



POST OFFICE BOX 110034 BROOKLYN, NEW YORK 11211

Updates for July 9th

3 Jun - Two defendants guilty of conspiracy in groundbreaking Antifa trial

The case could change how the movement is understood and could place anti-fascists and other protesters in prosecutors' sights

MORE:

by Will Carless (*USA TODAY*)

A San Diego jury on Friday found two anti-fascists guilty of conspiracy to riot, in a case that became a bellwether for legal action against the political movement.

The two defendants had faced a raft of various charges related to rioting and assault during a protest in a beach neighborhood in the aftermath of the tumultuous 2020 election. In that protest, on Jan. 9, 2021, members of the Proud Boys and other supporters of then-President Donald Trump had rallied and clashed with anti-fascists.

But only the anti-fascists had faced charges. Prosecutors set out to convince a jury that the assailants were not simply individual participants, but that they had conspired under the banner of Antifa, essentially acting as a criminal gang.

Brian Lightfoot and Jeremy White were both found guilty of conspiracy to riot at the protest.

But the decision was split, as many other charges did not lead to conviction. The jury, which deliberated for more than a week, failed to reach a verdict on most of the most serious assault charges against Lightfoot, found him not guilty of one assault, and found White innocent of the one assault he was accused of committing.

For the individual defendants, the verdicts represented a lighter possible sentence for Lightfoot, but possible prison time for White, who said he was “heartbroken.”

And attorneys for both defendants said the verdicts represent a huge blow to the anti-fascist movement and to protesters in general, at a time when a new wave of protests has sprung up on college campuses across the country in opposition to the war in Gaza.

“I think the door is wide open to now hold lawful protesters in violation of conspiracy law,” said Curtis Briggs, who represented White.

Antifa on trial

On Jan. 9, 2021, a group of assorted Trump supporters, Proud Boys and members of the extreme right in San Diego, including people with a history of violence at local protests, marched around Pacific Beach shouting slogans and calling on anti-fascists to fight with them.

Some of the protesters were met by a cadre of several dozen anti-fascists, many dressed head-to-toe in black. Over the afternoon, the anti-fascists approached and violently confronted the protesters, spraying some with pepper spray and assaulting others. In other incidents, the protesters attacked leftists and onlookers.

A year later, the San Diego district attorney announced charges against 11 individuals — all of them antifascists.

The case drew extra attention for its overt focus on Antifa, which is generally understood as a leaderless ideology, rather than an organization. Far-right commentators and conspiracy theorists like Alex Jones and Tucker Carlson and conservative politicians, all the way up to Trump, have long claimed Antifa is not just a social movement but an organized, shadowy army.

All of the original defendants were charged with conspiracy to riot, and prosecutors portrayed them as an organized, malicious force that came to San Diego to pick a fight with supporters of former President Donald Trump, just three days after the Capitol insurrection.

The defense questioned the motivation of Stephan's office and filed a motion seeking to have her dismissed from the case. The top prosecutor, a Republican who left the party to run in the nonpartisan DA election, has a history of supporting conspiracy theories about Antifa.

A former federal prosecutor told *USA TODAY* the decision to charge only one side of the fracas was "idiotic."

"It's an insult to the public's intelligence to suggest that that's a legitimate prosecution. It's not. It's selective prosecution," said Patrick Cotter, who now works in private practice.

Last two Antifa defendants

Of the 11 original defendants, nine cut deals with prosecutors that saw some of them agree to multi-year prison sentences. Two, Los Angeles residents Lightfoot and White, decided to argue their cases before a jury. They were represented by civil rights attorneys, who told *USA TODAY* they took on the cases because of their potential impact on the broader anti-fascist movement.

Of the two defendants, Lightfoot was facing the most charges. He was accused of spraying pepper spray at Trump supporters and of committing assaults likely to commit great bodily injury. During closing arguments of the trial, prosecutors said he came to San Diego ready to commit violence.

"He wanted to fight," said Deputy District Attorney Makenzie Harvey. "They were here looking to commit violence."

Of the 16 counts he faced; Lightfoot was found guilty of six. The jury could not make a decision and "hung" on nine of the charges, and found him not guilty of one of the charges of assault.

John Hamasaki, Lightfoot's attorney, noted that his client was never offered a plea deal by prosecutors prior to trial. He called Friday's verdict "a repudiation of the District Attorney's efforts."

"It looked like the jury really did an independent and thorough job looking at the facts and coming to a decision," Hamasaki said.

"I feel pretty good," Lightfoot told *USA TODAY*. "I was at peace with it."

White was less upbeat.

"I was heartbroken — it felt surreal that they could find us guilty of that," he told *USA TODAY*. "This is a group of prosecutors and cops who have never once prosecuted the violent white supremacists that we were counter-protesting that day."

Briggs said the verdict doesn't make sense, since his client was convicted of conspiracy to riot, but acquitted of actually ever committing any crime on the day.

"It's illogical," Briggs said, adding, about White: "He's devastated. He's a political activist who cares about his community who is now facing jail time."

The San Diego District Attorney's Office sent *USA TODAY* a statement thanking the jury for their service:

"This was a complex case with 11 defendants indicted and now all convicted – nine by guilty pleas and two by jury verdict. The DA team worked tirelessly on this case in order to be sure our community remains safe, and that the rule of law is followed."

White told *USA TODAY* he is committed to appealing his conviction. He said he is less worried about the impact of the case on his own life, and more concerned about the future of the anti-fascist movement and the broader protest movement.

"The prosecutors did everything they could to make us look like this criminal gang or terrorist cell," he said. "It has bad implications for protestors out there trying to fight against fascism, against police brutality and state repression."

Hamasaki agreed.

"As we're looking at all these protests happening around the country, I think this bodes ill for a lot of people if prosecutors are looking to file felony conspiracy charges against people who are involved in active first amendment behavior," Hamasaki said. "It can have a chilling effect."

June 30th - Statement by Jeremy White

As I head into the courtroom, I am reminded of a few of my heroes who had their own tumultuous experiences with the justice system. People like John Brown, an abolitionist who was hung for initiating a raid on Harpers Ferry. He was initially called a madman and fanatic, though his actions are seen as a precursor to the Civil War and the end of slavery. His actions were, at the time, illegal. They were also completely moral.

Nelson Mandela was considered a terrorist by our government for his role in fighting the apartheid government of South Africa. He spent 27 years of a life sentence in prison and was offered freedom on multiple occasions on the condition he would renounce his beliefs, which he refused. He was later released and became the president of South Africa, ending apartheid and winning the Nobel Peace prize. His efforts were also illegal, and entirely morally justified.

My actions on January 9th, 2021, and indeed my actions for the last 10 years, have been inspired by people like this. Brave, uncompromising individuals who gave their freedom and oft times their lives to a cause greater than themselves. When I was a young child, my late grandfather told me about his family that didn't escape the camps in WWII. He showed me the knife that his father took off a slain Nazi, a man whose ideology was rooted in the death and dehumanization of others. My great grandfather was the first in my family to be an anti-fascist.

Today I follow proudly in his footsteps, combating fascism and white supremacy, hateful ideology and racist bigotry. I have given years of my life to this cause, I have given my health and well-being, and now I offer up my freedom. I was asked to write a conciliatory statement about the so-called victims in this trial. Neo-Nazis, white supremacists and far right fascists who assembled in San Diego on that day to do violence upon the community. I stood with other brave individuals in an effort to protect people from this blight on our society, and I stand by those actions with my whole being.

One day they will come for you as well, as they have come for so many others. I pray that you don't fall victim to their hate, though this trial has made it all the more likely. Fascism is here, mask off with a gun and a badge, criminalizing anti-fascists to clear the playing field of any opposition. They may have deemed my actions illegal, but history will exonerate me, like it has so many others this system has attempted to grind under it's heel.

I leave you with a quote from Greek poet Dinos Christianopoulos, who was ostracized from his community for being queer. "They tried to bury us, but they didn't know we were seeds."

22 Jun - Is forced prison labor a form of modern-day slavery?

More than half of U.S. states observed a public holiday this past Wednesday for Juneteenth, a celebration dedicated to the end of legal slavery in the United States after the Civil War. One of those states was Alabama — and according to a recent lawsuit, the state did so while also perpetuating a kind of modern-day slavery, because it compels incarcerated people to work under the threat of punishment.

MORE:

by Jamiles Lartey (*The Marshall Project*)

It's unclear how the suit will fare in court, but it undoubtedly has a better chance today than it would have just two years ago. From 1901 to 2022, the Alabama Constitution — like the U.S. Constitution's 13th Amendment — explicitly allowed slavery as punishment for a crime. Two years ago, Alabama was among four states that passed constitutional amendments to close this loophole prohibiting slavery and involuntary servitude under any circumstances.

The Center for Constitutional Rights (CCR), which brought the suit on behalf of six people currently incarcerated in Alabama — all of whom are Black — says that little has changed in the state since the amendment passed. The suit claims that people behind bars who refuse work assignments, or who are fired from work-release jobs, are routinely punished or threatened: everything from loss of telephone and visitation access to solitary confinement and transfer to more violent facilities. This is the case even when the reasons for missing work are medical or concerns over workplace safety, according to the CCR's complaint.

The state responded in a court filing, writing that while some privileges may be revoked for failing to work, "No prisoner's basic rights are threatened for refusing to perform these communal tasks." It also noted that in Colorado, which also passed a constitutional ban on slavery in 2018, courts rejected a similar suit arguing that prison labor discipline was tantamount to involuntary servitude. This week, Colorado state Senator James Coleman implored the state corrections department to change its policy anyway, citing Juneteenth, and calling the state's prison labor discipline policy "a clear violation of the spirit and the letter of our constitution, and the will of Colorado voters."

Robert Hockley can relate to what the Alabama plaintiffs describe, drawing on his own incarceration in Texas in 1996. Last week, he told *The Austin Chronicle* that when he was locked up at age 17, he was assigned to harvest cotton on a prison farm that was once home to a plantation. Offended at the prospect of picking cotton — a primary cash crop of American slavery — on fields once tilled by enslaved Black Americans, he initially refused. He said that in retaliation he was locked in a metal trailer, shackled to other men in the scorching Texas sun for a punishment by heat.

"That was my introduction into burning hell," Hockley told the *Chronicle*.

Cotton harvesting on Texas prison farms is done with the aid of more farm machinery nowadays, with less need for compelling manual labor, but it has not been abandoned. Writing from a Texas prison this month for Prism Reports, Xandan Gulley describes how "the hoe squad slaves under the sun" for no pay "while the bosses wearing cowboy hats sit on their horses in the shade drinking cold beverages, chewing tobacco with shotguns in their arms and pistols on their hips."

Despite paying no wages, the cotton harvest at Texas prisons is an economic loser, running a deficit of about \$5 million in 2021 according to a state audit.

Bianca Tylek, founder of the criminal justice advocacy group Worth Rises, explained the losses to *The Marshall Project* like this in 2021: "The point is to remind people that the state owns you," Tylek said. "They want to make it parallel to slavery, and they are willing to do it at their own cost."

Prison industry programs typically justify the continued operation of unprofitable ventures on the grounds that incarcerated people are learning job skills.

Cotton cultivation, along with most prison agriculture, is also in the red in Louisiana, 2019 state audit documents show. It's unsafe too, according to a suit filed this week by a group of men at the Louisiana State Penitentiary — better known as Angola, a nod to the plantation that preceded the prison. The suit alleges that the prison does not take appropriate precautions to ensure the safety of people assigned to prison farm work in the summer heat, like proper hydration, frequent breaks and sunscreen. The suit requests an injunction that would halt farm operations anytime the heat index climbs over 88 degrees Fahrenheit.

Louisiana voters rejected a constitutional amendment to ban slavery in 2022 — the same year Alabama passed its version — but did so after the bill's sponsor came out against it, calling the language confusing. Since 2022, several states have embarked on their own efforts, including New York and California. The new California push follows a failed, more ambitious effort that would have required incarcerated people to be paid the prevailing minimum wage, something that analysts said would cost the cash-strapped state \$1.5 billion a year.

The new effort is part of a suite of bills packaged as reparations for the descendants of enslaved Americans.

26 Jun - Petition aims to dismiss bid to use Rico law against ‘Cop City’ activists

Motion filed claims Georgia’s deputy attorney general violated attorney-client privileges of multiple defendants

MORE:

by Timothy Pratt (*The Guardian*)

Georgia’s deputy attorney general violated the attorney-client privileges of multiple defendants in its case against 61 people accused of organizing a criminal conspiracy in their opposition to the “Cop City” police training center, according to a motion filed this week and the *Guardian*’s reporting.

The motion filed Monday petitions Fulton county superior court to dismiss the charges against three of the defendants who run a bail fund known as the Atlanta Solidarity Fund. It also aims to disqualify both the attorney general’s office and the Atlanta police from continuing to prosecute the case. Additionally, a hearing is sought on the matter.

If granted, this would either destroy the state’s historic bid to use Rico – a criminal conspiracy law – against dozens of people in connection with a protest movement, or at least create considerable delays in the case.

The Guardian independently and exclusively confirmed that deputy attorney general John Fowler did obtain emails between the fund’s members and their attorneys and share them, as the motion alleges – and that he did the same with the communications of other defendants in the case.

The act is a “brazen violation of the attorney-client privilege, the Sixth Amendment, and the Due Process Clause of the United States Constitutions, and the Georgia Constitutional right to counsel in all cases,” the fund’s attorneys write in the motion.

The Atlanta Solidarity Fund is one of nearly 100 similar organizations across the country that helps arrested protesters with bail, legal defense and related needs. It is central to the state’s indictment and its three members are mentioned more than 120 times in the 109-page document.

Police staged a Swat-style raid on the fund’s Atlanta house in May, seizing computers, cellphones and other devices. Speaking to the *Guardian* in June last year, Jocelyn Simonson, who analyzes bail funds in her new book, *Radical Acts of Justice*, said the arrests were “unprecedented”.

Don Samuel, the fund’s lead attorney, soon told Fowler that confidential, privileged emails and texts between the fund’s members and himself would be found on the devices, according to the motion.

He advised Fowler to “employ a filter team to ensure that privileged material is not reviewed by any prosecutorial agents, including lawyers, police, investigators, paralegals, or any other employee involved in any way in the case,” according to the motion.

Fowler said he would, and sent Samuel an email months later to tell the attorney he had downloaded all communications from the laptops and cellphones, “but would not review any of the material (or share any of the downloaded material with any other defense counsel, or any law enforcement officer or investigator), until a filter team scrubbed the material”, the motion says. A copy of the email is attached to the motion as an exhibit.

Samuel discovered only recently that Fowler had used a search warrant to obtain email records from Google for two of the three Atlanta Solidarity Fund defendants. The third – Marlon Kautz – did not have a Gmail account.

Fowler sent the search warrant to Google after he had agreed to filter out all privileged communication from the seized laptops and cellphones; nonetheless, the warrant did not mention the subject, and Fowler didn’t tell the superior court judge who signed off on the warrant, according to the motion.

“Included in the material sent by Google were detailed memoranda prepared by counsel for all three defendants, and communications from the defendants to counsel, all of which were privileged and clearly not open to inspection by the Assistant Attorneys General, their staff, or the Atlanta Police Investigators,” the motion asserts.

Fowler shared the emails with Atlanta police investigators and eventually included them with the five-plus terabytes of discovery, or evidence, forwarded to the 80-plus attorneys defending the dozens tied to Cop City. Notably, the deputy attorney general did the same thing with privileged communications of other defendants.

Atlanta police spokesperson Chata Spikes and the attorney general’s spokesperson Kara Murray did not respond to requests for comment.

It is not the first time Fowler’s integrity has been questioned in the case. He denied the existence of police messages on Signal in court, despite being presented, in a motion from defense attorneys, with evidence from the *Guardian* of law enforcement leadership ordering officers to download the encrypted phone app last year for that very purpose.

The Guardian independently confirmed that defense attorneys saw the Atlanta Solidarity Fund emails in discovery materials, and that some of their clients were subjected to the same transgression.

“This violation of privacy by the prosecutor throws the entire case into question. It’s not possible to have a fair trial,” Kautz said. “What it tells us is ... the attorney general and police casually disregard fundamental rights in order to strengthen their own effort to crack down on dissent.”

27 June - From a Deep Rage that is Inflamed

Spain: Statement on Health of Anarchist Prisoner Amadeu Casellas

MORE:

via Abolition Media

At the beginning of this month, they sent us a very disturbing alert that caught us all by surprise. Amadeu Casellas was in a coma in the ICU. Fifteen days earlier, Amadeu made a call to tell us that he had felt ill and that, from prison, he left to go to the hospital, being admitted until the weekend.

They had him medicated and when he felt better, they prescribed him treatment and sent him “home” so that he had to return to prison.

Amadeu was on a regime of releases from prison to work returning on weekends. We do not know the medical report of the admission, but he did explain that he noticed that it was difficult for him to breathe and that he was running out of air. In that phone call we asked him if they had seen anything in the hospital, but he told us that they did not see anything in the lung plate they had done. It was not the first time he had had a respiratory crisis; previously, more than a year ago and being free, he had to go to the hospital for similar symptoms, without the cause being determined.

On this occasion it was not Amadeu who called us. And what they told us is that it seemed that he had suffered multi-organ failure and that to avoid his “collapse” they induced a coma to try to recover the functions of the organs.

As we write this, Amadeu has been in a coma for more than 10 days now. In the first week in the ICU, they told us that his situation was stable, a medical euphemism that explains little or nothing. At the moment they tell us that it seems that little by little he is recovering organic functions and that, if he continues like this, they will try to get him out of the coma.

We apologize for our silence to all the people who have been fighting and waiting for Amadeu’s freedom. It was difficult for us to explain what we did not know.

As friends and comrades of Amadeu we do not have direct access to medical information. They do not give us explanations, or evolution of his condition, we only know what we see when we visit him in the ICU or what his family environment tells us.

This is not the time to speculate. We reaffirm our rage by being aware that prison not only makes you sick, but it is also one of the worst places to get sick. Today in several places on the peninsula, events were called to denounce the lack of medical care in prisons. Acts to which we unconditionally join, calling attention to the current health situation in which the criminal lack of medical care in prisons is spreading more and more. This miserable process of privatization makes it only accessible to those who can afford it.

The capitalist system not only sickens us in prison confinement and labor exploitation, but also alienates us without the capacity to react with its systematic aggression. The situation of medical neglect is aggravated in vulnerable groups and in people subject to multiple forms of exclusion; for reasons of social class, gender, color, ideas... While our lives are becoming more precarious, there are those who make use of their privileges to enrich themselves without any scruples, stripping us of all rights and transferring their responsibilities to the working classes, the impoverished and those who find it increasingly difficult to have a minimum life expectancy.

The conditions of prison confinement go beyond the walls and are imposed in the so-called “free society”; we are gradually deprived of all freedom and we are clinging to the exhausting system of productive exploitation while we are expelled from our neighborhoods, from our homes and kept as if it were an ICU, tied to all kinds of repressive technology with the promise of a better life... for them.

Amadeu was about to be released from prison again. But this system does not build freedom for us, and moves us from one form of deprivation of liberty to another. Amadeu is currently subject to tubes and machines that maintain his vital signs, in a coma and without conscious life. Amadeu is waiting for his strength to push him to continue once again.

Amadeu’s vitality is what will free him from this new prison. We wish and send him all our strength so that soon we will have him with us again in the streets. We hope that his voice does not stop denouncing this criminal system that if it doesn’t kill you, it kills you.

Amadeu, you can’t leave now. There are still many tasks that we have pending to clear the paths towards those longed-for ways of life in anarchy. Beyond them, there is nothing.

28 Jun - Elspeth Meyer, 1938-2024, Presente!

Elspeth was one of the most warm and welcoming revolutionaries, emphasis on revolutionary. She is proof that we can struggle in a serious and principled way without becoming rigid and brittle. Go easy, Elspeth.

MORE:

We are saddened to share that at 1:45 pm on June 28th, 2024, Elspeth Meyer drew her last breath. A beloved mother, grandmother, sister, neighbor, partner, auntie, elder, comrade, and friend to countless people, she spent her life struggling for the rights and freedom of others and working for the happiness of those around her. Born in Scotland in 1938, she moved to the Brooklyn she so very much identified with and enjoyed in 1969 and lived there for the rest of her life. A dedicated educator and parent advocate, Elspeth worked for decades in daycare and early childhood education, helping to found some of Brooklyn's most consistently progressive and sustainable schools. Elspeth was a fine artist who also helped design posters for the causes she believed in; she worked in batik, collage, oils, pastels, and markers. An inspiring organizer, she fought without equal as a north american solidarity activist for the freedom of Puerto Rico, working with unparalleled non-sectarianism as a behind-the-scenes support person for all initiatives, individuals, and organizations working to bring about positive change to the land still colonized by US imperialism. As a young supporter of the United Farm Workers labor union and the burgeoning, independent Nigeria where she lived from 1963 to 1968, Elspeth went on to help found Resistance in Brooklyn (RnB), working tirelessly till the very end of her life to free all political prisoners and support all freedom movements, from Haiti to Palestine and beyond. Perhaps her greatest legacy, however, is the warmth and humanity that Elspeth permeated in her encounters with others. Insistent and sometimes stubborn, she nevertheless made a point of sharing kindness, respect, and genuine interest in whomever she was talking to, meeting with, passing by. She loved children (almost all of them but especially her own and her grandchildren) and loved nature and the Botanical Gardens which were right across the street from her home. Now our dear Elspeth is forever a rose in the midst of all nature surrounding us.

1 Jul - Write A Letter To Sindre Today!

Sweden: Sindre has been granted longer leaves from detention and is sometimes sleeping at home now, but is still serving his sentence, which does not have a final date and he needs letters!

MORE:

via *UNOFFENSIVE ANIMAL*

The psych hospital has the last word on when Sindre is done serving a sentence that without the mental hospital would’ve been a four-month prison sentence.

Sindre is an animal rights activist, 21 years old, from so-called Sweden. Sindre is a kind and respected comrade in the animal rights community, who has fought against animal abusers in various ways.

In October 2023, Sindre was sentenced to forensic psychiatric forced care. The verdict refers to prosecution for actions in 2021, against the former fur farmer Niklas Pettersson. Sindre denies the alleged crime. Sindre was also sentenced to pay SEK 10,000 in damages to Niklas. The sentence was appealed, but later in 2023 The Court of Appeal upheld the verdict. If Sindre had not been sentenced to forensic psychiatric care, his prison sentence would have been only four months.

Sindre was detained immediately after the trial, on the ninth of October, and has since been imprisoned without an end date. A horrible sentence! Support Sindre! Help him endure behind bars, let him know he's not alone.

2 Jul - Leonard Peltier Denied Parole After Nearly 50 Years In Prison

Leonard Peltier was denied parole on Tuesday, meaning there's likely only one other way the ailing, 79-year-old Native American rights activist will ever be released after serving nearly 50 years in prison: If President Joe Biden intervenes and commutes his sentence.

MORE:

by Jennifer Bendery (*HuffPost*)

Peltier has been in prison since 1977 when the U.S. government convicted him for killing two FBI agents in a 1975 shoot-out on Pine Ridge Reservation in South Dakota.

But his trial was full of misconduct, including federal prosecutors hiding evidence that exonerated Peltier and the FBI threatening and coercing witnesses into lying. The government's case fell apart after these revelations, so it abruptly revised its charges against Peltier to aiding and abetting whoever did kill those agents — on the grounds that he was one of dozens of people present when the shoot-out occurred.

There was never evidence that Peltier committed a crime. The FBI and U.S. attorney's office never did figure out who killed those agents.

"Today is a sad day for Indigenous Peoples and justice everywhere," Nick Tilsen, president and CEO of NDN Collective, an Indigenous-led advocacy group, said in a statement.

"They denied parole to a survivor of genocidal Indian boarding schools and as he struggles to survive his unjust incarceration, they insist on holding him for a crime for which they have no physical evidence against him," said Tilsen. "Clearly, the Parole Commission – which is supposed to be an independent body – was influenced by the FBI."

The FBI continues to oppose Peltier's release and is the main reason, if not the only reason, that he's still in prison. But its stated reasons for opposing Peltier's release are full of holes, outdated and remarkably easy to disprove.

The FBI also has not publicly addressed the key context of that 1975 shoot-out: That the FBI itself was intentionally fueling tensions on that reservation as part of a covert campaign to suppress the activities of the American Indian Movement, or AIM, a grassroots movement for Indigenous rights. Peltier was an active AIM member and an FBI target.

Peltier has maintained his innocence the entire time he's been in prison. It has almost certainly contributed to him being denied parole.

Prior to Tuesday, the last time Peltier was denied parole was in 2009. He is unlikely to live long enough to try for parole again, given the yearslong process involved, his advanced age and his poor health. Peltier has diabetes and an aortic aneurysm.

July 2nd - LEONARD PELTIER DENIED PAROLE: NDN COLLECTIVE RESPONDS

Today, NDN Collective and millions of people across Indian Country are devastated to learn that Leonard Peltier, an activist and member of the American Indian Movement, has been denied parole by the United States Parole Commission. The Commission issued the decision today after a parole hearing on June 10 at the United States Penitentiary Coleman I in Florida, where Mr. Peltier is currently incarcerated.

“Today is a sad day for Indigenous Peoples and justice everywhere. The U.S. Parole Commission’s denial of parole for Leonard Peltier, America’s longest serving Indigenous political prisoner, is a travesty,” said Nick Tilsen, president and CEO of NDN Collective. “They denied parole to a survivor of genocidal Indian boarding schools as he struggles to survive this unjust incarceration, they insist on holding him for a crime for which they have no physical evidence against him. Clearly, the Parole Commission – which is supposed to be an independent body – was influenced by the FBI. The FBI continues to abuse its power, promote false narratives, and engage in counterintelligence activities. The FBI has no regard for the Constitution or the laws they have sworn an oath to protect.”

“This decision is consistent with how the United States government has treated the Indigenous Peoples of these lands. They have broken every promise they have ever made to our Nations, and have ignored their Constitution in order to erode the civil and human rights of Native people. But while we are heartbroken by the parole commission’s decision, our work to ensure that Leonard will receive justice and freedom will continue with renewed dedication,” Tilsen said.

Leonard Peltier, a member of the Turtle Mountain Band of Chippewa Indians, is in his 49th year of imprisonment. He stands as a symbol of the ongoing racism and oppression against Native Americans in the United States criminal justice system, issues that Leonard fought against in the 1970’s and throughout his incarceration.

NDN Collective will continue to demand freedom for Leonard Peltier as his attorneys file an appeal of this decision. The organization will also continue its advocacy for a grant of clemency from President Joe Biden.

“We will continue to stand with Leonard Peltier and move our support into an all-out campaign for Executive Clemency,” Tilsen said. “President Biden has promised to be a friend and ally of Indigenous Peoples. Now, will Biden release the oldest living Indigenous political prisoner in American history, or will he simply allow Peltier to die in prison? The decision is now Biden’s alone – and we will not let him forget that he has the power to do what’s right and release Peltier.”

July 3rd - Statement from Leonard Peltier's Attorneys on Parole Denial

This fight is not over until it is over. Lead Attorney Jenipher Jones and Attorney Moira Meltzer-Cohen, who are leading both the administrative appeal and litigation efforts on behalf of Mr. Peltier, will appeal the United State Parole Commission’s grotesquely unconstitutional decision.

In a moment of bitter irony, as the nation heads into the 4th of July Independence Day holiday, the United States Parole Commission failed to recommend Leonard Peltier, who is the longest-serving Indigenous political prisoner in the United States, for release. The USPC’s July 2, 2024 decision continues to impose upon Mr. Peltier a slow Death by Incarceration. The Parole Commission’s decision only illustrates the truth of the United Nations Working Group on Arbitrary Detention report stating that Leonard’s incarceration constitutes an arbitrary detention and noting his parole hearings as a key contributing factor to what they have characterized as his unjustly prolonged incarceration.

Though Congress mandated the closure of the US Parole Commission in 1987, it remains in operation, due to decades of reauthorizations and extensions. After unconstitutional misapplication of statutory parole provisions, the Commission is denying freedom to many vulnerable and elderly population of federal prisoners, known as “old law prisoners,” including Leonard Peltier and many other political prisoners. Leonard is a prisoner of war. Echoing Frederick Douglas this 4th of July holiday, attorneys Jones and Meltzer-Cohen reflect on his enduring words, “What have... those I represent, to do with your national independence? Are the great principles of political freedom and of natural justice, embodied in that Declaration of Independence, extended to us?”

We who believe in freedom cannot rest. We will not give up the fight for Leonard – and neither should you.

2 Jul - Letter from Jessica Reznicek at Waseca Federal Prison

We are pleased to share with you a letter from Jessica Reznicek about her time in prison & pass along her requests for support.

MORE:

First, Jessica would really appreciate it if you can support her prison fund by making a check out to "Des Moines Catholic Worker" with a note for "Jess Prison Fund". The check can be mailed to: Frank Cordaro, Berrigan CW House, 713 Indiana Avenue, Des Moines, Iowa 50314.

Secondly, Jessica would love would love to receive photos. Just everyday photos of folks she knows or does not know. You can send up to 10 at a time, no bigger than a postcard size. Her address and details for mailing can be found at supportjessicareznicek.com

Lastly, below is Jessica's letter from Waseca Federal Prison for all of you:

Hello Good People of the World,

First, I want to thank you for all your prayers, love and support. I feel you all close to me in heart and mind on a daily basis. Your gestures of care and concern are constantly lightening the burden of incarceration for me and my prison family.

Well, I am a few years into my prison sentence now and fully immersed in the culture here. In some ways, I expected this depth of closeness to develop but was for the most part unaware of the intimacies which would form within the relationships of my prison family.

In here we do not hesitate to give tithe to the bonds that create between one and another. We belong to each other and so we name it. We are family. We are aunties and uncles to one another. Sisters and brothers, dads and moms, sons, daughters, wives and husbands. We embody these roles as we learn how best to look out for each other. This truly is the biggest, realest human family I've ever known. Good, bad and ugly. We grieve together. We laugh together. Get sick together. Heal together. Our hearts break and so then we cry together. Break bread together. We fight together. Hide the bruises together. But then we laugh together, sing. Dance. Pray. Celebrate. We stick together. All of it, together as a family.

The emphasis I've placed on 'connectedness' has transformed in recent years into a rich and deep sense of love for my human family. And so what I am saying is that when you make the decision to support me, you are in reality supporting all of us. And thank you so much for all you do.

5 Jul - WPLC: #NoDAPL update: We've been quiet recently... here's why.

As the summer solstice has come and gone and the time for reflection and ceremony is in full swing for many of our peoples and communities, the Water Protector Legal Collective (WPLC) has been quiet recently—but in that silence, have been hard at work to honor the Water and defend it in every way they can.

MORE:

Seven years later, we are still standing with Standing Rock and have an important #NoDAPL update for you. On July 3rd, as many prepared for Independence Day festivities, WPLC filed a motion to intervene as a non-party in the ongoing SLAPP suit by Energy Transfer LP ("ET") against Greenpeace et al., in a legal move to protect Lake Oahe, Water Protectors, and the public right to know vital information related to pipeline safety and corporate accountability.

The Motion sheds light on critical DAPL pipeline safety issues and possible water contamination of Lake Oahe. We argue that a protective order, established in 2021, shields critical documents and information from the public and from local, state, federal, and Tribal agencies responsible for public safety. These include at least 8,000 sealed documents (and likely more in recently produced 500,000 pages produced by ET to Greenpeace in the last two months) related to pipeline safety, which WPLC asserts are essential for protecting the water of Lake Oahe, the Missouri River, and surrounding ecosystems. Per the terms of the protective order, at the close of the case through trial or settlement, the sealed documents must be destroyed.

Through our research over the past several months, we have gone through hundreds of documents in the SLAPP suit, in a case where hundreds of thousands of documents have been produced and are part of the record. In an expert report prepared for Greenpeace, experts found that during DAPL construction, there were numerous errors and inconsistencies in the calculated soil maximum drilling pressure limits. Experts determined there was a "relatively high" probability that during drilling under the Missouri River at the Lake Oahe crossing, "1.4 million gallons of drilling fluids" were lost in 700 events ending up in Lake Oahe.

This information is especially concerning in light of the ongoing operation of DAPL without proper permits since 2020 and ET's poor safety record, including federal debarment by the EPA. Federal debarment results when parties are not "presently responsible" or "have engaged in criminal or other improper conduct, or demonstrated serious poor performance of such a compelling and serious nature that would lead one to question their honesty, ethics, or competence."

ET was federally debarred by the EPA due to 48 criminal convictions in Pennsylvania stemming from concealment and failure to report drilling fluid leaks and use of unapproved additives such as diesel fuel resulting in water contamination at 21 sites during its construction of the Mariner East II, Rover, and Revolution pipelines in 2017. Unlike the Attorney General for the State of Pennsylvania, North Dakota's Attorney General has not investigated ET's safety in the construction or operation of DAPL. Moreover, during a recent hearing, ET argued that it is not required to report loss of drilling fluids or other accidents to the U.S. Pipeline and Hazardous Materials Safety Administration ("PHMSA") while a pipeline is under construction. This is contrary to the spirit and purpose of regulations which mandate ongoing disclosure of such incidents to PHMSA throughout construction and operation.

WPLC argues that without public oversight, the interests of affected communities and the broader public, especially regarding clean water and environment safety, are not adequately represented. The Motion aims to ensure transparency and corporate accountability. The public interest in accessing this information outweighs any confidentiality claims by the parties. At a time when the Supreme Court has just diminished the power of federal agencies to protect the public, the Clean Water Act has a special provision that was put in place by Congress that hands power to the people to bring "citizen suits" to make sure the words on paper mean something.

This is a matter of principle. At a time when principles seem to be exiting stage right, we cannot sit idly by and watch environmental regulations be rendered meaningless. They have to count for something. The motion to intervene is a vehicle to safeguard crucial evidence in this case that should be public information for Water Protectors and the public. Pipeline safety documents and construction accidents cannot and should not be considered privileged or otherwise 'proprietary information' that can be cloaked under a veil of corporate secrecy.

The SLAPP suit filed by ETP against Greenpeace and others, sought to silence and intimidate those who have opposed the Dakota Access Pipeline, a project that since inception, has posed significant environmental and cultural risks to the Standing Rock Sioux Tribe. The release of previously-withheld evidence that may show significant impact to the Water that Water Protectors at Standing Rock sought to defend, would confirm what many advocates argued then and continue to argue about the nature of pipeline construction and operation: it is not a matter of "if" but "when" - pipelines leak and we cannot drink oil.

Now as always, we are committed to protecting the water of Lake Oahe, the Missouri River, surrounding ecosystems, and the public's right to access vital information. Lake Oahe, part of the Missouri River, is the primary source of water for the Standing Rock Sioux Reservation and Cheyenne River Reservation, in addition to being a popular fishing destination for citizens from the Dakotas and surrounding region. Over 12 million people live in the Missouri watershed, which provides municipal water supply for over 3 million people, feeding at least 891 intakes for federal, private, and tribal irrigation.

6 Jul - Anarchist in South Carolina Facing Federal Subpoena Releases Statement

In Charleston, South Carolina, an anarchist and musician was recently subpoenaed to appear in front of a federal grand jury. She asked that others widely share this statement in order to bring awareness to her ordeal:

MORE:

My name is Cyprus Hartford. I'm a 20-year-old musician, trans woman, and anarchist. On June 5, 2024, I was stopped on the highway by federal agents and served a subpoena to testify before a Federal Grand Jury in Charleston, South Carolina on August 13, 2024. After consulting with friends, family, and attorneys, I've made the decision to challenge this subpoena, and if necessary, to refuse to give testimony before the grand jury. I will not allow the state to intimidate me. I will not put my community at risk by giving the state information that has nothing to do with harmful behavior, but discloses private information about our first amendment-protected beliefs, activities, and associations.

Grand juries are an archaic and secretive process by which the state secures indictments. They have been abolished everywhere they were ever implemented, except for the USA and Liberia. As an anarchist, I don't believe that any court should have the power to condemn human beings to imprisonment, but this is especially true for grand juries. Grand juries undermine witness's rights to protect against self-incrimination by forcing them to testify under threat of indefinite federal imprisonment via Civil contempt of court. This is what I will be facing for refusing to cooperate. Grand Juries nearly always vote to indict, with one exception. Grand juries almost never indict white police officers who shoot and kill Black people. This legal process is essentially a kangaroo court. It has no place in a supposedly free country. I refuse to participate in the process of rubber stamping an indictment. Unlike every other legal process in the U.S., federal grand juries happen behind closed doors. There is no defense attorney, no judge, and no press or public. Secret proceedings are inherently undemocratic, and susceptible to politically motivated abuse.

Although I don't think this subpoena is justified, I wasn't surprised to receive it because of similar repression happening in the Charleston area. In March, the same ATF agent who served me the subpoena left a card at the door to my family's house. During the spring of this year, several others in the Charleston, South Carolina area were subpoenaed and did give testimony. State and federal repression is ramping up all around the country. After years of successive mass protest movements, the state is cracking down even further on dissent. We have the tools to be able to fight against this in court. When I was served this subpoena, I called movement attorneys associated with the National Lawyers Guild. They connected me with people who had been in the position I'm in. I was assured that I am not alone. People have been in my position before and made the decisions I am making. The state seeks to isolate and atomize us from each other, but we are stronger when we stand together.

At the present time, I'm currently attempting to find a lawyer to represent me in court. This is a somewhat expensive and difficult process. A gofundme link to support me with this, as well as living expenses in the

meantime and potential funding in the event that I am incarcerated for my refusal to cooperate, can be found here: <https://www.gofundme.com/f/support-cyprus-against-state-repression> . Any money left over after all this is done will go to others facing state repression.

To support Cyprus and share her fundraiser, go to [gofundme.com/f/support-cyprus-against-state-repression](https://www.gofundme.com/f/support-cyprus-against-state-repression) . From the campaign:

Cyprus is a trans woman, a folk punk musician, and an activist.

Now Cyprus has been subpoenaed to testify in front of a federal grand jury. Federal grand juries are supposed to investigate federal crimes, but there is a long and well-documented history of politically-motivated federal grand juries being used to target dissident communities and gather private information otherwise protected by the first amendment. Grand Juries are notoriously secretive and play by very different rules than normal court proceedings. Jurors are hand-selected by the prosecution without screening for biases, and no judge, defense attorney, or member of the public may be present for proceedings. They are an effective tool of state repression, because they are so secretive, and so they are not subject to the requirements of transparency, rules of evidence, and opportunity for each party to be heard that apply to all other proceedings in the U.S. legal system. They also enable the state to access information about beliefs, activities, and relationships that are totally legal and even constitutionally protected, which can help make it possible to infiltrate and disrupt organizing.

Cyprus plans to challenge the legal validity of this subpoena, which will require her to hire an attorney. She may also be subject to consequences, including incarceration, for her act of principled resistance to this subpoena. Cyprus is an essential part of our community. She means so much to so many people. She has had her life uprooted by federal repression. She has been stalked by federal agents, who interrupted her tour to serve her this subpoena. Cyprus is working to keep our community free from state surveillance and intrusion and we must step up to support her. Now she needs our help to stand strong against state repression. Together we make a community. We need to support her through the grand jury resistance process. Help her pay for legal fees and living expenses while she goes through this process.

6 Jul - In Contempt #42

We are including excerpts from *In Contempt*, the monthly column about state repression that appears on It's Going Down.

MORE:

Uprising Defendants, Stop Cop City and Other Ongoing Cases

A statement is being circulated in solidarity with all Stop Cop City defendants, while an important motion has just been filed by the defense, which could potentially lead to the dropping of all RICO charges. As Atlanta organizer Micah Herskind wrote:

The Georgia Attorney General's office appears to have made a major blunder in the ongoing prosecution of 61 Stop Cop City activists—one that could potentially cost the state its case altogether.

According to a motion filed by attorneys for three defendants who run the nonprofit Atlanta Solidarity Fund (ASF), Georgia Deputy Attorney General John Fowler's prosecutorial team has extensively and brazenly violated multiple defendants' right to attorney-client privilege.

This motion is just the most recent episode in the RICO case that has been denounced by activists and legal experts as a political prosecution intended to punish and intimidate those in the Stop Cop City movement.

The AG office's actions, the motion argues, represent a "brazen violation of the attorney-client privilege, the Sixth Amendment, and the Due Process Clause of the United States Constitution, and the Georgia Constitutional right to counsel in all cases."

Reporting from The Guardian confirmed that the state's breach of attorney-client privilege was not limited just to the ASF defendants, as attorneys for other defendants in the sweeping RICO prosecution verified that the state shared privileged information for their clients as well.

The Manhattan DA's office has dropped charges related to the Columbia University encampment against 30 people, with 14 more due to appear in court.

The support committee for Peppy and Krystal, facing charges for alleged actions against a transphobic rally, have posted several updates, including a full timeline of the case so far, and a listing of important upcoming dates as their trial approaches. They're encouraging people to write to Peppy, who's held in pre-trial detention, and also to send messages via email for Krystal, who's out on bail but still facing serious charges.

His support crew advise:

As you're sitting down to write that first letter to Peppy, please know he's looking forward to hearing from any and all supporters! And if you're wondering what to write, make note that Peppy really likes skateboarding, comedy, and uplifting and heartwarming stories. Autumn is his favorite season, so beautiful descriptions of the changing colors we see in Pittsburgh or wherever you may be writing him from would really hit the spot. As for Pittsburgh specifically and the aesthetically pleasing aspects of this city, he'd love to hear about your favorite spots. Maybe it's one of the bridges or the city steps that go up hillsides! Peppy also likes hearing about and learning about people and places all over the globe. So, feel free to reach out and connect on any of those topics!

Messages for Krystal can be sent to freepeppyandkrystal@riseup.net.

International

June saw a dramatic twist in the ongoing Budapest antifa case, as the defendant Ilaria Salis was released from house arrest after being elected to the European Parliament and gaining immunity from prosecution. Charges are still being brought against the other defendants, with Maja now due to be deported from Germany to Hungary. Maja was also recently attacked while in prison, and another defendant, Hanna, is also facing deportation.

Benni, a German defendant facing charges from having allegedly thrown incendiary devices at the police, has now had two charges of attempted murder dropped, and been released from pre-trial detention.

In the UK, a prisoner called Ahmed has been assaulted by prison officers and moved to solitary confinement. Letters in support of Ahmed can be sent using an online tool [here](#). Radical prisoner Kevan Thakrar has also been moved recently, and a protest in solidarity with Kevan is being organized for early July. UK trans prisoner Sarah Jane Baker has now been freed from prison, after being wrongfully recalled last year.

10/17 Jul - Summer Liberation School

WHAT: Political Education

WHEN: 7:00pm, Wednesdays, July 10th and 17th

WHERE: TBA. RSVP For Address: tockify.com/mlsupport/detail/394/1719442800000

COST: FREE

MORE:

Come study anarchism at the intersections with us this summer, as we sharpen our ideas and tools for the moment and the long haul. Together we will collaboratively build our knowledge and practices of anti-capitalist, anti-state, intersectional liberation that is focused on strategies towards freedom and building the worlds we want and need. We will meet every week for 12 weeks, with each week focused on a different topic and having different discussion leads. Each session will be conducted less as a run-of-the-mill reading

group, and more as a practice of the kind of multi-directional and horizontal education, including opportunities for relationship-building, music, food, and fun, to the extent people want to participate!

Course topics include: Black anarchism and autonomism, Indigenous anarchism and autonomism, Black feminisms, women of color feminisms, decolonial feminism, anarcho-feminism, queer anarchism, disability justice, and anarchisms and autonomisms in Latin America and the Caribbean, Asia, SWANA, and Africa, as well as other potential topics to be decided collectively. Multiple ways of learning/processing/sharing information will be included, incorporating art, drawing, small group discussions and zine-building. Will build a collective zine to share our learnings with each other, other MACC members, and beyond, and have a final project that focuses on strengthening our material commitments to and praxis of the topics we're studying. If you have any questions about the school, please e-mail us at macc_summerliberationschool@protonmail.com

19 May - MACC Care Assembly

WHAT: Assembly

WHEN: 3:00pm, Sunday, July 21st

WHERE: PIT Records & Books, 411 South 5th Street, Brooklyn

COST: FREE

MORE:

SCHEDULE:

- o Self-defense class Muay Thai Martial arts training - no experience necessary, show up at 3 pm
- o Political education session
- o Care exchange & a community meal

What is the care exchange? As we sit down to share a meal we check in and exchange our requests and offers, in the spirit of mutual aid. Requests – do you need help with anything? Offers – do you have any skills, time, or resources to offer? This is a conversation to help facilitate building and maintaining relationships among us by identifying needs and sharing what we can in solidarity.

For COVID safety: Show a negative rapid test; free tests will be provided at the door.