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# June 9, 2007 Day of Solidarity with Jeffrey “Free” Luers

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June marks the seventh year that our friend and comrade, Jeffrey “Free” Luers has been imprisoned and held captive by the state. Sentenced to an outrageous 22 years and 8 months for burning three Sport Utility Vehicles (SUVs) at Romania Chevrolet in Eugene, Jeff has continued to be active in prison and fight back with his words and inspiration. Although Jeff recently won his appeal and is expecting a reduced sentence, this case is not over:

*“I have spoken with my attorney and there are still many battles ahead. Hard choices will have to be made. I am by no means close to walking out of prison, just one step closer. This is a victory, and while my own personal struggle is making headway others are just beginning.”*

We encourage people to organize events for Jeff and other political prisoners, uniting struggles for human, earth, and animal liberation. In Jeff’s own words:

*“This June, show your solidarity with me, and all those who have struggled, past and present, to make this world a better place. Struggle with us. Hold demonstrations or gatherings at federal buildings or US embassies and demand change. It doesn’t matter what cause or issue you fight for - we are all connected. What does matter is that we stand united and make our voices heard.”*

For more information on how to get involved, contact Jeff’s support network at PO Box 3, Eugene, Oregon 97440 USA. Email [freefreenow@mutualaid.org](mailto:freefreenow@mutualaid.org) and visit [www.freefreenow.org](http://www.freefreenow.org) Donations for Jeff’s re-sentencing attorney are urgently needed, please help via [www.freefreenow.org/donate.html](http://www.freefreenow.org/donate.html)



# The Warrior Wind

*Against a Society of Confinement: “Blow, wild wind, blow!”*

Issue Number Three. Mid-May, 2007. Free.



## Operation Backfire: Guilty Justice

### Introduction and Overview

Almost a year and a half has passed since December 7, 2005, when the first arrests of FBI’s “Operation Backfire” took place. Then as now, we recognized these arrests as not just an effort to stop “eco-sabotage,” but as an attack on broader circles. We

have kept too long a silence over the past year, having last addressed the Backfire prosecutions in April, 2006. Last year saw arrests, informing and finally plea deals—some more principled than others—in these cases. We have also seen resistance and solidarity to varying degrees. It is time to take a look back, but also to think of the future. We do not believe that the so-called “Green Scare” is over, any more than we expect our

rulers to cease hostilities against the planet and its people any time soon, at least on their own accord. The statements and predictions we've made in previous issues have not all been equally sage, but we continue to know whose side we're on. This article not only intends to be a factual update, but also to place instances of repression and fight-back within a broader context. We start from the simplest points, the basic unfolding of events from late April of last year until now.



Briana Waters, whose arrest we described in our last issue, continues to face charges in Washington federal court. Her charges relate to a single arson, carried out against the University of Washington Center for Urban Horticulture. A new indictment issued on May 10, 2006 includes a

“destructive device” charge, carrying with it a 30-year mandatory minimum prison sentence. Briana Waters is the mother of a young child, and is currently released on court-ordered supervision. She is proceeding to trial on her charges—this trial is currently set for September 17 in federal court for the Western District of Washington—and asserts her innocence. Informants in this case include Kevin Tubbs, Jennifer Kolar and Lacey Phillabaum. On October 15, Phillabaum and Kolar entered guilty pleas in the federal court of Tacoma, Washington, regarding the Urban Horticulture action. Kolar also pled guilty to two other incidents during this hearing, one in Colorado and one in Oregon. Kolar faces a suggested sentence of 5 – 7 years, while Phillabaum faces a suggested sentence of 3 – 5 years. Both Kolar and Phillabaum are fully cooperating with the authorities. Sentencing for these two is expected to be pushed back until the end of Waters’ trial.

When we last wrote, Nathan Block and Joyanna Zacher had joined eight others facing charges in the Oregon federal eco-sabotage cases, these two having been accused of involvement with arsons at the Jefferson Poplar tree farm in Clatskanie, and the Romania Chevrolet Truck Center in Eugene. Nathan and Joyanna both remain in Lane County Jail at the time of writing. The Oregon federal cases against those who have been captured—Bill Rodgers died two weeks after his '05 arrest in

### A few words about this newsletter:

DA in Kentucky and DN in Oregon edit *The Warrior Wind*. The views expressed in this newsletter are, unless explicitly stated otherwise, those of the editors alone, and do not necessarily reflect the perspectives of any broader group, support campaign or tendency. Some material printed in this newsletter is taken directly from the Internet and other public sources; direct collaboration between the editors and certain authors featured in this newsletter therefore should not be assumed.

We do hope nevertheless to integrate other perspectives than our own, and we encourage others to contribute to this newsletter. For better or for worse, this newsletter has no fixed, regular publication schedule—we'll do what we can, when we can. Furthermore, we will not necessarily print all material received. We do, however, appreciate both any writing and feedback you care to offer. Please do not assume the “security” of any information passed along to us—this matter is your personal responsibility, not that of the editors.

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*The Warrior Wind* c/o Liberation Projects / 838 E. High St., #115 / Lexington, KY 40502

While submissions should be sent to the address above, the co-publisher may be contacted at:

DN c/o Tarantula Distribution / 818 SW 3<sup>rd</sup> Ave. PMB #1237 / Portland, OR 97204

Obviously, this newsletter is intended for educational and entertainment purposes, corresponding with the strictest legality, only. Just say “no” to anyone who would tell you otherwise.

**WHY WE PUBLISH THE WARRIOR WIND**

The decision to begin publishing *The Warrior Wind* came in the aftermath of the December 7, 2005 “Operation Backfire” raids, arrests and Grand Jury subpoenas across the United States. We wanted to spread news about the increased repression against alleged earth and animal liberationists in the US—what is currently known as “the Green Scare”—but we also hoped to present this news in the context of repression happening globally. Beyond just circulating information about arrests, indictments and convictions, we have tried to create a forum with which to analyze our “society of confinement” in general, and to devise adequate responses to such a society.

*The Warrior Wind* editors hold prison abolitionist, autonomous and fiercely anti-capitalist perspectives. We wish to move discussions about prisoner support in a more radical direction. We see prisoner support as an integral part of social struggle, and respond to repression with radical initiatives instead of walking away or watering down our ideas. We do not believe that current repression will end if enough people write to their Senators or cultivate friendly relations with the media. We wish to move anti-repression discussion beyond the theme of mere *damage limitation*, regardless of whether or not such damage limitation proves to be beneficial in the short term. Instead, we seek full freedom for those awaiting trial, for all those in prison, and for ourselves. We strive towards the end of not only the prison system, but also of the social order on which it rests. Such a project needs to be expressed not merely in thought, but also by concrete acts. We strive for a solid combination of theory and action. We continue to appreciate feedback, and we look forward to people making this project their own in imaginative and inspiring ways.

punished for having the respect of other prisoners and of many beyond the prison walls. John Bowden has paid a heavy price, not just for a few moments of drunken recklessness, but for his integrity, his empathy and his radicalism.

John's politics, and his contact with political activists, have been highlighted by the prison system as a reason for keeping him in jail. Nonetheless, after more than a quarter of a century behind bars, John Bowden, now aged 50, had progressed through the system to an open prison, Castle Huntly in Scotland. He was being prepared for possible release in June of this year. All that has recently changed though, with John being moved back to "closed conditions" at HMP Glenochil.

Recently at Castle Huntly, a newly arrived right-wing social worker submitted a report on John Bowden, for consideration when the parole board hears his application for release on "life license." In this report Matthew Stillman claims: "Bowden has written for a self-proclaimed anarchist website called ABC Brighton, and says he supports many of their ideals and actions. A review of this website brings into question the nature of this group. The members of this group appear to be primarily eco-terrorists or paramilitary members involved in what they see as battles against political systems and

principles."

While Indymedia chose to report this as an attack on both John Bowden and the Anarchist Black Cross (ABC), and prisoner support groups and political activists around the world rallied in support of John, *The Dundee Courier* chose a different approach. In a piece headlined, "Castle Huntly Killer's Terror Links", the *Courier* chose to invent a story out of Stillman's perception, libeling the ABC and no doubt choosing John Bowden as an "easy target."

Seizing on this publicity as an excuse, the Scottish Prison Service immediately transferred John Bowden back to "closed conditions" at HMP Glenochil, where he has been told he will remain for three months. Bizarrely, they claim this is not a "punishment move."

As someone who has stood up for countless others during his time in prison, often at great cost to himself, and who is now being punished for his politics and for refusing to renounce the ABC, John Bowden deserves our fullest possible support.

For information about what you can do, or to order copies of *Tear Down the Walls!*, contact Leeds Anarchist Black Cross:

**Leeds ABC** / PO Box 53 / Leeds / LS8 4WP / England.

[LeedsABC@riseup.net](mailto:LeedsABC@riseup.net)

[www.myspace.com/leedsabc](http://www.myspace.com/leedsabc)

[Shortened report from Leeds ABC.]

an apparent suicide, several people have still not been apprehended, and prime informant Jake Ferguson has not yet been charged with a single crime—have now all ended in plea deals. These deals can broadly be categorized into two types—the plea deals of those who agree to fully assist the state, and the plea deals of those who refuse to testify against or incriminate others. Sadly, there are six defendants of the former, and only four of the latter kind.

On July 20 and 21, Darren Thurston, Kevin Tubbs, Kendall Tankersley (Sarah Kendall Harvey), Stanislas Meyerhoff, Chelsea Gerlach and Suzanne Savoie entered pleas in Oregon federal court. Some of these defendants had been known as informants for some time, while the cooperation of others was a more recent revelation. Lawyers for these six, in cooperation with the court, have suppressed the details of their clients' cooperation agreements. However, their collaboration with the authorities is assumed to be substantial, and certainly includes providing information and testimony for any future prosecutions. Indeed, lawyers for these defendants argued in open court that, if the terms of cooperation were made public, their clients would be immediately labeled as "snitches." Pleading guilty to a range of conspiracy, arson and attempted arson charges, these cooperating defendants received the following suggested sentences: Darren Thurston, 37 months;

Kevin Tubbs, 168 months; Kendall Tankersley, 51 months; Stanislas Meyerhoff, 188 months; Chelsea Gerlach, 120 months; and Suzanne Savoie, 63 months.

Prior to the plea deal hearings of July, Chelsea Gerlach, Stanislas Meyerhoff, Josephine Overaker and Rebecca Rubin were indicted on May 18 by a Colorado federal grand jury for their alleged involvement in the 1998 arson at the Vail ski resort. (Josephine Overaker and Rebecca Rubin are two of those still being sought by the authorities in relation to the sabotage cases.) For Gerlach and Meyerhoff, their Oregon federal pleas incorporate the Colorado charges. On September 29, they were arraigned for these charges, and on December 14 they entered guilty pleas. Gerlach and Meyerhoff are not expected to serve more time in prison due to these charges

In the period following these plea deals, lawyers for the four remaining non-cooperating District of Oregon defendants argued in court for production of material from possible National Security Agency warrantless wiretap surveillance against their clients. Prosecutors had long dodged these motions, and defense lawyers began to force the point. While defense attorneys laid out some interesting and logical arguments as to why such surveillance was likely to have been used against their clients, nobody now has any more proof (or disproof) of this surveillance than when the discovery motions were first



entered. It should be noted, however, that prosecutors seem to have become more willing to discuss alternate plea deals during this period of intensive motions and counter-motions to the court.

With the dropping of the motions for NSA discovery just days before, on November 9 the remaining Oregon defendants entered into a “global resolution” plea deals. Unlike previous plea deals, these defendants admitted solely their individual participation in certain actions, but explicitly refused to identify, testify against or otherwise implicate others in crimes. Furthermore, the complete plea deals of these defendants have been made public in their entirety. During the November 9 plea hearing, Joyanna Zacher and Nathan Block pled guilty to their own involvement in the Romania Chevrolet and Jefferson Poplar fires, both receiving 96-month suggested sentences. Daniel McGowan likewise received a 96-month suggested sentence for his involvement in the Superior Lumber and Jefferson Poplar fires, while Jonathan Paul received a 60-month suggested sentence for his part in the burning of the Cavel West horsemeat plant.

Formal sentencing for all defendants—cooperating and non-cooperating—is scheduled to begin in the middle of this month, continuing until early June (see sidebar.) Federal prosecutors will argue during these hearings for “terrorism” enhancements to the suggested

sentences under Section 3A1.4 of the Federal Sentencing Guidelines. This

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## District of Oregon Operation Backfire Sentencing Dates

- Oral arguments on application of the Sentencing Guidelines “terrorism” enhancement for all defendants, Tuesday, May 15, 10AM.

### Cooperating Defendants:

- Tuesday, May 22, 9AM: Stanislas Meyerhoff
- Thursday, May 24, 9AM: Kevin Tubbs
- Friday, May 25, 9AM: Chelsea Gerlach
- Tuesday, May 29, 9AM: Darren Thurston
- Thursday, May 31: Suzanne Savoie (9AM) & Kendall Tankersley (1:30PM)

### Non-Cooperating Defendants:

- Friday, June 1, 9AM: Nathan Block & Joyanna Zacher
- Monday, June 4, 9AM: Daniel McGowan
- Tuesday, June 5, 9AM: Jonathan Paul

These will all take place at the Wayne L. Morse Federal Courthouse, 405 East 8th Ave. in Eugene.

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Should the ladies and gentlemen Judges think that we will give in just like that, that we will let them take a comrade from our midst, then our solidarity can prove the contrary. Solidarity is for us not a therapeutic activity, but is an integral part of our existence as anarchists. The extension of our revolt is the only answer the State can expect to its trials and sentences. It’s up to us now to find the ways and means of expressing this.

*FREEDOM FOR ALL PRISONERS!  
FOR ANARCHY!*

Anarchist Black Cross Antwerpen  
Anarchist Black Cross Gent  
May 4, 2007



## U.K.: Hands Off John Bowden!

More than a quarter of a century ago, John Bowden, then a young man, who had already spent most of his life in the “care” of the State, committed what might be characterized as a “stupid, drunken, murder.” There was nothing even slightly political about this act, but it was neither premeditated nor committed for personal gain. In his recently released pamphlet, *Tear Down The Walls!*, John describes

the killing as “a senseless, almost gratuitous killing”, which “reflected the extent of my brutalization after years of brutalizing treatment in state institutions.”

The two older men convicted along with John of the murder were released long ago. Possibly, had John groveled his way through the prison system and ignored the suffering of others, he might too have been released early. But that did not happen.

Soon after his imprisonment, in his own words, John “began to become politicized, to emerge from the hopelessness, violence, and rage that had characterized my life thus far.” As John’s self-awareness and politicization grew, he began to emerge as an effective prison organizer.

But prisons are not run like liberal democracies, they are run like police states where dissent is outlawed. John Bowden has suffered over the past 25 years, but he has never been broken. For that he has been punished;



## Belgium:

*“No Surrender...*

*No Paralysis...”*

On the 24th of April 2007, the court of Dendermonde (Belgium) sentenced our comrade Geert Waegemans to one year’s imprisonment on the charges of beating and wounding police officers and resisting authority. Geert was not present during the sentence; the judge ordered his immediate arrest.

In the shadow of the democratic State and its media, no discussion about facts is possible. Their reality is not ours, and that was proven again during this trial. On June 28, 2005 there was a demonstration in the streets of Dendermonde in solidarity with two comrades who stood trial on charges of destruction of the windows of a fast-food restaurant and a fur shop. On clear instigation of the state security services (as pointed out in trial records,) Geert was targeted during this demonstration. The police seized the opportunity, mobilized massively (with a special intervention team, helicopter etc..) and after a few skirmishes arrested 17 demonstrators. Most were released after 12 hours, not without first having been threatened and mistreated in the dark of the cells. Three comrades—Geert, Joppe and Olivier—were charged and provisionally released after 16 days.

After almost two years of legal circus, last week the sentence fell: Geert was condemned to one year

non-suspended imprisonment and Joppe and Olivier to one year of which six months are non-suspended. In the meantime, an appeal was made against this sentence. None of the three comrades are in jail now.

This trial proves again how the State creates and selects the facts that suit it best. Geert was caught because he is an anarchist and because he continued to be actively involved within the anarchist movement after his previous conviction. Geert was released on parole in April 2003 after a sentence of five years for a series of incendiary attacks on fast-food restaurants and infrastructures of the meat industry. The State can use the sentence in Dendermonde to let him sit out the remaining two and a half years from this former sentence.

The media and judiciary juggled around various abbreviations and acronyms, pointing at a possible spread of anarchist struggles, and making them a target for capture in this way. The repression tries to paralyze the struggle against prison and its world by attacking solidarity groups such as the Anarchist Black Cross amongst others.

“Geert does not belong in this society,” the prosecutor said during the trial. Indeed, Geert and all those who fight against the State, its prisons and its tribunals, do not belong in this society. Repression is there to break this struggle and to isolate the individuals who struggle. In this sense, the repression that touches one of us, touches us all.



sentence enhancement could lead to defendants spending their prison terms in maximum security settings, have lifelong consequences for them such as being unable to travel overseas, and possibly even add to the length of their sentences, at the judge’s discretion. Even in the District of Oregon, conflict surrounding these cases is far from over—this takes the form of both limited fights within the courts, as well as what we hope will be more widespread interpersonal, political and social challenges.

### **A Look at Some Previous Statements, and Subsequent Debate**

We do not wish to exaggerate the importance of our writing, but the many developments since our last newsletter suggest that revisiting some themes and specific

statements in previous issues would be helpful. When we first wrote on the Backfire arrests in February of 2006, we commented that “Beyond the sniveling behavior of others, and media scare stories about a fictional ‘eco-terror network,’ the state has nothing...” Clearly, this has changed. With the exception of Briana Waters—whose Washington federal trial is still pending—the state now has a mass of “guilty” pleas from those who have been captured. This fact does not alter in any way our conviction that the so-called “Family” of “eco-terrorists” is a deliberate invention of the state, designed to portray horizontal relations and self-organized revolt as something that is instead cultish, militaristic and hierarchically-structured. The state projects its own logic onto its opponents—a point that we feel cannot be stressed enough as prosecutors try to fit the “terrorist” jacket onto defendants at sentencing.

In our two previous issues, we made statements as to which defendants were operating as informants, and which were not. Upon releasing each newsletter, more informants were confirmed each time. This has been a disheartening process, and the decision by Darren Thurston—who was esteemed by many—to begin cooperation proved especially difficult. The state has benefited from informant-defendants in two ways: first through the immediate violence against co-defendants and the uncaptured from such testimony, and also by secondary damage to

radical circles on the outside. For as long as alleged enemies of our system base most of their support for prisoners not on clear ideas of affinity and solidarity, but rather on attraction to personalities—perhaps based on someone’s past reputation—it will be difficult to avoid a repeat of the farcical, yet draining, disputes of late-2006. We do not wish to reopen the pseudo-debates and stupid controversy of last year, but we do wish to make two basic points. Firstly, it is an absolutely topsy-turvy position to accuse non-informants and their supporters as “spreading division,” for their act of remaining dignified while others crumpled. Secondly, the argument that those who held out longest on their “not guilty” pleas should be condemned for deception and manipulation of supporters, is a contemptible pro-establishment perspective. There is nothing virtuous about “honestly” rushing to sacrifice oneself and others at the altar of the state. Our writings have never centralized the issue of “guilt” or “innocence”—neither our horribly deformed society nor its justice deserves respect. This is not to suggest that the real-world effects of legalisms should be ignored—growing surveillance, mass imprisonment and more subtle threats, are all part of the world order we oppose. As we cannot merely wish them away, legal outposts deserve our reconnaissance.

### **The Question of Legality when Responding to Repression**

December 7, 2006 marked the one-year anniversary of the first Backfire arrests. On or around that day, 43 cities on four continents held solidarity and educational events relating to the Backfire cases as well as the broader “Green Scare.” This sort of international coordination, the creation and distribution of counter-information, and the raising of funds for defense campaigns, are all significant and worthwhile activities. We hope that they can be built upon. Accompanying the call for action on December 7, was the disclaimer:

*“Remember, everything you do to support people who are targets of prosecution should be LEGAL and in their best interest. Many are in pre-trial or in an appeal process; please do not organize something that could jeopardize their cases.”*

We respect the comrades who issued this call for action, and especially admire their insistence on the best interests of targets of repression. However, we also believe that the issue of legality needs to be examined more closely. We are not trying to impugn to the authors of the Dec. 7 call any beliefs that they may not actually hold; we merely use their statement as a point of departure.

During an open court hearing regarding Jeff Hogg (see sidebar) and the Oregon Operation Backfire-related grand jury, one lawyer working on defense efforts, and another correspondent for Portland

be considered as charitable people or because we want to be honored with medals that we despise, but because we want to establish the truth and tear away father Cesare’s veil of lies. The latter paid one and only one visit to Vali in hospital after he learned that others had already been, as he wanted to know who these people were.

Rudolf Hoess, a commander in Auschwitz concentration camp, wrote in his memories while detained in prison in Poland awaiting execution: “I never became insensitive to human suffering: I have always seen it and suffered for it. I had to crush it because I was not allowed to be soft.” He also boasted that he had never personally beaten up any prisoner in the camp. Father Cesare, on the contrary, cannot even say that. That’s all.

Saverio, Annalisa, Marina, Christian, Laura, Salvatore

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### **Declaration to the High Court of Lecce**

We are more and more aware of the fact that the intention to get rid of anarchists in any way possible has been openly declared by this court, as it has in many others all over the country following a precise choice made by power at a national level.

The instrument of “subversive association” has served to prevent us from going about our lives, our interests, affections and a struggle that was becoming really effective in this area. In fact, some comrades were arrested and have been held in prison

or under house arrest regardless of what the final outcome of the court will be.

This court has constantly and obstinately refused any moments of ‘socialization’ during the breaks in the hearings between those of us who are free and those who are under house arrest, with the precise intention of keeping the latter isolated from any social or personal contact. This also explains why all requests for permission to work, which would allow the comrades under house arrest to organize their lives, have been systematically refused.

The Lecce anarchists opposed themselves to the intolerable existence of immigration detention centers; but as exploitation and repression are at the foundation of this society, the State decided to punish them. The fact that the local CPT was run by powerful people has intensified the revenge.

Anarchists, however, are sparks that can be contagious because they love freedom and cannot stand those who want to suppress it. Ideas and solidarity cannot be imprisoned, in spite of all your efforts.

For this reason we have decided to leave the court today, and not attend the hearing on February 22.

*Lecce, February 8 2007.*  
Saverio Alemanno, Annalisa Capone, Andrea D’Alba, Massimo De Carlo, Alessandro Di Mitri, Marina Ferrari, Cristian Paladini, Saverio Pellegrino, Laura Prontera, Salvatore Signore.

carried out in the structure” and “the people in the camp were registered according to the regulations normally in use in such structures.” In fact the immigrants were registered and listed like goods. Prisoners are also registered, and deportees in Nazi concentration camps were listed and registered too.



To move on, both father Cesare and the inquisitors claimed that the revolts in the Regina Pacis camp broke out when anarchists demonstrated outside that hideous place. We are not interested in hearing that we are capable of such; on the contrary, as anarchists we try to find any instrument that is useful to intervene in a reality that we find intolerable. The point is quite different and also, let's say, banal: revolts break out spontaneously where dignity is crushed and life is offended. This simple truth is widely demonstrated by the story of totalitarian institutions in general and the Regina Pacis camp

in particular, as proved by a very long list of episodes. It is therefore the self-determination of individuals and not anarchists' ability that brings about all individual and collective revolts.

Finally, we want to clarify what father Cesare claimed, referring to an event that occurred on August 10, 2004, following which a Rumanian in his late twenties, Vasile Costantin, has remained totally paralyzed. We will not discuss whether what this man stated is true (that he was beaten up by the cops while lying on the ground after falling from the fence; we know such gentle police practices all too well), we only want to make it clear that never ever has father Cesare or anyone else working in the Regina Pacis camp “helped this man in any possible way,” as the latter declared. On the contrary, the young Rumanian was totally abandoned by the operators of the camp who simply informed his wife in Rumania that he was dying, without further getting in touch with her. Vasile, known as Vali, was visited in the hospital in Lecce by a few comrades who warmed him with love and affection, according to authentic solidarity, which is extraneous to economic and personal interests. These comrades and other sensitive people managed to get Vali into a specialized clinic for spinal rehabilitation in Imola where he stayed for a few months, without unfortunately recovering much. The same people continue to support Vali now that he is back in Rumania. We are not saying that because we want to

Indymedia, were both indirectly threatened by federal prosecutors for having publicly presented their views surrounding the cases. The government threat, as always, went like this: if you keep on with your present course, you will be criminalized, and those you support will suffer too. Even what could normally be conceived of as the most legal and by-the-books support for defendants, therefore, gets lumped into the category of the potentially, and at some stage actually, criminal. Especially as formal sentencing approaches, there is a clear desire in many quarters not to create any pretext for further repression. This impulse is partially understandable, but its logic may also be dangerous.

When faced with a potential social threat, it is naïve to think that the authorities remain on the level of legality. Rather, they bend or break the rules, in order to neutralize whatever they perceive as troublesome. In Italy, at a time of high social struggle, a 1969 bombing at the Piazza Fontana in Milan was used to justify the arrest of four thousand anarchists, radicals and workers. One of those arrested, Giuseppe Pinelli, “accidentally” fell to his death during a police interrogation. The Piazza Fontana bombing was later discovered to be the work of neo-fascists working with extensive NATO and US government cooperation. While it is clear that poorly thought-through actions, no matter how strongly we associate with any underlying motivation of revolt, can do real damage, it is also clear

that the state's violence operates at a high degree of autonomy from any resistance by the oppressed. If there is not a pretext for repression, our rulers will create one soon enough,

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## Grand Jury Resister Jeff Hogg Locked Up for Half a Year

After spending almost six months in jail without being accused of any crime, Jeff Hogg was released from imprisonment on November 15. On May 18, 2006, Hogg, a nursing student, was jailed for civil contempt after he declined to testify before an Oregon federal grand jury allegedly investigating the “eco-sabotage” cases. His incarceration led to public outcry and support efforts in his hometown and beyond. Following his release, Hogg was threatened with being re-subpoenaed to appear before another grand jury, but thankfully these threats have so far have remained empty. We encourage everyone to educate themselves on how grand juries are used as a tool of political repression, and how to support those who have been targeted by them.

[Adapted in part from a press release posted to Portland Indymedia.]

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or they will change the laws in order to suppress every perceived defiance. This makes a mockery out of any call for strictly “legal” activity.

To functionally respond to repression, including that of the Backfire prosecutions, therefore means a continual widening, rather than narrowing, of our options. This is no excuse for reckless activity. We do not make a fetish out of “illegality,” or even suggest it as a primary course. Rather, we see any attempt to situate acceptable intervention strictly within ever-dwindling “legality,” as ultimately self-defeating and suicidal. As long as the government sees its repressive strategies as effective at keeping the rabble in line, it will continue them and enlarge them. Our conception of solidarity, therefore, is not one of “legality” or “illegality,” both of which are categories that need to be transcended. Beyond any immediate support for a specific defendant, we should ask ourselves questions such as: Does our way of doing things lead to self-repression, or to an increased confidence in our own strengths and capabilities? Is our approach creative rather than stereotypical? To what degree does it open up opportunities for more widespread struggle?

### The “Green Scare” and Democratic Terror

Operation Backfire is widely perceived as being the cornerstone of a broader “Green Scare.” While we ourselves have used “Green

Scare” as short-hand, the term needs to be looked at critically. The phrase “Green Scare” is useful in that it at least places the present campaign within a historical continuum, a chain that certainly includes the First Red Scare of the late Teens (including the Palmer Raids and mass deportations) as well as the “McCarthyism” of the Second Red Scare (late ‘40s – ‘50s.) The drawback of this term is that it can mystify the nature of repression, which is ongoing and everyday, by describing it as an occasional event or aberration from the democratic norm.



In reality, repression and imprisonment are fundamental aspects of our democracy. Prison populations have skyrocketed over the last three decades, with over two million people

## Italy: Two Declarations by Lecce Anarchists

We are reprinting two statements made to the court by “Operation Nottetempo” defendants from Lecce, Italy, as we feel that these statements reflect a clear position regarding criminalization, the state, and the importance of solidarity against all borders, prisons and detention cells.

Friends in Europe describe the repression in Lecce thus: “The investigation and prosecution of anarchists from Lecce, is a clampdown on those who aspire to destroy CPT’s (Immigration Detention Centers) and particularly the anarchists, who want to destroy all cells and borders forever. The detention center at San Foca, ‘Regina Pacis’ was a notoriously cruel limbo run by the corrupt priest Cesare Lodeserto. It was closed down, so the investigations, jailings and trial had to begin. Anyone who was seen acting against the detention centers or showing solidarity with excluded people was seen as also requiring a prison cell, to stop their agitation igniting any more trouble. The defendants are charged with ‘subversive association’ / conspiracy and a number of other crimes, which include attacks against banks, attacks against targets connected with CPT’s, actions in solidarity with Mapuche people in Chile and sabotage of petrol stations against the Iraq war.”

*The hearing held on November 23 [2006] finished much earlier than expected. The judge was very disappointed that the public prosecutor failed to bring his final witnesses to court, so he postponed the hearing to January 18. A request for permission to work presented by Salvatore’s lawyer was rejected. The comrade, however, read a declaration, which was also signed by some other co-defendants:*

### Declaration Made by the Lecce Anarchists in Court

We have decided to make a short declaration to clarify a few questions and to refute the lies that priest Cesare Lodeserto told in this court at the last hearing.

First of all, we want to give words back their real meaning, which carries a precise content; but where there is the intent to conceal reality, the first step is to call it by different names and twist it until it loses any relationship with the truth. This is a very common practice these days, where neo-language is largely employed, making wars become “peace missions” or “humanitarian operations” and detention centers for immigrants “welcome centers.” Similarly, father Cesare calls the prisoners in the Regina Pacis camp “guests” and talks about a system of “passive surveillance.” It is rather strange that these “guests” were watched by a system of video-surveillance, that “police had to intervene in the camp” (to quote Lodeserto), “arrests were



## Germany: The “Aachen 4” Case

The “Aachen 4” case began on June 28, 2004, when police halted a car in the area of the German/Dutch border, in a routine stop looking for drug traffickers. Bart De Geeter, José Fernandez Delgado, Gabriel Pombo da Silva and Begoña Pombo da Silva were in the car. A member of the group pulled a gun on police when they attempted to search the vehicle. The three men attempted to escape while Begoña was immediately placed in custody. The three men were finally captured following a chase involving gunfire.

Gabriel is a Spanish anarchist who has spent twenty years in prison, fourteen of them under the notorious FIES segregation regime. In October 2003 he escaped from police custody and was on the run. José, another anarchist, was also a Spanish prison escapee attempting to avoid recapture. Bart was actively involved in the Anarchist Black Cross in Gent, Belgium. Begoña has no other connection to the anarchist movement other than being Gabriel’s sister.

At the end of September 2005, trial for the four came to an end. The authorities could not sustain their “attempted murder” charges against José and Gabriel, but the three men were convicted of charges relating to hostage taking that took place as they changed vehicles during the chase. Bart’s charges were far less than those

of José and Gabriel, as there is no reason to believe that he knew about the guns, and it would be difficult to prove his active participation in what happened. Also, José was convicted of charges from a bank hold-up that occurred in Germany prior to his capture, with Begoña convicted of receiving stolen goods. The final sentences were: 14 years for José; 13 years for Gabriel; 3 years, 6 months for Bart; and probation for Begoña.

On the January 9 of this year, Bart De Geeter was released, having served two thirds of his sentence.

Gabriel is currently being kept in quasi-isolation, only allowed out of his cell one hour per day, with four 45-minute visits a month. Now it appears that the authorities are tampering with his mail, with letters “vanishing,” plus books and CDs sent to him being held by the prison. A campaign around this issue is underway.

On February 26, José had a hearing regarding an extradition request from Spain, which seeks to punish him for escape. José has waived the option of a speedy extradition procedure. He does not want to serve the rest of his German sentence in Spain. In Spain he has two years remaining of his 24-year sentence; his flight was due to the conditions he was being held under there.

For more information, see [www.escapeintorebellion.info](http://www.escapeintorebellion.info)



behind bars in the U.S. alone, wholly comparable to a new plantation system. The U.S. Constitution spelled out this development over a century beforehand, in the 13<sup>th</sup> Amendment ratified in the aftermath of the Civil War: “Neither slavery nor involuntary servitude, *except as a punishment for crime whereof the party shall have been duly convicted*, shall exist within the United States, or any place subject to their jurisdiction [emphasis added].”

No matter what its lofty origins, the ideal of democracy is mainly a deception. Our democratic system talks of basic liberties, and then denies them; it speaks of participation, but it means the choice between Coke and Pepsi. A proper explanation as to why this is so would require a lengthy historical discussion. There are only a few points we can make in a much shorter space. To begin, violence is perversely maintained by any system that claims it has no place for violence, as this proclamation simply makes sure that citizens avert their gaze or make excuses when institutions are responsible. Secondly, democracy is the system that exists while each of us scramble for property or some “better” social position day-to-day; the cruel games we’re caught up in create the dominant version of politics. Finally, our right to “have an opinion” within democracy is tied to our powerlessness to create real change. We may not want pollution, but we’re going to get it no matter what we think. Within a “tolerant” and

“participatory” system, our opinions are the same as our acceptance. To vote becomes a proclamation that one will put up with both pollution *and* police.

We therefore view Operation Backfire as but one tile in a mosaic of force and servility. Repression of radicals is not something new, nor has it ever gone away. The striking difference between Operation Backfire and the Palmer Raids or the FBI’s COINTELPRO program, is that these earlier campaigns of repression happened in periods of intense social struggle. At those points in history the State felt that the society it defended was imminent danger from mass defection and upheaval. Ironically, such past disruptions often proceeded under the banner of “inclusion”—for the poor, immigrants, women or the Black population. This was at once the tactical brilliance of these movements—allowing them to harness the energy of those who had suffered exclusion long enough—and also the seeds of their defeat, as they were caught off guard by the real workings of a system they idealized and wanted to improve.

By the early 1990s, urban theorist Mike Davis described the growth of the Blood, Crip and other street gangs in Los Angeles in relation to the decline of any sustainable vision of a better society. Davis’ book, *City of Quartz*, highlights the development from earlier street “sets” of the ‘50s and ‘60s, some of which eventually took an active role against immediate

racism and poverty, to the later Blood and Crip gangs, whose rebellion was textured by drive-by shootings plus the economics of Crack cocaine supply and demand. In response to such gangs, Los Angeles authorities mounted their “Operation Hammer,” a racist dragnet operation that, in perfect keeping with the overall “War on Drugs,” filled the prisons with potential troublemakers as a part of a counter-revolutionary rollback strategy. Not long after Davis’ book described the seemingly hopeless situation on the LA streets, that same city exploded in rebellion following the Rodney King-beating verdict. That rebellion—majority Chicano but with significant Black and other racial involvement, and in any case fundamentally a *class* fight-back—was the high water mark of resistance within the US over the last 20 years. It was also ruthlessly suppressed.

Both the LA Rebellion and internal attempts to resist the first Gulf War, informed another generation of radicals that followed, many of whom were just entering their teens when these events occurred. The generation of Seattle ’99 as well as the generation of the early Earth Liberation Front, connected earlier historical lessons to their own concerns. In the context of an increasingly fragmented society, a toxic environment, absurd rulers, and meaningless work as the *best* prospect offered, people gradually began once again to ask root questions. There was an effort, however fumbling, to examine how humans treat other

humans, as well as to how a ruling social order treats human and non-human animals alike. Sabotage was one response given to our miserable society. Such sabotage predates, and has always gone far beyond, that attributable to the Earth and Animal Liberation Fronts. For every spectacular action such as the Vail arson, there have been innumerable examples of modest, small-scale sabotage, carried out invisibly by diverse numbers of people. While sabotage alone cannot bring forth the new ways of life we desire, it nevertheless is encouraging for the strong response it gives to our society, at least in purely negative terms.

Many people tracking Operation Backfire have been shocked by revelations of the government expenditure involved in investigating and prosecuting these property crime cases. According to the *Eugene Weekly*, thirty federal agents were assigned from 2002 onwards to a Eugene task force investigating the sabotage. This figure ignores the additional expense of bribes given to informants on the outside, such as the \$50,000 reward that may have been paid to a central informant, Jake Ferguson. Even if we accept that the accused caused millions of dollars in property damage, it seems clear that the government’s Operation Backfire is not exclusively aimed towards individuals—nobody accuses the defendants of a single arson over the past five years, so it would have cost the state exactly zero dollars to get

occurred in the Netherlands and Belgium, although no arrests were made in these countries. The arrests are apparently the result of a two-year investigation into campaigns against animal testers Huntingdon Life Sciences (HLS.) Approximately one third of those arrested were charged with blackmail in relation to their alleged anti-HLS campaigning. Three of the founders of Stop Huntingdon Life Sciences—Gregg Avery, Natasha Avery and Heather Nicholson—have been remanded into custody and are being charged with “Conspiracy to Blackmail.” We will follow this situation closely and provide more reports in future issues. In the meantime, please check [www.spiritoffreedom.org.uk](http://www.spiritoffreedom.org.uk) for prisoner addresses and be ready to oppose what is surely intended to be a repeat of the U.S. SHAC trial.



## Germany: Projects and Social Spaces Targeted as G8 Summit Approaches

On Wednesday, May 9, raids took place against approximately 40 apartments, offices and social spaces associated with leftist or radical projects in Berlin, Hamburg, Bremen and other locations. Approximately 900 police were involved in this wave of raids. This repression arrives in the run-up to the summit of the G8 nations, set to take place in Heiligendamm from June 6-8. The German federal police seemed especially concerned about shutting down the *so36.net* server, which hosts many alternative and activist mailing lists and internet sites. The raids, targeting a hodge-podge of those who have voiced opposition to the G8, are seen as an attempt to discourage active opposition to the summit. Some of the searches were justified by section 129a of the German criminal code, which involves “forming a terrorist association.” This has given the authorities wide-ranging powers of data gathering and intimidation against their targets, although conviction under this section is rare.

The repression met with a prompt response. Thousands took to the streets in Berlin, Hamburg and elsewhere on the evening of the raids, with solidarity actions also held in several other countries.

## SHAC 7 Sentenced

Animal rights activists involved in the Stop Huntingdon Animal Cruelty (SHAC) campaign against the notorious animal testing lab Huntingdon Life Sciences were sentenced to federal prison after being convicted between September 12-19 for conspiracy charges, including conspiracy under the Animal Enterprise Protection Act of 1992. The sentencing took several days, and defendants were given the following sentences:

- Kevin Kjonaas: 72 months
- Lauren Gazzola: 52 months
- Jacob Conroy: 48 months
- Josh Harper: 36 months
- Andrew Stepanian: 36 months
- Darius Fullmer: 12 months, 1 day

The organization SHAC USA, which has little or no structural existence, was also sentenced. In addition to prison sentences, the court imposed \$1,000,001 in restitution on the defendants. Each defendant was given three years of supervised release upon discharge from prison, with conditions that they not violate any laws and will be subjected to computer monitoring by the government.

Andy Stepanian began serving his sentence on October 3, while the other defendants began their sentences on November 16. In March of this year, Josh Harper was placed in “the hole,” due to vague charges of

being a “threat” and even a “domestic terrorist,” with his possession of copies *No Compromise* and *Green Anarchy* journals being used as evidence of the charges. Please support him and his co-defendants during these tough times.

For information about the case and how to support the prisoners, please visit [www.shac7.com](http://www.shac7.com)

Donations can be sent to: **SHAC7 Support Fund** / 740A 14th St, #237 / San Francisco, CA 94114

### SHAC 7 Solidarity Action

*From a communiqué published 9/20:*

“In honor of the SHAC-7, 23 rabbits have been liberated from Capralogics, a vivisection lab in rural Massachusetts. Jake, Lauren, Kevin, Andy, Josh, and Darius, as well as their 17 other lop-eared friends who have yet to be named, are all safe from the hands of those who had imprisoned and tortured them in the name of profit... Until all are free, the night belongs to us...”

## U.K.: Wave of Raids Against Animal Cruelty Opponents

On May 1 of this year, 700 police officers from ten different regional forces from across the U.K. led dawn raids against multiple homes and arrested 32 people. Due to international coordination with other police forces, home raids also

them to stop. Instead, the government targets an overall social tendency. The state will spare no expense to eliminate subversive tendencies, not so much for what individuals are reported to have done, but for what a greater future constituency could do.

Our rulers are afraid that we will revolt, because—even by the admission of our government’s smartest policy advisors—we have every reason to do just this. In the sixties, radical movements, when they were not straight up repressed, were all too often seduced by visions of a better life made in capitalism’s own image. In today’s society, the quality of illusions is shabbier than ever, even if our system still keeps itself together through an apparatus of illusion. The most convincing spectacles today are those of horror—terrorism, ethnic or religious massacre, ecological collapse. Each of these spectacles do have a certain real basis—human society is genuinely at a crisis point, and it’s increasingly hard to imagine any way for this society to avoid catastrophe on a far greater scale than the mass slaughters of the Twentieth Century. Yet our society’s presentation of its own deep crisis, perversely recruits the population to stay in line, even to desperately clamor for fewer freedoms and less dignity.

We find ourselves in a situation not only of worsening conditions, but also of ubiquitous doublethink and the degradation of language. Matters have gone so far that it is earth-liberationist damage to property that becomes

labeled as “terrorism,” while few take our society to task for its cultivation of widespread terror for profit or for politics, including the diffuse environmental terror performed by industrialists each day. However, human imperatives—biological, intellectual and emotional—have not yet been utterly reduced. Just as such imperatives organized themselves into the anvil that eventually broke the Los Angeles “Hammer,” we may still choose to live today, shattering the alleged continuity of interests between the rulers and the ruled. While we do not cheerlead for any particular tactic—let alone group—it is clear that only through multiform insubordination can people continue to find the best in both themselves and each other. We unreservedly support, and hope to play a part in, such a process. We do not support the “green scare” defendants merely out of a sense of charity, and we certainly don’t claim to speak for any of them. Just as we oppose this latest repression, we say to hell with the whole mess of work, prison, and war.



## Eric McDavid Update

January 13, 2007, marked one year of pre-trial incarceration for Eric. Since that time, Eric has remained in total separation in the Sacramento County Main Jail, maintaining his innocence in the face of government repression. His first Both of Eric's former codefendants, Lauren Weiner and now Zachary Jensen (see next page) have become government informants. Eric is the sole defendant fighting the government on outrageous charges of "conspiracy to destroy property by means of fire or explosives," which carries a possible sentence of up to 20 years. The government's case is based on an *agent provocateur* who was paid \$75,000 to fabricate a crime.

Eric's trial is currently set for July 2 of this year. On February 27, Magistrate Judge Mueller heard Eric's discovery motions. Her order was issued on March 26, denying all but 2 of the discovery motions. The motion to release Eric's co-defendant's pre-sentencing reports was granted in part, as well as the motion to release proffers and communications between Eric's co-defendants and the government.

On April 23, Eric had a hearing on 21 other defense motions. These motions concerned a variety of issues, including several addressing First and Fourth Amendment violations. Judge England made it through all 21 motions in less than 2 hours, systematically denying each and

every one of them. He seemed to be very familiar with the government's arguments and to agree with them.

Eric was denied a vegan diet for over 100 days following his arrest, which eventually led to a protest hunger strike and protracted legal efforts to secure such a diet. Since April 24, 2006, he has finally been receiving vegan food.

Eric currently seems to be experiencing health problems, with what may be a condition called Pericarditis, which causes symptoms such as chest pain. He was sent to the hospital in mid-April, and returned to jail with an order for blood work to be done. Supporters are currently trying to monitor this situation and ensure that Eric receives the care he requires as trial approaches. For updates on this and other matters, please visit: [www.supporteric.org](http://www.supporteric.org)

A weekend of solidarity with Eric was held on May 5-6 this year, but help with fundraising is still much needed as trial approaches. Please consider organizing a fundraiser for Eric or donate directly through Paypal to: [sacprisonersupport@riseup.net](mailto:sacprisonersupport@riseup.net)

If you would like to send a donation by mail, make a check/money order out to: "Sacramento Defense Fund" and send to: **Sac Prisoner Support** / PO Box 163126 / Sacramento, CA 95816 (Checks/money orders must be made out to "Sacramento Defense Fund" or we will not be able to deposit them.)

[Report compiled from posts on [supporteric.org](http://supporteric.org) and other sources.]

## Speaking Truth to Power?

### Animal Rights Advocates Teach FBI

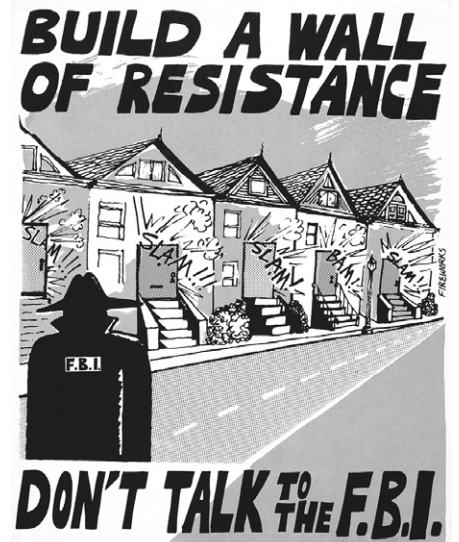
In 2006, realtor Charlotte Laws and academic Anthony Nocella, who have both authored articles in support of groups such as the Animal Liberation Front, accepted invitations from the FBI to teach classes to agents. According to articles written by Nocella and Laws, both discussed animal liberation groups in the classes they taught at the FBI Academy, although both also claim that they did not provide the authorities with any names. Nocella states that his talk was focused on "conflict resolution" and that his only comment on the ALF concerned the group remaining nonviolent. In an article about her experience with the Feds, Laws mentions discussing the FBI offer with a friend in the Los Angeles Police Department. The FBI contacted Laws on April 13, 2006; Nocella's contact

### Peter Young Released

On February 01 of this year, Peter Young was released from federal prison. Peter had been sentenced to two years for "animal enterprise terrorism" as a result of the release of thousands of mink in a series of raids in the Midwest. The raids occurred in 1997, but Peter was not captured until an unfortunate run-in with the law in 2005. His two-

year sentence was the same as his co-defendant Justin Samuel, who had proffered information against Peter. Shortly after Peter's release, other charges against him in South Dakota state court—again regarding a mink release—were dropped on the condition that Peter does not set foot in the state. Several solidarity actions took place for Peter and for animal liberation over the course of his confinement.

with the FBI took place in a similar timeframe. Jerry Vlasic of the North American Animal Liberation Press Office was similarly invited to teach a class by the FBI. Instead, he declined and issued a statement against federal government repression of earth and animal liberationists. According to Nocella, other academics and prominent animal rights activists have been asked by the FBI to teach classes.



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## Jeff “Free” Luers’ Sentence Ordered to be Reduced

In some happy news, on February 14, the Oregon Court of Appeals unanimously ruled that Jeff “Free” Luers’ case will be remanded back to Circuit Court for re-sentencing. The Court of Appeals ruled that Judge Velure was in error when he, in 2001, imposed a 22-year,

eight-month sentence on Free. This draconian sentence was for the arson of three SUVs at a car dealership in Eugene, Oregon, and also for an attempted arson at Tyree Oil which Free maintains he had no part in. The new ruling means that Free could have up to 15 years removed from his original sentence, or even more if he is successful with a post-conviction relief challenge.

See our back cover for an announcement about the June 9 day of solidarity with Free.

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## Rod Coronado Released, Still Faces San Diego Speech Charges

On March 23, Rod Coronado was released after serving an eight-month federal prison sentence for his involvement in attempting to stop a mountain lion hunt in Sabino Canyon, Arizona.

Coronado still faces federal charges relating to a speech he gave at the Hillcrest LGBT center in San Diego on August 1, 2003. In a February 2006 indictment he was charged with disseminating “information relating to explosives, destructive devices or weapons of mass destruction” for answering a question during this speech. He was talking about animal liberation activity that he had already served a four-year prison sentence for years before. Coronado faces up to 25

years in prison and/or a \$250,000 fine if convicted for this new charge. His trial is presently expected to begin in early July 2007.

For more information on the case and how you can help, please visit [www.supportrod.org](http://www.supportrod.org) or write to: PO Box 732 / Tucson, Arizona 85702

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## Detroit: Raid Against Earth First! Activist

According to the Earth Liberation Prisoners Support Network, the FBI raided the house of an Earth First! activist based in Detroit, Michigan on April 10. The activist’s house was searched for incendiary devices (or elements / proof thereof) and also computer files. The Feds were looking for evidence relating to a failed arson attempt against a Michigan bottled water plant that took place over three years ago. The targeted activist asserts that these claims are without basis.

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# SUPPORT THE PRISONERS!

**WE HIGHLY RECOMMEND THE EARTH LIBERATION PRISONERS SUPPORT NETWORK AS A RESOURCE. FOR CURRENT PRISONER ADDRESSES, SUPPORT CAMPAIGN CONTACT INFORMATION, TRIAL UPDATES AND MUCH MORE, PLEASE VISIT: [WWW.SPIRITOFFREEDOM.ORG.UK](http://WWW.SPIRITOFFREEDOM.ORG.UK) & [WWW.ECOPRISONERS.ORG](http://WWW.ECOPRISONERS.ORG) (NORTH AMERICA).**

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## Sacramento Prisoner Support: Statement on Zachary Jenson

We at Sacramento Prisoner Support are extremely shocked and discouraged by Zachary Jenson’s decision to “take a deal” and inform on and effectively abandon his remaining co-defendant Eric McDavid. Zachary felt that he could no longer cope with waiting for trial at Sacramento County Jail and has decided to take the same plea agreement that Lauren Weiner took in May [2006], which requires him to “cooperate fully with the government, and any other federal, state, or local law enforcement agency, as the government directs.” His new charges will hold a maximum 5-year sentence, but Zachary will have to live with himself for the rest of his life.

“Cooperation” is explained by the government as Zach being required to cooperate with any law enforcement agency about any issue

(not just limited to his case); he must testify before any court or grand jury upon the government’s request, submit to meetings, interviews, or investigations and answer every single question “completely.” As per any plea bargain, if Zach fails to meet the strict conditions set out, he will again face his original sentence of up to 20 years in prison.

We only support prisoners who do not assist the government in the prosecution of others. We are extremely surprised and pained by Zachary’s decision. His decision came seemingly out of nowhere as he has never expressed any interest in cooperation. Over the past 6 months of his pre-trial incarceration, we never hesitated to do everything possible to support him, and maximized our efforts to make sure he felt connected to the outside world.

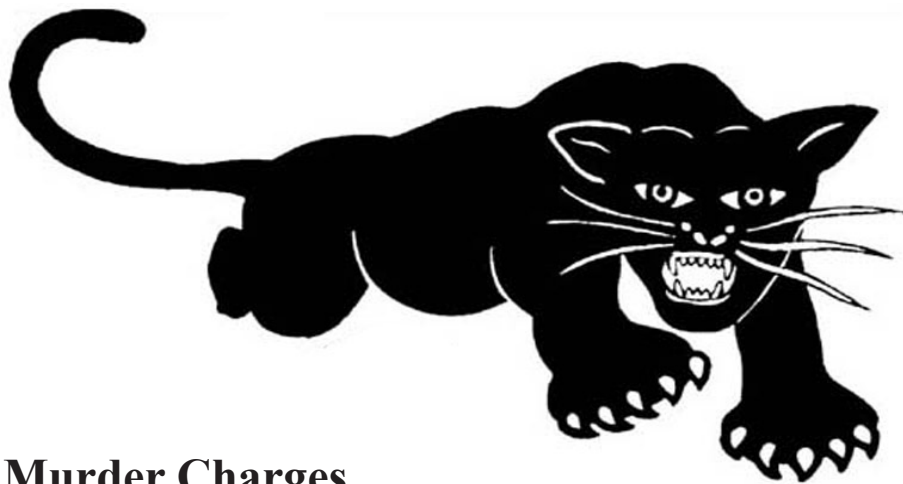
We will now focus our energies on supporting the remaining prisoner from this case, Eric McDavid, who has maintained his innocence from the day he was arrested.

[7/20/06 statement, edited for brevity]

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# ARRESTED? SUBPOENAED?

**THE NATIONAL LAWYERS GUILD HAS ESTABLISHED A HOTLINE: 888-NLG-ECOLAW FOR INDIVIDUALS ARRESTED OR SUBPOENAED FOR OFFENSES RELATED TO ENVIRONMENTAL OR ANIMAL ACTIVISM.**



## Murder Charges Against Former Black Panthers Based on Confessions Extracted by Torture

Eight former Black Panthers were arrested January 23rd in California, New York and Florida on charges related to the 1971 killing of a San Francisco police officer. Similar charges were thrown out after it was revealed that police used torture to extract confessions when some of these same men were arrested in New Orleans in 1973. Richard Brown, Richard O'Neal, Ray Boudreaux, and Hank Jones were arrested in California. Francisco Torres was arrested in Queens, New York. Harold Taylor was arrested in Florida. Two men charged have already been held as political prisoners for over 30 years—Herman Bell and Jalil Muntaqim have both been long-term

captives in New York State prisons. A ninth man—Ronald Stanley Bridgeforth—is still being sought. The men were charged with the murder of Sgt. John Young and conspiracy that encompasses numerous acts between 1968 and 1973.

Harold Taylor and John Bowman (recently deceased) as well as Ruben Scott (thought to be a government witness) were first charged in 1975. But a judge tossed out the charges, finding that Taylor and his two co-defendants made statements after police in New Orleans tortured them for several days employing electric shock, cattle prods, beatings, sensory deprivation, plastic bags and hot, wet blankets for asphyxiation. Such “evidence” is neither credible nor legal.

We highly encourage you to find out more from the support website: [cdhrdefense.org](http://cdhrdefense.org) or by writing: **Committee for the Defense of Human Rights** / PO Box 90221 / Pasadena, CA 91109

## May 17 Hearing for Mumia Abu-Jamal Could Lead to New Trial, or Reinstate Death Penalty

On May 17, the Third Circuit Court of Appeals will hear oral arguments in the case of Black death row journalist and political prisoner Mumia Abu-Jamal. Mumia was convicted of killing white Philadelphia police officer Daniel Faulkner in a 1982 travesty of a trial. Abu-Jamal is a former Black Panther and longtime supporter of the naturalist MOVE organization, whose radicalism was used against him by prosecutors at trial. The evidence presented against Mumia at trial was shaky at best, and the judge was furthermore widely perceived as being a “hanging judge.” A quarter of a century since the original trial, mass campaigns for his freedom have grown throughout the world.

The hearing scheduled for May 17 has as its precursor a 2001 ruling that overturned Mumia's death sentence, on the basis of confusing sentencing forms and instructions being given to jurors. This led to jurors believing that any mitigating factors against imposing the death penalty had to be unanimously agreed on. With the death sentence lifted, Mumia remained on death row, as the authorities appealed this ruling.

Now, the Court of Appeals is set hear arguments on four issues of law which have been certified for appeal. The court's ruling could lead to a new trial being granted, Mumia's life sentence being affirmed, or the death penalty being reinstated. The Philadelphia District Attorney has also filed a motion for the Third Circuit to recuse itself, on the grounds that Governor Ed Rendell, whose wife serves on the court, was Philadelphia District Attorney at the time of the 1982 trial. This appears to be an attempt to shift the hearing to a potentially even-less sympathetic circuit. Mumia Abu-Jamal's supporters consider the situation to be urgent, especially as the upcoming hearing is realistically Mumia's final chance to secure a new trial, and—on the other extreme—Mumia's death could also be ordered again, despite the 2001 ruling.

For more information, see [www.freemumia.org](http://www.freemumia.org)

