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Updates for February 23<sup>rd</sup>

### **5 Feb - Black Votes Matter asks Nebraska Pardon Board to release Ed Poindexter**

*The campaign to obtain freedom for former Black Panther leader Edward Poindexter is gaining growing support as evidenced by a new billboard near Interstate 480 in Omaha, Nebraska, calling for his freedom.*

#### **MORE:**

Poindexter has been imprisoned since 1970 for the bombing murder of an Omaha policeman following a controversial trial marred by withheld evidence, apparent planted evidence, conflicting police testimony, questionable forensic evidence, and perjured testimony by the state's chief witness, Duane Peak, the confessed bomber.

Poindexter, sentenced to life at hard labor at the close of the April 1971 trial, has survived co-defendant David Rice (later Wopashitwe Mondo Eyen we Langa) who died at the maximum security Nebraska State Penitentiary in March 2016 while serving his life sentence. The two prisoners were leaders of a Black Panther Party affiliate chapter called the National Committee to Combat Fascism and targets of a clandestine counterintelligence operation code-named COINTELPRO conducted illegally by the Federal Bureau of Investigation.

Preston Love, Jr. is a member of the Freedom for Ed Committee that has held a prayer vigil, a march, and a demonstration outside the home of Governor Pete Ricketts. Love, who chairs the organization Black Votes Matter, is firmly convinced Poindexter was a victim of a wrongful conviction. Over the years, Freedom of Information lawsuits have slowly uncovered secret federal manipulation of the murder investigation and subsequent criminal trial. However, despite the revelations, Poindexter has not been granted a new trial.

Many, including a national justice group, have called Poindexter a political prisoner because of the COINTELPRO subterfuge and subsequent unfair courtroom injustice that has kept him imprisoned for half a century. The funds for the billboard were provided in a grant from the Jericho Movement to Free All Political Prisoners. Jericho Boston helped defray the billboard costs.

Denied a new trial by the courts, Poindexter is getting similar treatment from the Nebraska Pardon Board, made up of the Governor, Attorney General, and Secretary of State. The three politicians control Poindexter's fate as they determine sentence commutations. Until the trio acts, the Nebraska Parole Board cannot take up Poindexter's case.

Not only has the Pardon Board thus far declined to consider Poindexter' request for a commutation of sentence, they insist he must continue to wait for a hearing. Despite Poindexter's age, 76, and ailing health, the Pardon Board refuses to hear his case while they work on pardons for persons no longer in jail.

In a stunning display of disregard for the numerous calls throughout the country to reduce prison populations as the Covid virus runs rampant behind bars, the Nebraska Parole Board refuses to consider commutation requests ahead of pardons for those who have already served their sentence. The board has approximately fifty pending commutation requests yet only hears a half-dozen cases every several months. Instead, the majority of cases that appear before the board are for pardons from ex-convicts who have already been released from the prison risk of infection. The board also refuses to triage the commutation requests to put elderly or at risk prisoners on an expedited schedule.

Ricketts and his two political colleagues have failed Good Government 101. The best place to start on any reduction of the number of confined inmates would be with those seeking commutation. Their cases are already prepared for consideration and would be evaluated on a case-by-case basis.

Preston Love explains the reason for the billboard. "It is time for the public to realize that Ed Poindexter is real and is vulnerable to forces beyond his control, just like the rest of us. His humanness, his face, his life. We hope this billboard will close the gap for many to speak out for Ed and help get the State's knee off his throat, let him breathe."

## **8 Feb - Indigenous Water Protector Jailed in North Dakota for Refusing to Cooperate With Secret Grand Jury**

*Water Protector Steve Martinez is confined in Burleigh County Detention Center after refusing, on principle, to give testimony before a federal grand jury.*

### **MORE:**

via *Indian Country Today*

This Grand Jury, like the one at which Martinez refused to testify three years ago, ostensibly involves a criminal investigation into events leading to the grievous injury of Water Protector Sophia Wilansky. It has been the position of Morton County, ND that Ms. Wilansky was not injured as a result of excessive force by law enforcement, but by the actions of Water Protectors. In a federal civil rights lawsuit against Morton County, however, Wilansky says she was shot in the arm with a concussion grenade by a sheriff's deputy on November 20, 2016, when law enforcement attacked hundreds of unarmed people objecting to the construction of the Dakota Access Pipeline ("DAPL") with high pressure fire hoses, impact munitions, explosive grenades and chemical weapons.

Opposition to DAPL rallied thousands of environmental and Indigenous rights activists to the Oceti Sakowin prayer camp at Standing Rock, ND in 2016 and 2017. These Water Protectors were met with heavily militarized intervention from the oil company's private security forces, the Morton County Sheriff's Office, and numerous assisting agencies. Since March, 2017, DAPL has leaked over 1000 gallons of oil into sensitive water sources, and the Energy Transfer link connecting DAPL to Texas has leaked over 5000 gallons of oil. On January 26, 2021, the appeals court in Washington D.C. upheld a lower court ruling which found that the permit allowing DAPL to cross beneath the Missouri River — on unceded Lakota / Dakota / Nakota lands — violated key federal environmental laws, by failing to consider the risk the pipeline poses to the Standing Rock Sioux and other Indigenous nations who depend on the river for drinking water, as well as cultural, spiritual, and economic survival. After years of struggle and irreversible harm to both land and people, the rulings affirm the positions of the Water Protectors, and mean that DAPL is currently operating illegally.

After Mr. Martinez refused to submit to a grand jury in 2017, US Attorneys released him from subpoena. Three years later, Mr. Martinez was served a new subpoena, just days after a significant ruling in Ms. Wilansky's civil suit. The near simultaneous timing of the civil order and the new grand jury subpoena casts doubt on the legitimacy of the subpoena, argued Martinez' lawyers in a motion to excuse him from the Grand Jury. U.S. Magistrate Judge Alice Senechal denied that motion.

After Martinez appeared before the Grand Jury on February 3, and invoked his First and Fifth Amendment rights, Magistrate Judge Senechal ordered him to give testimony. Martinez refused. In a secret proceeding in a sealed courtroom, the Court held him in contempt of its order, and over the objections of counsel, had him confined until he agrees to testify, or the Grand Jury investigation terminates—up to 18 months.

The Government's efforts to force Steve Martinez to collaborate with the Federal Grand Jury seeking to shift the blame for Sophia Wilanski's injuries from law enforcement to Water Protectors have been plagued by due process violations, procedural errors, undue haste, and secrecy, say his lawyers. Martinez intends to

challenge the finding of contempt, but remains prepared to serve the term of confinement, rather than participate in a proceeding characterized by secrecy and coercion.

Grand juries are secret proceedings, at which prosecutors control the presentation of evidence to grand jurors in an effort to secure an indictment. Neither defense counsel nor judges — nor any member of the public — may be present. Witnesses must answer questions or risk being jailed until either they are coerced into compliance, or the grand jury expires. “Due to their secrecy, grand juries are highly susceptible to abuse,” said attorney Moira Meltzer-Cohen. “There is a long history of grand juries being used to intimidate politically disfavored groups, from abolitionists to union organizers, anti-war advocates, and civil rights activists. This Grand Jury, which criminalizes movements for native sovereignty and environmental justice, is one more instance of such abuse.”

In addition to his objections to the grand jury as an institution, Martinez believes it is being used to suppress his rights to assembly, association, religion, and free speech. In a call from jail Saturday morning, he reaffirmed his conviction, saying “The state should not be intimidating people and trying to blame us for harm they caused. I didn’t want to lose my freedom, but they are not going to break me.” Martinez’ partner Leta Killer wrote in a heartfelt social media post: “Yesterday, my love Steve Martinez stood his ground as a Grand Jury Resistor regarding the movement at Standing Rock. ... [T]he Feds are still grasping straws trying not to be held accountable for the terrible things law enforcement did to peaceful, prayerful Water Protectors. ... Seeds of awareness & unification [will] spread all over the world for voices to speak out [about the need] to protect our natural resources for all of our future generations.” Martinez enjoys widespread support, as he joins, for the second time, a long line of activists committed to the welfare and self-determination of their movement communities. Mni Wiconi! (Water is Life!)

### **10 Feb - The Silencing of Eric King**

*Eric King, imprisoned since 2016, recently received a notice stating that his mail privileges have been restricted for the upcoming six months: stripping him of his ability to communicate with anyone outside of his immediate family.*

#### **MORE:**

*via Prison Radio*

Restricted communication, however, is not new for Eric: "I've been denied phone calls for 2 years after a website posted about me, and my wife was denied visiting access due to her 'ideology,'" Eric wrote in a snail mail interview conducted by the Seattle-Tacoma chapter of Black and Pink.

The warden's reasoning was broad and weak: "Your continued access to unfettered general correspondence privileges might pose a threat to the security and good order of the institution and protection of the public."

There was no explanation of what kind of threat Eric imposed, neither was there further discussion of what Eric had done to provoke this message. The restriction was simply stated. The ease at which the warden could enforce this restriction, revoking the right of a person on the inside to communicate for six months, speaks measures about the brutality and dehumanization process of the prison industrial complex.

Eric, a vegan anarchist political prisoner, is constantly targeted by guards and thrown into the hole for his outspoken belief and determined fight against oppression. This mail restriction was no different: as a retaliation to a noise demonstration hosted outside of FCI Englewood on New Year's Eve, Eric's mail was restricted. Eric had nothing to do with organizing this demonstration, a fact that the BOP admitted, but did nothing to change the stated constraint on communication.

Eric understands that these tactics of psychological and psychical torture are not accidental. "I'm not sure people realize or care about the amount of psych games these people play. It is violent. Withholding mail for weeks or months claiming you don't have any, searching your cell and vandalizing your family photos. Placing you intentionally around people who wish to harm you," Eric wrote.

The prison-industrial complex is designed to limit any and all human connection, leaving letter writing as one of the few avenues for people who are incarcerated to connect with the free world. Restricting this is a clear expression of power and a grave form of oppression.

*Prison Radio* stands with Eric King. We demand the prison end this six month restriction ban, and release Eric immediately. To further support Eric, check out his support page, his commissary and E-book wishlist, and never stop listening, learning, and acting on his words.

## **14 Feb - Updates and Writings by Kings Bay Plowshares 7**

*The latest on the plowshares political prisoners is below.*

### **MORE:**

#### **February 14<sup>th</sup> - Two Weeks in the SHU by Patrick O’Neill**

As compiled by Rev. J. Mark Davidson.

Patrick O’Neill, Kings Bay Plowshares 7 anti-nuclear peace activist, began serving his 14-month sentence in the Elkton federal prison, Lisbon, Ohio, on January 14, 2021. This being a time of pandemic, upon entering the prison, Patrick was placed in quarantine in the SHU (Special Housing Unit – “The Hole”). What follows is a compilation of the few letters we have had from him which provide a glimpse of what his imprisonment is like, and what has been germinating in his spirit.

C-224 is Patrick’s cell. SHU inmates are not allowed outside for exercise or fresh air, so Patrick, a runner, devised a makeshift “figure 8” track in his cramped cell. Sore calves are the price of walking/jogging on the concrete floor. The reading cart comes by occasionally – Dick Francis novels, Barbara Kingsolver’s *The Poisonwood Bible*, *The Basic Writings of Friedrich Nietzsche*. He has a Bible, and after a few days one of the guards brought him a pad of lined paper and a very small pen.

To say Patrick misses Mary’s cooking is a vast understatement: “worst meal yet: fish breaded (not hot), one bun, stale chips. Another Fudge Drizzle Yellow Cake roll, no fruit or veggies. No napkins or condiments. Breaking news! Packet of ketchup discovered under chips! A veggie after all!”

One of the things that stands out from Patrick’s letters from the SHU is the almost complete absence of kindness and ordinary human courtesy. The common experience is for Patrick to say, “Thank you” to the guards who bring the meal trays to his cell and come back to pick them up. Most of the time, there is no response at all. “Have a great day” is met with silence. “Thanks a lot” SLAM. “What I do miss in solitary is kind interaction with other humans. Guards here are in prison with us and they seem more miserable than the inmates. I’m sure most of the guys hate their jobs, loathe the prisoners, or both. They seem like such a bunch of cold, miserable people.”

Still, Patrick persists in making human connections with the guards and fellow prisoners when he can: “Today I made a small Black Lives Matter sign on an envelope and held it up to my fellow inmate in C-211 straight across from my cell. He smiled and gave me a thumbs up.” When, finally, one of the guards responded to Patrick saying, “Thank you” with “You’re welcome,” Patrick wrote, “God is good!” Another time, he said, “Have a great day” to the guard who had just collected his breakfast tray, and the guard said something nice to Patrick: “I was so taken aback, I didn’t listen carefully to what he said, but I’m grateful.”

For me, the most striking realization of Patrick’s time in the SHU has been how it has affected him spiritually. He wrote, “I pray all day, like a never-ending rosary.” Thrown back on his own internal resources, physically cut off from his family and community, his spiritual life has blossomed in amazing ways: “Making C-224 my monastery has been my salvation. It is here where I have learned to pray unceasingly for the first time.”

Patrick has been nourished by Scripture: “Do not fear those things which you are about to suffer. Indeed, the devil is about to throw you in prison, that you may be tested, and you will have tribulations...Be faithful until death, and I will give you the crown of life (Revelation 2:10).”

The presence and companionship of “that great cloud of witnesses” comforts and strengthens him every day and through the watches of the night. He remembered that Phil Berrigan was at one time in this same federal prison: “Phil Berrigan was in this prison on 9-11, and was immediately placed in the SHU for ‘security reasons.’ Liz and the kids talk about how Phil was held incommunicado also. So I am tracing the steps of a prophet. Could it be that we were in the same Hell Cell?”

On January 17<sup>th</sup>, his fourth day in solitary confinement, the Spirit served up a memory that connected him to the broader community of peacemakers. Patrick remembered that that day was the 34<sup>th</sup> anniversary of the “Cancel the Countdown” action at Cape Canaveral – a 5,000 person-strong protest of the first flight tests of the Trident II D-5 missile, the brainchild of Bruce Gagnon, then the director of the Florida Coalition for Peace and Justice: “It was an amazing action, which I and many other anti-war and anti-nuclear activists organized. We even leased an AMTRAK car to bring folks from places north. 250 people, including Dr. Spock, were arrested for crossing the line at the Cape Canaveral Air Force station. A great “back country action” included serious attempts to occupy the launch site area in hopes of delaying the test flights. Willa Elam was able to get to a launch pad and climb a tower and call by phone to let folks know she had breached security. She received a 6-month jail sentence in the Brevard County jail. I visited her and a few others who spent 6 months in the slammer.”

There were more gifts of “connective tissue” in his isolation. He thought of his co-defendant Father Steve Kelly: “My short time in the SHU makes me think of Steve Kelly’s perseverance. Unlike my co-defendant Fr. Steve, my time in the SHU is like the Monopoly board “Just Visiting”, while Steve goes in the SHU, he does not pass Go or collect \$200. He signs a lease and moves in. It’s all so amazing, the depth of that man.”

Patrick has found that his time in solitary confinement in C-224 has deepened his capacity for empathy and compassion: “I pray in gratitude each morning for redemptive suffering and humility. The unpleasantness of solitary is also a gift as I experience a small taste of the suffering that most humans face every day all over the world. I hope to feel more empathy for my sisters and brothers who barely survive in the world.”

Let us continue to hold Patrick and his family, and his fellow prisoners, indeed all those who are incarcerated, in our prayers. As Patrick has written, “It’s been a rich experience in redemptive suffering – man’s inhumanity to man. Still, there are beams of light flickering through the darkness.” And the darkness has not overcome the Light!

As of this writing, Patrick is now housed in the higher security prison at Elkton, rather than the minimum security camp. Future writing will be forthcoming.

### **February 14<sup>th</sup> - Martha Hennessy Report, Feb. 5**

*Is it true that the wind*

*Streaming especially in fall*

*Through the pines*

*Is saying nothing, nothing at all,*

*Or is it just that I don’t yet know the language?*

Mary Oliver – “Wind in the Pines”

There is a row of thirteen white pines that look to be perhaps 40 years old, on the eastern side of the camp. I came in early winter, but one of the first sounds to catch my senses was the wind in the pine needles and branches.

Trapped indoors for a month, my nervous system took it in like dry earth drinking up the delayed rain. The body knows the language whether the mind does or not.

The hill behind my childhood home is crowned with white pine and crab apple. We call it “Pine’s Peak.” This geography is in every muscle, bone, and synapse of any child who wandered the landscape. A particular brow of a hill, a certain oak by the brook, the call of the red-tailed hawk, indelible.

Now, this place, any prison, is utter heresy.

As a child I also remember reading about indigenous peoples dying in custody, taken from the wind, water, sun. “At night may I roam, against the wind may I roam.” A Paiute prayer.

My mother Tamar’s spirit was saturated into the old Vermont farmhouse where my siblings and I grew up.

Her mother would come too, and be part of our family medium, rich in pregnant silence, shimmering with the real presence of God. Like the wind in the trees, always there, waiting for one to come, to sit, to listen, to absorb on a primal level.

Federal prison camp provides both toxins and immense beauty to absorb. The chemical floor cleaner is a killer. Who would understand?

Working in the public schools more than 15 years ago I contracted whooping cough despite childhood vaccines, and my lungs have been sensitive ever since that illness.

It is breathtakingly imperative that there is outdoor time here. I was on the snow shoveling crew, but my age took me off that work detail.

Jumping through insane bureaucratic hoops, for home confinement, the narrative is that if you don’t agree to the COVID vaccine, no review, yet the “Fauci ouchie” isn’t offered. If you do receive the vaccine then you are safe to stay.

As a Plowshares activist, perhaps asking for leniency is a travesty. Is there a difference in the language “requesting reduction in sentence” vs. “home confinement for the remainder of the sentence?” Orwellian mind control is used at an advanced level.

All sins of the social, economic, and judicial systems are deposited in the minds and bodies of our country’s prisoners, the sacrificial lambs of an idolatrous system, –a system paying homage to the use of force as a way of life.

Today’s gospel reading in Mark 6 is about the beheading of John the Baptist—the capricious murder of those who are holy and good, who speak out against what is unlawful.

The words “criminal” and “law breakers” still ring in my ears from the prosecutor’s soft voice in his southern drawl.

But hope comes from the language that the Treaty of the Prohibition of Nuclear Weapons gives us. The nine nuclear states and five states that host nuclear weapons are now put on legal notice. Today is the day that the new START treaty was renewed. By the skin of our teeth it is kept in place.

The 110 countries that have declared their lands a nuclear weapon free zone are to be commended for their courage in standing up to the nuclear weapon states.

Let us pray that Biden and Putin will work together like Reagan and Gorbachav did in the late 1980s, and JFK and Khrushchev did during the Cuban missile crisis.

Of course these men and their efforts were sidelined. Who called for the head of Kennedy?

The platters of today are the Pacific islands and bodies of the people of the Marshall Islands, Nevada, and too many other sites around the globe, that received the radiation. The GIs were made to stand and watch, exposed, then told to never speak of the experience/experiment.

Today is the feast day of Pedro Arrupe, SJ, who cared for the bodies of the Japanese civilians after the U.S. bombing of Hiroshima. In the personal works of mercy he recognized the need for structural changes in the systems of the state. Like Dorothy Day, his sensitive insight was marginalized and Mother Church shied away from this Christ-centered approach.

Are politics not going to be bumped up against when the Gospel teachings are brought into practice?

My latest prison readings bring me headlong into the legacy of our U.S. history school of thought followed by men like Barry Goldwater.

“I would remind you that extremism in the defense of liberty is no vice!”

Under the guise of freedom, Black Virginia students were denied access to schools for five years, obstructing the integration laws for equal education.

The events of January 6<sup>th</sup>, Epiphany, of this year at the Capitol, did not come from a vacuum and we shouldn't be blindsided by the violence. It is in the DNA of the founding of our country.

Nancy McLean's book, “Democracy in Chains,” lays the history out for us to see if we so choose. She writes about the purposeful breaking down of the trust between “the governed” and “the governing” in the name of economic freedom as a basis for the “master class” to have its way with the rest of us.

The deserving and the underserving as my mother used to say of the class war.

The motives of “compassion, fairness, solidarity, generosity, justice, and sustainability” are all suspect.

### **February 14<sup>th</sup> - Clare Grady Reports to Prison**

Clare Grady started her prison sentence on Wednesday, February 10. She is one of the Kings Bay Plowshares 7 who entered the Trident nuclear submarine base in Georgia almost three years ago on April 4, 2018, to nonviolently and symbolically disarm omniscient nuclear weapons. Her daughters, Leah and Rosie, and husband, Paul, drove Clare 11 hours from Ithaca, NY to West Virginia where they met at the prison gate with Clare's sister, Teresa, dear friend Chrissy Nesbitt, and Chrissy's husband David. She'll be in COVID quarantine for the next 2 to 3 weeks so we most likely won't hear from her during this period of isolation. She can receive letters, though.

### **February 17<sup>th</sup> - Martha Hennessy Prison Reflection, Feb. 11**

Robert Ellsberg inspired me today with his writing of A. J. Muste in All Saints and “Blessed Among Us” in Give Us This Day. “Nonconformity, Holy Disobedience, becomes a virtue...to go along is used as an instrument to subject men to totalitarian rule and involved them in permanent war.” The nuclear sword has been wielded for 75 years, time to put it to rest. The Nuclear Ban Treaty (TPNW) now in legal effect, has put the nine nuclear states and their umbrella states on notice. Nuclear weapons are a stigma on these nation-states operating under the delusion that use of force brings security, that threats of nuclear holocaust bring deterrence. A. J. Muste is quoted as saying, I don't do this to change the world (protest), I do it keep the world from changing me.” Dorothy shared the podium with him all those years of speaking out against U.S. military aggression.

In reading Nancy McLean's documentation of the destruction of the efforts at a democratic government in "Democracy in Chains," the evidence is clear on how human corruption is capable of undermining any system or ideal we can come up with. Charles Koch believed in "a vision of what a society might become if the entrepreneurs were freed from both interference and government –granted favors: a paradise of individual freedom, world peace and social progress." Imagine Ammon Hennacy's anarchistic response to this flimsy cover for raw, personal ambition. Will the rugged individual, receiving the best education, food, housing take care of someone else's family member who is vulnerable, incapable of self-care, unable to get rich? Even Jesus is tested in today's Mark 7: 24-30 when "He could not escape notice" and a mother begs for her daughter's healing. She must challenge Him, "even the dogs under the table eat the children's crumbs." Was Jesus tired or being a bit cynical about "insider" sentiments? God help us to be cured of our nuclear demons. In her book Nancy Mclean dares to conclude, " In the view of the libertarian economist, Jesus was mistaken. " The parable of the Good Samaritan is turned on its head, it takes courage to not "go soft" and see the suffering of another not of one's tribe and respond out of human love. The libertarian ideology brings us smashed congressional doors and threats of lynching. The Kings Bay Plowshares 7 sit in prison as a means to not have our hearts hardened, changed by the world and it's machinations.

The practice of institutionalized dehumanization is a sight to behold. The Bureau of Prisons mission is that of accountability and safety. As one of the oldest inmates here I was taken off the snow shoveling crew. A blow to my ego, I love working outside as I've done most of my life. The community here, both inmates and staff, share a strange dance in our efforts to remain human in a world of retribution. Both sides work to care for one another, finding ourselves in convoluted positions, in our status as inmates and for the staff as well. It is an exercise of how to keep in our hearts despite the dystopic conditions we have created for ourselves and even each other. The ivory gilded tower of extreme wealth, had by full-on extraction of the human being and the of the natural resources for profit, still cannot kill all love in the hearts of these occupants. I have to hold on to this belief. In the prison system no shoddy goods can be bad enough for the prisoners. Textiles that bleed dye and remain rough after washing, food that is raised by petrochemical means, pencils that are impossible to sharpen, clothing that stains and holds smells and wears out in a matter of weeks – the list is long. There is a tale in the Catholic Worker community of Dorothy sitting on a chair, it breaks and collapses, she comments that now it is ready to donate to the poor. Reading in the *New York Times* there is a story about the "needle towers," the super deluxe apartments for the super rich, sold at dizzying prices to go with their height. The water pressure is problematic causing floods. They sway and shriek in the wind. The cost and services are not what buyers expected with their investments. Icarus has flown too high, the inevitable tumble is upon us. Lying on a lumpy mattress with polyester sheets in an underground cubicle is an apt position to be in, all funded by our federal government, the taxpayers that is. As one dear KBP7 co-defendant puts it, "ironies abound."

Subtle signs of spring are noticeable. The call of the blue jay has a different cadence to it, the morning and afternoon light lengthens, we are nine days beyond the pagan Imbolc date of February 2, midway between winter solstice and spring equinox. The homeostasis, the balance of our Garden of Eden, our paradise delight, hangs on a thread. Vandana Shiva's work in *Oneness* is the 1% spells out what we have done. From Charles Dicken's description of the onset of the Industrial Revolution fed with the mangled and exhausted bodies of women and children in 18<sup>th</sup> century England, to the die-back of biodiversity and the use of "realistic science" and technology to exploit at every level of life – the mounting evidence is stunning. Oh the bitter cup we have forced upon the vast majority of people, now and into the future, all for a select few who wish to drink from a golden chalice encrusted with precious gems and containing the most expensive wines. Why is the sparkling glass of pure, life giving water not enough? We will be left to sit and mourn, watching so many beloved bodies pass through writhing withdrawal, in agony, a veritable struggle with death, suffering from either too much or too little of what sustains us. The corporal works of mercy, the Sermon on the Mount is our test. The hungry, thirsty, homeless, naked, sick, imprisoned all call out to us. Love is the only answer, the only solution. Our afflictions cannot leave us as long as we blame the poor and oppressed.

Sitting in the prison chapel my eyes wander to the long icicles hanging from the eaves, heat loss in a building that consumes massive amounts of fossil fuels. They are so pretty, slanted by the wind, sparkling



and dripping in the sun, coming to graceful, slender tips. A bald eagle crosses the hilltop frequently in the early morning. God help us in our shining achievements and asinine failures.

## **14 Feb - FBI arrests Daniel Baker for urging armed response to far-right protesters**

*The FBI warned about far-right attacks. Agents arrested a leftist ex-soldier.*

### **MORE:**

by Brittany Shammass and Gerrit De Vynck (*The Washington Post*)

Shortly after sunrise on Jan. 15, FBI agents descended with guns drawn on a squat, red-brick apartment complex here, broke open the door of one of the units and threw in a stun grenade, prompting the frightened property manager to call 911.

Inside the apartment, furnished with little besides books and a sign declaring “THE REVOLUTION IS NOT A PARTY,” the agents found their target: a 33-year-old U.S. Army veteran and self-described “hardcore leftist” who had posted a flier on social media threatening to attack “armed racist mobs WITH EVERY CALIBER AVAILABLE.” A shotgun and handgun were found in his apartment, they said.

The man, Daniel Baker, hardly fit the profile of those who had been expected to cause trouble in the run-up to President Biden’s inauguration. After a mob of Donald Trump supporters invaded the U.S. Capitol on Jan. 6 in hopes of preventing Biden from taking office, the FBI had warned that far-right extremists were plotting armed marches in Tallahassee and other state capitals, as well as in D.C.

But Baker represents the flip side of that threat: As a far-right extremist movement wages an assault on American government and institutions, experts say an unpredictable battle is brewing, fueling potentially legitimate threats of violence from the opposite fringe of the political spectrum.

“It is ratcheting up and then getting a response and a back-and-forth,” said Steven Chermak, a professor of criminal justice at Michigan State University.

Political violence remains far more common a feature of far-right groups than of those on the far left, according to law enforcement officials and data compiled by those who study extremist violence. Federal authorities have repeatedly described homegrown, right-wing extremists as the most urgent terrorism threat facing the nation.

But high-profile right-wing attacks could be spurring far-left extremists to respond in kind, Chermak said. And cases like Baker’s can have a snowball effect, he said: Articles about Baker have been circulated online by members of the Proud Boys, a far-right group with a history of violence, who cite his arrest as evidence that left-wing activists are plotting against them.

“An important part of convincing people that there’s an issue and there’s truth to what you’re saying is to home in on an example or home in on a particular case, and then that case becomes representative of a larger problem,” Chermak said. “It’s something to hang your hat on.”

Despite warnings of violent plots around Inauguration Day, only a smattering of right-wing protesters appeared at the nation’s statehouses. In Tallahassee, just five armed men wearing the garb of the boogaloo movement — a loose collection of anti-government groups that say the country is heading for civil war — showed up. Police and National Guard personnel mostly ignored them.

With no other significant law enforcement actions, Baker’s arrest stands as one of the most dramatic events of that period. He was charged with communicating a threat to kidnap or injure another person.

A yoga devotee and advocate for the homeless who helped out at an arts center, Baker decried both Biden and Trump. Baker, a socialist idealist who volunteered to fight against Islamic State forces in Syria, also

had traveled to Seattle last summer to support protesters for racial justice who briefly claimed an abandoned police precinct and declared the area around it an autonomous zone.

The Jan. 6 attack on the U.S. Capitol deepened Baker's belief that the United States was on the brink of civil war, according to court records, social media posts and interviews with Baker's friends. He felt certain that Tallahassee, where a man fueled by misogyny killed two women at a yoga studio in 2018 and a pickup truck driver accelerated through a crowd of Black Lives Matter protesters last summer would see violence at the hands of far-right agitators. And he was convinced they had to be met with an armed resistance.

Public defender Randolph Murrell argued in court filings and during a Jan. 21 hearing that Baker's comments were "the product of the heated political dialogue of the day." They were no different, he said, from online posts by Republican officials telling their followers to "prepare for war" or to "take up arms" in the run-up to Inauguration Day. Baker's friends said he had a bombastic social media presence that he stepped up to match inflammatory right-wing rhetoric.

Those close to Baker say they see a double standard in his being targeted.

"None of his statement was saying 'On Inauguration Day, we're going to go out and hunt down all the right-wingers,'" said Warren Stoddard, who fought alongside Baker in Syria. "He said, 'We're going to stop people from taking the Florida Capitol.' If no one went to the Florida Capitol, there's nothing to stop."

But the FBI agents who had been monitoring Baker's social media posts since October described him as being on a "path toward radicalization." They catalogued his Facebook musing about being "willing to do ANYTHING to ANYONE so I don't end up homeless and hungry again." They noted updates about "voting from the rooftops" and hoping "the right tries a coup on Nov. 3 cuz I'm so f----- down to slay enemies again." A post on his page in December announced, "Trump still plans on a violent militant coup. If you don't have guns you won't survive."

On Jan. 25, U.S. Magistrate Judge Michael J. Frank agreed that Baker posed a potential threat and ordered him held without bond, writing that the former soldier had "repeatedly endorsed violent means to advance the political beliefs that he espouses."

### **Baker's background**

Baker grew up in the city of Jupiter on Florida's southeastern coast, the older of two sons of a deputy in the aviation unit of the Palm Beach County Sheriff's Office. His parents divorced when he was very young, court records show, and the case stretched on for years.

Because of his mother's struggles with substance abuse, a court eventually awarded sole custody to his father, who remarried and had another son. His mother's illness loomed in Baker's childhood: When he was 12, he discovered that she had overdosed after she failed to show up at his school. Citing that and other occurrences in his life, a judge concluded that Baker had "experienced significant emotional and psychological harm."

Friends said Baker had a conservative, Christian upbringing and was taught to valorize the military, his father having served in the National Guard and the Coast Guard Reserve. (Baker's father, Glenn, died in 2019, and other relatives could not be reached for comment.)

At 18, Baker enlisted in the Army, but his military career would be short-lived. Army records indicate that he left after 20 months, at the lowest rank. Prosecutors said he had been separated from the Army with an "other-than-honorable" discharge after going AWOL in 2007 as his unit prepared to deploy to Iraq. Baker had told multiple friends that he refused to go to Iraq after hearing fellow soldiers boast about sexual assault. His service records do not indicate the reason for his discharge.

The decade that followed found Baker living on and off the streets. He became estranged from his family, his friends said, and found occasional work in private security, otherwise struggling to hold a job. He appears to have had one minor brush with law enforcement: a 2008 marijuana incident that prosecutors declined to pursue.

Desiree Gattis spotted Baker on the side of a Tallahassee road in 2011. She often handed out food to the homeless and stopped to make sure he was okay. The encounter sparked a years-long friendship, with Gattis eventually inviting Baker to sleep in her backyard while he got on his feet. He helped with her outreach to the homeless, despite frequently lacking stable housing himself.

“Once you get to a point where you’re on that red line all the time, you start to feel like, ‘Well, maybe this is what I deserve,’” Gattis, a music teacher, said during a hearing in Baker’s case. “He just had a really hard time helping himself.”

During those years, Baker began reading the books of anarchist philosopher Emma Goldman, political scientist Hannah Arendt and civil rights leaders Malcolm X and Angela Davis, his friends said. He drifted from the conservative ideology of his upbringing and embraced an anarchist worldview, advocating for bottom-up systems with decisions made by community consensus. Conflict with his family and firsthand experience with the shortcomings of public institutions pushed him to rely more on his surrounding community, said friend Jack Fox Keen.

Baker’s search for a radically different form of government eventually took him to Syria, where Kurdish groups were seeking to build a socialist democracy underpinned by feminism and environmental sustainability. Baker was drawn to the concept, and he joined the Kurdish People’s Protection Units, known as YPG, in their battle against Islamic State forces in 2017.

The Westerners who ventured to Syria as YPG volunteers usually were military veterans looking to continue the fight or idealists committed to the political project, said Stoddard, a Texas native and writer who joined the YPG in 2018. Baker, known by the Kurdish name Ali Sharem Ourecox, was a bit of both. He was at least partly driven by a desire to live up to the militaristic ideals of the father he seemed simultaneously to love and hate, Stoddard said.

“He wanted to be this great warrior,” said Stoddard, 26, who returned to the United States after being wounded. “At one point, he told me that he wished that he had gotten shot, like he was jealous of me being shot. Like that was some kind of medal that I got.”

A 2019 *Vice News* documentary, which Baker uploaded to his personal YouTube channel, shows him firing a sniper rifle during clashes with Islamic State forces. In the video, journalists find themselves pinned down in a house with several YPG fighters. The group decides to retreat, and Baker helps lead the reporters to safety. He appears confident and energized despite the danger. When an allied airstrike hits nearby, he grins widely and exclaims, “Yeah! That’s our boys!”

The FBI made note of the footage and of Baker’s online boasts of being a “trained sniper in the YPG,” characterizing the group as linked to the terrorist-designated Kurdistan’s Working Party despite the U.S. backing of the YPG. But Stoddard said much of the fighting was over by the time he and Baker arrived. They spent only two weeks on the front line, Stoddard said.

Stoddard described Baker as passionate about injustice but also “a little bit wild-eyed.” He was known for doing wacky things to cheer up the fighters during long stretches of waiting and for making comments that “came across more as something stupid to laugh about.”

Back in the States, Baker became deeply involved in liberal politics. As protests exploded last summer over the death of George Floyd in Minneapolis police custody, Baker traveled the country to join them.

Eric Champagne, an artist and former monk who connected with Baker online over “spicy memes about social justice,” took a road trip with him to the protest camp at Seattle’s Capitol Hill Autonomous Zone. The two wanted “to participate in whatever they were trying to accomplish there,” Champagne said.

Baker was eager to offer his combat medical training in support of the demonstrators who claimed the area after police abandoned a precinct. When shots were fired in the early hours of June 20, an incident that led to the death of a teenager and the eventual demise of the zone, Baker tried to help, Champagne said.

“Dan was among the first to run toward the sound of gunfire to see if anyone was injured,” he said.

After leaving Seattle, Baker and Champagne returned to Tallahassee, where they camped in the woods before scraping together money to move into the apartment that agents eventually would raid.

Baker was seeking certification as an emergency medical technician and in the meantime recorded first-aid and self-defense training videos with Champagne. He urged vulnerable communities to learn to defend themselves, telling Keen: “If you can feel like you can protect yourself, you will feel more empowered.”

Susanna Matthews, a retired academic who owns and manages the property where Baker and Champagne lived, described them as “freewheeling, freelancing, good-Samaritan types.”

But after the assault on the U.S. Capitol, friends said, Baker became deeply concerned that the Proud Boys, white supremacists and other groups would flood Tallahassee and that people would die. He told Matthews and Fox Keen to stay inside and called for “militant friends” to join him in his plan to “encircle” armed protesters and “trap them inside” the building.

And he printed the fliers that would become one of the FBI’s main pieces of evidence against him.

“Armed racist mobs have planted the Confederate flag in the nation’s Capitol while announcing their plans to storm every American state Capitol on or around Inauguration Day,” the call said. “We will fight back.”

### **15 Feb - Letters of life from slow death row**

*A review of Tiyo Attallah Salah-El's 'Pen Pal: Prison Letters from a Free Spirit on Slow Death Row' by David Gilbert.*

#### **MORE:**

by David Gilbert (*San Francisco Bay View*)

This inspiring book consists of a selection of 92 of the 568 letters prisoner Tiyo Attallah Salah-El sent out to Paul Alan Smith over the course of 14 years – just one of Tiyo’s richly engaging correspondences. From this book, one can learn a lot about the realities of prison and see a stellar example of a wonderfully productive life despite all kinds of obstacles and feel the passion for social justice.

Tiyo was incarcerated in 1975 in Pennsylvania, where 60 percent of prisoners are Black or Latinx. “Pen Pal” is not about his case. We only learn in passing that it involved drugs, guns and murder and that he is ashamed of the person he was.

Tiyo was sent to SCI Dallas, a prison built to house 950 but holds 2,480. He was placed on “slow death row,” the unit for 453 lifers, with little or no chance at all for parole. Pennsylvania holds 5,370 such people. Tiyo remained there until he died in 2018 at the age of 85.

On slow death row, Tiyo formed deep friendships with Phil and Delbert Africa of the revolutionary Black liberation and environmental MOVE organization. Mike Africa Jr., the son of two other MOVE activists who each did four decades in prison, wrote the touching preface to this book.

While “Pen Pal” is not at all an effort to provide a detailed picture of prison life, Tiyo’s various passing references give readers a better sense of the realities than I’ve been able to do even with direct descriptions. We feel life in a 5-by-8-foot cell, where you never sleep next to a loved one, where you feel the cold before the heat gets turned on Nov. 1 and the high 90 degrees when the block bakes in July.

There’s the censorship, whereby Tiyo couldn’t even receive a book on prison abolition that included one of his essays. There’re the frequent lockdowns when you are in your cell for the duration, eating peanut butter sandwiches and hoping that the SWAT team doesn’t trash your cell too badly.

Tiyo could expect the worst, as he was listed as a “political, educated troublemaker.” One time, the guards searching his cell called him “a smart nigger!” We read about Tiyo stopping a rape, advocating for gay rights and sitting with a dying prisoner in hospice.

We also get glimpses of the overall brutalities of beatings, suicides and medical neglect. In April 2005, Tiyo wrote of 14 deaths during the preceding two months.

Perhaps the hardest part of prison is not being there for loved ones during trauma or death. Here, this is most vividly told in the story of Tiyo’s older sister, Bette, who had always been his champion. When she suffers a debilitating stroke, he has no way to even talk with her on the phone, let alone care for her and hold her hand from her illness to her death.

Overall – this is not at all a grim book. The letters are laced with a jaunty sense of humor and affection for Paul Alan Smith. Emotional support, as we see a number of times, does not have to be a one-way street: The prisoner can have something to give as well. We see this most poignantly when Tiyo writes Paul, “I am hurting deep within the marrow of my bones because I know you are hurting due to the passing away of your father.”

Tiyo’s accomplishments from inside that 5-by-8-foot cell, despite all the lockdowns, prison violence and his increasingly severe health issues, are nothing short of spectacular. He earned a B.A. and then a master’s, was a jazz musician playing the sax, wrote music and organized in-prison shows, did effective work as a jailhouse lawyer, had several essays published – he also wrote an autobiography for friends to read, not for publication –and was a founder of the Coalition for the Abolition of Prisons.

The talent and determination that went into those accomplishments is dazzling, but from these letters we can see that what meant the most to Tiyo was his superb work in prison education.

Only 8 percent of the prisoners at Dallas SCI (State Correctional Institution) had a high school degree or its equivalent. Tiyo set up a tutorial program, first with four prisoners. When that was a striking success, he got over 100 new requests – this in a program with no official sanction or help, where his outside correspondents provided the funds for school supplies.

Tiyo was always conscious of the need to develop new leadership. Once those seeking help surpassed 100, he trained and developed previous graduates to become tutors, putting them in teams of two to lead four or five groups of 20 to 25 students each.

Over the course of four years, 280 men entered the program and 242 got their GEDs. Tiyo later wrote a GED guide to help those at other prisons to set up similar programs. Some graduates went on to college.

Tiyo also saw a remarkable change similar to what I noticed in the men I trained to become AIDS educators in the 1980s and ‘90s: People feel a lot better about themselves when they find a way to do something worthwhile with and for other people. The negative ways of proving oneself go way down and the enthusiasm for contributing to the community goes way up.

While the in-prison tutoring program and the outside CAP organization – I would have liked to see an appendix that described its work – may seem to be two very different realms, they're really two halves of the same whole. When we call for abolition, it's because we need to replace the terribly destructive punishment paradigm with resources and programs that allow the best in people to flourish and move in the direction of community development, control and self-determination for the oppressed.

The last words of this review will be Tiyo's, an excerpt from his autobiography appended to these letters: *"Unless major cultural and political changes are made not only in regard to the prison-industrial complex and criminal justice system but also the reconstruction of the social, economic and political policies for the benefit of all races, genders, sexual preferences and workers of all kind ... the United States is headed towards catastrophe and tragedy."*

*That 2006 warning is not written in the spirit of defeatism but very much from someone who also says, "I choose to go in the direction of my dreams and help bring about revolutionary change in the world."*

### **17 Feb - International Leonard Peltier Defense Committee February Newsletter**

*A quick report on Leonard's recent discussion with his Management Team, an update on New Observations, ILPDC's current Fundraising effort, and the moving journey of Co-director Carol Coker's recent visit with Leonard.*

#### **MORE:**

We received an e-mail from Leonard on the 12<sup>th</sup> stating "TODAY, I had a brief conversation with my Case Manager. He told me they are putting me in for a transfer, he also said he knows i have served the sentence I received from ("the illegal court trial"! ) ( MY words, ), but I would or could not be transferred while this pandemic is going on—no one is. and it could be up to 6 mos., even longer b/4 they start up the BOP's Prison air flights, for a transfer. He also said my security level has been lowered." With Leonard's lower security level his request to be transferred to Oxford, Wisconsin should be approved.

Unfortunately, there was a problem with our Gofundme to raise money for the campaigns to free Leonard from the efforts for transfer, parole, compassionate release, FOIA requests, clemency, and his First Amendment lawsuit. We decided to use another platform rather than wait. Please share this Fundrazr far and wide: [fundrazr.com/e1lwxe](https://www.fundrazr.com/e1lwxe)

Our supporter and friend Mia Feroletto, Editor, of the wonderful zine *New Observations* has included information on Leonard in the new issue #137. Both issues #136 ( Pine Ridge) and # 137 will be available in our store. Mia and I did an interview on her podcast regarding Paulette's and Leonard's history together.

#### **Report from ILPDC Co-Director Carol Gokee on her visit with Leonard**

The alarm goes off at 6 AM at the hotel, and as I get dressed and ready to go, all I can think about is how happy he will be for that small 2 to 3 hour window of a visit. At the same time, the anxiety overwhelms me that they could lock down those doors any single minute that they want to.

So, off I go to the prison, which is less than 10 minutes from the hotel. First thing you have to do is get your temperature taken and get a special little ticket with a smiley face on it and the date.

Then you have to drive down deep into the penitentiary property until you get to maximum-security. And even though those blue doors look slightly welcoming, the rest of the prison looks like a Nazi war camp! Gray and white dingy dark buildings, no windows, with barbed wire 10 feet thick around every building.

After I park my car I wait till 8 AM to start the process. First step, walking into a maximum-security federal penitentiary. That, in itself, is rather frightening.

The process begins with being analyzed for controlled substances, scanned for weapons, knives and anything metallic, and stamped with invisible ink for identification purposes if we don't come out alive! Because we are just numbers like him, we mean nothing more to them than he does. The analyzing process was fascinating, as I noticed not one guard got analyzed before they went in to start their job. Go figure.

Now I enter the waiting room and just wait for Leonard to come out of the gate!

10 minutes, 20 minutes go by...then finally he comes dancing out the door! What a wonderful feeling to see him and know that he's OK ☺

He sat across from me, in his yellow jumpsuit and worn out loafers, in a room that is approximately 40°, with only a T-shirt underneath that jumpsuit. I had a jacket and long sleeves and I was still freezing. Inhumane treatment doesn't even begin to describe what they've done to him over the last 45 years. As Leonard says, they've always treated him differently than everybody else, and when I say differently, I mean worse!

The first few seconds were very quiet, as you could see he was still processing being in the company of another human being, not a guard, not an inmate, but a friend. That moment was priceless. And then the stories started to flow out of him, he first started talking about what he was going to do when he got out. He wants to build a house and use salvaged wood to construct it. The artist in him is always thinking of ways to create beauty. Then the conversation switched over to the boarding school, and the stories of the children running away to get back home to their families, and the torture they endured after being caught was almost unbearable to listen to! I had to excuse myself twice for a tissue for the tears running down into my mask.

That has always been the hardest part of talking with Leonard is to hear the horror stories that this man has endured his whole life! And just to know that it never beat him down, it only gave him strength to always fight for what is right!

He talked about art and new ideas that he's got for his portraits. And he talked about his supporters and his family, and how truly blessed he is to have us!

I then had to take the conversation into his health. As, he has lost weight as a result of the diabetes. He also struggles with the pain in his knees and his shoulders and his hips. And the pain from the prostate he feels every day, all the time! And of course the fear of that aneurysms rupturing!

And we both talked about how important it was to get as many politicians on board to fight for a compassionate release for him. Enough is enough!

Then, just like that, the visit was over. And now the hardest part, leaving without him! All I wanted to do, was reach my hand over to him and grab his hand and walk him out those doors with me! Words cannot begin to describe that feeling of helplessness at that very moment. And then to look into his eyes and to see the pain that he feels. It is absolutely unbearable!

And, maybe most can go in there and visit with him and walk out with a dry eye, but not this chick! It takes me almost an hour to recover, the pain and the overwhelming feeling of his emotions are strong and heavy!

Until we meet again Mr. Peltier. I can only hope and pray that it will be on this side of those doors! And as always, Leonard wants us to continue the fight to keep our earth mother safe and protected as well as fighting for our human rights and our constitutional rights! This world cannot begin to heal until Leonard Peltier is set free!

### **18 Feb - Slow Burn**

*From Seattle to Syria, from Russia to an arrest in Cuba, an ecosaboteur and 12-year fugitive now awaits sentencing by a Eugene judge.*

**MORE:**

by Ardeshir Tabrizian (*Eugene Weekly*)

En route to Havana, Cuba, on May 21, 2018, a man identifying himself as “Yousef Deba” was stopped by El Salvadorian authorities after he showed his passport and travel documents. He was photographed, his eye was scanned, he was twice fingerprinted and his electronics were searched.

His biometric data matched information on an outstanding warrant from Oregon for a Joseph Dibee. He was allowed to board a plane to Havana, where he was arrested by Cuban agents, who contacted the U.S. and agreed to turn him over to federal authorities.

The U.S. had finally captured one of the last remaining fugitives from the Northwest ecowars of the late 1990s, an outbreak of fires and other sabotage that gripped the region’s attention. In previous years 15 other people surrendered or were caught by federal agents who branded the young activists as “terrorists,” though they never injured or killed anyone.

This is the story of Dibee’s years on the run, a complex tale of international intrigue and betrayal. Except where noted, it’s based on court documents obtained by *Eugene Weekly*.

The suspects in the case were believed to be part of an ecosaboteur group the feds say was known as “The Family,” consisting of members of the Animal Liberation Front (ALF) and Earth Liberation Front (ELF).

When he was arrested, Dibee had been a fugitive for more than 12 years. Currently released to a family member in Seattle, Dibee faces federal charges in Oregon, California and Washington in connection with an alleged ecosabotage conspiracy and arsons between 1997 and 2001.

The FBI and Joint Terrorism Task Forces investigation was called “Operation Backfire.” The investigation linked The Family to more than 40 criminal acts and resulted in federal grand jury indictments of 17 people. Court records show several members — Dibee not included — were accused of arsons in Eugene that destroyed property at Childers Meat Company, a police department substation on 13<sup>th</sup> Avenue near the University of Oregon and Joe Romania Chevrolet Truck Center. The group targeted businesses involved in what it believed to be acts of environmental destruction or profiting at the environment’s expense, hoping to spark change among others in the industry, according to court testimony in 2007 by Terri Wood, an attorney for Stanislas Meyerhoff. Meyerhoff was originally sentenced to 13 years, one of the longest sentences, for his part in the ecosabotage.

Court documents paint a picture of Dibee as a sensitive young man who loved nature, who inherited his father’s love for the outdoors and learning. His father encouraged him on a mushroom picking trip to hunt rabbits with an air rifle. Dibee was profoundly saddened by the death of the rabbit, which he cooked and ate so it wouldn’t have died for no reason. He never hunted again.

His parents once took him to see a hidden spot in the Cascades near Sultan, Washington, where he would return dozens of times. There he began to conceive of himself as an environmentalist.

Dibee visited the spot for the last time two years later and found the forest unrecognizable, logging having wiped out every trace. He thought there had to be thousands of people with similar stories, a court filing says. “People whose own special places had been destroyed because of greed and mendacity.”

That was the moment Dibee decided he had to do his part to stop environmental destruction.

Dibee attended Seattle University part time while in high school and became an outdoor guide. He led student trips to public lands to show his peers the impacts of forest mismanagement. After graduating with a civil engineering degree, Dibee worked at the Washington Department of Ecology and later became a construction manager for a wastewater treatment plant. He used the last of his savings to rent a home



computer for a month and a half, teaching himself Microsoft Networking on Windows 3.1 in 41 days and landing a job at Microsoft in the late 1990s.

All the same, he suffered from a deep sense of disillusionment.

It was at that time he heard about the plight of wild horses in the West, where the government was rounding up the horses, slaughtering them and exporting the meat for human and animal consumption.

### **Drastic Measures**

Wearing black clothing, Dibee and several others traveled in a van to the Cavel West horse meat packing plant in Redmond in July 1997, the feds say. One stayed with the van as a lookout and another listened to radio traffic on a police scanner while Dibee and the rest entered the slaughterhouse, where they placed timing devices built by Dibee. They returned to the van, poured acid on their clothes to destroy them and drove to Eugene.

The meat packing plant was destroyed by fire. The group later claimed responsibility in a letter to The Oregonian. Dibee is also accused of helping destroy the Bureau of Land Management's wild horse corrals near Litchfield, California, in 2001.

In 2005 Dibee and an attorney met with the federal government in Seattle. The government explained the evidence it had gathered incriminating him in an arson that destroyed the horse slaughterhouse, and asked him to cooperate with the investigation.

Not yet charged with any crimes, Dibee was told that he would be charged with the destruction of an energy facility — “a crime that he had nothing to do with,” he said — and could face 30 years in prison unless he cooperated and agreed to testify against other activists.

He contacted his Syrian-born father, who suggested he go to Syria.

Dibee went home and burned the incriminating evidence in his fireplace, according to court testimony from Assistant U.S. Attorney Geoffrey Barrow in 2019. A friend drove him to Mexico, and he flew from Mexico City to Beirut and to Syria.

Dibee argues in a filing that he “did not flee from a pending court date or an indictment that had been filed against him.” He left the country “because what he had been told by the government was so far removed from a reasonable resolution that it would be impossible ... to ever achieve justice.”

In early 2006 Dibee was indicted on charges of arson, conspiracy to commit arson and conspiracy to commit arson and destruction of an energy facility. In 2007, 10 other participants in the ecosabotage received sentences of 3-13 years in the federal courthouse in Eugene. Still others were sentenced later.

### **Overseas**

Dibee arrived in Syria on Dec. 10, 2005.

Dibee taught computer science and security between 2006 and 2009 at the University of Kalamoon in Dayr Atiyah, Syria, where he created and eventually headed the environmental and civil engineering department. He later began working on a solar energy project he expected would produce 35 percent of the energy in the country, as well as provide power for seven million people, according to Dibee's court testimony.

Tensions were growing in Syria, and for a time, Dibee managed to steer clear of trouble. But Syrian security officers soon demanded that he help them obtain a large quantity of U.S. dollars stolen from Iraq to

make them electronically transferable. One night, terrorists breached the security wall at the complex, shooting and killing one of Dibee's university colleagues.

Dibee fled to Moscow, Russia.

Dibee went into the biodiesel business in 2010 after finding Russia was behind on recycling oils to make biodiesel. He met a Syrian man with Russian citizenship, who he paid to help him obtain longer-term residency. Dibee later found out the man ran human trafficking operations from Syria and North Africa into Scandinavia, and he tried to enlist Dibee's help in flying Arab refugees illegally into Finland.

"Criminal elements were closing in on him just like in Syria," his court filing says. Dibee left Moscow in 2013 and eventually settled in Krasnodar, a city of about 800,000 people, where he later married.

He worked odd jobs writing software, struggled to support his new wife and stepson, traveling to Ecuador with an idea to start a business that would export coffee to Russia in an environmentally friendly way.

"It seemed as if [Dibee's] life was turning a corner," his motion for release says. "He was happily married and for the first time experiencing the joy of being a father. The coffee business looked very promising. He had a valuable consulting contract with a gold mining group to design and engineer a mechanical separator that would be profitable and avert an environmental disaster."

### **Eight long days**

But Dibee ran into trouble when he tried to visit Ecuador. During a layover in Havana, he was arrested.

He was taken to a detention facility, where he spent two or three hours in an outdoor cage before a Cuban military intelligence officer took him to a room and "aggressively interrogated" him in a mix of Russian, Spanish and English, his court filing says.

After Dibee refused to confirm he was in a photograph he was shown, the officer ordered others in the room to remove his clothes and conduct a full body search, one placing an assortment of hand tools on the table next to him. "The Cuban intelligence officer assured [Dibee] that they would use the tools on him unless he confirmed his identity."

Dibee confirmed he was the person in the photo, and officers photographed him and ran DNA swabs through his mouth. Dibee was taken to a small corner cell, where he stayed for several days with no windows, no water and no toilet — "only a hole in the ground" — and he estimated the temperature in the cell was above 110 degrees Fahrenheit.

"Sitting alone on a concrete bench, the only sounds Joseph Dibee could hear were the buzzing mosquitoes and the sweat from his face splashing on the filthy concrete floor. After the 40<sup>th</sup> or 50<sup>th</sup> insect bite, he lost the will to swat the bugs away. The next three days were a haze of dehydration and hallucinations while being savaged by unimaginable heat," the court filing says.

Dibee passed out numerous times and recalls a nurse checking on him in his cell, "maybe to ensure that he was not dead," his filing says. "Somehow, Mr. Dibee lived through that for three days."

A nurse on the fourth day gave Dibee what he thought was a small cup of juice that made him feel drugged — "perhaps with a tranquilizer or antianxiety medication" — soon after drinking it. He recalls the Cuban intelligence officer telling him he needed to "tell us about the fires" if he wanted water.

It didn't take long for Dibee to start fabricating a story about robbing and burning banks, telling them he had been involved with stolen cars, partnered with long-deceased outlaw Jesse James and set fire to Microsoft. He lied as much as he could in hopes that he could stay in the cool room as long as possible.

Cuban authorities rewarded him for cooperating by moving him to a different cell, which was only about 90 degrees and had a faucet that was turned on for about 15 minutes once a day. A couple of days in, the intelligence officer came to Dibee's cell and accused him of lying, according to the court filing. "He told [Dibee] that unless he told the truth he would throw him in the ocean, and no one would ever know what happened to him because no one knew he was there."

The officer gave Dibee a statement in English containing accurate details about the case and implicating Dibee, which he signed immediately out of fear for his life, his court filing says.

"I can't get an answer from the government about how they did that," Matthew Schindler, the attorney representing Dibee, tells *EW*. Dibee was moved to another cell and given food for the first time since he arrived at the airport days prior. Dibee was sure it was dog food, but "anything was welcome at that point. He was no longer being taken to an interrogation room and questioned. [Dibee] had disappeared off the face of the earth for eight days courtesy of Cuban military intelligence."

On day eight, covered with scabs and insect bites and rail thin from starvation and dehydration, Dibee was taken from his cell and allowed to call his wife to let her know he was alive and detained in Cuba.

Then he was driven back to the airport, where he was handed over to a rendition team, his filing says.

"Get on the plane," the team said. "We can do this the easy way, or we can do this the hard way." As U.S. authorities filmed, Dibee shuffled aboard the plane. Two federal agents tried to interrogate Dibee on the plane to which he responded that he was represented by counsel. "The interrogation ended," the court filing says. Hours later, Dibee was turned over to U.S. Customs and Department of Homeland Security officials at the airport in Portland.

The U.S. government hasn't yet clarified how it coordinated with a foreign nation it has no diplomatic relationship with to arrest him. In court testimony, Dibee referred to the time he was "kidnapped in Cuba."

"He was not kidnapped in Cuba," a federal prosecutor said in court. "He was arrested on an arrest warrant out of this district." The government asked the judge to keep him detained.

### **Court whiplash**

Dibee took the stand at his Dec. 13, 2019, hearing in Portland U.S. District Court, his testimony detailing the environmental work he had been up to for the previous 12 years.

"The charges leveled against me are from three lifetimes ago," Dibee said. "There are three different countries. They're three different languages. They're three different cultures ago. And, you know, as time goes by, people develop. They develop intellectually, they develop socially, they change their persona for the better, I should hope. And I can't say that I'm the same person today that I was a year ago. I — certainly not two decades ago."

For the last 15 years of his life, Dibee said, he had tried to effect positive change through good environmental and financial practices.

Barrow said at the hearing that it was clear Dibee could make valuable contributions to society. "But he was not living in Russia and Syria for business opportunities," he said. "He wasn't there for the research opportunities that were afforded. He clearly knew of the charges against him."

Federal Judge Ann Aiken granted Dibee's pretrial release, placing him on house arrest. "I'm going to give you that acknowledgment today that I think you are a different person and have enormous skills to provide and can do that while you're on pretrial release under these conditions," she told Dibee at the hearing.

Days later, the Ninth Circuit Court of Appeals overturned the order releasing Dibee, saying he posed a risk of flight and danger to the community.

### **Trouble behind bars**

Dibee was in jail in Portland on Dec. 30, 2019, when an inmate “blasted” him in the side of the face from behind, breaking his jaw, he says. The inmate — described as a neo-Nazi prison gang member — had reportedly heard that Dibee was an “Arab terrorist” who took down a power transmission line near Bend and was targeting that community.

The inmate was quickly identified but has not been prosecuted, according to the court filing, and it wasn’t until three days after the incident that Dibee was admitted to the Oregon Health & Science University emergency room. “The jail ignored the seriousness of Mr. Dibee’s injury for 72 hours while Mr. Dibee suffered excruciating pain from a displaced fracture in his jaw,” the filing says.

Judge Aiken later said it was unacceptable that the court was not aware the attack happened until over a week later, adding that “anybody with a right mind” would have taken steps to protect Dibee given the news coverage of the case. “I don’t want to get a call that he was found hung or dead in the prison cell.”

Defense investigator Erin Howell said in a report that Dibee had lost 17 pounds as a result of the attack less than a month after it happened and the jail consistently did not provide enough food, according to the court filing. The report also notes his physician’s “deep concerns” about Dibee not getting access to physical therapy, the filing says.

In July 2020, U.S. Marshals took Dibee to a federal courthouse, where he remained for nine hours locked in a room with residual CS gas from recent protests downtown, according to the motion for release. Having suffered from asthma since he was a child, Dibee had his first serious asthma attack in years after returning to jail that night. The court filing says he continued to suffer respiratory distress over a month after being exposed to the tear gas.

The jail reported to the court that Dibee needed to be moved out of medical because it was getting full, Schindler tells *EW*. “If no one’s sick, why is medical getting full?” he recalls asking during the hearing.

Dibee was first transferred to a mental health isolation unit in the jail before being moved to another unit. Schindler says he received a call from an investigator who said Dibee had lost his sense of taste and smell and tested positive for COVID two to three days later.

“At least three inmates became sick because of the situation with Joe. You know, there was no rapid testing. There wasn’t sufficient PPE, there wasn’t sufficient sanitary supplies. I mean, they just didn’t do shit,” Schindler says. “It’s kind of a brilliant strategy. If you don’t test, no one’s sick.”

### **Third time’s a charm**

Shackled and sitting on a metal stool in the Mark O. Hatfield U.S. Courthouse in Portland, Dibee again appeared in court on Jan. 8, 2021, following his third motion for release. Aiken said at the hearing she was shocked to learn that Dibee had been moved out of the medical unit over her objection while recovering from his injury, then contracted COVID-19 and was sent back to the unit.

Aiken said that while the charges against Dibee were serious, she didn’t believe he was a danger to the community at that point. She ordered Dibee be released to live with his sister pending a negative COVID-19 test and, after completing quarantine, he be allowed to live with and care for his father. He will be subject to GPS monitoring, computer monitoring software installed on his phone and computer, and home confinement with limited exceptions.

Aiken said at the hearing she was disappointed that there was no updated COVID test result for Dibee at the time of the hearing. "I want that test done and I want to know his status," she said. "He's entitled to have the medical care, and I don't want him moved out of the medical unit until he's released."

Dibee was released from custody Jan. 12. A jury trial is scheduled for March 16.

Josephine Overaker remains the only fugitive from the Operation Backfire investigation. At this point, all of the other people indicted in the ecosabotage, who are still alive, have served time and been released.

### **19 Feb - Prosecutor son seeks father's release in fatal Brink's heist**

*David Gilbert went to prison a revolutionary, raising his fist and scorning authorities who prosecuted him for an infamous 1981 armored truck robbery. NOTE: This is a corporate news article, so please read it with a critical eye.*

#### **MORE:**

by Michael Hill (WFTV)

Four decades later, advocates for the 76-year-old inmate's release include San Francisco's chief prosecutor, the son left behind at 14 months old when both his parents were arrested.

"As long as I can remember, I've known that the most likely scenario is that my father is going to die in prison," said Chesa Boudin, sworn in as district attorney last year.

Boudin ran a progressive campaign in which he said visiting his parents Kathy Boudin and Gilbert in prison showed him the criminal justice system was broken.

Gilbert is among the last surviving people still imprisoned in the bungled 1981 Brink's robbery north of New York City, often seen as a last gasp of '60s radicalism. The robbery still stirs emotions, especially among local officials and relatives of the slain men who have watched with exasperation as others convicted in the crime, including Kathy Boudin, walk out of prison.

As one of many voices lobbying New York Gov. Andrew Cuomo, Chesa Boudin's support for his father's clemency is personal. But the case also revolves around questions of justice the Democrat and former public defender deals with as a district attorney.

"No matter whether my father lives the rest of his life in a cage or whether he's released to spend his few remaining years with family, we can't undo the harm that his crime cost. And we can't bring back the men so wrongfully killed that day," he recently said. "At what point is enough enough? I don't know."

Gilbert is serving a 75-year-to-life sentence at the Shawangunk Correctional Facility for the 1981 robbery of \$1.6 million from a Brink's truck at a suburban Rockland County mall. He is eligible for parole in 2056.

Veterans of the Weather Underground, a militant group that grew out of the anti-Vietnam War movement, joined with members of the Black Liberation Army in a robbery they considered a justified "expropriation" to establish a Black nation in the South called the Republic of New Afrika.

Brink's guard Peter Paige and two Nyack policemen, Sgt. Edward O'Grady and Officer Waverly Brown, were killed in the holdup and ensuing shootout at a nearby roadblock.

Gilbert, an unarmed getaway driver, was charged with robbery and murder since people were killed during the crime. He and two co-defendants cast themselves as freedom fighters and deemed their trial illegitimate. At one court session, Gilbert and co-defendant Judith Clark shouted "Free the land!"

Steve Zeidman, the lawyer and CUNY School of Law professor spearheading the clemency campaign, said Gilbert has a spotless prison record and has helped fellow inmates since running an AIDS education program during that epidemic. Supporters of his release range from fellow inmates to former South African archbishop Desmond Tutu.

As COVID-19 spreads through New York's prisons, Zeidman stressed that Gilbert is especially vulnerable as one of the system's oldest and longest-serving inmates. Gilbert is eligible for the vaccine, though his son said he had yet to receive a shot.

Chesa Boudin was dropped off at a babysitter before the robbery and was later raised by his parents' Weather Underground compatriots, Bill Ayers and Bernardine Dohrn. Growing up, his relationship with his biological parents was defined by phone calls and prison visits.

Boudin recalls Gilbert telling elaborate adventure stories on the phone starring the boy and his friends sailing down the Amazon River or in some other exotic locale. Each call would be an episode. Pictures taken at prison visits over the decades show a young boy with tousled hair grow into the bearded lawyer eventually elected DA.

Kathy Boudin avoided a harsher sentence by pleading guilty and was paroled in 2003. Clark was granted parole three years after Cuomo commuted her sentence, noting her "strides in self development."

### **Each release raises vocal opposition**

John Hanchar, O'Grady's nephew, asked why Gilbert's case was worthy of public attention when so many inmates with lesser convictions get none. Hanchar contends Gilbert helped plan a crime that left a lasting hole in the lives of the slain men's families.

"We've moved on with our lives. But fair is fair. If you want to say that this guy spent 40 years in prison and he's going to leave an old man, I don't care if he leaves tomorrow," Hanchar said. "But don't tell me that he didn't kill these people."

There's a separate effort to secure the release of former Black Liberation Army leader Mutulu Shakur, the 70-year-old stepfather of slain rapper Tupac Shakur. He is at a federal medical center in Kentucky and has advanced-stage bone marrow cancer. Shakur was convicted of leading a group responsible for a series of armed robberies in New York and Connecticut, including the Brink's heist.

Zeidman, who also handled Clark's case, said Gilbert's case "kicked into high gear" with a clemency filing last year and they have since added supplemental material. Advocates hope Cuomo intervenes as he did with Clark, though clemencies for more serious crimes are rare among the state's 33,000 inmates. He announced 14 pardons and 7 commutations last Christmas Eve, a traditional time for announcements.

Zeidman said he has not received a formal decision from Cuomo's administration.

Gilbert declined a request to answer questions about his role in the crime and arguments for his release that The Associated Press posed in a letter to him. Zeidman and Boudin describe Gilbert as remorseful and no threat to society.

"This is just a question about how do we balance retribution against other social interests," Boudin said.

### **20 Feb - Freezing Weather Creates Crisis in Reality Winner's Texas Prison**

*As millions of people across Texas suffered from power and water outages during extreme cold from a winter storm this week, women at the federal prison in Fort Worth where National Security Agency whistleblower Reality Winner is imprisoned faced alarming conditions.*

**MORE:**

by Taylor Barnes (*The Intercept*)

The detained women were forced to literally take matters into their own hands — in a disgusting way.

Winner told family and a friend that incarcerated women at her prison “took one for the team” and used their hands to scoop feces from toilets that hadn’t been flushed due to the prolonged water outage.

“Reality told me that the toilets stopped working because there wasn’t any water and things got disgusting really fast,” said Brittany Winner, who spoke with her sister Reality by video chat. “Some inmates put on rubber gloves to scoop out the shit and throw it away to get rid of it because of the smell.”

Many of the women, like Winner, are at Federal Medical Center Carswell because they have chronic medical needs that the prison, a medical detention center, is tasked with treating. But the toilet incident was one of several unsanitary and unhealthy hardships that the women endured, according to advocates and a detailed press report, during a week of extreme weather that has left dozens dead nationwide. While the frigid prison was dealing with internal temperatures so cold that one incarcerated woman told a local reporter that her hands were blue and shaking, it was also still contending with an ongoing Covid-19 outbreak that has already taken the lives of six women incarcerated there.

In a statement, the Bureau of Prisons said interruptions to service were minor. “Similar to many of those in the surrounding community and across the state of Texas dealing with heat and water issues during the recent winter storm, the Federal Medical Center (FMC) Carswell experienced minor power, heat, and hot water issues that affected the main supply channels,” Emery Nelson, a bureau public affairs official, said in an email. “However, back-up systems were in place and FMC Carswell maintained power, heat, and hot water until the main supply issues were resolved.” Nelson also said incarcerated people at Carswell “had access to potable water with no disruptions, hot water for showers, and the ability to flush toilets.”

A report in the *Fort Worth Star-Telegram* this week said that the “medical portion of the prison” — the hospital facilities — appeared to maintain heat, but the newspaper also collected accounts from the housing units that matched those given by Winner’s advocates: shortages of hot water, loss of heat, and issues with waste management.

Suffering was widespread across Texas, where local authorities have raised alarm over people so desperate for warmth that they used cars and charcoal grills to heat their homes and suffered carbon monoxide poisoning. To Winner’s advocates, the crisis inside the prison felt like the latest unjust blow for an incarcerated person who, like many across the United States’s sprawling prison system, could have been released to home confinement long ago when the government made a halfhearted effort to reduce the federal prison population in the early days of the pandemic. Prosecutors involved in Winner’s case opposed the policy and successfully argued to keep the whistleblower behind bars, where she eventually was infected with Covid-19.

“These women — they’re trapped,” Reality’s mother, Billie Winner-Davis, said of the sub-freezing temperatures in Fort Worth this week. “They can’t escape this. They can’t do something to better their situation at all.”

**No Water, No Heat**

Winner’s family and friends first heard from the whistleblower about winter storm conditions in her prison on Monday, when she told them that water had been intermittently off since Saturday afternoon. This meant the women detained inside not only couldn’t flush toilets, but that they also couldn’t wash their hands or drink from water fountains, Winner told them.

“She was so dehydrated and so thirsty,” Winner’s friend and advocate Wendy Meer Collins said. Collins added that Winner was so desperate to shower that she had given herself what she called a “birdbath” using ice cubes from a machine.

In addition to the water shortages, the furnace appeared to be off or insufficiently functioning for much of the week, even though the prison appeared to mostly maintain power, according to Winner’s advocates and the report in the *Star-Telegram*, which said women put socks on their hands and guards wore winter coats and indoors to stay warm. The BOP said there was a “maintenance period” in the prison and that internal temperatures were “monitored” but did not specify what needed to be maintained nor when it was fixed.

During the days of sub-freezing temperatures, women at FMC Carswell needed to walk in ice and snow outdoors to go to the cafeteria to get meals, according to Winner-Davis and Collins. The women don’t even have the option to huddle together to stay warm, Collins said, as Winner has been punished in the past for hugging a fellow incarcerated person in violation of the prison’s unauthorized contact policy. (Despite saying that the prison had “maintained” heat, the Bureau of Prisons also told *The Intercept* that it distributed extra blankets to incarcerated women.)

The miserable week inside the cold prison spurred a new round of calls for relief from supporters who back the year-old clemency campaign for Winner, their eyes now on the new administration.

Winner, who blew the whistle on threats to election security, is currently serving the longest prison sentence of its kind under the Espionage Act, a World War I-era law used in recent years to send journalists’ sources to prison, even as comparable defendants have simply gotten probation for “mishandling classified information.”

The government itself acknowledges that Winner’s intent was to send the document she leaked to journalists and therefore warn the American public, rather than use it for personal gain. The NSA report detailed phishing attacks by Russian military intelligence on local U.S. election officials and was published in a June 2017 article by *The Intercept*. (The Press Freedom Defense Fund, another First Look Media company, supported Winner’s legal defense.)

Her clemency campaign has drawn a diverse array of political supporters, including the President George W. Bush-era “secrecy czar” responsible for overseeing classification procedures, who wrote an op-ed calling for Winner to be Biden’s first pardon, as well as a prominent congressional Libertarian who said using the Espionage Act to prosecute her was unjust and abusive.

Winner was the first national security whistleblower prosecuted by the last administration, and Collins believes that a Democratic White House, whose voters are motivated by issues of election integrity and security, should signal a clear break with the 45<sup>th</sup> presidency and allow Winner to go home.

“This is Trump’s political prisoner, and it’s time to let her out,” Collins said. “She’s served more time than she ever should have anyway.”

## **6 Mar - Mumia Abu-Jamal: Freedom Has Never Been So Close!**

**WHAT:** Virtual Town Hall

**WHEN:** 2:00pm, Saturday, March 6<sup>th</sup>

**WHERE:** Register at [linktr.ee/mumia](https://linktr.ee/mumia)

**COST:** FREE

### **MORE:**

A Global Townhall Event Calling for the Freedom of Author and Political Prisoner, Mumia Abu-Jamal.