration on Dec. 15, 2000 of 500 agents marching towards the White House, protesting clemency for Peltier. An agent carried a photo of Coler and Williams.

Coler and Williams were shot on the Pine Ridge reservation in South Dakota while serving an arrest warrant for someone else.

The shooting of the two agents followed a tense two years on the Pine Ridge reservation. At the time, leaders of the American Indian Movement (AIM) demanded better treatment of Native people living on and off the reservation-including jobs, better healthcare and education. AIM was founded in 1968 in Minneapolis during a nationwide struggle for civil rights. Peltier, a citizen of the Turtle Mountain Band of Chippewa in North Dakota, joined the movement in 1972.

In February of 1973 the tension culminated at Wounded Knee when members of AIM and other Indigenous people took over the town. A stand-off between members of AIM and federal law enforcement lasted for 71 days.

After the Wounded Knee occupation ended, a wave of violence overtook Pine Ridge. According to reports, more than 20 people were killed on the reservation.

In the late morning of June 26, 1975, agents spotted and followed what was described as a red pickup truck. Peltier and a few other men were in the truck, which turned into Jumping Bull Ranch in Oglala, South Dakota, where Peltier and other AIM members were camping. A firefight ensued.

Just before noon, agents radioed for backup, saying they were under fire and needed assistance. Other agents were miles away and also under duress. Within minutes, both Coler and Williams had been shot and killed. It took hours for their bodies to be recovered. According to the FBI, "a total of five rounds had been fired from both Williams' and Coler's weapons. The agents' vehicles alone had 125 bullet holes." Williams was shot in the foot, his body and head while Coler was shot twice in the head after sustaining other bullet wounds, the FBI said.

Williams' car was later taken as well as the agent's weapons. The FBI alleges that Darrelle Butler took Williams' handgun, Peltier took Coler's, and Robert Robideau took Coler's rifle and shotgun.

Another person was also killed in the gunfight. Joseph Bedell Stuntz Sr. was 23-years-old and a tribal citizen originally from Forks and Port Angeles in Washington. According to FBI reports, Stuntz was shot by law enforcement during the altercation.

Butler, Peltier and Robideau were charged with two counts of first-degree murder and aiding and abetting. Peltier, who already had an outstanding warrant for unlawful flight to avoid prosecution, fled to Canada. He was placed on the FBI's ten most wanted list in 1975. In 1976, he was captured by the Royal Canadian Mounted Police and was extradited to the United States. His trial took place a year later in Fargo, North Dakota.

After a five-week trial, Peltier was found guilty and sentenced to two consecutive life terms in prison. Butler and Robideau were acquitted in 1976 on grounds of self-defense.

Peltier's version of the event also changed over time. In the book written by Peter Matthiessen titled, "In the Spirit of Crazy Horse" Peltier said he was working on a car nowhere near Jumping Bull when the incident occurred. In another account, he said he was awakened by the sound of gunfire. In his 1999 memoir, "Prison Writing, My Life is My Sundance," Peltier admitted to shooting at the agents but maintained he did not kill them.

Advocates have called for Peltier's release for decades

Biden's action comes after years of public pressure from Native American tribes and groups.

Earlier this month, a group of 120 former and current tribal elected leaders signed a letter asking Biden to release Peltier.

"Our standing in the world as a champion of freedom, justice and human rights cannot be maintained in a system that allows Leonard Peltier to die in prison," read the letter from tribal elected officials published on NDN Collective's website.

Activists with the American Indian Movement lobbied for Peltier's release since he was first imprisoned. AIM members, alongside the advocacy organization NDN Collective, walked from Minneapolis to DC as recently as 2022 to bring awareness to Peltier's case and his bid for clemency.

His conviction and sentence also inspired international support ranging from the human rights group Amnesty International to the United Nations Working Group on Arbitrary Detention. Others including Pope Francis, Robert Redford, and the members of the band, Rage Against the Machine, have also called for Peltier's release. That advocacy increased in recent years as Peltier's health has worsened after spending more than half of his life behind bars.

"He's of old age and in poor health and he poses little threat to society. If there was ever a case that merited compassionate release, Leonard Peltier's is it," U.S. Sen. Brian Schatz (D-Hawaii) remarked from the floor of the U.S. Senate last month. "This is exactly what that awesome power is for. To right a historic wrong. And if not that, then just to show mercy and let an old man die with his family."

Schatz was one of more than two dozen members of Congress who wrote to Biden and urged him to "rectify this grave injustice that has long troubled human rights advocates and Native Peoples." The letter was signed by several prominent Minnesota Democrats including U.S. Sen. Tina Smith and U.S. Representatives Ilhan Omar and Betty McCollum.

Several of those who have called for Peltier's release have referenced another letter written by James Reynolds. A former federal prosecutor for the District of South Dakota, Reynold's office led the first case against Peltier and a later appeal.

In 2021, Reynolds wrote to Biden to say he believed the government had not made its case against Peltier. The former prosecutor expressed a sense of remorse for having put him behind bars.

"With time and the benefit of hindsight, I have realized that the prosecution and continued incarceration of Mr. Peltier was and is unjust. We were not able to prove that Mr. Peltier personally committed any offense on the Pine Ridge Reservation," Reynold's wrote.

Calls for lessening Peltier's sentence stretch back even further.

In 1991, Gerald Heaney, the late federal judge who penned the opinion in Peltier's 1986 appeal, wrote to the late Sen. Daniel Inouye of Hawaii saying he believed then that former President George W. Bush had a basis for shortening Peltier's sentence.

"The FBI used improper tactics in securing Peltier's extradition from Canada and in otherwise investigating and trying Peltier's case," Heaney wrote.

While Heaney did not send the letter to former President George Bush himself, Heaney granted permission to Inouye to share his letter with Bush.

In 2017 an attorney for Peltier petitioned former president Obama for clemency in the final days of his term. Similar petitions were made to former presidents going back to President Jimmy Carter.

Tilsen, whose organization has purchased a home for Peltier to live in on the Turtle Mountain Indian Reservation, says this moment cannot be understated.

"I think that this moment is historic.... really, it's emotional, because this represents 50 years of organizing," said Tilsen.

January 26th - Political Prisoner Leonard Peltier Granted Clemency After Decades in Prison

via *Unicorn Riot*

Indigenous rights activist Leonard Peltier was a political prisoner for nearly half a century until he had his life sentence commuted on Jan 20, 2025, to serve the remainder of this sentence at home, effective February 18, 2025.

The 80-year-old member of the Turtle Mountain Band of Chippewa Indians, Peltier has been at the center of controversy and a cause famous among global human rights advocates. In 1975 he allegedly killed two FBI agents on the Pine Ridge Reservation and was serving two consecutive life sentences.

In a case that has drawn critical examination over claims of prosecutorial misconduct, questionable evidence, and what supporters have called a deeply flawed trial, the release was granted by a clemency order from President Joe Biden. Peltier's commuted sentence and freedom was celebrated across Indian-country, and advocated worldwide including Amnesty International, the United Nations, and numerous celebrities who have campaigned for his release.

"It's finally over – I'm going home," Peltier said in a statement released by NDN Collective. "I want to show the world I'm a good person with a good heart. I want to help the people, just like my grandmother taught me."

A Case That Divided Opinions

Peltier's sentence originated from a violent confrontation on June 26, 1975 on the Pine Ridge Indian Reservation between members of the American Indian Movement (AIM) and FBI agents Ronald Williams and Jack Coler, who were pursuing a suspect in a theft case. Both agents were left dead, and a massive manhunt ensued, which ended in Peltier's extradition from Canada and conviction in 1977. Peltier has maintained his innocence.

Supporters have continued to maintain Peltier's innocence, referring to the inconsistencies in the government's case, including withdrawn witness statements and alleged vindictive evidence kept secret. There were former law enforcement officials critical of Peltier's release saying that his actions endangered the rule of law.

Years of Advocacy

Over the decades, Peltier's case has attracted an extraordinary coalition of advocates, including former U.S. Attorney James Reynolds, who has publicly called for his release, and human rights organizations that cite Peltier as a political prisoner. In 2022, the United Nations Human Rights Council's Working Group on Arbitrary Detention called for his release, labeling his detention a violation of international law.

In the fall of 2022, supporters organized the AIM Walk to Justice, a nearly 1,100-mile march from Minneapolis, Minnesota, to Washington, D.C. The journey, inspired by a dream of Indigenous Protector Movement Director Rachel Dionne-Thunder, aimed to bring renewed attention to Peltier's case and the broader struggles of Native Americans. Participants brought with them a petition that was signed by thousands to the Department of Justice, demanding clemency for Peltier.

Dionne-Thunder wrote on social media saying her "heart is full" from hearing the clemency decision, and said "This is a moment I have prayed for, walked for, and dreamed of for years." She also said how Peltier's story is a reminder of "resilience and strength" of her people, and through enduring unimaginable hardships, "his spirit never broke."

By 2024, after President Joe Biden made the historic act of commuting the sentences of 1,499 Americans in a single day, calls to commute Peltier's sentence have been reignited at that point. Advocates emphasized his deteriorating health and the injustices surrounding his conviction, urging the administration to include Peltier in its clemency actions.

"He has served 49 years in prison, is now in poor health, and should be given an opportunity to spend the remainder of his life with his family," wrote OST President Star Comes Out in a letter addressed to President Biden on December 3, 2024.

Responses to Justice

President Biden's reasons for granting Peltier's clemency were due to his severe health concerns and advanced age among contributing factors.

The final White House press statement on the matter read: "The President is commuting the life sentence imposed on Leonard Peltier so that he serves the remainder of his sentence in home confinement. He is now 80 years old, suffers from severe health ailments, and has spent the majority of his life (nearly half a century) in prison. This commutation will enable Mr. Peltier to spend his remaining days in home confinement but will not pardon him for his underlying crimes."

Peltier's family and supporters have expressed long awaited relief for the decision. Peltier's son, Chauncey Peltier, said, "It means my dad finally gets to go home." On the reservation in Belcourt, North Dakota, the Turtle Mountain Band of Chippewa has prepared a house for Peltier.

Peltier's release underscores ongoing debates about the justice system's fairness and its treatment of Indigenous peoples. The advocacy towards his freedom seemed never-ending, now there will be ongoing celebrations.

Peltier's sister, Betty Ann Peltier, is one of the many who are celebrating. "I am going to cook him the biggest meal I can," she said. "Fry bread and foods he hasn't eaten for years."

20 Jan - Police Attack Anti-Deportation Rally

Report back on recent anti-deportation demonstration in Gary, Illinois.

MORE:

More than 75 people gathered outside the Gary/Chicago International Airport on January 18th to protest deportations regularly carried out at the airport by Immigration and Customs Enforcement. Demonstrators

said they also gathered to protest ahead of Trump's inauguration on the 20th as part of a nationwide call for "festivals of resistance."

The Gary/Chicago International Airport has been used since at least 2013 to fly deportees out of the region. GlobalX, an airline company based in Miami, FL, subcontracts with ICE to deport people every Friday from Gary/Chicago airport to Kansas City, MO before taking them out of the country. More than 19,000 people were deported out of Gary between 2013 and 2017 according to public records obtained through a Freedom of Information request by a local organizer.

Demonstrators were leaving the airport on foot Saturday morning when around two dozen Gary police officers descended on them. Officers grabbed and arrested two protestors who were in the process of complying with police instructions. A photojournalist was also seized and arrested by the officers while documenting the other arrests, in what amounts to a violent attack on the freedom of the press.

The march, held two days before Donald Trump takes power for a second time, represents the Gary community's commitment to their immigrant neighbors in the face of state violence, but builds on the diligent work of community organizers over the years. Since 2017, interfaith groups, immigrant rights activists, and rank-and-file union workers from East Chicago and elsewhere in northwest Indiana regularly held prayer circles and other peaceful protests, but had not been met with significant repression.

"This is an unprecedented escalation in police violence against immigrant solidarity protests in Northwest Indiana. This makes sense, though, in the context of rising Trumpism, as well as the pattern of violence in the Region against our Black neighbors and striking workers," said an organizer of the demonstration.

"In order to protect ICE operations separating Chicagoland families, Gary police carried out the first arrests of the second Trump administration, even before the inauguration. This is a crucial reminder that the police do not keep our communities safe, we do" said a local resident in attendance."

On Friday, Beatriz Ponce de Leon, deputy mayor for immigrant, migrant and refugee rights, publicly announced that ICE is planning to conduct street sweeps for undocumented people in the coming weeks. ICE contractors use the Gary airport to evade sanctuary regulations and widespread opposition in Chicago.

22 Jan - "People Will Die" from Trump Executive Order on Trans Prisoners

One of Trump's first executive orders says federal prisons must house trans women in men's facilities and directs the government to remove anti-rape protections for trans prisoners.

MORE:

by Adam M. Rhodes (*The Appeal*)

On the first day of his second presidential term, Donald Trump severely restricted transgender prisoners' access to safe housing and proper medical care. Trump's series of sweeping executive orders signals the start of the new administration's attacks on LGBTQ+ people.

In the president's most direct attack on imprisoned people, one order bars the federal government from funding gender-affirming care, mandates that trans women be housed in men's prisons, and instructs the federal government to remove protections for transgender people from Prison Rape Elimination Act (PREA) guidelines.

Among other provisions, the order states:

- Federal agencies will "ensure that males are not detained in women's prisons or housed in women's detention centers, including through amendment, as necessary, of Part 115.41 of title 28, Code of Federal Regulations [Prison Rape Elimination Act rules] and interpretation guidance regarding the Americans with Disabilities Act."

- The Bureau of Prisons must revise “its policies concerning medical care to be consistent with this order, and shall ensure that no Federal funds are expended for any medical procedure, treatment, or drug for the purpose of conforming an inmate’s appearance to that of the opposite sex.”
- Federal “agencies shall remove all statements, policies, regulations, forms, communications, or other internal and external messages that promote or otherwise inculcate gender ideology,” and
- “Federal funds shall not be used to promote gender ideology.”

The order sets up a major legal battle. Experts told *The Appeal* the consequences could be dire.

“This is a life-threatening executive order,” said Julie Abbate, national advocacy director at Just Detention International, an organization that works to end sexual abuse in prisons and jails. “It has immediate consequences to the actual lives and physical, sexual, and social well-being of any transgender person, including those who are locked up.”

According to a recent BOP report, trans people disproportionately face solitary confinement in federal custody. That trend continues in state facilities, where almost 90 percent of surveyed trans people said they were subject to isolation.

A February report from the Vera Institute of Justice and Black and Pink National also detailed the violence trans prisoners face in prison. Out of nearly 300 incarcerated trans people surveyed, 31 percent said violence from fellow prisoners is the principal reason they feel unsafe. Additionally, more than half reported being sexually assaulted during their current prison sentences.

“People will die,” Abbate said. “It’s unconscionable the President of the United States has issued this order. It’s just unconscionable in its cruelty.”

The National Center for Transgender Equality lists myriad ways in which prisons and jails ought to protect trans prisoners’ safety, including changing screening, housing, showering, restroom, and search practices. Trump’s executive order could bar federal prisons from taking any such steps.

The order also sets up a coming fight over PREA. While Trump’s order cannot revoke the act entirely—U.S. Congress enacted PREA in 2003—the law does not explicitly protect trans or LGBTQ+ people. Instead, the statute directs federal agencies to develop their own rules and guidelines to best reduce sexual assault inside prisons and jails. President Barack Obama’s administration added new protections for LGBTQ+ people to the U.S. Department of Justice’s PREA rulebook in 2012.

The DOJ’s current PREA guidelines include specific protections for trans people. Guards cannot conduct genital exams to prove a person’s gender. Prison staff must consider gender identity when making housing assignments and reassess trans people’s housing for safety concerns every few years. Transgender prisoners must be allowed to shower separately. The rules also protect children held in federal custody.

PREA standards are binding for federal agencies but not for state facilities. However, in order to receive federal grants, state carceral institutions must prove they comply with PREA. For those that do not, the federal government reduces their grants by 5 percent. For the 2024 fiscal year, all but six U.S. states and territories met PREA guidelines.

President Trump’s pick for U.S. Attorney General, former Florida Attorney General Pam Bondi, has not yet been confirmed. She has not publicly said how she will respond to Trump’s order. But her track record in Florida is worrisome: Bondi fought the legalization of gay marriage and defended a state law banning queer couples from adopting children.

Lambda Legal, the LGBTQ+-focused civil rights organization, said in a statement that the the orders will have “devastating” effects. The group vowed to fight in court.

“We are exploring every legal avenue to challenge these unlawful and unconstitutional actions,” the group said. “This is not only about politics and ideology—but also about real people’s lives.”

Richard Saenz, an attorney with the organization, told *The Appeal* that Trump is “continuing to use the threat and dehumanization of trans people in an unconstitutional and dangerous manner.” He added that the president’s ability to make sweeping changes has limits.

“Anyone in the federal system, be it in the prison system, the jail system, and people in immigration facilities and detention centers—anyone that’s in federal custody—still has their constitutional rights,” Saenz said.

Prior to Trump’s first day in office, experts told *The Appeal* they expected him to launch broadside attacks against trans prisoners. Until Monday, it was unclear what form that campaign would take, as Trump’s record is slightly inconsistent on this topic.

During the last Trump presidency, federal prison officials in 2018 rolled back guidelines for the treatment of trans people in federal custody. Among other things, those changes removed recommendations that trans people be housed in accordance with their gender identities. President Joe Biden’s administration restored some of those protections in 2022.

However, Trump’s DOJ reportedly paid for hormone therapy for a small number of transgender prisoners, to the tune of less than \$100,000 a year.

But Trump ratcheted up his attacks on trans people—especially trans prisoners—during his latest campaign. Among other statements, Trump claimed Kamala Harris supported “transgender operations on illegal aliens that are in prison.” This topic then became a lynchpin of Trump’s campaign, even though two such surgeries have reportedly ever been performed—and both under a court order.

Experts told *The Appeal* that Trump’s administration will run up against significant constitutional protections that protect access to health care behind bars—as well as years of legal precedent that affirms trans prisoners’ right to medical care, including gender-affirming surgeries.

“One of the sort of big open questions to me is how lawless they are planning to be,” Shawn Meerkamper, managing attorney at the Transgender Law Center, told *The Appeal*. “When it comes to trans healthcare in the federal prisons, there are multiple settlement agreements that bind the Bureau of Prisons and would prevent them from taking away certain access to health care. Again, how lawless they plan to be is a big open question.”

Monday’s orders appear to flout legal precedent.

In a 2011 legal settlement, the federal Bureau of Prisons ended “freeze frame” policies that limited gender-affirming care to what a trans prisoner was receiving at the time of their incarceration. That same year, the federal Seventh Circuit Court of Appeals struck down a Wisconsin law that banned the state from using federal or state resources to fund gender-affirming care.

In 2018, a Missouri federal court blocked a similar “freeze frame” policy in that state. In a landmark 2022 settlement, the BOP agreed to provide the first gender-affirming surgery for a trans prisoner in federal custody. As part of that agreement, the agency also agreed to give trans prisoners pathways to obtain gender-affirming care. Since then, trans plaintiffs have won similar lawsuits in Washington and North Carolina.

But those protections haven’t deterred Republicans.

In the last few years, a small handful of states attempted to ban state corrections facilities from providing gender-affirming care. While courts in Indiana and Idaho have ruled against such laws, a Missouri court in November upheld a bill banning care for trans children. Lawmakers later expanded that law to also bar state corrections institutions from providing transition-related surgeries.

Trump has also appointed anti-trans crusaders to his incoming cabinet. Harmeet Dhillon, Trump's would-be head of the DOJ's Civil Rights Division, has been involved in a number of anti-trans lawsuits, including a brief stint representing anti-trans women suing to block California from allowing prisons to house trans people in accordance with their gender identities. The case is still open.

While imprisoned trans people and their allies worry that Trump's administration could make their lives demonstrably worse, some advocates stressed that the situation had already been difficult under President Joe Biden. Just Detention International's Abbate said the landscape on the ground for trans people behind bars has remained bleak no matter the political party in power.

"There is no huge difference in my perspective, in the lives of people who are in custody based on whether a Democrat or Republican is in office," Abbate said. "They are still completely locked up away from society, vilified, forgotten about and taken advantage of."

In October 2022, for example, New Jersey gave prison officials greater leeway to place trans people in housing that does not comport with their gender identities. Trans women in the state also say they have been pushed to mutilate themselves to ensure they are provided the surgeries they have requested for years. The state's incarcerated trans women also say they are subject to solitary confinement—which may violate a state law severely limiting the practice.

In nearby New York City, corrections officials under Mayor Eric Adams have rolled back protections for trans people on Rikers Island, including all but shuttering an LGBTQ+ Affairs Unit that worked to get trans and gender nonconforming prisoners into safer housing on the island.

And, even before Trump won a second term, states were preparing to roll back health care policies for trans people. According to a report from *The Marshall Project*, Florida corrections officials in late September enacted a draconian policy that prioritizes psychotherapy over other health care for trans prisoners. The rule says requests for hormone replacement therapy could be based on "short-termed delusions or beliefs."

According to the *Marshall Project*, trans women in Florida prisons were also subject to dehumanizing breast exams to determine whether they were permitted to keep their bras, underwear, and toiletries. A federal judge in December refused to temporarily block the state's policy.

While these attacks might seem narrowly tailored, Meerkamper and others warned that conservatives won't just stop at targeting trans children and prisoners.

"If you care about trans folks in some contexts, any context, then you really need to be caring about what's happening to trans folks in our prisons," Meerkamper said. "Because it's going to be very much relevant to those of us who are not incarcerated."

22 Jan - Terrorism charges dropped against *Vetriolo* magazine

Italy: Judge declines prosecution of anarchist prisoner Alfredo Cospito and 11 others for incitement and subversion

MORE:

by Sonia Muñoz Llorc (*Freedom News UK*)

A judge in Italy has declined to indict twelve anarchists associated with the insurrectionary magazine *Vetriolo* of various incitement and subversion charges. Alfredo Cospito and Michele Fabiani, along with ten others, faced terrorism enhancements on almost all the charges sought by the public prosecutor.

Cospito and his partner Anna Beniamino have been imprisoned for years, along with other comrades accused of clandestine action. In 2013 Cospito was sentenced to ten years and eight months in prison for having shot Roberto Adinolfi, a manager of engineering firm Ansaldo, in the leg. Being already in jail, in June 2006 he was also convicted of having set two explosive devices in front of a Carabinieri police training college in northern Italy.

In 2022 he was moved to the Bancali prison in Sardinia, and subject to a restrictive 41 bis regime of isolation, which human rights organizations have condemned as torture. This has led to a widespread campaign for his release and led him to launch a hunger strike in opposition.

The prosecution of *Vetriolo* magazine began in November 2023. However, at the hearing on 15 January the judge announced that the indictment sought by the public prosecutor in Perugia would not go forward.

During the hearing, the accused made spontaneous statements to clarify their positions on the entire case against them, as well as for the abolition of the 41 bis regime. Cospito warned that his disturbing prosecution as supposedly having a “top role” in an anarchist organization “opens wide the gates of 41 bis to anyone who disturbs power”, describing the case as “fundamentally an attack on freedom of thought and of the press.”

January 28th - Alfredo's declaration in Sibilla trial preliminary hearing

via Act for Freedom Now!

The hearing ended with a dismissal of all charges against all defendants, bringing to a conclusion an infamous case, which apart from aiming at the silencing of anarchist revolutionary publications, had a central role in Alfredo's transfer to the 41bis regime. For a few hours Alfredo was able to hear the voices of his comrades, to see their faces, to speak, breaking the wall of silence in which, they are trying to bury him. And this is certainly more stirring than any decision made by any state bureaucrat. In particular, Alfredo's own words resonate as a powerful denunciation against the totalitarian horror of the 41bis regime. Those children's handprints on the dividing glass in the visiting room should shake the consciences, of those who still have a conscience.

We do not know to what extent the intervention of the comrades in the courtroom somehow influenced the court's decision not to venture into a shaky trial in itself. However, on January 15, it became clear that subsequent potential hearings would also undoubtedly provide an opportunity to intervene, breaking the wall of isolation of the 41bis, on behalf of Alfredo and the other accused comrades. Certainly, it should not take a trial like this one to initiate moments of mobilization against the international shame of 41 bis, and in Alfredo's specific case, as of today the justifications for confinement in this special regime have one important piece missing. To make them pay the price for this contradiction, it is more urgent than ever to undertake other paths and revitalize initiatives against 41 bis and the warmongering and repressive policies of States.

Statement of Alfredo Cospito during the preliminary hearing for the “Sibilla Trial”

Today, you the representatives of the judiciary branch of this republic are putting us on trial for writing on the walls, for our words, for our books and magazines, forcing, as a matter of fact, anarchy into clandestinity. We are in good company, with this post-fascist government, censorship and repression are expanding to the entire social body, accelerating the transition from totalitarian democracy to a tragicomic opera regime. Saying this, I must thank you: after a year of silence, thanks to your embarrassing and anachronistic prosecution, I am allowed to express my thought publicly. Even if remotely, even if for the brief time of a blink of an eye, today I can tear off the gag, the medieval bridle of a 41bis that a moderate left-wing government applied to me years ago to silence an uncomfortable voice, for however minor and

irrelevant, however surely an enemy of your democracy. These two years of special regime have most definitely opened my eyes to the true face of your law, of your constitutional rights, revealing to me a criminogenic system composed of an obscene, crude and murderous totalitarianism.

Today in this courtroom we are undergoing an inquisitorial trial based on an interview given through regular prison mail and not through a conversation with my sister in a prison visit as the prosecution wants us to believe, dragging her to the courthouse only for the mere fact of continuing undeterred to attend prison visits with her brother. It is a classic strategy of all authoritarian regimes, used regularly in the 41 bis regime, to burn all bridges with all emotional bonds at the exterior of the prison.

It is indicative, with every visit I attend, to see children's handprints on the security glass that separates them from their fathers or mothers. But after all, what to expect from a democracy that puts children in prison?

Of course, I take full responsibility of the interview, which is the reason for which today I find myself in 41bis, after all I take full responsibility for all my writings, the last one in chronological order being a small essay on the MIL [1] experience in the post Francoist Spain, written in the High Security regime before being transferred to this grave for the living, which I am sure, has already been published or it is about to be.

And therein lies the particularity of this judicial story of mine. Placed in this regime to silence me permanently on charges of a "leading role", as you define me in your contorted and twisted language. A nasty precedent, mine, with disturbing implications. Having succeeded in pushing through the thesis that an anarchist can play a leadership role, a role that is inherently authoritarian, thus incompatible with what is the very idea of anarchy, opens wide the gates of the 41bis to anyone who disturbs power, whether a single revolutionary or radical movement, as well as making abnormal prosecutions such as the one I have to witness today as a defendant, easier. I declare this because I firmly believe that my being transferred to 41bis regime and this very trial are fundamentally an attack on freedom of thought and freedom of press. This is the heart of the matter, the heart of this trial.

The dangerousness of the 41bis cannot be reduced to a ridiculous right-wing honcho who sets up a pathetic trap for an equally ridiculous political opposition (indicative in this regard is my other directed transfer two years ago from one section to another in view of the arrival of politicians from Rome to stage a little theatre with different actors on convenience)[2]. Its real danger is something far more obscure, a powerful instrument for a formidable repressive shortcut in the event of social conflict. What better way to silence radical movements and oppositions than an already active and tested emergency regime? A state of exception in which many rights are suspended, in which absolute censorship already tried and tested over decades of practice on the ground reigns. Who will be the first to experience this special regime on their own skin? The comrades who struggle for Palestine? The anarchists that continue to talk about a revolution? The communists who have never surrendered? Four of them are resisting with pride since dozens of years in this regime in the most absolute isolation, without ever bending over.

If the West's imperialist war overflows by reaction from Ukraine's borders and bursts on our doorsteps, if social conflicts exceed the sustainable limit of a shaky mechanism, or even if just the soft and gradual transition to a regime is not feasible, the 41bis, thanks to its very gloss of legality, will be the ideal repressive tool for a forced social anesthetization, a kind of castor oil to bring recalcitrant elements back in line, a gradual and lawful coup. And this would explain why an emergency regime is needed in the absence of a real emergency.

22 Jan - Caso Susanron Statement

Chile: Below is a translation of two of the prisoners from Caso Susaron, translated from spanish.

MORE:

We hope that our first words represent a push of strength for those who are doubting whether the value of their beautiful actions and their consequences make sense or not.

Two years and almost two months after our captivity, we continue to reaffirm that the path of war and confrontation, with all its bitterness and misfortunes, continues to be the only dignified way of life that we understand as valid.

UPDATE:

In recent months there have been several developments in our case.

Comrade Ru was sentenced to 5 years in prison, with the prosecution and the court denying the possibility of a supervised release on the grounds that he is a danger to society, with no intention of reinsertion.

At the same hearing, happily, comrade Tortuga was released to the street. Sentenced to 5 years of tagged probation, joining comrade Ita.

After some appeals that evidently failed, comrade Ru was transferred to the ex-penitentiary.

This transfer was carried out by the gendarmerie in violation of a court order that the comrade could not be moved until a report on the feasibility of transfer to La Colina was issued.

The comrade was received with open arms by the nihilist prisoner Hector Herrera, in 3C Street. In the overcrowding and discomfort that is lived in those facilities.

Days later, without any warning and with an absolutely arbitrary criterion, they transferred comrade Panda without warning from La Colina, where he was already settled after months serving his sentence, to the ex-penitentiary.

The report delivered by the gendarmerie justified the transfer of the comrade on the grounds that he would be a negative leader, a danger to the internal regiment of La Colina and that this prison would not have sufficient security to prevent a possible escape.

The next day, Panda is received by Ru and Hector in 3C Street.

We call to participate in all instances of solidarity. Since this new process requires a greater expense in parcels and in managing the intra-penitentiary benefits, meaning a great economic blow for family, friends and relatives.

To close this message: we are still here. Loving our successes and our mistakes, without regrets or hesitation. Clear that no trick of gendarmerie to hit our spirit will generate that we do not smile looking at the facts that led us to this place lost in time.

Today more than ever animal and total liberation! Veganism is war! Fire to existence! Prisoners Vegan straight edge anarco nihilists, Caso Susaron (*Panda and Ru)

23 Jan - My recent visit with Imam Jamil Al-Amin

Earlier this month, Arun Kundnani was finally able to visit Imam Jamil Al-Amin, formerly H. Rap Brown, at the federal prison in Tucson, Arizona. LATE BREAKING: Jamil Al-Amin has been cleared for transfer to FMC Butner in North Carolina.

MORE:

by Arun Kundnani

Imam Jamil is one of the great political activists of the Black and Islamic movements. Most people have never heard of him. If they have, they are usually surprised to discover that he is still alive. His imprisonment is designed to make the world forget about him, and it has largely succeeded.

The last time I met with him was in August 2021 when I was able to spend two days in the Tucson prison interviewing him for the biography I am writing. Last year, I applied to visit him again, hoping I would not have to repeat the long, drawn-out legal process I had to go through to meet with him the first time. But the Federal Bureau of Prisons only allowed me to do another visit after the Cornell University Law School and Arizona State University Law School First Amendment Clinics threatened to go to court to say that blocking my visits was a violation of my constitutional rights.

In any case, when I landed in Arizona, I thought that everything had been agreed, and I would be able to spend four hours recording Jamil Al-Amin speaking about his life. I also expected to learn about the medical neglect he is experiencing. He's 81 years old and has had various health issues over the years of his incarceration. But recently a photo of him emerged showing a large swelling on his face that the prison was refusing to treat.

When I got to the prison, two unexpected things happened. Firstly, I was told by the corrections officers that I was not allowed to record Jamil Al-Amin speaking. That meant I wasn't able to get a recording of him talking about his medical situation, which would have been a powerful way to galvanize support for him to receive proper treatment. I assume that was exactly why the warden of the prison didn't want me to record the conversation.

Secondly, on my second day with Imam Jamil, I found out that he had in fact been taken to a hospital that morning. But instead of proper care, he received yet more abusive treatment. Someone attempted to pierce the swelling on his face by cutting it, hoping to drain the fluid. But that didn't work. So Imam Jamil was sent back to the prison, with a bandage over the left side of his face, the swelling untreated, and still without any diagnosis. He was in considerable pain, found hearing hard as the swelling was beginning to cover his ear, and could not swallow solid food; while I was with him, a prison guard gave him a nutritional shake, his only diet.

No-one should have to suffer this way. But for a man of Jamil Al-Amin's stature to be treated like this left me feeling enraged. I urge everyone reading this to support the campaign calling for an emergency medical transfer of Imam Jamil to the Federal Medical Center at Butner, North Carolina, and for him to receive immediate medical treatment there. You can use this link to access email and phone call templates to make the request to the Federal Bureau of Prisons.

25 Jan - Supreme Court Returns Case of Miguel Peralta to Courts

Mexico: Update and call for solidarity from Miguel Peralta's support group following a recent ruling from the Supreme Court.

MORE:

On November 6, 2024, the Supreme Court of Mexico made public in very general terms their ruling on the writ of amparo (an extraordinary legal resource in the Mexican legal system) filed in the case of Miguel Peralta Betanzos, Indigenous Mazatec anarchist and community organizer from Eloxochitlán de Flores Magón, Oaxaca. Following that, on November 28, the Supreme Court published their final ruling, which included all the fine details.

Although it could have been worse, we're disgusted with the resolution. The Supreme Court should have granted Miguel his absolute freedom, ending the political persecution against him. They didn't. Instead, using a discourse of multiculturalism and respect for Indigenous rights, they returned the case to the Collegiate Court in Oaxaca—the same court that ruled on the writ of amparo in 2023—ordering that court to take into consideration certain things when making their new ruling on the case.

In the Supreme Court's resolution, they critique the Collegiate Court in Oaxaca for having not considered Miguel's Indigenous Mazatec identity, for not guaranteeing his right to an interpreter (an easy out for the Supreme Court and an unnecessary step), and for not taking into account the customs and cultural specificities of his community. The ruling also orders the Collegiate Court to study whether the rights of self-determination, autonomy, and equal access to justice were respected. The latter points provide opportunities for legal defense.

With the annulment of the previous resolution from the Collegiate Court, that same Collegiate Court will now study and rule on Miguel's case again. This time, supposedly, taking into consideration the merits of the case: Miguel's innocence; the threat to the self-determination and autonomy of the community; the context of political persecution against Miguel for organizing in defense of land and against local caciques; the imbalance in political power between the accused and the accusers in the case.

It is absurd that the Supreme Court didn't take into account statements from the family and community, letters from national and international social organizations, even an Amicus Curiae presented by anthropologists and social organizations. The court did not resolve the writ of amparo from an intercultural perspective as was required, but merely repeated rights that are stated in the constitution.

We're also frustrated by the media—both independent and not—who following the court hearing on November 6 in different ways were giving off the idea that Miguel Peralta had won his absolute freedom, or that with this resolution his absolute freedom was at the doorstep. Unfortunately, that is not the case.

Let's be clear. The political persecution against Miguel Peralta continues. The court system in Oaxaca, which has slow walked his case for ten years, again has his case in their jurisdiction. The judicial system throughout the country is going through a process of transformation, including the election of federal judges this year, which will only delay the resolution in Miguel Peralta's case even longer.

Meanwhile, Miguel Peralta continues displaced from his community, living under the constant threat of being captured by the state. His family continues without a father, a son, a brother, a nephew, a cousin. His community remains divided, persecuted, criminalized. The wounds brought by ten years of cacique and state repression remain open and unable to heal.

In addition to all this, Elisa Zepeda Lagunas, pivotal figure in the Zepeda Cortes cacique family in Eloxochitlán de Flores Magón—responsible for the criminalization of Miguel and other members of the community—was gifted the political position of state congresswoman in the current LXVI congress of Oaxaca. She didn't even have the capacity to be “popularly elected”—which we know are just elections bought and sold by political party apparatuses anyway—but was given the three-year position directly by the political party, MORENA, the party currently in federal and state power. We know she's rubbing shoulders with local power holders, judges, prosecutors, police, politicians, university administrators, even the president of the country.

In this context, we continue calling for agitation and solidarity demanding the absolute freedom of Miguel Peralta. We encourage everyone to download, print, and distribute the different materials we have related to his case which can be found at the archive.org page here: <https://archive.org/details/@miguelperaltalibre>. We also call on folks to organize actions, events, raise funds, hang banners, paint graffiti, write letters, make trouble, show active and permanent solidarity with Miguel Peralta and the community of Eloxochitlán de Flores Magón. Let's not let the “owners of justice” sleep well at night. Let's be creative and spontaneous in the light of day or beneath the shadow of the moon.

28 Jan - Solidarity Wins: Jury finds Protesters Against the Genocide Innocent

Report on end of trials of protesters in Eugene, WA arrested for protesting against the ongoing genocide in Palestine.

MORE:

On April 15th, 2024 thousands of people around the world participated in an autonomously organized and coordinated economic blockade to free Palestine. “There is a sense in the streets,” the proposal for the action stated, “in this recent and unprecedented movement for Palestine that escalation has become necessary: there is a need to shift from symbolic actions to those that cause pain to the economy.” In 82 cities, 19 countries, actions blockaded ports, airports, highways, city squares, and weapons manufacturers, seeing potentially millions of dollars in unrealized profits and over 400 arrests.

62 of those arrests were in Eugene, Oregon, where Interstate 5 was blockaded by cars and protestors for about an hour before over 100 police from state, county, and city departments cleared the highway. Those arrested were charged with misdemeanor disorderly conduct in the second degree. The majority of the defendants were offered diversion “plea deals,” while the state singled out three protestors to whom they refused to offer deals, including a Palestinian student organizer. The defendants organized over the following months intentionally to engage in collective defense, hoping that threatening to take 62 cases to trial would be leverage enough to force the state to offer everyone equal treatment or even to drop the charges.

The state refused every attempt at negotiation after rallies, letters, phone zaps, and meetings between the DA and public defenders and movement lawyers. As time went on, and defendants felt the mounting impact of the arrests and pending charges on their housing, jobs, health, and broader lives, more and more defendants accepted the plea deals. Many still intended to take their cases to trial in solidarity with their comrades facing more serious repression. 11 trials occurred between October 2024 and January 2025, with 11 guilty verdicts returned. Defendants attempted to put the US government’s unwavering support of genocide on trial, using pre-trial ‘choice of evils’ hearings to bring in experts to testify about Palestine and direct action, such as a UN special rapporteur, and taking the stand themselves to explain their actions.

The state attempted at every avenue to de-politicize the action, framing it as a case about “selfishness,” and judges frequently denied defendants’ ability to even talk about Palestine on the stand, while also rejecting expert testimony or defense strategies that could bring the US funding of genocide into view. When it came time for the Palestinian student activist to go to trial along with their Lebanese co-defendant, it seemed like all strategies of collective defense had failed. The “choice of evils” pre-trial hearing ended with the judge refusing multiple expert witnesses the ability to testify in front of the jury about US complicity in the genocide in Palestine.

Yet, at the end of the trial, the jury returned a “not guilty” verdict, acquitting both defendants. Was it jury nullification? Was it simply that the state’s clear political repression of Palestine solidarity was more evident than “evidence” of crime? Was it the defendant’s powerful testimony on their personal relationship to the land, people, and resistance in Palestine and Lebanon? All we know is that the state failed in all regards –especially in its attempt to repress Palestine solidarity actions, collective solidarity, and the individual Palestinian activist they singled out, and we know that together we are stronger than the state’s best efforts to repress us.

Our hearts are bursting with love and rage for those behind the closed doors of the jury deliberation room who remained steadfast in their determination not to participate in the state’s repression of Palestine solidarity!

The following is a statement from the A15 Eugene for a Free Palestine Instagram:

Our two dear Palestinian & Lebanese A15 co-defendants were unanimously acquitted today! Despite state repression that sought to divide us in its attempt to criminalize Palestinian solidarity, we stood strong in collective defense, demanding the state to treat us all equally & to drop the charges against our Palestinian comrade. Of course, the state refused to negotiate and 12 of our courageous comrades went to trial in solidarity with those not offered plea deals, all so far receiving guilty verdicts. Today, however, we demonstrated the power of collective solidarity. We did not back down despite the threats of jail time, punitive fines, & probation.

We stood strong for our comrades who told the jury exactly why direct action against the US facilitation of genocide is not only necessary but right—and the jury did the right thing. They found our comrades not guilty. We fight for the liberation of Palestine, we fight against american imperialism, & we fight the arbitrary & punitive power of state repression!

Solidarity is the only fucking thing we have.

From the defendants:

Today, we witnessed something none of us thought could happen. In a place where justice and humanity is actively repressed and punished, we collectively triumphed over it. We showed the state and the imperial core that we are stronger than their attempts to repress us. Solidarity and truth won in a place, and against a system, that actively preys on it. With love and rage. Free Palestine.

– Our Palestinian comrade, Salem

This victory wasn't won through the court system, it was won through uncompromising solidarity and love. I don't believe this would have happened if it weren't for the support of our co-defendants and comrades.

Throughout my whole life, I have struggled to find a place in this world that seems so hell bent on destruction—but I have found community in others who realize that if there is no place for us in this world, we'll have to build a new one, a world that recognizes that to be alive on this earth is a sacred and beautiful thing. This new world lives in the action in solidarity with Gaza on April 15, in the solidarity we've shown each other throughout the legal process, in the streets, in resistance everywhere.

My co-defendants who were convicted for their actions on April 15th were found guilty of 'inconvenience.' Tens of thousands of lives have been cut short in Gaza in the last year alone. Resistance against genocide is a matter of life and death, not convenience. We owe it to the people of Gaza to stop this genocide—we also owe it to ourselves. The land we stand on today is shaped by ongoing colonial violence. We are tasked with remaking the world, and this will not be convenient.

Thank you to all my co-defendants and co-conspirators. FREE PALESTINE.

– Our Lebanese comrade, K

Thank you to the CLDC and public defenders for having our backs—and for refusing to leave Palestine out of the courtroom.

Thank you to the jury who didn't waver.

Thank you to all the comrades in Eugene for showing us what solidarity looks like.

28 Jan - News on anarchist political prisoners

Belarus: From Anarchist Black Cross Belarus, news on anarchist political prisoners.

MORE:

Aleksandr Frantskevich was transferred to a different penal colony after his trial for “infringement of prison administration’s requests”. He was transferred there at the beginning of October. As a result of the trial, a year was added to his 17-year sentence.

On 26th of October the court rejected Sergey Romanov’s appeal to remove additional 2 years in prison which had been given to him for “infringement of prison administration’s requests”, article 411 of Criminal Code. He had been sentenced earlier in September on accusations from penal colony number 9. At the moment, his entire sentence is 22 years and 11 months in prison.

This is the second time Romanov is sentenced with article 411. In March 2023, he was sentenced to additional 11 months in prison.

After the trial, he was transferred to penal colony number 11 in Volkovysk. We know that recently the anarchist had some health issues but the care promised by the prison administration was postponed because of the trial and the transfer to jail during it.

In December, we learnt that Akihiro Gaevskiy-Hanada was transferred to a high-security prison in the summer. Before that he spent 4 months in a cell in a penal colony.

Akihiro is sentenced to 15 years and 9 months in prison.

Antifascist Tamaz Pipia was transferred to penal colony number 20 after the court rejected his appeal against the verdict on article 411. The court of Novopolotsk added 1,5 years to his 5-year sentence.

While in his previous colony, Tamaz had received 9

Tamaz was convicted allegedly for malicious disobedience: while in the colony, he was given no less than 9 penalties, placed in a solitary confinement and transferred to a cell.

In November anarchist Dmitry Dubovsky was placed in punishment isolation cell for at least 15 days. The reason for the punishment is unknown.

Dmitry Dubovsky was sentenced to 18 years of imprisonment in the “Black Flag” case. Later, he was tried again for the events of 2009-2010, which finally sentenced the anarchist to 20 years in a reinforced penal colony.

Throughout his imprisonment, Dubovsky, as well as other anarcho-partisans, was constantly under pressure: placement in a punishment cell, transfer to a cell and prison regime, additional terms allegedly for disobeying the prison administration.

In December a new book by Mikalai Dziadok “Truth Without Compromise” came out. It includes selected essays from Mikalaj’s blog, which he wrote between his two prison terms. Mikalaj wrote a lot about anarchism, resistance, state violence, new society – in simple words and trying to interest ordinary people with his ideas and reflections. This collection includes the most relevant texts, including an analysis of the 2020 events in Belarus, the causes of police sadism, and reflections on political violence.

The essays are in Belarusian and Russian. The book can already be ordered online at Sabotage Distro, as well as at bookstores in Warsaw (Knigauka, ReForum Space Warsaw) and Vilnius (Gartajka, The Bookest, Rewind store, ReForum Space Vilnius).

Mikalaj has been in prison for more than 4 years. His term was supposed to end in April next year, but the prison administration opened a new case against him for disobeying the administration’s demands (article 411).

28 Jan - Update On the Cara & Celeste Fundraiser

Cara and Celeste were arrested and accused of raiding a mink farm in the USA.

MORE:

via *UNOFFENSIVE ANIMAL*

Luckily after some legal pressure, their bail was lowered and they were able to be on the streets again awaiting trial, but the legal fees associated will be serious. Philly ABC launched a fundraiser so we decided to put together a team of artists (thank you, you four are amazing!) to sell some t-shirts and prints to raise funds for them!

After having sent all the tees and prints we can confirm that your donations have made a difference, we sent 2200 USD to the fundraiser thanks to all of your generosity.

Thank you again for getting behind the initiative and supporting the cause. It is thanks to you all that we can keep going with the project and we would love to organize similar fundraisers in the future if people think they are a good idea.

For anyone who missed the tee/print fundraiser, we still have a few prints left on our website, but please, consider donating directly to the fundraiser that Philly ABC is running, the goal is 75K and we are still well far from it: phillyabc.org/northumberland-2

1 Feb - A Setback in the Alex Stokes Case: Appeal Denied

Update on the case of antifascist Alex Stokes, who received a sentence of 20 years for defending himself and friends from violent Proud Boys on January 6th in New York.

MORE:

Ten days after members of the neo-fascist Proud Boys were pardoned for their seditious conspiracy conviction stemming from their actions on Jan. 6th, 2021, at the U.S. Capitol in Washington, D.C., an appellate court in New York declined to overturn the conviction of Alex Stokes Contompasis. Contompasis is serving 20 years after stabbing two Proud Boys who were reportedly attacking those countering a so-called “Stop the Steal” rally at the Statehouse, also on January 6th, 2021.

The 5-0 ruling Thursday, noted that Contompasis, who often goes by his first two names, had failed to prove his use of a knife to stab one person and attempt to stab another was justified self-defense. Proud Boy Dominic Wierzbicki started a fight that resulted in his brother James P. Warner and local Proud Boy chapter leader Douglas Michael Ruso being stabbed. Wierzbicki turned himself into police in March 2021 and was charged with third-degree assault and possession of a weapon in the fourth-degree. These charges ultimately resulted only in Wierzbicki being fined.

The ruling claimed that video contradicted Contompasis’ contention that he had rushed to the aid of a friend who was being roughed up and was nearly knocked out by the first stabbing victim, causing Contompasis to swing his knife wildly in an effort to protect himself.

While the ruling also noted the panel took letters of support from community and the one misdemeanor on Stokes’ criminal record into consideration when making their decision, it largely depended on Contompasis’ social media posts which they claimed lacked remorse.

The family said they are planning to appeal to the New York State Court Appeals.

“Heartbroken doesn’t begin to cover how we feel,” a post on Instagram reads. “I want to thank everyone for your support. It’s not easy to speak truth to power but this community has given me the strength and courage to keep going. I meant it when I said this account was created as an act of love. As long as Alex is away, and even when he gets back, I’ll be doing my part to help people trapped in this abusive and draconian carceral system.”

2 Feb - "Death by incarceration" increases as death penalty declines

Earlier this week, President Donald Trump signed into law the Laken Riley Act, named for a 22-year-old Georgia nursing student killed by a migrant from Venezuela who had entered the U.S. illegally.

MORE:

by Cary Aspinwall (*The Marshall Project*)

The bill makes it easier to detain, and in some cases to deport, migrants accused of certain crimes, including burglary, theft, shoplifting and assaulting a police officer.

In November, Jose Ibarra was convicted on a total of 10 charges in Riley's death, including murder, kidnapping with bodily injury, aggravated assault with intent to rape, and tampering with evidence. But despite the heated political rhetoric that erupted in the wake of Riley's violent murder, a Georgia prosecutor chose not to seek the death penalty — instead opting for life without parole.

Ibarra is now among more than 56,000 people serving life without parole in the U.S., a population that has increased by more than 68% since 2003. That's according to a report released last month by The Sentencing Project, a nonprofit organization that advocates against extreme sentencing in the U.S. Over that same period of time, the overall number of people incarcerated has remained roughly the same, and the incarceration rate has dropped, suggesting that those serving life without parole make up an increasingly large share of the prison population.

Every few years, The Sentencing Project looks at exactly who is serving life without parole, life, and what the group terms "virtual life" — what researchers deem sentences so lengthy; the prisoner will likely die behind bars. These groups make up a growing population that researcher Ashley Nellis, now a professor at American University in Washington, D.C., has been studying for more than 15 years. In addition to those who can never be paroled, there are more than 97,000 prisoners serving parole-eligible life sentences and at least 41,000 serving "virtual life."

Use of the death penalty has declined drastically in the U.S., but that alone does not explain the growth of life and life-without-parole sentencing, Nellis said.

People convicted of homicides represented about 56% of the population serving life without parole as of 2024, data shows. But a significant portion of those serving "death by incarceration" sentences were convicted of offenses such as robbery, burglary or drug crimes under habitual offender laws in many states.

They include people like Mark Jones, featured in a 2021 *Marshall Project* article and documentary with Frontline about the large number of incarcerated people in Florida who are locked up for life. Jones, a former West Point cadet struggling with PTSD and alcoholism, was sentenced to life in prison after an attempted carjacking, because of one of Florida's many habitual offender laws.

Many of those laws were born out of the "tough-on-crime" movement in the 1980s and 1990s as a response to high crime rates. But the consequences often outlive the initial panic, and the racial disparities in who gets sentenced to life are often glaring, Nellis said.

Data shows that half of all people serving life sentences are Black, and people sentenced to life without parole experience the most significant racial disparities.

It's also a population that is aging, Nellis said. A study she authored in 2022 found almost half of people serving life without parole were 50 or older, and one in four was at least 60 years old. And, as John Simerman explained in a 2021 TMP article, this graying population costs states like Louisiana a lot of money.

One criticism of life-without-parole sentencing is that prisoners facing that punishment have access to fewer legal protections than those with death sentences — and it can be nearly impossible to get a wrongful conviction overturned for those serving life. That's why two of the 37 federal prisoners whose death sentences were commuted in December by then-President Joe Biden refused to sign paperwork accepting clemency, and instead filed emergency motions in federal court to block the action.

Shannon Agofsky and Len Davis, both incarcerated in the U.S. Penitentiary in Terre Haute, Indiana, argued in court filings that having their sentences commuted would put them at a legal disadvantage while continuing to appeal their cases, based on claims of innocence.

In instances where someone receives the death penalty, courts must evaluate them using heightened constitutional protections because of the life-and-death stakes of the outcome. There is no such legal requirement for those locked up for life.

15 Feb - Gathering Utopias

WHAT: Concert Series

WHEN: 7:00pm, Saturday, February 15th

WHERE: The Word Is Change—368 Tompkins Avenue, Brooklyn

COST: FREE

MORE:

Julie & Elizabeth's Anti-Capitalist Concert Series, which programs music and conversation to envision an anti-capitalist future, presents for the 2024-2025 season "Gathering Utopias." In conjunction with the upcoming concerts, we invite you to a three-week reading group on the utopian imaginary. In the Fall we met for three sessions reading speculative fiction and now we reconvene, with readings on historical utopias, beginning on Saturday, February 15th at 7:00. Subsequent meetings are on Saturdays, February 22 and March 1 with readings TBA. Feel free to attend one or all!

23 Feb - Poetry For Prisoners

WHAT: Poetry Writing

WHEN: 1:00pm, Sunday, February 23rd

WHERE: Wendy's Subway - 379 Bushwick Avenue, Brooklyn

COST: FREE

MORE:

We're putting together a letter writing night to prisoners at Wendy's Subway [usually a library/writing space] in Bushwick in a few weeks, on Sunday February 23. The space is usually used for talks and writing workshops, but this will be the rad opportunity to direct people's poetry towards connection to folks inside and discuss how that can be one way to fight the alienation/isolation/censorship consistently increasing in prisons.

If anyone inside has particular requests/interests that poetry or creative writing be sent/exchanged, do let us know!