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Updates for July 27th

12 Jul - The Discernment of Spirits in MDC Brooklyn

More writing by and updates on the Kings Bay Plowshares 7 (KBP7) is available at kingsbayplowshares7.org

MORE:

by Mark Colville

It is impossible to adequately express my gratitude for the hundreds of beautiful letters I've received here during the past month... No, really, it's impossible. You see, my efforts to answer most of them personally have been hamstrung by a frustrating inability to procure more than about two dozen stamps in this god-forsaken dump! (While I've yet to visit a jail or prison over the past thirty-nine years that was not rife with corruption and cruelty, this one rivals most for its levels of incompetence, duplicity and disorganization.) My inadequate response, then, in the form of this brief update and reflection, will have to do for now.

After sixteen days of claustrophobic quarantining, with 23 1/2 hour lockdowns in a 12' x 8', doubly-occupied cell, I was abruptly moved to what appears to be the least physically restrictive wing of the facility, the perch from whence I write to you now. Here, it's a dormitory, about the size of an average church basement, housing upwards of 50 men. There are no windows or access to the outside, but there is a tiny, low-ceilinged gym across the hall with a low basketball hoop (almost dunkable even for the likes of me), an elliptical machine and a ping pong table. The food is consistently edible, though, and best of all, the guards tend to take a non-invasive approach. We must stand in place to be counted twice daily, but so far I've not experienced or observed the typical goon-squad tactics that U.S. prisons employ, intended to periodically compound people's misery under the guise of searching for "contraband". The reason for this "hands off" approach, as I'm beginning to realize, is probably that the population here is essentially being used as a nifty little pool of very cheap, very compulsory labor. Everyone is required to work; what is not required is that anyone be paid anything resembling a living wage. A good number of the prisoners in this dorm have what is known as a "gate pass", which enables them to work outside of the building. Many of those outside jobs, as it turns out, involve the upkeep, maintenance and repairs on several condominiums near the prison which serve as housing for- you guessed it- prison personnel. Incidentally, the United States Bureau of Prisons currently scrapes by on an annual budget of \$9.3 Billion.

As for yours truly, there were two decisions that Luz and I set in stone before I walked in this place. The first was that I would not be drug-tested. There is nothing in my present case or "criminal history" which indicates a necessity to undergo such an indignity. My body is not to be submitted for voluntary service in the so-called "war on drugs", nor will I be an accessory to the criminalization of what is a perfectly human behavior- particularly for those forced to suffer the relentless travails that the prison system is designed to inflict. No less important: at almost sixty years of age, I will no longer be undergoing any unnecessary medical procedure unless it figures to improve my longevity or quality of life.

And secondly we decided that, while I'd be happy to work for or alongside my fellow inmates, I will not be employed by the Bureau of Prisons. It is a violent and morally evil institution that functions in part on a slave-labor economy; with its current taxpayer endowment it can get on perfectly well in its dirty business without putting me on the payroll.

Coming in, I was fairly certain that one or the other of these decisions would land me in the Special Housing Unit- "The Shu"- where they put the bad boys like Father Steven Kelly, and be back to 23 1/2 hour lock downs, with the added prospect of a later release date due to loss of credit for "good conduct". Thank heavens, though, it now appears that these punishments will not come to pass. They don't drug test

anyone on this unit, and, after some careful negotiating with a very accommodating case manager, I've been assigned to washing some windows and helping in the G.E.D. and E.S.L. education programs. All of these tasks are performed on a voluntary basis. Assuming this agreement holds, these final two months could quite likely prove to be some of the easiest prison time I've ever done. (By the way, if anyone happens to bump into our dear Father Kelly, please tell him that I'd be happy to put in a good word for him here!)

But regardless of the availability or scarcity of creature comforts, the lack or prevalence of overt subjugation or petty humiliations, prison is prison. Whenever I enter one, the counsel of Philip Berrigan (with whom I once had the privilege of sharing a cell block for ten months in southern Maine) echoes through my body like a slamming steel door: For those who choose to follow Jesus in the North American empire, jail is the bottom line. And as far as I'm concerned, the bottom-line task for the resister on this side of that steel door- our obligation to the communities that send us forth- is the holy work of discernment.

“But the pharisees said, ‘He drives out demons by the prince of demons.’” (Matthew 9:34)

From a Christian perspective, while discernment is an intensely personal process centered on prayer and the examination of conscience, it neither begins nor comes to fruition that way. As the New Testament makes clear, the starting point of discernment is a growth in the believer's awareness of the spiritual reality of evil in the world, and the commitment to do spiritual battle with that evil. An authentic Christian faith practice, in other words, is not centered on doing good works; it is centered on resisting evil. Little wonder, then, that the bulk of the New Testament itself was written either in prison, underground, or from political exile. And on a personal note, no wonder my own discernment seems to become so much clearer when it is undertaken inside the U.S. empire's hellholes. I guess that's why I always end up coming back!

The scripture quote cited above is taken from the Catholic Lectionary's readings of July 6th, and, given what is going on in this country right now, it seems more expedient than ever to follow its implications. The pharisees' statement here finds them guilty of what Jesus refers to in Mark's gospel as the unforgivable sin: ascribing the work of the Holy Spirit to that of Satan. “Amen, I say to you, all sins and all blasphemies that people utter will be forgiven them. But whoever blasphemes against the Holy Spirit will never have forgiveness, but is guilty of an everlasting sin” (Mark 3:28-29). I have always had difficulty with that passage from Mark, because it doesn't seem to square with the dominant gospel ethic preached by Jesus, that of unconditional love and boundless mercy. Maybe, though, the truth is not that God is unable or unwilling to grant forgiveness for that particular sin, but rather, the commission of it renders a person so morally confused that they are no longer equipped to either repent or to accept forgiveness for it.

Over the past forty months- all of which have been spent incarcerated, either in prison, home confinement or on supervised release- I have watched with all of you the acceleration of a fascist agenda in this country, which has not appreciably abated with the shift of party power in Congress or the changing of the curtains in the White House. I've even had the grievous experience of seeing members of my own extended family fall victim to its seductions. What I've concluded from this, among other things, is that fascism is the most potent political manifestation of the unforgivable sin. Fascism, in its essence, is not a political system or form of government. It is a moral disorder in which masses of people, through a pervasive combination of trauma and propaganda, succumb to a progressive demonization by the principalities and powers of most or all of the basic human values that enable us to coexist in peace. In the U.S., we need look no further than endless war; mass incarceration; unrelenting systemic racism; impoverishment and scapegoating as official policy; fact-free “news”, and nuclearism as the religion of white supremacy, to see the main vehicles by which this trauma and propaganda are delivered. Perhaps the most frightening and depressing aspect of all of this abomination is the cheerleading it has enjoyed from the the U.S. Christian churches. Here I speak not only of the apostate evangelical theologies and prosperity gospel hucksters, but of my own Church,

which has somehow managed to contort its ageless moral teachings in such a way that the only life deemed worthy of a second thought (let alone any kind of defense) automatically loses that designation upon leaving the womb. This blind capitulation to immorality, this muting of the prophetic voice, has in large part been fueled by what has become the Catholic equivalent of Fox News- the EWTN Network.

The New Testament, in my view, should be understood as one of the most effective roadmaps available for resisting both fascism (in the socio-political sphere) and the unforgivable sin (on the personal/interpersonal level). Gospel faith- which is inseparable from an ethic and praxis of nonviolence both as a personal lifestyle and a method for social change- confers on the believer, in equal measure, the power and the responsibility to discern spirits, without which it is impossible to effectively wrestle with the principalities and powers of this world in a prophetic way. I am convinced that what the New Testament calls the gift of discernment of spirits- the ability to see and articulate with clarity the movement of good and evil in the world- is nothing other than the power of nonviolence. And it is only in our collective wielding of that power, fearlessly and beyond the boundaries that oppression throws up all around us, that a way out of this present darkness will manifest itself.

Well, there's a bit of light-hearted beach reading for you! Be sure to check out my next homework assignment, coming in September: "What I Did On My Summer Vacation."

July 18th - Beating Nuclear Arms Into Plowshares

by Eileen Markey (*Jacobin*)

Mark Colville knew he would go to prison. When he and six others took wire cutters to the fence at the Naval Submarine Base Kings Bay in Georgia, home to a Trident nuclear submarine, the night of April 4, 2018, they weren't trying to evade the law. They intended to break it.

It was the fiftieth anniversary of Martin Luther King's assassination, and his 1967 speech on the "triple evils of racism, economic exploitation, and militarism" echoed in their heads. "Somehow these three evils are tied together," King had intoned.

For these activists, the bonds are clear: the US dedication to its nuclear arsenal impoverishes the nation as it makes utter annihilation possible. This is a crime far more destructive than any people are routinely put in prison for, the trespassers argue.

Colville kept a hand on his rosary, its old familiar prayers sliding through his mind as he walked across the dark base with his friend Patrick O'Neill. In Colville's backpack was a hammer inscribed with another MLK quote: "The ultimate logic of racism is genocide." Colville and O'Neill each spend most of their days working with homeless people, scaring up food donations and attending to people who've fallen out the bottom of capitalism, Colville in New Haven and O'Neil in North Carolina. They had come to beat swords into plowshares.

As she stepped into the base, Claire Grady tucked a photo into her jumper's front pocket. It was taken years earlier when she sat in a grieving circle of Iraqi women whose children had been killed by US bombs. Grady moves carefully, like a dancer or a ghost, and she moved lightly across the base now, carrying the Iraqi women with her.

Martha Hennessy put bottles of blood in her coat pockets and hiked with Grady to the base's administrative building. They carried crime-scene tape to wrap around the building's entrance and an indictment for war crimes they'd drafted against the United States.

At eighty-three, Liz McAlister is the elder of the group and a veteran of many such actions. She walked with Carmen Trotta, who exudes the tightly coiled energy of a boxer and (like Colville and O'Neill) runs a house of hospitality, and with Steve Kelly, a Jesuit priest who has spent a cumulative eleven years in prison for peace activism. Carrying Daniel Ellsberg's 2017 book *The Doomsday Machine* and a Pope Francis proclamation against nuclear weapons, they made their way to the nuclear weapons storage bunker.

Like hundreds of nuclear weapons sites across the country and around the world, the fifteen-thousand-acre Kings Bay is a central feature of economic and psychic life in its area — in this case, Camden County, Georgia. "We've put the world on this hair-trigger alert where every city is fifteen minutes from annihilation — and yet we're in this state of lethargy," O'Neill said. "The entire economy of this town is predicated on the end of the world. They are doing the work of Armageddon."

By midnight, O'Neill and Colville arrived at their destination: a monument in steel and concrete, models of the nuclear arms stored at the base. "It was an idol. We called it the missile shrine," O'Neill explained. To them it was a false God — a rapacious one who has demanded seventy-five years of human sacrifice.

But their argument is deeper than objection to brutal or wanton spending priorities. To be forced to live under a regime prepared to unleash complete destruction at any moment, knowing that the government is willing to hijack the energy of the most basic bonds at the root of life — the energy in the atom — to destroy the world a hundredfold turns life into a death cult, O'Neill argues.

Eventually the three groups gathered at the missile monument. In a ritual rich with Christian symbolism, McAlister and Hennessy poured their blood on the monument. "Our nation is spilling a lot of blood. The killing our country does, it does in our name, and I strongly object," Hennessy said.

"Part of the problem," Colville explained later, "is that the blood spilled by our military isn't seen. When you see the blood, it offers a potential shift in perspective from this end of the weapon to the other end." Grady spray-painted "Love One Another" on the pavement. The group read the indictment aloud and unfurled the banner Kelly had been hefting in his backpack: "The Ultimate Logic of Trident: Omnicide." Then they sat down and waited for the military police to arrest them.

The Catholic Worker Movement

The Catholic Worker Movement, cofounded by Martha Hennessy's grandmother Dorothy Day, is an anarchist, pacifist movement born of an alchemy of 1930s Union Square leftism and semimonastic Catholicism. The Catholic Worker and Plowshares networks intersect and interlace. Several of the Kings Bay dissidents live at Catholic Worker houses. They are confounding in their certitude and simplicity. And generally correct.

The first Plowshares action — named for the biblical admonition from Isaiah to beat swords into plowshares — was launched in 1980 when eight people (including McAlister's husband and her brother-in-law) broke into the General Electric nuclear missile facility at King of Prussia, Pennsylvania, beat hammers on nuclear warhead nose cones, and poured blood on nuclear blueprints. Since then, there have been more than one hundred similar actions across the United States and in New Zealand, Ireland, England, Australia, Germany, Holland, Scotland, and Sweden. They are direct inheritors of the hundreds of draft-board raids that so bedeviled the United States during the Vietnam War that J. Edgar Hoover established a specific unit to track Catholic activists.

Plowshares actions are anything but spontaneous, but it is hard to call them planned, exactly. Among a diffuse network of peace activists who regularly work together on everything from Palestine solidarity to

decrying the war in Yemen to protesting torture and the permanence of Guantanamo, groups periodically form to consider a new antinuclear action. Plowshares groups meet for months, often years, getting to know each other better, working to establish trust, listening, thinking, and studying.

They see the actions as a kind of collective prayer. The Kings Bay crew coalesced after the 2016 funeral mass for Daniel Berrigan, the Jesuit priest who, with eight friends, famously napalmed draft files in Catonsville, Maryland, in 1968.

Plowshares and peace movement actions in general are often called, with not a little bit of condescension, symbolic. But they are not symbolic. These dissidents actually want to ban the bomb. They recognize that the US government is so far from contemplating such a thing that they need to take action themselves.

“In community organizing, it’s anathema to take on a challenge that you can’t win, but that’s too limited a view of change and history. If you don’t have that vision, where do we anchor our hope?” Colville asked, contrasting Plowshares with the neighborhood justice work on housing, hunger, and immigration he’s long been part of in New Haven. “One of the more important critiques to me about nuclearism is that it has killed the imagination. It has so harmed our human nature that we can’t imagine a way out of it.”

The Cost of Nuclear Weapons

In 1982, one million people gathered in New York’s Central Park to call for an end to nuclear weapons. Colville was arrested for the first time that day. It was the single largest demonstration in US history. By comparison, 470,000 marched in DC on January 21, 2017, and 300,000 at the People’s Climate March in New York City in 2014.

The antinuclear activism of the 1980s receded as new outrages arose, but the bomb grew no less deadly — or expensive. Between 1940 and 2005, the United States spent \$6 trillion on nuclear weapons, according to Stephen Schwartz, author of *Atomic Audit: The Costs and Consequences of U.S. Nuclear Weapons Since 1940*, published by the Brookings Institution. The Congressional Budget Office projects the country will spend an additional \$634 billion on its nuclear arsenal in the next decade.

Schwartz said in an email in July that he roughly estimates that, all told since 1940, the United States has spent more than \$10 trillion on its nuclear weapons — their creation, management, and disposal. The Plowshares activists see that spending as pure and simple theft: public money that should have been used to care for people.

“Nuclearism is the epitome of capitalism,” Colville said as he prepared lunch for homeless neighbors in New Haven one June day. “The end game of capitalism is perpetual consumption and perpetual waste and perpetual victims,” he said. “That’s how nuclearism works. I draw a direct line from what we see at the common table [here]. What they are doing in Kings Bay is a massive theft from neighborhoods like this.”

The Kings Bay seven were arrested on April 4, 2018, and held in the Camden County jail. A few posted bail and went back to their lives to await trial, lugging ankle monitors with them to the soup-kitchen line, their weekly Union Square protests against US funding for Saudi Arabia’s bombs in Yemen, and to speak on college campuses. Colville served more than a year, then posted bail to attend his daughter’s wedding.

In 2019, the trial finally began. In October of that year, they were convicted, their arguments about the absurdity that disarming a nuclear weapon could be a crime but possessing one is not, their invocation of religious freedom, and their disputations on justice having convinced neither judge nor jury. Their

sentencing was delayed by COVID. Finally, between June 2020 and April 2021, each was sentenced separately.

A Mighty Battle

Who can defeat the US war machine? So mighty a battle, it is barely ever mentioned in the litany of injustices that need to be unraveled. A young leftist today is more likely to know of campaigns to decolonize the local museum or English department than the quest — quixotic indeed — to end nuclear weapons. But some of those people in Central Park in 1982 and their global networks have never stopped working. Using the same methods as the Women’s International League for Peace and Freedom, founded during World War I with the goal of outlawing war, they’ve lobbied international bodies, catalogued the price of nuclear arsenals, pressed resolutions, and held conferences.

In January, the United Nations adopted the Treaty on the Prohibition of Nuclear Weapons, which holds force of law in the countries that signed it. The United States isn’t one of them. Like so much else in the creation of a better possible world, the decade-long movement to advance this treaty was an effort led principally by the Global South. The antinuke movement in the United States is often dismissed as a “white movement,” but its goals are the goals of nations of majority people of color. Eighty-two of the eighty-six signatories are nations in the Global South.

Colville was the last to be sentenced, getting twenty-one months — five more than he’d already served. By the time he completes this sentence, added to the time he’s served for previous Plowshares actions, he’ll have spent more than four years in prison. On a June morning before he reported to the Metropolitan Detention Center in Brooklyn, Colville was in the kitchen of the Amistad Catholic Worker house in New Haven, Connecticut, a house of hospitality that feeds hundreds each week via sit-down meals and a food pantry, helps run interference for a nearby homeless encampment, and serves as a place to be, a place of some gentleness. (The name invokes the 1839 Amistad rebellion of enslaved people who were imprisoned in New Haven until the Supreme Court ruled that they had been brought to the United States illegally and were free).

The kitchen at Amistad was stacked floor to ceiling with food donations: pasta sauce and muffins, oatmeal, cans of tuna, boxes of Parmalat, cookies, crates of eggs. On a shelf above the window in a plastic quart container were several hundred flat, white communion wafers. Colville worked trays of food into a massive oven donated from a local school as he talked.

“There is not an issue, no matter how small or local, that is not connected to our willingness to murder our children as the necessary cost of achieving security,” he said. “To resist nuclearism is to touch the main wire of racism, violence, poverty in our society.”

14 Jul - DAPL Saboteur Jessica Reznicek Sentenced to 8 Years

On Wednesday, June 30, Jessica Reznicek was sentenced to eight years in federal prison after she admitted to sabotaging the widely opposed Dakota Access Pipeline (DAPL) in 2017.

MORE:

by Chris Schiano (*Unicorn Riot*)

Reznicek previously had pleaded guilty to the charge of Conspiracy to Damage an Energy Facility. She is also ordered to pay over 3 million dollars in restitution and to serve three years of supervised release.

DAPL was opposed by massive protests in 2016 and 2017, due to the project’s threat to the Missouri and Mississippi Rivers, as well as the global climate due to increasing fossil fuel emissions from fracked

Bakken Shale oil transported by the pipeline. The pipeline route runs just north of the Standing Rock Sioux Tribe's reservation and crosses areas designated as Treaty Lands under the Fort Laramie Treaty of 1868.

In a statement, Reznicek and Montoya described learning how to better damage pipeline work sites as they refined their techniques through repeatedly burning pipe segments and construction machinery with oxy-acetylene cutting torches, tires, gasoline-soaked rags, and motor oil.

Leaked documents show that Reznicek and Montoya had been targeted for surveillance by the pipeline security mercenary firm Tigerswan. In August 2017, FBI agents raided the Catholic Worker house in Des Moines, where the two women were living. The pair were indicted by federal prosecutors in September 2019.

In a Department of Justice press release lauding the harsh prison sentence, FBI Omaha Special Agent in Charge Eugene Kowel called Reznicek a "domestic terrorist" and said that her sentence "should be a deterrent." Iowa's acting U.S. Attorney Richard D. Westphal, a Trump appointee, also referred to Reznicek as a terrorist.

U.S. District Court Judge Rebecca Ebinger sided with prosecutors in adding a domestic terrorism sentencing enhancement enabled by the PATRIOT Act. Ebinger, a Republican, was nominated by former President Barack Obama to the bench in 2015.

Despite federal authorities use of 'terrorism' language to describe Reznicek's actions, no person was harmed by her actions, nor was she technically convicted of any terrorism-related crime. '§ 1366 – Destruction of an energy facility' – which encompasses the conspiracy charge Reznicek plead guilty to – is listed in the US Code under Chapter 65 – Malicious Mischief; Terrorism crimes are listed in a separate section of the US Code, Chapter 113B – Terrorism.

"All I did was go get a welder and weld [pipe segments] apart," Reznicek said in an interview. "It's certainly not domestic terrorism, especially when the people who are constructing the pipeline are the people who are ultimately contributing to the desecration of the earth."

The FBI and DOJ's characterization of Reznicek as a "domestic terrorist" fits a decades-long pattern of federal agencies using War on Terror rhetoric to paint environmentalist direct actions as domestic terrorism. *Unicorn Riot* found Iowa's U.S. Attorney offices have been hotspots for terror probes and 'Green Scare' grand juries against eco-activists going back to the Bush Administration. Earlier in 2021, feds in North Dakota jailed water protector Steve Martinez without charges in an attempt to compel secret grand jury testimony.

Before her sentencing, Reznicek faced up to 110 years in prison for her actions against the pipeline. Kelcy Warren, CEO of Energy Transfer Partners, the company behind DAPL, called her "somebody who needs to be removed from the gene pool."

"Unfortunately, actions to protect our human right to water were found to be less important than the profit and property of corporations which are destroying our lands and waters," said Reznicek's attorney Bill Quigley. "For a country which was founded by the rebellion of the Boston Tea Party this is extremely disappointing. But the community of resistance will no doubt carry on. And history will judge if Jessica Reznicek is a criminal or a prophet. Many of us are betting she's a prophet."

In 2020, a federal judge ruled that the Dakota Access Pipeline was built illegally due to lacking environmental reviews, but the government still allows DAPL to continue operations as the ruling is

appealed. The Biden administration has continued the Trump-era position of arguing in favor of allowing the pipeline to continue to transport oil.

With federal support for the Dakota Access Pipeline stretching through the Trump and Biden administrations, the U.S. government has taken a bipartisan position to tolerate oil industry actors harming the climate, while bringing the full force of the law against those who take direct action to oppose them.

A statement by the Support Jessica Reznicek campaign noted that,
“In her statement to the court Jessica highlighted how the water system for her hometown of Des Moines is on the verge of collapse. The city water department has admitted that both the Des Moines and Racoon rivers are so polluted and low that in the upcoming weeks they might not be able to continue to use them to supply the capital with drinking water. Meanwhile “victim” in this case Energy Transfer Partners and its subsidiaries are responsible for 313 reported spills since 2012 on liquid lines, 35 caused water contamination. In the last 5 years the company had more accidents harming people or the environment than any other operator.”

“Regardless of my sentence“, Reznicek said in a statement, “I am hopeful that movements to protect the water live on in the struggles against Line 3 and the Mountain Valley Pipeline.” She said she has also appealed her sentence.

In an interview with Iowa news channel Local 5, Reznicek said she is “feeling strong in spirit and ready to move on to the next phase of my life.” She added “I shouldn’t have claimed responsibility for these actions” because “they didn’t have any evidence to hold against me.”

Reznicek is currently on house arrest and is scheduled to report to the Federal Correctional Institution in Waseca, MN at 2 PM on August 11. Supporters have started an online petition calling on federal officials to speak out against the use of the PATRIOT Act terrorism enhancement in her case.

Public figures who have spoken out in support of Reznicek since her sentencing include NASA Climate Scientist Peter Kalmus, Ecological Economics Professor Julia Steinberger, Congressional candidate Rebecca Parson (WA-06), Standing Rock Sioux Tribal member and former Congressional candidate Chase Iron Eyes, climate activists Josh Fox, Stephanie Quilao, and Reverend Lennox Yearwood, electronic musician DJ Spooky, and recent NFL wide receiver Kenny Bell.

Ruby Montoya, who admitted to sabotaging the pipeline with Reznicek, has yet to be sentenced.

As the effects of global climate change intensify, energy corporations continue to expand pipeline infrastructure in service of their private profits. While growing climate justice movements seek to halt the continued fossil fuel emissions causing runaway climate catastrophe, law enforcement continues to repress those moving against new oil and gas projects. Climate science reports tell us that human civilization likely has under a decade left to halt fossil fuel use if Earth is to avoid apocalyptic levels of environmental disaster.

July 23rd - Update on Jessica Reznicek’s case

Since sentencing Jessica has remained on house arrest at the Des Moines Catholic Worker, with her cat Noni who has offered constant comfort and solidarity. The United States Department of Justice has notified Jessica Reznicek that she is scheduled to report to Waseca, MN Federal Correctional Institution on Aug 11th at 2pm. Our hearts are filled with feelings of love and gratitude from all the requests to write letters of support to Jessica. Once she is in prison we will launch a letter writing campaign with all the information and directions on how to do so.

The 8th Circuit United States Court of Appeals has set a preliminary deadline of August 19th for an appeals brief to be filed. The appeal will be focusing on Judge Rebecca Goodgame Ebinger's misuse of terrorism enhancements at Jessica's sentencing.

Despite federal authorities use of 'terrorism' language to describe Reznicek's actions, no person was harmed by her actions, nor was she technically convicted of any terrorism-related crime. In plain language, there are already laws on books to punish people for arson, and without the domestic terrorism enhancement Jessica would be looking at less than half of the 8 year sentence she has wrongfully received.

ADD YOUR NAME TO THE PETITION: actionnetwork.org/petitions/protecting-water-is-never-terrorism-repeal-jessica-rezniceks-terrorist-enhancement

In the meantime, Jessica remains upbeat and heart-strong as she is receiving enormous amounts of support, solidarity and love from folks around the globe. She is currently exploring ways to earn her bachelor degree while in prison through prison correspondence education programs. For more information on Jessica's case and to continue to support Jessica visit our website: supportjessicareznicek.com

If you are on organization that would like to add your name to the petition or support team fill out the form at forms.gle/EVP17qvNmgp5AYRRA

19 Jul - Elder Abuse: Incarceration Remains the Greatest Medical Threat to Mumia's Health --The Only Treatment is Freedom

Mumia has survived a two vessel open heart surgery bypass graft. He is grateful for a new lease on life but his health remains fragile.

MORE:

by Doctor Ricardo Alvarez (*The Jamal Journal*)

There is clear evidence that his chronic diseases of congestive heart failure, coronary artery disease, hypertension, diabetes and liver cirrhosis from Hepatitis C are the diseases of incarceration.

Incarceration is the primary social determinant of health. We know that there is documented evidence that incarcerated persons age earlier due to the physical and psychological stresses of survival. His only treatment will always be freedom.

Mumia's health remains fragile. He will need multiple medications for the rest of his life and we are working to ensure a better diet and more access to exercise as would be required for rehabilitation from recent cardiac surgery.

State Sanctioned Violence

The greatest medical threat to Mumia's health now is state sanctioned violence. On February 3, 2021, Philadelphia District Attorney Larry Krasner and his colleagues, Grady Gervino, Lawrence Good, Nancy Winkelman, and Carolyn Engel Temen, filed a brief that fully embraced the conclusions of the racist Judge Albert Sabo. They openly declare on page five in the "Statement of Facts:"

Officer Faulkner was put in a police van and rushed to Jefferson University Hospital. When the police attempted to handcuff defendant and place him in a police wagon to transport him to the hospital, he violently resisted. He continued to struggle against the officers when they subsequently brought him inside the hospital, the same one in which doctors were attempting to save Officer Faulkner's life. The officers carrying defendant—he refused to walk—temporarily placed him on the floor of the lobby next to the entrance to the emergency room. While lying there, defendant boasted, "I shot the mother fucker and I

hope the mother fucker dies.” A few moments later, as the officers were about to carry him into the emergency room, defendant repeated, “Yeah, I shot the mother fucker and I hope the mother fucker dies.” Shortly thereafter, Officer Faulkner was pronounced dead (N.T. 6/19/82, 176-200, 263-64; 6/21/82, 4.109; 6/24/82, 27-30, 33-34, 56-61, 112-16, 133-36).

This Statement of Fact is the legal reckoning of Mumia’s guilt or innocence. It is the foundation on which the courts proceed with future legal decisions. The presumption that Mumia violently resisted arrest and then confessed is wrong, can be easily proven wrong, and is a form of harm that denies Mumia’s humanity. Medical evidence clearly demonstrates that Mumia was first shot in the chest and was then beaten by arriving police instead of being immediately transported to the nearby hospital emergency room. The police initiated what defense witness Dessie Hightower called “an attack.” In his book, “The Framing of Mumia Abu-Jamal,” J. Patrick O’Connor summarizes Hightower’s trial testimony:

“He said that shortly after the first police officer showed up, about eight or nine other officers arrived. He then observed three or four of them striking Abu-Jamal with nightsticks while one or two others were kicking him and pulling him by his dreadlocks. He also saw the police, in carrying Abu-Jamal to the police van, ram his head into a no-parking pole and drop him to the ground.”

This police attack and deliberate withholding of emergency hospitalization was just the beginning of the state sanctioned racial violence that Mumia would continue to experience for the next 39 years. For Larry Krasner and colleagues to describe Mumia as "violently" resisting arrest or "refusing" to walk perpetuates racist trauma.

Medical Evidence Contradicts the “Hospital Confession”

In his Feb. 3 brief, District Attorney Larry Krasner’s also chose to officially endorse another highly problematic aspect of the Mumia Abu-Jamal case: the perjured trial testimony given to support the alleged “hospital confession.” Prosecution witnesses Officer Gary Bell and hospital security guard Priscilla Durham both testified that Mumia loudly confessed to shooting Officer Faulkner while at the hospital.

As documented by the *Jamal Journal*, the “hospital confession” testimony is an undeniable case of perjury that should be a national embarrassment for the 1981 FOP Police. Accounts of the “hospital confession” first surfaced during an internal investigation into Mumia’s police brutality case two months after Mumia’s arrest. Gary Wakshul was one of the officers who then claimed that Mumia confessed.

However, in Wakshul’s official report from the morning of Dec. 9, 1981 he stated that the “negro male made no comment.” Wakshul was not called as a witness by Assistant District Attorney Joseph McGill and on the last day of trial, when Mumia’s lawyer attempted to bring Wakshul in for testimony, Judge Albert Sabo denied the request and told Mumia: “You and your attorney goofed.”

At Mumia’s 1982 trial, there was powerful testimony from two medical professionals that directly contradicted the perjured “hospital confession” testimony from Gary Bell and Priscilla Durham. Dr. Anthony Coletta, a respected surgeon and medical leader, testified that Mumia suffered injuries consistent with the reported police brutality, that he was with Mumia the whole time, that Mumia never shouted a confession and that Mumia could barely even speak.

Dr. Regina Culdemo also did not testify to hearing the “hospital confession.” But Dr. Culdemo did testify that she witnessed a police officer kick Mumia when he was laying on the floor of the hospital entrance.

Silencing the Medical Community

Medical professionals are part of a web of professionals who are all in service of our communities. We are “mandatory reporters” when we observe child abuse, intimate partner violence and elder abuse.

As Mumia's medical consultant I have compelling evidence of an abuse of an elder that is deeply loved and respected by his family and community and across the world. It is our ethical responsibility to intervene when we see abuse by police, courts, and the district attorney's office.

The correct Statement of Facts must read that Mumia was viciously beaten by police officers and that the confession was perjured by police officers.

Indeed every “Statement of Fact” now needs full review in relation to harm done to Mumia, whose well founded fear of state violence would call for the safety of community forums so that those in power are more accountable to the harm that is done when their "Statement of Facts" harm our elders.

July 24th - The Jamal Journal Issue #2 Cover Story

by Pam Africa (*The Jamal Journal*)

Mumia and I are both deeply grateful for all of the support during both of Mumia's recent health emergencies (in March and April). As Mumia told Noelle Hanrahan during his first contact visit since his April heart surgery: “I am here because people stood right with me”

People power forced the prison to have Mumia properly diagnosed and treated at an outside hospital. After returning from the hospital, Mumia told us that it was the best treatment he had ever received. This was a powerful victory for the movement!

Mumia has been recovering well from the surgery, but for Mumia's recovery to continue, it is now imperative for Mumia to have access to nutritious food and plenty of exercise. We will be mobilizing around these demands in the coming months, but ultimately, as Mumia's consulting physician Dr. Ricardo Alvarez explains, “the only treatment will always be freedom.”

In the Spirit of Mandela Tribunal

Please help us publicize the upcoming In the Spirit of Mandela International Tribunal on US Human Rights Violations, to be held in New York City on October 22-24, 2021.

The Tribunal will be charging the United States government, its states, and specific agencies with human and civil rights violations against Black, Brown, and Indigenous people. Political prisoners will be a key issue presented at the Tribunal. Learn more at www.spiritofmandela.org

In solidarity with the October Tribunal, we are putting elderly political prisoners at the forefront of *Jamal Journal Issue #2*, with a focus on Sundiata Acoli, Russell “Maroon” Shoatz, Mutulu Shakur, Ed Poindexter, and Ruchell “Cinque” Magee. Please do everything you can to support their immediate release!

In the future, we hope to focus on Jamil Al-Amin (formerly H. Rap Brown), David Gilbert, Leonard Peltier, Veronza Bowers and Alvaro Luna Hernandez (Xinachtli). Please support the freedom campaigns already working to bring them home. Freeing these elders could not be more urgent!

As our newspaper goes to print, Maroon Shoatz's condition is severe and has worsened, so he is now seeking a medical transfer.

We are also spotlighting two international political prisoners: Keziah Nuissier (Martinique) and Fidencio Aldama (Mexico).

Consuewella Africa, Rest in Peace

The MOVE family is profoundly heartbroken by the passing of our dear sister Consuewella Africa on June 16, following weeks of hospitalization due to health complications resulting from the extreme stress and emotional pain caused by recently learning that the University of Pennsylvania and the City of Philadelphia had desecrated the remains of Delisha Africa and Consuewella's Daughter Tree Africa after they had been murdered on May 13, 1985.

On April 21, West Philadelphia activist/organizer Abdul-Aliy Muhammad's article in the Philadelphia Inquirer exposed the University of Pennsylvania Museum's theft of Delisha and Tree's remains. From there, the story kept unraveling with one new horror after another. In response to the tragic death of Consuewella Africa and the traumatic news about the desecration of murdered MOVE children's remains, our family is calling for the immediate release of political prisoner Mumia Abu-Jamal.

The Fraternal Order of Police Campaign to Kill Mumia

Today, with all of Mumia's serious health problems, it is evident that Mumia could die in prison before actually having a new trial. That is why our Color of Change petition to DA Krasner is demanding Mumia's outright release.

Even if the Court makes future rulings in favor of Mumia's appeals, it will likely take several years or more before Mumia actually has the opportunity to prove his innocence at a new trial. The Fraternal Order of Police (FOP) and Maureen Faulkner are doing everything they can to delay the process even further. This is what happened with last year's King's Bench Appeal and then the new March 17, 2021 legal motion from Faulkner and the FOP trying once again to have DA Krasner removed from the case.

Faulkner and the FOP are purposefully making frivolous legal motions meant to delay the inevitable overturning of Mumia's conviction. Even though the Court rejected the King's Bench Appeal, Faulkner and the FOP were actually very successful because they put Mumia's case on hold for almost one year. They want Mumia to die in prison before he can prove his innocence at a new trial.

We Challenge CNN's Michael Smerconish & DA Larry Krasner

On April 18, while Mumia was awaiting heart surgery, we formally challenged both DA Krasner and CNN's Michael Smerconish because they are the two most prominent advocates for the legitimacy of Mumia's 1982 conviction. We challenged them to make a public response to the 2010 ballistics test conducted by investigative journalists Linn Washington Jr. and Dave Lindorff, who concluded from their results that "the whole prosecution story of an execution-style slaying of the officer by Abu-Jamal would appear to be a prosecution fabrication, complete with coached, perjured witnesses, undermining the integrity and fairness of the entire trial."

Lindorff and Washington's 2010 ballistics test is a centerpiece of our Color of Change petition, where we cite the 2010 test as evidence of misconduct committed by police investigators and the DA's office. We know that Lindorff and Washington's conclusions are irrefutable. We know that Krasner and Smerconish will be unable to disprove the findings. Mumia's conviction is indefensible and we are calling their bluff. The facts are not on their side. That is why we want Smerconish and Krasner to publicly attempt to defend

Mumia's conviction. Furthermore, Smerconish and Krasner must not deflect, must not avoid responding to the 2010 ballistics test. They need to deal with this test before we talk about any other evidence.

Linn Washington and Dave Lindorff have already agreed to be guests on Michael Smerconish's CNN show, if he will invite them on to discuss the 2010 ballistics test. We also urged Smerconish to invite Krasner onto his show to help him attempt to defend Mumia's conviction. After this happens, then Smerconish is free to have as many future shows on Mumia as he likes. He can then attempt to address why Mumia's clothing that he was wearing at the time of the shooting was somehow missing from the evidence, why there is a missing fragment of the fatal bullet, and why prosecutor McGill used 10-11 of 15 peremptory strikes against otherwise qualified black potential jurors.

In another episode, Smerconish can also attempt to explain why, on the Nov. 21, 2020 episode of his show, he cited the disproven "hospital confession" as evidence of Mumia's guilt. I urge everyone to read Dr. Ricardo Alvarez's article in this issue, where he directly confronts DA Krasner for similarly citing the "hospital confession" in his Feb. 3, 2021 brief opposing all of Mumia's appeals.

Until then, please read the excerpt from the Color of Change petition where we summarize the findings of Lindorff and Washington's 2010 ballistics test (published below). You will then understand why Smerconish and Krasner have chosen not to accept our challenge.

The Key Findings of Linn Washington Jr. and Dave Lindorff's 2010 Ballistics Test

In 2010, investigative journalists Dave Lindorff and Linn Washington performed a test to see whether bullets fired into the sidewalk at close range would leave visible markings. The test was designed to replicate the shooting scenario presented at Mumia Abu-Jamal's 1982 trial by ADA Joseph McGill, alleging that Abu-Jamal stood directly over Officer Faulkner and fired downwards at him, execution style. According to McGill's theory, Abu-Jamal missed several times because Faulkner actively dodged the shots by rolling side-to-side, until the final shot entered Faulkner's forehead and killed him.

Lindorff and Washington sought to test a central argument of German author Michael Schiffmann's 2006 book *Race Against Death*, written as his PhD dissertation at the University of Heidelberg. Dr. Schiffmann examined the crime scene photos, including those taken by freelance photographer Pedro Polakoff, and concluded that there were no visible divots or markings in the pavement, which Schiffmann asserted should have been visible if the testimonies of key prosecution eyewitnesses Robert Chobert and Cynthia White had been accurate. (The Polakoff photos are the very first photos taken of the crime scene. In addition to showing no bullet marks, the photos show that Robert Chobert's taxi was not where Chobert testified it was, that Police Officer James Forbes held two guns in his bare hand, and that police moved Officer Faulkner's hat from the top of Billy Cook's car onto the sidewalk where it would later appear in the official police crime scene photos.)

In 2010, Lindorff and Washington tested Schiffmann's assertion by firing a .38 caliber revolver several times into a concrete slab. They then closely analyzed the bullet marks left in the concrete slab. They concluded, without any ambiguity, that the bullets had indeed left visible markings. Therefore, if ADA McGill's theory (supported by Robert Chobert and Cynthia White's trial testimony) was truthful, there must have been similar bullet markings in the pavement next to where Officer Daniel Faulkner's body was found.

For their 2010 test, Lindorff and Washington had one of Pedro Polakoff's 1981 photos and a 2010 gun test photo compared & analyzed by a NASA photo analyst named Robert Nelson. They concluded definitively that the 1981 photo did not show any markings similar to what was visible in the 2010 photo, meaning that

“the whole prosecution story of an execution-style slaying of the officer by Abu-Jamal would appear to be a prosecution fabrication, complete with coached, perjured witnesses, undermining the integrity and fairness of the entire trial.”

Before publishing their findings, Dave Lindorff and Linn Washington informed the Philadelphia DA’s office about the results of their test, and specifically asked the DA for a quote to explain the lack of photographic evidence or testimony about bullet impact marks in the sidewalk around Faulkner’s body. The DA’s office responded to their questions with what Lindorff and Washington considered to be “a non-response.” All the DA’s office told them was: “The murderer has been represented over the past twenty plus years by a multitude of lawyers, many of whom have closely reviewed the evidence for the sole purpose of finding some basis to overturn the conviction. As you know, none has succeeded, and Mr. Abu-Jamal remains what the evidence proved – a murderer.”

19 Jul - New ABCF Orange County t-shirt fundraiser

OC ABCF have new shirts available in their new store!

MORE:

Featuring our spiffy logo, everyone’s lucky number and inspiring words from indigenous freedom fighter and imprisoned comrade, Oso Blanco. Order at abcfoc.bigcartel.com

All proceeds will benefit the ABCF Warchest Program. The Warchest is a fund maintained by the Anarchist Black Cross Federation which sends a monthly stipend to long term Political Prisoners/Prisoners of War. It also is available for post-release funds and emergencies. abcf.net/warchest-program

Oso Blanco is a Wolf Clan Cherokee/Choctaw raised in New Mexico, his Cherokee name is Yona Unega and he became known by the authorities as “Robin the Hood” after the FBI learned that Yona Unega was robbing banks to support the Zapatistas in Chiapas on a regular basis in 1998/1999.

19 Jul - Call for International Week of Solidarity w/ Anarchist Prisoners

There is a fundamental lie in the capitalist society. A promise that never comes true. The promise of freedom – you just have to work hard.

MORE:

via <https://solidarity.international>

Every time we stumble upon the crisis of capitalism we are reminded about that. More than one year of Covid-19 lies behind us. Some say, that Covid-19 is a health crisis. But it is not! Covid-19 is another crisis caused by capitalism. Provoked by the urge of more wealth and growth. Which contaminate fertile ground through industrial agriculture, steels habitat for humans and wild animals by extraction politics that turned thriving forests into deserts. It is the madness of capitalism that pushes humankind to ever new frontiers where more viruses are waiting for us.

This year brought more social and economic injustice, more suffering, but also more struggle. People stood up against the capitalist system and authoritarian regimes. People fought for their freedom and against exploitation. People strike at the factories and rose up inside prisons against the authoritarian and profit-oriented politics.

This was a tough year and more is to come. In those times we need solidarity more then ever – in daily life, our neighborhoods, our communities. But we should not forget our comrades in prison, who fight for

freedom and equality. They experience hard times right now. Because the pandemic isolates people in prison even more.

For that, this year we call again for the International Week of Solidarity with Anarchist Prisoners.

Do some action of solidarity, a banner drop, organize a letter writing event or film screening, spread the word about those in prisons and let them know, that they are not alone and forgotten. Send us a picture, a short text, a video of your event or action, a radio show – your creativity has no limits.

20 Jul - Trial Set to Begin for Florida Abolitionist Targeted at Noise Demo

In retaliation against a noise demo on December 6th, 2020 at the Florida State Prison, where cars were towed and one protestor was sent to the hospital as a result of an injury caused by a sheriff after being handcuffed, three abolitionists were targeted with trumped up charges.

MORE:

After a heavy solidarity campaign, two defendants moved to take a plea deal with no jail time while a third defendant now heads to trial this week.

From the *Gainesville Sun*:

While some news headlines called it a “prison riot,” there is no evidence of property damage charges related to the arrests. The only charges stem from a supposed trespass that occurred while people were leaving the site after being ordered to do so, and the only injury was experienced by a person already in handcuffs, accused of “resisting arrest without violence.”

And yet, people were arrested, their cars were towed and pictures of them were blasted across news headlines associating them with trumped up felony charges. They were also stuck paying unusually high bonds to gain freedom.

This was not the first time a protest occurred at this prison, as this location has seen many over the years — as a result of both state executions and chronic complaints over poor conditions and brutality of guards against prisoners inside the complex of state facilities.

*In this instance, law enforcement responded by dispersing the protest and arresting people unnecessarily. As body cam evidence on record in the case indicates, this was motivated solely by enforcement’s disapproval of the content and tone of the event. Upon one demonstrator questioning the reason for the first unnecessary arrest, an officer replies, “You want to talk sh**? Come here,” then proceeded to make two additional unnecessary arrests.*

This attitude indicates the arrest was about creating a “chilling effect” on free speech, not about a criminal act.

This chilling effect includes an attempt by the State Attorney to bar the remaining defendant from “making any direct or indirect mention whatsoever at trial before the jury” of “[a]ny and all references, whether directly or by innuendo, regarding the confinement of State prisoners as “Prison Slavery” or “Modern Day Slavery.” Similarly, to exclude references to inmates of the Department of Corrections as “Slaves” or “Modern Day Slaves,” and to exclude references to the prison as a “Plantation” or “Modern Day Plantation.”

This week, July 20 – 21, a jury trial is scheduled at the Bradford County Courthouse for the remaining case stemming from bogus criminal charges of ‘trespassing’ and ‘resisting arrest.’ The court room is open to the public during trial, though seating is limited. Here’s how you can help:

Phone-Zap:

Its not too late for the State Attorney to drop these charges. Please share this video with friends and family. Continue calling with requests to drop the remaining charges:

Luis Bustamante, Division Chief Assistant State Attorney 904.966.6208
Brian Kramer, Head State Attorney of the 8th Judicial Circuit 352.374.3675
Scott LaPeer, Assistant State Attorney 352.374.3670

Send Emails:

Send emails using this link: actionnetwork.org/letters/defend-free-speech-drop-the-fsp-3-charges

Donate to Legal Support:

Venmo: @FreeFloridaF12 Paypal: donate@flprisonersolidarity.org

Follow Florida Prisoner Solidarity for Updates:

Twitter <@FL_Abolition> Facebook <@flabolition>

21 Jul - US Government Seeks Harshest Sentence Ever In Leak Case Against Drone Whistleblower

Daniel Hale exposed the machinery of America's clandestine warfare. Why did no one seem to care?

MORE:

by Kevin Gosztola (*Shadowproof*)

The United States government urged a federal court to sentence drone whistleblower Daniel Hale to at least nine years in prison for disclosing documents to a reporter.

Prosecutors maintained Hale joined the National Geospatial Intelligence Agency (NGA) to steal classified information so he could “ingratiate himself” with journalists. They even submitted secret evidence for the court alleging the Islamic State in Iraq and Syria (ISIS) “distributed” two of the documents in a “guidebook for its followers.”

“For those like Hale, who unilaterally decide to disclose classified information, the existence of criminal penalties that are theoretically harsh but practically lenient is not sufficient,” prosecutors declared in their sentencing memorandum. “It is particularly important to deter those who, like Hale, might be tempted to gain access for the sole purpose of disclosing it. Such individuals must see that using positions in the intelligence community for self-aggrandizement will be harshly punished.”

“A significant sentence is necessary to demonstrate that the unauthorized disclosure of classified information is a serious crime with significant consequences,” prosecutors add.

Hale was part of the drone program in the U.S. Air Force and later worked at the NGA. He pled guilty on March 31 to one charge of violating the Espionage Act, when he provided documents to Intercept co-founder Jeremy Scahill and anonymously wrote a chapter in Scahill’s book, *The Assassination Complex: Inside the Government’s Secret Drone Warfare Program*.

He was taken into custody and sent to the William G. Truesdale Detention Center in Alexandria, Virginia, on April 28. A therapist from pretrial and probation services named Michael violated patient confidentiality and shared details with the court related to his mental health.

Hale is scheduled to be sentenced in the Eastern District of Virginia on July 27, and the sentencing memorandum from the U.S. government reflects the vindictive posture of prosecutors, particularly since he pled guilty.

‘They Just Don’t Want To Play Ball’

Prosecutors refused to dismiss four additional charges but declined to request a trial on those charges. They left open the possibility of going to trial if they are unsatisfied with the harshness of the sentence issued by the court. And they now twist Hale’s guilty plea in their argument for severe punishment in order to render it insignificant.

“[Hale] apparently does not accept that the documents that he provided to reporter had the potential to cause such ‘serious’ or ‘exceptionally grave’ damage to the national security,” prosecutors contend. “To trigger a reduction in offense level for acceptance of responsibility, a defendant must establish that he has accepted responsibility for all of the charged criminal conduct in the count of conviction (and, of course, all related conduct).”

Prosecutors indicate they would accept a sentence of seven years and 3 months if Hale admitted his whistleblowing risked “serious” or “exceptionally grave” damage to U.S. national security.

In other words, they do not believe Hale’s guilty plea is good enough to receive a sentence of five years or less, and they have trapped a conscientious and vulnerable individual in a damned if you do, damned if you don’t situation.

Hale could try and withdraw his guilty plea and go to trial, but Judge Liam O’Grady may not allow it. Or he could plead guilty and accept the documents risked “serious” or “exceptionally grave” damage, even though he does not believe that is the truth of what happened.

Either way, Hale is likely to receive the most harsh sentence for an unauthorized disclosure of information ever issued against a former U.S. government employee or contractor.

CIA whistleblower John Kiriakou was targeted in the Eastern District of Virginia with an Espionage Act prosecution under President Barack Obama. He eventually pled guilty to violating the Intelligence Identities Protection Act in order to ensure he only went to prison for 30 months.

“In every other case, including mine, part of the deal was you’ll take the plea to the one charge in exchange for all the other charges being dropped. That’s what everybody else does, except of course, for [CIA whistleblower] Jeffrey Sterling, who went to trial,” Kiriakou contended. “They just don’t want to play ball, and they’re placing the blame on Daniel.”

“That doesn’t make sense because he’s agreed to plead guilty to the most serious charge with the expectation that the other charges would be dismissed. And they’re not willing to negotiate in good faith,” Kiriakou added.

‘This Makes Me Sick To My Stomach’

U.S. prosecutors submitted secret “evidence” to the judge, which they refuse to declassify for the public. It is part of an “internet compilation” that they claim was “designed to assist ISIS fighters avoid detection and targeting.” It allegedly included parts of two documents disclosed by Hale.

Hale never transferred or provided documents directly to any ISIS member or any person claiming to be associated with the militant group. Prosecutors are further criminalizing him because terrorists have access to the internet just like all citizens of the world do.

The sentencing memorandum invoked the cases of NSA whistleblower Reality Winner and FBI whistleblower Terry Albury, which both ended in plea agreements. Winner was sentenced to 63 months. Albury was sentenced to 48 months.

“Like Hale, Winner disclosed information classified at the ‘Top Secret’ level. Unlike Hale, Winner disclosed only a single document,” the memo stated. “Albury was sentenced for retaining 50 classified documents and transmitting some of them to a reporter – but none of the documents Albury disclosed was classified above the ‘Secret’ level.”

“Hale stole documents from NGA on at least seven different dates over a four-month period, and his thefts were the result of a plan premeditated long before that,” the memo argued.

Winner’s sentence was the harshest sentence ever issued against a former government employee or contractor. To act like it was fair and should be a base line for leak prosecutions going forward is extraordinary.

Billie Winner-Davis, the mother of Reality Winner, said, “This makes me sick to my stomach to think that they are using Reality’s sentence to punish Daniel Hale even more severely.

“Watching what the government did to my daughter and the way that they destroyed her life completely has shown me just how cruel our government can be. From what I know about Daniel’s case, he has also suffered so much already from this experience.”

“Through my experience with Reality, I’ve come to believe that only violent offenders and those who are a true danger to our society should be imprisoned,” Winner-Davis added. “To imprison those who work to protect us and give us the truth is an injustice. I pray he does not get sentenced to prison. There are so many other ways that our government could work with him. He already shown in the last five years that he is no threat to anyone.”

But the U.S. government seems to view Hale’s case as an opportunity to move away from sentences that are not cruel enough to make an example out of “leakers.”

“We recognize that sentences imposed in some past “leak” cases were not commensurate with the government’s view of the seriousness of the defendants’ conduct, or nearly serious enough to deter others from engaging in similar conduct,” prosecutors declared, referring to Sterling’s case. “We cannot justify or explain such sentences, but only point out that a past court’s failure to recognize the significance of the need to deter similar behavior by other individuals should not induce this court to make the same mistake.”

Sketching A Caricature Of A Conscientious Young Veteran

The sentencing memorandum sketches a caricature of Hale as a young man who “jumped at the chance” to “fraternize” with Scahill and his colleagues. They take a chat message out of context and suggest he “looked up to [journalists] like rock stars” and wanted to become a journalist to “speak truth to power” while “hav[ing] great sex all the time and mak[ing] just enough to live but not too much that [he] [became] a part of the upper crust.”

To this idea that Hale “ingratiated himself” with journalists and wanted to become a rock star reporter, Noor Mir, one of his closest friends, replied, “Anyone who knows Daniel knows that he puts himself last in every situation, focused entirely on helping those who are in need, have been silenced, or suffered

insurmountable harms. This is a gross mischaracterization of his character to all those that know him to be humble and moral to a fault.”

It was difficult for Hale to speak in public, according to Mir. When he participated in a “drone summit” organized by CODEPINK, which Mir was involved in organizing, he “prepared for a long time and was very nervous. But he also knew that there were family members of victims of drone strikes in the audience from Yemen, who had witnessed the injustices of which he spoke.”

Media outlets, who did not know Hale’s identity, referred to Hale as the “second Snowden,” a nod to NSA whistleblower Edward Snowden. The Oscar-winning documentary “Citizenfour” about Snowden featured a scene where journalist Glenn Greenwald revealed details about Hale to Snowden. Scahill spoke about Hale toward the end of the film. So if he wanted to be a “rock star,” he could have used all of that as a springboard and fled the country to some place where he could speak out more.

Yet a recent feature story on Hale by New York magazine reporter Kerry Howley makes clear, “Nearly no one knew who Second Snowden was then or for years afterward.” He grew a “ZZ Top beard” during the COVID-19 pandemic (after his trial was delayed). He wore donated clothing, and friends “pressed him to go public with the story of how and why” he disclosed documents. “But Daniel maintained that in talking about himself he would be taking the spotlight from victims of the drone war.”

Even after an intervention was staged at a tavern in Washington, D.C. in November 2020, and his friends insisted he tell his story so the prosecution’s story did not go unchallenged, Hale still waited until early April to talk with a reporter.

Kiriakou said the thought that Hale wanted to “ingratiate himself” to journalists is so ridiculous that it’s laughable.

“They said the same thing about me. That I was trying to ingratiate myself with journalists and to seek a career as a commentator with ABC News,” Kiriakou recalled. “Nothing could have been further from the truth. I had a job that was paying me four times what ABC News offered me. I didn’t need a job from ABC News. I never sought a job at ABC News.”

All anybody had to do was look at Kiriakou’s bank account that was empty to see the prosecutors were pushing a false narrative.

Like Kiriakou described, this has become fairly standard. The U.S. prosecutors try to “make the defendant look like a narcissist.” They maintain “it’s all about fame, and it’s all about the money. And they just ignore the facts.”

After Hale returned from his Air Force deployment in Afghanistan, Howley reported, “He wanted to go to school, and for this he needed money, and as an analyst with a security clearance, money was easily made.”

“Six months after meeting Scahill, Daniel had left the Air Force and started working for Leidos, a company that makes more than \$10 billion a year in revenue by convincing the federal government of its utility. He said he would only do it for six months, a promise he kept.”

Hale did not work at the NGA to steal classified documents. He worked for the intelligence agency because he needed money for a college education.

July 23rd - Facing Possibility Of Harshest Sentence Ever For Leak, Daniel Hale Pens Letter To Judge

by Kevin Gosztola (*Shadowproof*)

As President Joe Biden winds down U.S. military involvement in Afghanistan, a conflict spanning nearly 20 years, the As the President Joe Biden winds down United States military involvement in Afghanistan, a conflict spanning nearly 20 years, the U.S. Justice Department seeks the harshest sentence ever for the unauthorized disclosure of information in a case against an Afghanistan War veteran.

Daniel Hale, who “accepted responsibility” for violating the Espionage Act, responded to the spitefulness of prosecutors by submitting a letter to Judge Liam O’Grady, a judge for the district court in the Eastern District of Virginia. It could be construed as a plea for mercy from the court ahead of sentencing, but more than anything, it outlines a defense of his actions that the U.S. government and a U.S. court would never have allowed him to present before a jury.

In the letter filed in court on July 22, Hale addresses his constant struggle with depression and post-traumatic stress disorder (PTSD). He recalls U.S. drone strikes from his deployment to Afghanistan. He grapples with his return home from the war in Afghanistan and the decisions he had to make to move on with his life. He needed money for college, and ultimately took a job with a defense contractor, which led him to work for the National Geospatial-Intelligence Agency (NGA).

“Left to decide whether to act,” Hale recalls, “I only could do that which I ought to do before God and my own conscience. The answer came to me, that to stop the cycle of violence, I ought to sacrifice my own life and not that of another person.” So, he contacted a reporter who he had communicated with before.

Hale is due to be sentenced on July 27. He was part of the drone program in the U.S. Air Force and later worked at the NGA. He pled guilty on March 31 to one charge of violating the Espionage Act, when he provided documents to Intercept co-founder Jeremy Scahill and anonymously wrote a chapter in Scahill’s book, *The Assassination Complex: Inside the Government’s Secret Drone Warfare Program*.

He was taken into custody and sent to the William G. Truesdale Detention Center in Alexandria, Virginia, on April 28. A therapist from pretrial and probation services named Michael violated patient confidentiality and shared details with the court related to his mental health.

The public heard from Hale in Sonia Kennebeck’s National Bird documentary, which was released in 2016. A feature published in *New York Magazine* by Kerry Howley quoted Hale and told much of his story. Yet this is the first opportunity the press and public has had since he was arrested and jailed to read Hale’s unfiltered views on the choice he made to expose the true nature of drone warfare.

Below is a transcript that was slightly edited for readability, however, none of the content has been altered in any manner, shape, or form.

It is not a secret that I struggle to live with depression and post-traumatic stress disorder. Both stem from my childhood experience growing up in a rural mountain community and were compounded by exposure to combat during military services. Depression is a constant. Though stress, particularly stress caused by war, can manifest itself at different times and in different ways. The tall-tale signs of a person afflicted by PTSD and depression can often be outwardly observed and are practically universally recognizable. Hard lines about the face and jaw. Eyes, once bright and wide, now deepest and fearful. And an inexplicably sudden loss of interest in things that used to spark joy.

These are the noticeable changes in my demeanor marked by those who knew me before and after military service. [That] the period of my life spent serving in the United States Air Force had an impression on me would be an understatement. It is more accurate to say that it irreversibly transformed my identity as an American. Having forever altered the thread of my life's story, weaved into the fabric of our nation's history. To better appreciate the significance of how this came to pass, I would like to explain my experience deployed to Afghanistan as it was in 2012 and how it is I came to violate the Espionage Act, as a result.

In my capacity as a signals intelligence analyst stationed at Bagram Airbase, I was made to track down the geographic location of handset cellphone devices believed to be in the possession of so-called enemy combatants. To accomplish this mission required access to a complex chain of globe-spanning satellites capable of maintaining an unbroken connection with remotely piloted aircraft, commonly referred to as drones.

Once a steady connection is made and a targeted cell phone device is acquired, an imagery analyst in the U.S., in coordination with a drone pilot and camera operator, would take over using information I provided to surveil everything that occurred within the drone's field of vision. This was done most often to document the day-to-day lives of suspected militants. Sometimes, under the right conditions, an attempt at capture would be made. Other times, a decision to strike and kill them where they stood would be weighed.

The first time that I witnessed a drone strike came within days of my arrival to Afghanistan. Early that morning, before dawn, a group of men had gathered together in the mountain ranges of Paktika Province around a campfire carrying weapons and brewing tea. That they carried weapons with them would not have been considered out of the ordinary in the place I grew up, much less within the virtually lawless tribal territories outside the control of the Afghan authorities except that among them was a suspected member of the Taliban, given away by the targeted cell phone device in his pocket. As for the remaining individuals, to be armed, of military age, and sitting in the presence of an alleged enemy combatant was enough evidence to place them under suspicion as well. Despite having peacefully assembled, posing no threat, the fate of the now tea drinking men had all but been fulfilled. I could only look on as I sat by and watched through a computer monitor when a sudden terrifying flurry of Hellfire missiles came crashing down, splattering purple-colored crystal guts on the side of the morning mountain.

Since that time and to this day, I continue to recall several such scenes of graphic violence carried out from the cold comfort of a computer chair. Not a day goes by that I don't question the justification for my actions. By the rules of engagement, it may have been permissible for me to have helped to kill those men—whose language I did not speak, customs I did not understand, and crimes I could not identify—in the gruesome manner that I did watch them die. But how could it be considered honorable of me to continuously have laid in wait for the next opportunity to kill unsuspecting persons, who more often than not, are posing no danger to me or any other person at the time. Never mind honorable, how could it be that any thinking person continued to believe that it was necessary for the protection of the United States of America to be in Afghanistan and killing people, not one of whom present was responsible for the September 11th attacks on our nation. Notwithstanding, in 2012, a full year after the demise of Osama bin Laden in Pakistan, I was a part of killing misguided young men, who were but mere children on the day of 9/11.

Nevertheless, in spite of my better instincts, I continued to follow orders and obey my command for fear of repercussion. Yet, all the while, becoming increasingly aware that the war had very little to do with preventing terror from coming into the United States and a lot more to do with protecting the profits of weapons manufacturers and so-called defense contractors. The evidence of this fact was laid bare all around me. In the longest, most technologically advanced war in American history, contract mercenaries

outnumbered uniform wearing soldiers 2-to-1 and earned as much as 10 times their salary. Meanwhile, it did not matter whether it was, as I had seen, an Afghan farmer blown in half, yet miraculously conscious and pointlessly trying to scoop his insides off the ground, or whether it was an American flag-draped coffin lowered into Arlington National Cemetery to the sound of a 21-gun salute. Bang, bang, bang. Both serve to justify the easy flow of capital at the cost of blood—theirs and ours. When I think about this, I am grief-stricken and ashamed of myself of the things that I've done to support it.

The most harrowing day of my life came months into my deployment to Afghanistan when a routine surveillance mission turned into disaster. For weeks we had been tracking the movements of a ring of car bomb manufacturers living around Jalalabad. Car bombs directed at U.S. bases had become an increasingly frequent and deadly problem that summer, so much effort was put into stopping them. It was a windy and clouded afternoon when one of the suspects had been discovered headed eastbound, driving at a high rate of speed. This alarmed my superiors who believed he might be attempting to escape across the border into Pakistan.

A drone strike was our only chance and already it began lining up to take the shot. But the less advanced Predator drone found it difficult to see through clouds and compete against strong headwinds. The single payload MQ-1 failed to connect with its target, instead missing by a few meters. The vehicle, damaged but still drivable, continued on ahead after narrowly avoiding destruction. Eventually, once the concern of another incoming missile subsided, the drive stopped, got out of the car, and checked himself as though he could not believe he was still alive. Out of the passenger side came a woman wearing an unmistakable burka. As astounding as it was to have just learned there had been a woman, possibly his wife, there with the man we intended to kill moments ago, I did not have the chance to see what happened next before the drone diverted its camera when she began frantically to pull out something from the back of the car.

A couple days passed before I finally learned from a briefing by my commanding officer about what took place. There indeed had been the suspect's wife with him in the car and in the back were their two young daughters, ages 5 and 3 years-old. A cadre of Afghan soldiers were sent to investigate where the car had stopped the following day.

It was there they found them placed in the dumpster nearby. The [older daughter] was found dead due to unspecified wounds caused by shrapnel that pierced her body. Her younger sister was alive but severely dehydrated.

As my commanding officer relayed this information to us, she seemed to express disgust, not for the fact that we had errantly fired on a man and his family, having killed one of his daughters, but for the suspected bomb maker having ordered his wife to dump the bodies of their daughters in the trash so that the two of them could more quickly escape across the border. Now, whenever I encounter an individual who thinks that drone warfare is justified and reliably keeps America safe, I remember that time and ask myself how could I possibly continue to believe that I am a good person, deserving of my life and the right to pursue happiness.

One year later, at a farewell gathering for those of us who would soon be leaving military service, I sat alone, transfixed by the television, while others reminisced together. On television was breaking news of the president [Obama] giving his first public remarks about the policy surrounding the use of drone technology in warfare. His remarks were made to reassure the public of reports scrutinizing the death of civilians in drone strikes and the targeting of American citizens. The president said that a high standard of “near certainty” needed to be met in order to ensure that no civilians were present.

But from what I knew of the instances where civilians plausibly could have been present, those killed were nearly always designated enemies killed in action unless proven otherwise. Nonetheless, I continued to heed his words as the president went on to explain how a drone could be used to eliminate someone who posed an “imminent threat” to the United States.

Using the analogy of taking out a sniper, with his sights set out on an unassuming crowd of people, the president likened the use of drones to prevent a would-be terrorist from carrying out his evil plot. But as I understood it to be, the unassuming crowd had been those who lived in fear and terror of drones in their skies and the sniper in the scenario had been me. I came to believe that the policy of drone assassination was being used to mislead the public that it keep[s] us safe, and when I finally left the military, still processing what I’d been a part of, I began to speak out, believing my participation in the drone program to have been deeply wrong.

I dedicated myself to anti-war activism and was asked to partake in a peace conference in Washington, D.C., late November 2013. People had come together from around the world to share experiences about what it is like living in the age of drones. Faisal bin Ali Jaber had journeyed from Yemen to tell us of what happened to his brother Salim bin Ali Jaber and the their cousin Waleed. Waleed had been a policeman, and Salim was a well-respected firebrand imam, known for giving sermons to young men about the path towards destruction should they choose to take up violent jihad.

One day in August 2012, local members of Al Qaeda traveling through Faisal’s village in a car spotted Salim in the shade, pulled up towards him, and beckoned him to come over and speak to them. Not one to miss an opportunity to evangelize the youth, Salim proceeded cautiously with Waleed by his side. Faisal and other villagers began looking on from afar. Farther still was an ever present Reaper drone looking, too.

As Faisal recounted what happened next, I felt myself transported back in time to where I had been on that day, 2012. Unbeknownst to Faisal and those of his village at the time was that they had not been the only ones watching Salim approach the jihadist in the car. From Afghanistan, I and everyone on duty paused their work to witness the carnage that was about to unfold. At the press of a button from thousands of miles away, two Hellfire missiles screeched out of the sky, followed by two more. Showing no signs of remorse, I and those around me clapped and cheered triumphantly. In the front of a speechless auditorium, Faisal wept.

About a week after the peace conference I received a lucrative job offer if I were to come back to work as a government contractor. I felt uneasy about the idea. Up to that point, my only plan post military separation had been to enroll in college to complete my degree. But the money I could make was by far more than I had ever made before; in fact, it was more than any of my college-educated friends were making. So after giving it careful consideration, I delayed going to school for a semester and took the job.

For a long time, I was uncomfortable with myself over the thought of taking advantage of my military background to land a cushy desk job. During that time, I was still processing what I had been through, and I was starting to wonder if I was contributing again to the problem of money and war by accepting to return as a defense contractor. Worse was my growing apprehension that everyone around me was also taking part in a collective delusion and denial that was used to justify our exorbitant salaries for comparatively easy labor. The thing I feared most at the time was the temptation not to question it.

Then it came to be that one day after work I stuck around to socialize with a pair of co-workers whose talented work I had come to greatly admire. They made me feel welcomed, and I was happy to have earned their approval. But then, to my dismay, our brand new friendship took an unexpectedly dark turn. They elected that we should take a moment and view together some archived footage of past drone strikes. Such

bonding ceremonies around a computer to watch so-called “war porn” had not been new to me. I partook in them all the time while deployed to Afghanistan. But on that day, years after the fact, my new friends [gasped] and sneered, just as my old ones had, at the sight of faceless men in the final moments of their lives. I sat by watching too, said nothing, and felt my heart breaking into pieces.

Your Honor, the truest truism that I’ve come to understand about the nature of war is that war is trauma. I believe that any person either called upon or coerced to participate in war against their fellow man is promised to be exposed to some form of trauma. In that way, no soldier blessed to have returned home from war does so uninjured.

The crux of PTSD is that it is a moral conundrum that afflicts invisible wounds on the psyche of a person made to burden the weight of experience after surviving a traumatic event. How PTSD manifests depends on the circumstances of the event. So how is the drone operator to process this? The victorious rifleman, unquestioningly remorseful, at least keeps his honor intact by having faced off against his enemy on the battlefield. The determined fighter pilot has the luxury of not having to witness the gruesome aftermath. But what possibly could I have done to cope with the undeniable cruelties that I perpetuated?

My conscience, once held at bay, came roaring back to life. At first, I tried to ignore it. Wishing instead that someone, better placed than I, should come along to take this cup from me. But this, too, was folly. Left to decide whether to act, I only could do that which I ought to do before God and my own conscience. The answer came to me, that to stop the cycle of violence, I ought to sacrifice my own life and not that of another person.

So I contacted an investigative reporter with whom I had had an established prior relationship and told him that I had something the American people needed to know.

22 Jul - Ruchell Cinque Magee denied parole by CDCR

According to the CDCR, Cinque was denied parole for 3 years at his July 15 hearing. We shall continue the fight.

25 Jul - Button fundraiser for Eric King

Twitter user @genderended is raising funds for political prisoner Eric King.

MORE:

They are selling these buttons sliding scale \$1-\$5 for Eric’s birthday to put money on his books! To order send money to their payment apps (Venmo: genderenders Cashapp: \$genderenders) and put “Eric” in the notes and send us a screenshot! If you can’t donate write him a letter, or DO BOTH.