

ABCF

# UPDATE

QUARTERLY PUBLICATION OF THE ABCF



\$2

Winter 2007 *"Any movement that does not support their political internees is a sham movement."* - O. Lutalo Issue #46

2

5

Y

E

A

R

S

LIBERTAD

PARA MUMIA



## WHAT IS THE ANARCHIST BLACK CROSS FEDERATION?

The Anarchist Black Cross (ABC) began shortly after the 1905 Russian Revolution. It formed after breaking from the Political Red Cross, due to the group's refusal to support Anarchist and Social Revolutionary Political Prisoners. The new group, naming itself the Anarchist Red Cross (ARC), began to provide aid to those Political Prisoners who were refused support by the PRC.

In the early decades, the organization had chapters throughout Europe and North America. These chapters worked together to provide assistance to prisoners only in Russia. Soon other groups, such as the Latvian Anarchist Red Cross, emerged to provide aid in other Eastern European countries. Armed with the ideas of *mutual aid* and *solidarity*, these groups worked tirelessly to

provide support to those who were suffering because of their political beliefs.

In 1919, the organization's name changed to the Anarchist Black Cross to avoid confusion with the International Red Cross. Through the 1920s and until 1958, the organization worked under various other names but provided the same level of support as the other groups working as Anarchist Black Cross.

After 1936, the ABC expanded its aid to places such as Greece, Italy and Spain.

In 1958, the organization collapsed but reemerged in 1967 in London, England. Once again ABC chapters spread throughout the globe providing support for imprisoned comrades. Sadly, by the end of the 1970s only a handful of ABC chapters still existed.

In the 80s, however, the ABC began to gain popularity again in the US and Europe. For years, the ABC's name was kept alive by a number of completely autonomous groups scattered throughout the globe and supporting a wide variety of prison issues.

In May of 1995, a small group of ABC collectives merged into a federation whose aim was to focus on the overall support and defense of Political Prisoners and Prisoners of War.

Various groups have since merged in numerous networks throughout the globe working on various prison issues. The Anarchist Black Cross Federation (ABCF) has continued its mission to focus on the aid and support of Political Prisoners. We take the position that PP/POWs demand our top priority. We strive to continue with the same dedication and solidarity to our fallen comrades as those before us have shown.

### Introduction:

"Crucially important to maintaining the anarchist integrity of this organization is the fact that Branch Groups and Support Groups are freely autonomous to take on whatever initiatives they can to further the Unity of Purpose of the ABCF. So long as these initiatives do not contradict any preexisting agreements (Tactical Unity) that have been made by the ABCF, it is not necessary for all groups to approve of and/or agree with programs, projects or work of other ABCF collectives." [from the ABCF Constitution and Structure]

The following definitions are used to describe the below terms whenever they appear in the ABCF Update or any other ABCF literature.

**Political Prisoner (PP):** A person incarcerated for actions carried out in support of legitimate struggles for self determination or for opposing the illegal policies of the government and/or its political subdivisions. [Special International Tribunal on the Violation of Human Rights of PP/POWs in U.S. Prisons and Jails, Dec. '90]

**Prisoner of War (POW):** Those combatants struggling against colonial and alien domination and racist regimes captured as prisoners are to be accorded the status of prisoner of war and their treatment should be in accordance with the provisions of the Geneva Conventions Relative to the Treatment of Prisoners of War of 12 August, 1949 (General Assembly resolution 3103)

### The ABCF is:

#### PRISONER'S COMMITTEE

**OJORE LUTALO**  
#59860 / Box 861  
Trenton, NJ 08625

**BILL DUNNE**  
10916-086  
Box 2068  
Inez, KY 41224  
USP Big Sandy

**SEKOU KAMBUI**  
113058 / BOX 56  
SCC (B1-21)  
Elmore, AL 36025

**HANIF BEY**  
295933 / Box 759  
Big Stone Gap, VA  
24219

**JAAN LAAMAN**  
W41514 / Box 100  
South Walpole, MA  
02071

#### ABCF GROUPS

**NJ ABC**  
New Address  
Coming Soon!

**PHILLY ABC**  
PO Box 42129  
Philadelphia, PA  
19101

**JAX ABC**  
PO Box 350392  
Jacksonville, FL  
32235-0392

**WINNIPEG ABC**  
3D-91 Albert St.  
Winnipeg, Manitoba,  
R3B 1G5, Canada

**MONTREAL ABC**  
P.O.B 42053 SUCC  
Jeanne Mance  
Montreal QC  
H2W 2T3 Canada

**LA ABC**  
PO BOX 11223  
Whittier, CA 90603

## A Statement from the ABCF Regarding the Warchest Fund

To Our Friends and Supporters,

We are writing this letter to explain a significant gap in reports for our Warchest program, which is intended to provide monthly financial support to several PP/POWs. We have detailed financial reports and receipts for all years preceding 2004 and from 2005 until the present, but are missing reports from 2004.

Neil Batelli, a member of Jacksonville ABCF, coordinated the Warchest for several years, taking funds from ABCF collectives and other donors, and distributing them on a monthly basis to the PP/POWs who receive the funding.

During a move to a new home, Neil misplaced the records from the period in question. It is important to note that we do not in any way question Neil's use of incoming funds during this unaccounted period. He ran the Warchest reliably for years and often used his own money to cover shortages.

The Warchest continues to be a core component of the work of the ABCF. Transparency is a key part of this fundraising, and we felt that it was necessary to be honest about this interruption in our accounts. Funds in and out of the program are now handled by Philadelphia ABCF, and monthly reports resumed as of January 2005.

Signed by the Federation Council of the ABCF



[www.abcf.net](http://www.abcf.net)

ISSUE #46 Winter 2007

## GREEN SCARE REPORT

Friends and supporters,

We would like to inform everyone about the events in court today. After months of negotiations and consideration, Daniel, along with Jonathan Paul, Joyanna Zacher and Nathan Block, pled guilty to some of the many charges. We cannot emphasize enough what an extremely difficult decision this was for Daniel and we will continue to give him our full support.

We do not want there to be any confusion about Daniel's plea agreement so we have posted it here. Daniel agreed to plead guilty with the understanding that he would not implicate or identify anyone other than himself. The other three remaining co-defendants entered pleas with the same terms. Daniel has done everything possible to maintain his integrity, and he wants to be as open about his agreement as possible.

We have also provided Daniel's statement to Judge Aiken and Daniel's lawyer's statement below.

As we already stated, we will continue to support Daniel completely. He and his family have been through an extremely difficult time and deserve to get through this with the best possible outcome.

We will be posting information shortly about how others can continue to help Daniel by submitting letters to the judge.

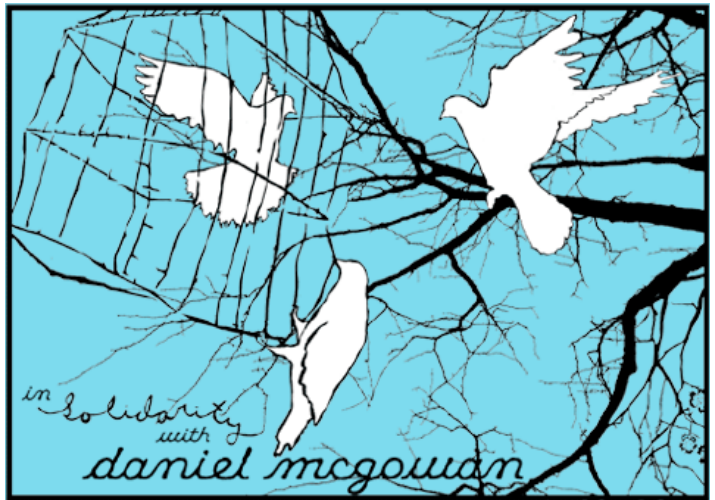
Please keep in mind that our fight is not over. We will still need your help and support in the coming months, in order to fight for the least possible sentence for Daniel.

Thank you for your continued support,  
Family and Friends of Daniel McGowan

**UPDATE:** On December 14, in Eugene, Oregon, Federal Judge Ann Aiken set sentencing dates for the ten individuals who have pled guilty to charges stemming from the FBI's "Operation Backfire" prosecutions.

The 2007 dates are: Stanislas Meyerhoff (snitch), April 10; Kevin Tubbs (snitch), April 17; Chelsea Gerlach (snitch), April 18; Darren Thurston (snitch), April 19; Suzanne Savoie (snitch) and Kendall Tankersley (snitch), April 20; Nathan Block and Joyanna Zacher, April 25; Daniel McGowan, April 26; and Jonathan Paul, April 30.

Despite the fact that none of the defendants in the case were ever charged with the crime of terrorism, federal prosecutors have announced that they will seek terrorism sentence enhancements of up to 20 years at the time of sentencing for all the defendants. (It has never been alleged that any defendant injured another human or animal as a result of their politically motivated acts of sabotage.) A discussion of the overarching issues regarding the constitutionality of the proposed terrorism enhancement, as it applies to all defendants, will tentatively take place during Meyerhoff's hearing. Other sentencing hearings may be pushed back as a result. An additional status hearing was set on March 2 to check-in with the court and parties to determine if the dates set will still be viable.



### McGowan's Trial Statement

Your Honor,

This plea agreement is very important to me, because it allows me to accept full responsibility for my actions and at the same time remain true to my strongly held beliefs.

I hope that you will see that my actions were not those of a terrorist but of a concerned young person who was deeply troubled by the destruction of Oregon's beautiful old-growth forests and the dangers of genetically modified trees. After taking part in these two actions, I realized that burning things down did not fit with my visions or belief about how to create a better world. So I stopped committing these crimes.

This last year has been a very trying time for my family and I would like to extend my deepest love, admiration and appreciation to them for standing by me through a very difficult time. I would also like to apologize to the workers of the companies I targeted. I never intended to hurt people, so when I read about things like family photos being destroyed, I felt great remorse. I am truly sorry for the harm that I caused.

Your Honor, after May of 2001, I put myself back on the path of open and positive activism. Since then I have focused on helping victims of domestic violence, campaigning for the environment, and advocating for prisoners. While my commitment to pursuing a better world has not and will not change, I have changed the way I am pursuing those goals. My agreement with Mr. Paul, Mr. Block and Ms. Zacher to come together and resolve this case by taking responsibility for what we did is an important step in moving forward to have what I hope will be a positive impact on my community. Thank you for allowing me a few moments to speak to you this morning.

I learned the fate of my friends and allies during a visit a few hours after the pleas were entered. Then last night a guard came by with a newspaper article. He wanted to know how I felt about it.

It breaks my heart when I think about how this all could have been avoided. I'm outraged and saddened that there are so many traitors and cowards amongst us.

The four people who pled guilty November 9, 2006: Jonathan Paul, Nathan Block, Joyanna Zacher, and Daniel McGowan, are victims of these traitors. Yet, despite the betrayal of their comrades, they have continued to act with honor and dignity.

For those of us who have chosen the path of resistance, there is no greater test of character than standing in the courtroom. There is no greater test of honor and integrity than facing the consequences of that resistance.

I have had the honor and privilege of briefly knowing Nathan. I smile knowing that I once shook this man's hand. I wish I could give him a strong embrace now.

Daniel is one of my closest friends. Since his arrest I have been unable to communicate with him. I have not had the chance to tell him how much I love him and how proud I am of him.

I have not yet had the honor of meeting Joyanna or Jonathan. I look forward to the day when I can look them in the eye and express my heartfelt gratitude for all they have done.

Daniel, Nathan, Joyanna, and Jonathan: carry yourselves proudly. Your bravery will never be forgotten. You are all heroes. I salute you.

With my deepest respect and admiration,  
Jeff "Free" Luers, November 12, 2006



# Exiled Black Panther Dies in Cuba

William Lee Brent, a former Black Panther and political exile, died in Cuba on November 4th. According to reports, Brent died from bronchial pneumonia. He was 75.

Brent had been living in Cuba since he fled from prosecution for a 1968 shootout with police. In November 1968, he and two accomplices in a van marked "Black Panther Black Community News Service" robbed a gas station in San Francisco of \$80. Police caught up to him, prompting a shootout. While on bail, Brent hijacked TWA Flight 154 from San Francisco to Havana on June 17, 1969.

His family, who was unaware that Brent was even sick, learned of his death through telephone calls and messages from friends and acquaintances. They had not seen Brent since he fled to Cuba, but had stayed in contact with him through e-mails and telephone calls.

Brent lived a relatively isolated life during his nearly four decades in Cuba, spending much of his time in his later years listening to his beloved jazz music collection in his apartment.

In a 1996 interview with The Associated Press, he said he missed the United States and the American black community. But he was unwilling to return home to face certain life imprisonment for aircraft piracy and kidnapping, and had resigned himself to never seeing his country again.

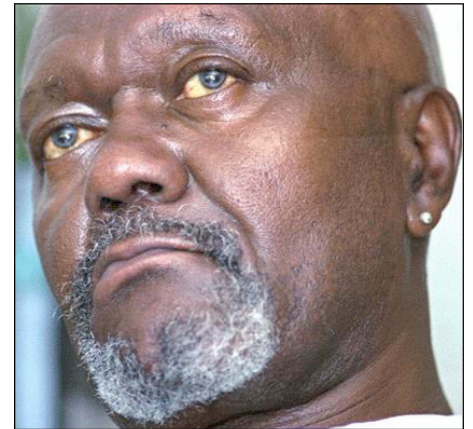
"I miss my people, the struggle, the body language," Brent told the AP. "The black community in Cuba is very different."

Still, he said he had no regrets about hijacking the plane. "I was a soldier in the war for black liberation," he said.

A decade ago, Times Books published his memoirs, "Long Time Gone," which told of his coming of age on Oakland's streets and of joining the Black Panthers when he was 37, rising to become a bodyguard for leader Eldridge Cleaver.

In his book, Brent chronicled a July 1968 police shootout in which two police officers were critically wounded. Cleaver ordered him kicked out of the Black Panthers.

Brent fled to Cuba because he believed he would be treated sympathetically as a militant black leftist. Once he exited the



plane, he was taken away in custody. Although never formally convicted, he spent 22 months in an immigration jail while Cuban authorities tried to figure out what to do with him. Eventually they let him stay to live out his exile.

Brent earned a Spanish literature degree from the University of Havana and taught English at junior and senior high schools. He never became a Cuban citizen.

## Important Victory in the Angola 3 Case

Dear Friends and Supporters of the Angola 3,

With great joy, we can announce that we have just received an opinion from Commissioner Rachel Morgan of the 19th Judicial District Court in Baton Rouge recommending that Herman Wallace's 1974 murder conviction be reversed. The opinion is the result of an evidentiary hearing held inside the Louisiana State Penitentiary on September 19, and gives us new hope that Herman, who is 65 years old and has now been in solitary confinement for 34 years, may soon win his freedom. There are, however, still struggles ahead.

The Commissioner found that the prosecution violated Herman's due process rights by hiding from the jury and defense lawyers the fact that it had provided prison informant Hezekiah Brown, their key witness, with the promise of a pardon from a life sentence as well as a carton of cigarettes per week and a private room with a television on prison grounds. Under the law, this constitutional violation requires that Herman's conviction for the 1972 murder of a correctional officer be overturned. This case, like so many others, involved an incompetent and biased investigation focusing on innocent men and prosecutors who lied and cheated to win convictions.

We are still several steps away from this decision resulting in Herman's release. The Commissioner's recommended ruling will



now be presented to the district judge, who has the power to adopt it as is (which routinely happens), amend it, or order further hearings. We are hopeful, given the strength of Herman's case and the reasoning of the opinion, that the court will adopt the Commissioner's recommendation as it is written and overturn Herman's conviction.

If the court overturns Herman's conviction, it is likely that the Baton Rouge district attorney's office will appeal that decision to the Louisiana Court of Appeal and Supreme Court, a process that could take as long as two years. It is also possible that the state could seek to retry Herman, but

we would vigorously challenge a retrial at this late stage as a violation of Herman's constitutional rights. Moreover, considering the weakness of the state's evidence, it is difficult to envision a retrial resulting in any verdict other than acquittal.

We spoke at length with Herman and his codefendant Albert Woodfox today. They are both overjoyed. Herman was able to personally notify several of his family members and friends, and he asked us to thank all of the dozens, if not hundreds, of people who have contributed to this cause over the years. Albert is hopeful that success in Herman's case will help him, as he is just beginning the process of litigating a federal habeas corpus petition.

We still have a long way to go before Herman and Albert are freed. We will keep everyone informed of developments in the case. In the meantime, check out this new music video dedicated to the Angola 3 case, produced by Dave Stewart of Eurythmics at:

[www.youtube.com/watch?v=YByERaSiGA](http://www.youtube.com/watch?v=YByERaSiGA)

Check out the AP article on the new decision at:

([http://seattlepi.nwsource.com/national/1110AP\\_Black\\_Panther\\_Case.html](http://seattlepi.nwsource.com/national/1110AP_Black_Panther_Case.html)).

Best to all,

Nick Trenticosta and Scott Fleming  
Attorneys for Herman Wallace and Albert Woodfox

# Where is the Justice? Anti-Castro Terrorist Gets Only 4 Years

By Gloria La Riva, National Committee to Free the Cuban Five

A man like Santiago Alvarez, who can be heard on a telephone calling on one of his underlings to throw C-4 explosives into Havana's Tropicana nightclub and "do away with all that"--all that being hundreds of people--a man like Santiago Alvarez, who had machine guns, bazookas and grenades in a massive Miami arsenal, has been sentenced this week to four years by a southern Florida federal court.

Yet, the Cuban Five, five men who were in Miami working to prevent a terrorist like Alvarez from killing innocent people, who never possessed a weapon, who never engaged nor intended to engage in the "espionage conspiracy" they were falsely convicted of, received 15 years to double life after their 2001 trial, and the added punishment of being denied family visits.

Alvarez and his accomplice Osvaldo Mitat were allowed to plead guilty only to one charge of weapons possession. Before their sentencing, federal judge James Cohn said, "This court recognizes the ultimate objective and goal of Mr. Alvarez and Mr. Mitat has always been a free and democratic Cuba. This court does not question the altruistic motive here. However we are a nation of laws."

The impunity granted to the Miami terrorists by the government and the courts is becoming more and more blatant.

Almost every day it seems, more news is coming to light in Miami of the vast and deep network of rightwing Cuban-American terrorists and their murderous plots: Antonio Llama, Roberto Ferro, Alvarez, Mitat, and of course, the most dangerous of them all, Luis Posada Carriles. Posada's cohort, Orlando Bosch, gets to appear regularly on Miami TV, itching to admit his atrocious crime of the 1976 bombing of Cubana Flight 455 that killed 73 people. Bosch and Posada worked hand-in-hand in the plane bombing.

Where is the justice?

Last Aug. 9, 2005, an historic and unprecedented ruling was made by a panel

of three judges in the case of the Cuban Five. With a powerfully-worded 93-page decision granting the Five a new trial, the 11th Circuit Court judges ruled that the situation in Miami was a "perfect storm" effectively denying Gerardo Hernández, Ramón Labañino, Antonio Guerrero, Fernando González and René González the constitutional right to due process.

Part of that "perfect storm" described by the judges was the evidence of terrorist plots the Five had gathered while infiltrating the extremist Miami organizations. The trial judge, Joan Lenard, denied much of that evidence as irrelevant.

A new trial outside of Miami for the Cuban Five would have undoubtedly exonerated them. However, the hand of the Bush administration intervened last year when U.S. Attorney General Alberto Gonzales appealed the Five's victory in an effort to overturn the panel's ruling for a new trial.

Unfortunately, the en banc panel of the 11th Circuit Court of Appeals set aside the Cuban Five's victory. It ruled ignominiously on Aug. 9, 2005, that the Five received a fair trial in Miami, and that Judge Lenard properly denied them a change of venue out of Miami.

While George W. Bush unleashes bombs and destruction causing the deaths of Iraqis, Afghans and U.S. soldiers--in the name of a war against terror--he has remained completely silent about the rightwing Cuban-American terrorists who reside in the United States. This silence is tacit support.

U.S. Homeland Security waited two full months before arresting Luis Posada Carriles after he illegally entered the United States last year. When DHS was finally forced to detain Posada on May 17 because of a public press conference he held that morning, Homeland Security prosecutors avoided charging him with more serious crimes, like the Cubana plane bombing.

Instead, Posada's only formal charge to date is illegal immigration entry. To the

extent that federal authorities may be investigating him for his role in several 1997 Cuban hotel bombings, it is probably to avoid prosecuting him for the plane bombing. That is because Bush Sr. was CIA director at the time of the Cubana bombing; Posada was a longtime CIA operative.

It is more than an oversight by Bush and previous presidents that Miami terrorists have existed, organized plots, and carried out attacks with total impunity.

The Miami terrorist phenomenon is financed, armed, and given a green light by the CIA, FBI and other arms of the government.

There is mounting evidence that proves without a doubt, terrorism against Cuba is part of U.S. government policy.

If the government won't listen to justice and reason in the case of the Cuban Five, if it instead chooses to vengefully prosecute them to keep them locked up for years for daring to defend their homeland of Cuba, then it is up to the people to fight ever more for their freedom. The Cuban Five's mission was not only saving Cuban lives, but protecting all potential victims of the Miami mafia, including U.S. citizens.

The American people would embrace the Five if they were only aware of their cause and mission. September 11 and Oklahoma are permanent reminders of the horror of terrorism. Terrorism against the Cuban people is no less criminal. More than 3,400 Cuban people have died from U.S.-originated terrorist attacks.

Justice demands that the Cuban Five anti-terrorist activists be freed immediately. In addition, Posada should be extradited to Venezuela or prosecuted fully in the United States for the bombing of Cubana Flight 455.

Gloria La Riva is coordinator of the National Committee to Free the Cuban Five in San Francisco.

She can be reached at: [glorialariva@hotmail.com](mailto:glorialariva@hotmail.com)

## Government Seeking to Appeal Lynne Stewart's Sentence



The US Government has announced that it has gone to the Solicitor General of the United States Justice Department for authorization to appeal Lynne Stewart's sentence and that of her co-defendants. They are not challenging the bail pending appeal but state that they will only agree to one 30-day adjournment of the filing of the appeal because they want everyone serving their sentences as soon as possible. What does all this mean for Lynne? Lynne's attorneys are not surprised that the government wants to appeal her sentence. Although

sentences are not usually appealed, it does happen. Case law in the 2nd Circuit, which governs Lynne's case, shows that, although rare, when a sentence is appealed and the Circuit sends the case back for re-sentencing the result is a far longer sentence. We are hopeful that Judge Koeltl's meticulous sentencing decision will carry the day but we have no guarantees and must continue our vigilance in the face of this latest move by the government. Lynne's attorneys will be filing the appeal of her conviction within the year.

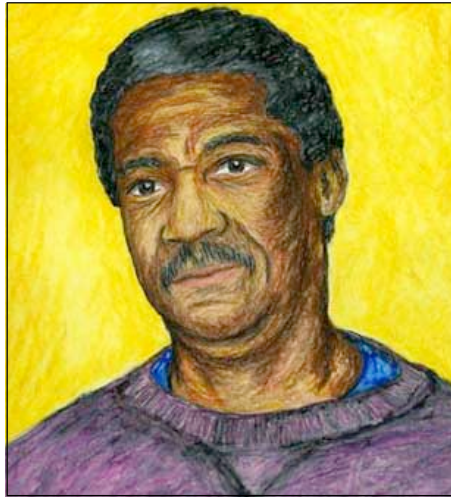


# Lockdown at the Maryland House of Corrections

By Marshall "Eddie" Conway

To be uprooted for destinations unknown is a most unpleasant experience at best; one that echoes back to another time and place where men, women and children were snatched against their will and delivered as goods into another land. Bondage. This recent experience has awakened in me that memory that never really sleeps but has long been hidden in my subconscious – what it felt like to be enslaved. It is an experience that, when coupled with what seems to be a secret lottery in which a few prisoners are selected each day, amounts to psychological torture. That torment has become a part of the daily routine of thirteen hundred men at the Maryland House of Corrections at Jessup.

Each day starts with cups of cold food being pushed into cells. These cells have been locked twenty-four hours a day for 45 days straight. Twice more before the day is done these cold cups of food will be delivered. For the men who are locked in, there are no visits, no telephones, no religious services, no schools, and no purchases from the prison commissary. Many families do not know what is happening with their loved ones, and the frequent media reports concerning violent incidents at the



facility does not help the situation. The hospital is the only place where movement is allowed at all. Prisoners receive their medications there. The lockdown has even affected those minor things that so many take for granted, such as personal hygiene: there is no soap, toothpaste, or deodorant. Most prisoners shower only twice a week.

Tempers have been flaring; anger seething just below the surface in many of

the men. After hours of boredom in their cells, a guard calls for attention from the prisoners. He calls out two or three names, "Moore, Washington, Miller: pack up, you're moving." An hour later as they take away the latest victims, someone asks where they are going. "We don't know, but we will be back tomorrow for more," the guard replies. The rest of the prisoners are reminded of the slave ships that took Africans away. Later that night, most of the prisoners are asleep, however somewhere among the dirty, half-nourished and angry men lurks the dream of payback. Freedom has taken a back seat to revenge; it is a rage borne of this new degree of oppression, and once unleashed it will likely expend itself among the prisoners. Prisoners, like most oppressed people tend to take the anger out on each other. It is a seemingly unending cycle of violence.

"Conway," the guard called my name today and threw bags at me. "Pack up, you're moving."

**Marshall Eddie Conway #116469,**  
MD. Correctional Training Center  
18800 Roxbury Rd.  
Hagerstown, MD 21746

## Hugo Pinell Denied Parole

by Gordon Kaupp, Esq. with Kiilu Nyasha

The California Department of Corrections and Rehabilitation's Board of Parole Hearing, for the 8th time, denied Hugo L.A. Pinell parole at a hearing held Tuesday, November 14, at the supermax Pelican Bay State Prison in Crescent City.

Apparently, 42 years in California prisons, the last 36 in solitary confinement, including 16 in the windowless, hi-tech SHU (Security Housing Unit) with sensory deprivation in the extreme, was not enough retribution against Hugo Pinell, nicknamed Yogi Bear. They gave him two more.

Since Hugo has had a clean record--no 115s, (rule infractions) for 24 years, and his last crime was committed 35 years ago--it was a political decision.

Hugo was part of the Black Movement formed in resistance to the deplorable conditions of prisons and the unspeakable brutality towards prisoners, especially Blacks, in the 1960s and 70s. Born in Nicaragua, Hugo also resisted the Mexican/Latino segregation of Blacks, i.e., he broke ranks, identifying as Black instead of "Latino." That made him even more of a target.



It is indisputable that it was the prisoners' Movement led by George Jackson and W. L. Nolen, that brought attention to the appalling conditions and eventual Congressional oversight and overhaul of the California prison system. (See *The Melancholy History of Soledad Prison*, by Min S. Yee.)

The mandated changes that grew out of

that struggle serve as an open and undeniable acknowledgment of just how bad it was; how necessary the resistance. Although it's difficult to imagine worse conditions than those in today's 5000 prisons and jails across the country, most grossly overcrowded -- yesterday's "holes," virulent hatred from racist guards and prisoners alike, officially sanctioned brutality, torture, and murder comprised more horrific conditions 40 years ago.

The stance Hugo Pinell took resulted in prolonged torture and isolation, plus a long record of 115s. Hugo often intervened physically when another prisoner was being beaten, getting beat up himself and thrown in the hole. Almost any Black person who has suffered guard or police assault knows that when the brutality stops, it's the victim who gets the charges or write-ups for the assault, not the official aggressor.

At one point in the turbulent 60s, the Movement organized a hunger strike which lasted eight days. Hugo's file reflects eight 115s, one for each day. All were used against him at the hearing!

During the hearing, the Commissioners

virtually ignored his 24 years of clean time and tallied his 115s, counting well over 100. Although Hugo has not gotten a violation since 1982, the Board found a way to hold that against him too. Commissioner Shelton said something like, "When I see a man as violent as you and I see that you have not had a 115 for 24 years it makes me wonder, and it reminds me of a story I once heard. At a parole board hearing of an inmate who had received many 115s early on but hadn't received any in a long time, a commissioner asked him how he was able to stay out of trouble. The inmate told the Board, 'It's because I'm the shot caller on the yard and I can get anyone to take the fall for me.'" That story is incredible for several reasons: that a prisoner would even say such a thing; the fact that Hugo is never on the yard; and SHU prisoners are completely isolated, no phone calls, censored mail, restricted, monitored, no-contact visits.

What's more, the Board violated Hugo's right not to discuss or even refute the crimes for which he was convicted. An in-depth look at Hugo's convictions reveals serious questions of reliability of evidence and basic fairness in the trials. Except for the original case that landed him in prison, all of Hugo's subsequent convictions were for acts against prison guards, reflecting the historic struggle referred to above. Nevertheless, one Commissioner did hold his denial against him and berated him for it, saying, "and you continue to show no remorse and you even deny doing those things." What good is the right not to admit to something, if your lack of remorse (for something you didn't do) can be used against you?

I'm reminded of the case of Geronimo ji Jaga (Pratt), who spent 27 years in California prisons convicted of a murder for which he was ultimately exonerated. He faced the same reason for being repeatedly denied parole -- his refusal to show remorse for a crime he didn't commit. Similarly, Hugo's denial of guilt and lack of

remorse was used against him, a clear violation of his rights under Cal. Penal Code Sec. 5011.

One of the requirements for parole is community support upon release. Forty letters from teachers, professors, human rights advocates, social workers, friends, family, and even one from the Public Defender, Jeff Adachi-- offering Hugo San Francisco's new reentry program upon parole-- were discounted and scorned by the Commissioners.

Another point the Board used against Hugo was his unwillingness to "program." Insistence on programming is in reality about domination and submission, since the extremely limited "programs" authorities provide do not produce truly marketable skills. SHU prisoners don't even have access to the programs available to mainline prisoners. They can only take certain correspondence courses or read self-help books to demonstrate their compliance.

Hugo's lack of submission to the system's programming has to do with his own program of survival under conditions designed to produce insanity. The supermax SHU is itself a human rights violation. The United Nations and Amnesty International assert that the conditions of the SHU are inhumane and in violation of the international conventions on the treatment of prisoners. Psychiatrists in the field of prison mental health have documented through dozens of studies since the 1970s that SHU conditions -- 23-24 hours a day in small cells with no natural light, no windows, no view outside their cells, no contact visits, prolonged isolation -- are always harmful. One such expert, Dr. Terry Kupers, author of "Prison Madness: The Mental Health Crisis Behind Bars and What We Must Do About It," evaluated Hugo's mental health in 2004 and concluded that he is nothing short of amazing. Hugo has been able to maintain his sanity through a strict regimen of vegetarian diet, exercise, prolific writing to relatives and friends, and other forms of self care. This

is a full time effort to be sure, and the result is that, against all odds, Hugo remains compassionate, mentally and physically healthy and alive. It's even more remarkable considering that in 2005, a record 44 prisoners killed themselves in California prisons; 70% of the suicides were in segregated units. In a national study of 401 suicides in one year, 1986, two out of every three people who killed themselves were in control units. (Hayes and Rowan 1988).

In summary, this Parole Board Hearing was anything but fair and impartial. We sit in a room in the SHU with the Commissioners facing Hugo and I (his attorney), three guards behind us and Hugo chained hands-to-waist and feet-to-waist. Openly hostile, the commissioners recounted the history of 115s, alleged attacks on guards over 35 years ago, with SHU guards looking at us. It's unfair because the alleged offenses cannot change; only the prisoner can change.

Despite their unfairness, despite their violation of his rights, despite their refusal to display humanity or common sense, and despite their utter rudeness and contempt for Hugo, I must say my client remained strong and upbeat. I felt proud of him.

We were all but sure that they wouldn't grant him parole before going into the hearing, but we knew that we had to make a good record so that we could move into the second stage of the strategy to get Hugo Pinell out of SHU, out of prison.

We intend to file a Petition for Writ of Habeas Corpus with an outside court to appeal the Board's denial. We are announcing our search and need for a law firm with the resources to represent Hugo. If you know any law offices or friends in firms please ask them if they would be willing to take the case and to call or write me, his attorney, Gordon Kaupp, 115 1/2 Bartlett Street, San Francisco, Ca. 94110, (415) 285 8091.

For more information on Yogi, go to [www.hugopinell.org](http://www.hugopinell.org).

## Jeff Hogg Released from Jail

After spending almost six months in jail without being accused of any crime, Jeff Hogg has been released from imprisonment. On May 18, 2006, Hogg was jailed for civil contempt after he declined to testify before a federal grand jury allegedly investigating "eco-sabotage" cases. His incarceration led to public outcry and support efforts in Eugene and beyond. Hogg was released on November 15 from the Josephine County jail in Grant's Pass, Oregon, rejoining his partner and community.

"I'm happy to be free and not to have compromised my principles in the face of

the abusive grand jury system." Jeff Hogg stated from his home in Eugene, Oregon.

Hogg's attorney, Paul Loney, added, "While Jeff Hogg's liberty is restored, he is still subject to a new subpoena from a future empanelled grand jury as the FBI is not satisfied with the guilty pleas from all the Oregon eco-sabotage defendants. For some reason the FBI wants information Jeff does not have for cases that have been resolved. We hope that Jeff will not have to face the prospect of another six months in jail."

Hogg was released less than one week after four District of Oregon

defendants, facing charges from the FBI's "Operation Backfire," resolved their cases and took non-cooperation plea deals. The "global resolution" of these remaining Oregon cases has not ended the FBI's campaign against environmentalists, however. In Washington, Briana Waters still faces serious federal charges relating to sabotage at the University of Washington. Waters asserts her innocence on all counts and is scheduled for trial in May 2007. The FBI continues to search for several other individuals they accuse of conspiracy and arson.

# FARC Political Prisoner Faces Trial in U.S.

Ricardo Palmera, a peace negotiator from the FARC-EP (Colombian Revolutionary Armed Forces-Popular Army), is currently being tried in the U.S. District Court in Washington, D.C., where he was extradited from his homeland on Dec. 31, 2004, on charges of kidnapping, terrorism and drug trafficking.

This case follows the new trend put forth by the Bush Administration of trying foreign citizens in US criminal courts. Although widely covered by Colombian and other international media, news of the case has been notoriously absent from the commercial media in this country, giving the impression that there is a media white-out.

The trial on drug trafficking will be a separate case that will be heard after the conclusion of the current case of kidnapping and terrorism.

The charges of kidnapping against Palmera—better known by his Simón Bolívar-inspired pseudonym, “Simón Trinidad”—stem from a February 2003 incident in which a small plane flown by U.S. contractors/agents crashed in territory controlled by the insurgents in Caquetá, in the south of Colombia. These contractors were among the many U.S. military or military-associated personnel sent by the United States to Colombia to fight against the insurgency under Plan Colombia. The agents—Thomas Howes, Keith Stansell and Marc Gonsalves—have since been kept captive by the FARC.

Trinidad was extradited to the United States after Colombian President Álvaro Uribe issued an ultimatum to the FARC. With no possibility of negotiation, he unilaterally demanded that the insurgents release all captives by Dec. 30, as the only condition for annulment of the extradition order.

Trinidad is not charged with direct involvement in the kidnapping. Rather, the crime for which he is being tried under the

new U.S. antiterrorism legal framework is “association.” He is charged with “conspiracy” to commit the crime of hostage-taking. The Colombian government accuses Trinidad of trying to force a prisoner exchange using the three captive U.S. agents.



The accusation comes from a trip to Ecuador taken by Trinidad. He had gone to Ecuador at the request of the FARC to contact James Lemoyne, a United Nations representative with whom Trinidad had spoken before, about possible peace negotiations with the Colombian government. This fact has been twisted into the accusation that Trinidad was pressuring the Colombian government to exchange the approximately 500 FARC prisoners in Colombian jails in return for the 60 or so captives of the FARC, including the three U.S. agents.

Even though the meeting never took place, the combined action of the Interpol, CIA and the Colombian and Ecuadorian armed forces captured—or rather, kidnapped—Trinidad in Quito, Ecuador, on Jan. 2, 2004. He was then extradited to

Colombia, where he remained in maximum-security prison until being sent to the United States.

The charge of terrorism is based on U.S. President Bill Clinton's 1997 decision to designate the insurgent FARC as a “terrorist” organization. Therefore, Trinidad is now charged with aiding and giving material support to a “terrorist” group.

As the trial of Ricardo Palmera continues, a parade of corrupt officials and paid informants are passing through the federal courtroom here. With Judge Hogan looking on, Colonel Mora from the Colombian military took the stand. The Colombian military has the worst human rights record in Latin America. Now in its 42nd year, Colombia's civil war pits the Colombian military against the organization Palmera represented in peace negotiations, the Revolutionary Armed Forces of Colombia, or the FARC.

Other witnesses for the prosecution are nothing more than paid informants of the corrupt Colombian government. There is an assumption that such witnesses are offered money, green cards to the U.S., housing and other deals in exchange for testifying against members of the FARC. The trial of Ricardo Palmera will continue with more informants, spies, military and government officials testifying.

Meanwhile, Ricardo Palmera is held in solitary confinement, with no access to his family, friends or supporters; denied a defense lawyer of his choosing, and enduring endless hours of testimony from people motivated against him and his political beliefs.

In a letter from Palmera, which was slipped past his captors, he writes, “Others will make use of their physical freedom to achieve our dream. If this imprisonment is the price that must be paid for our ideals and the principles that have motivated the struggle and are the reason for our existence, then I welcome prison.”

## Charges Against Ojore Are Reduced

In a recent letter sent to Philly ABCF, Ojore informed his supporters that the infraction charge he received last year, which landed him in the Management Control Unit, has been reduced to a lower charge. The charge he received on June 10th, 2005 was a 803-306--“attempt at conduct which disrupts.” The charges were reduced to a 210 charge, which basically translates to having possession of something not authorized for possession.

Ojore has also been told that his “good time” that was stripped after June 10th has been reinstated (a total of 1 year reduction

off his sentence.) Ojore's work credits have also been returned, which will bring his max out-date to March 2009. There is also a chance that he could reduce his max out-date down to December 2008 with more work credits.

You can write to Ojore Lutalo at the following address:

**Ojore Lutalo**  
#59860  
P.O. Box 861  
SBI# 0000901548  
Trenton, NJ 08625





# Shoatz Becomes Target of Prison Administration

On Monday October 30, 2006, guards at SCI Greene entered the cell of Russell Maroon Shoatz, confiscating all of his possessions except his ink pen and writing paper. Maroon was told that these actions were taken against him not because of any wrongdoing on his part but because prison officials see US political prisoners as "the terrorists of the new millennium" and are planning to invoke anti-terrorism measures against them.

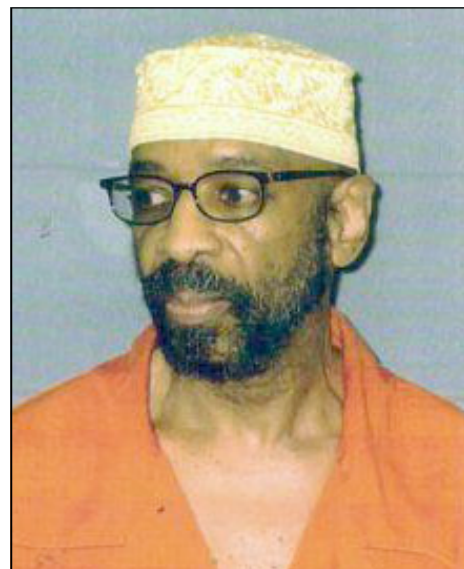
According to Maroon, this abuse against him is likely to be just the beginning of a larger pattern of intensified abuse against PP/POWs unless there is an immediate response from the people, letting PA government and prison officials know that their behavior is unacceptable and will not be tolerated.

Maroon called on his supporters to contact prison officials and the governor to

demand the immediate return of his possessions. Supporters responding to the appeal flooded prison officials with calls and emails.

On November 3rd guards returned all of Russell's material, literature, medical history etc., which they deemed "revolutionary material", except for his TV, radio and religious book. He says he believes the calls to the DOC and SCI Greene made this possible.

Maroon went on to say, "The bottom line is they're trying to set me up as some kind of Homeland Security terrorist threat. That's in line with the government saying the next threats to domestic security will come from the prisons. That's crap. They need freedom fighters like me to exploit my history of fighting oppression of black people as a way to get in the door. I'm absolutely a FREEDOM FIGHTER! Ain't no terrorist here!!!"



## The Mumia Abu-Jamal Case After 25 Years

by Linn Washington, Jr.

Whether the fundamental errors riddling recent actions by opponents of Pennsylvania death row journalist Mumia Abu-Jamal constitute mere mistakes or malicious misrepresentations, these errors resemble sequels to the Keystone Kops silent film-era comedy series.

These error-filled antics occur as Abu-Jamal approaches the 25th Anniversary of his December 9, 1981, arrest for fatally shooting a Philadelphia policeman, and as a pivotal legal action moves forward in federal appeals court revolving around whether Abu-Jamal received a fair trial in 1982.

The latest faux pas by Abu-Jamal opponents regards errors in an October letter sent to officials in Paris requesting that they rescind the honorary citizenship granted three years ago to the death row inmate viewed globally as a victim of injustice in America.

This letter states that a delegation of Philadelphia City officials, including the Police Commissioner, planned a late-November trip to Paris to negotiate rescinding the honorary citizenship in exchange for these officials getting Abu-Jamal's death sentence cancelled.

However, the four Philadelphia officials listed as delegation members all deny knowing anything about either the trip or the deal.

Further, these officials have no power to cancel Abu-Jamal's death sentence.

Peter J. Wirs, the Philadelphia figure behind the delegation, says he is surprised by the errors in that letter prepared on his

behalf by a lawyer in Paris.

"I haven't done anything yet to formalize the delegation or the planned trip. We haven't raised any money," Wirs said recently, adding that he "hasn't seen" the letter sent on his behalf.

Wirs also distanced himself from the deal proposed in that letter.

"An offer to pull the death penalty is so ridiculous. We have no authority to take the death penalty off the table," said Wirs, a minor figure in Philadelphia's Republican Party, a party that represents sixteen percent of the city's registered voters.

Wirs dismissed errors in that letter as minor mistakes probably resulting from "translations from English to French."

That October letter also contains the erroneous claim that Abu-Jamal shot Officer Daniel Faulkner five times in the face, a claim contradicted by police, prose-



cutors and judicial findings throughout the quarter-century tenure of this case.

That October letter prompted a written response to Parisian officials from Abu-Jamal attorney, Robert R. Bryan.

Bryan wrote that the letter is "appalling since it contains material misrepresentations and errors."

Ironically, errors by police, prosecutors, jurists and other authorities during the arrest, conviction and state court appeals of Abu-Jamal fuel the worldwide belief that Abu-Jamal did not receive a fair trial and is thus unjustly convicted.

These errors include police failing to give Abu-Jamal the standard hand test after his arrest to determine if he actually fired a gun, prosecutors failing to provide Abu-Jamal's trial attorney with compelling evidence indicating his innocence and the notoriously pro-prosecution trial judge making racist remarks.

"Only in America could a trial judge say 'I'll help them fry the Nigger,' and be considered fair," Abu-Jamal stated in a letter to Parisian officials.

"The trial featured lies, just as the threatening letter to you did," Abu-Jamal's letter stated. "If the trial was truly fair, why would the Philadelphia letter propose a deal?"

Prior to that error-filled October letter, Philadelphia area legislative leaders mounted equally error-riddled actions against the Parisian suburb of St. Denis for naming a street in honor of Abu-Jamal.

The anti-St. Denis Resolution approved by Philadelphia's City Council at the end of

May, for example, contains the erroneous declaration that "Mumia Abu-Jamal has exhausted all legal appeals."

Since the federal Third Circuit Court of Appeals, headquartered in Philadelphia, approved Abu-Jamal's request for an appeal in late 2005, it is factually incorrect to contend that Abu-Jamal "has exhausted" all of his appeals.

Not only did the 3rd Circuit agree to hear the appeal claim that prosecutors used racial discrimination while selecting the jury for Abu-Jamal's 1982 trial, the Circuit Court also took an unusual step in granting appeal on other items like allegations of judicial bias during a 1995 appeals hearing for Abu-Jamal.

The intensity of the bias exhibited by Judge Albert Sabo during that 1995 hearing offended even Philly's normally anti-Mumia mainstream news media to the point of their publishing editorials condemning Sabo for both making a mockery of justice and providing Abu-Jamal supporters with additional ammunition to back their claims of gross injustice.

Interestingly, Peter Wirs does not dispute that Sabo made the racist pre-trial remark. Wirs readily admits that police did not follow proper forensic standards while investigating the murder.

Yet, Wirs contends Abu-Jamal is guilty as charged, despite seeming violations of his constitutional rights.

"When you look at Sabo's statements and his rulings in the trial, they are not perfect but they are fair," Wirs claims. "The errors and problems with the criminal justice system in this case do not mitigate against the fact that Abu-Jamal's gun was found at the scene. That is the heart of this case."

The fact that police could not conclusively match bullet fragments removed from the slain officer to Abu-Jamal's gun is immaterial according to Wirs.

"This is a circumstantial evidence case," said Wirs, acknowledging that he is working with Philadelphia's police union, the Fraternal Order of Police (FOP), the prime group pushing for Abu-Jamal's execution.

That Philadelphia City Council Resolution supported a congressional Resolution introduced in mid-May by two Philly area Congresspersons, Republican Michael Fitzpatrick and Democrat Allyson Schwartz.

This congressional Resolution contains fundamental errors.

The Fitzpatrick/Schwartz Resolution, in recounting facts of the case, makes the erroneous claim that "Mumia Abu-Jamal struck Officer Faulkner four times in the back with his gun"

This claim contradicts the scenario presented at the trial by the prosecutor, as well as the version of events on the official

'Justice for Daniel Faulkner' Web site. This site, according to its founders, exists to provide "an accurate source of information"

Rick Santorum, a Republican US senator from Pennsylvania, also introduced an anti-St. Denis resolution in the Senate that mimicked the congressional resolution.

"No one ever claimed Mumia struck Faulkner's back four times. While this may evoke the image of a heroic officer striking back against all odds, it is sheer fantasy," noted Dr. Michael Schiffmann, the German author of a new book on the Abu-Jamal case, "Race Against Death. Mumia Abu-Jamal: a Black Revolutionary in White America."

According to Schiffmann, "One might



say such "details" are unimportant, but if they are so unimportant, why bring them up?"

Dr. Schiffmann's book presents new, startling information on this controversial case.

Schiffmann provides information blowing big holes in the ballistics evidence presented by prosecutors and police.

Further, Schiffmann's book presents previously unpublished pictures taken by a press photographer who arrived at the 1981 crime scene before police photographers that show police personnel tampering with evidence and manipulating the crime scene.

Peter Wirs recently filed a lawsuit in France, asserting that officials in Paris and St. Denis violated French criminal law by respectively issuing the citizenship to a convicted murderer and giving his name to a street.

The intense reaction in Philadelphia to the street naming in far off St. Denis stuns

former St. Denis Mayor, Patrick Braouezec, who sees the reaction as surreal.

"By doing this, we are just contributing to the possibility of Mumia having a new and fair trial and put the issue of the death penalty on the table," Braouezec said during an September interview while visiting Philadelphia, where the city's mayor refused to meet with Braouezec about the street naming.

"There was no intention on our part to provoke or offend the memory of the slain officer or his family," said Braouezec, currently a member of the French National Assembly, the Congress of France.

Patrick Braouezec finds it difficult "to conceive that with the problems in the American criminal justice system and the Abu-Jamal case that the level of resistance to this man receiving a fair trial is so intense."

The intense resistance, Braouezec said, "is political. There have been lesser cases with lesser doubts that received new trials."

Few either opposed to or supportive of Abu-Jamal remember the case of Neil Ferber; a Philadelphia man arrested six months before Abu-Jamal's December 1981 arrest.

Philadelphia police and prosecutors framed Ferber for a mob-related murder, sending him to death row for 1,375-days before his release.

A court ruling in a lawsuit Ferber filed over his false imprisonment declared that "this case presents a Kafkaesque nightmare of the sort which we normally would characterize as being representative of the so-called justice system of a totalitarian state. Unfortunately it happened here in Philadelphia."

This ruling noted that a "variety of Philadelphia police" engaged in a litany of misconduct "for the singular purpose of obtaining Ferber's arrest and subsequent conviction on first degree murder charges."

Evidence also showed that the jailhouse snitch whose testimony sealed Ferber's conviction had flunked a lie-detector test ordered by prosecutors but prosecutors withheld this information from Ferber's trial attorney.

Philadelphia officials bitterly opposed Ferber's lawsuit for compensation.

Ferber eventually received a million dollar-plus settlement for his wrongful incarceration, however, authorities penalized no police officer or prosecutor involved in the framing of Ferber.

Didier Paillard, St. Denis' current mayor, declared during the street naming ceremony this spring that the Abu-Jamal case is not just a "symbol" in the struggle for justice. Rather, it symbolizes "resistance against a system which has the arrogance to reign over the world..."

# 'Chip' Fitzgerald Freedom Campaign

Romaine (Chip) Fitzgerald has been imprisoned for the past 37 years. He has the dubious distinction of being the longest held political prisoner in the United States. Held since 1969, his trial and conviction came one year after the frame up of Geronimo Pratt. Both men were members of the Los Angeles chapter of the Black Panther Party, which at the time was under siege by the Los Angeles Police Department.

Like Pratt, Chip was accused of a crime that he did not commit (the killing of security guard Barge Miller.) Geronimo was released after serving 27 years when it became known that the FBI kept information away from Geronimo's defense attorneys that proved his innocence; Fitzgerald has yet to see the same justice.

It is believed that Chip was set up for the murder of Barge Miller due to his membership in the Black Panthers and his involvement in a shootout with the California Highway Patrol (CHP). This shootout left both Chip and one CHP officer injured. Later, the CHP officer admitted

that the police had orders to shoot members of the Black Panther Party. Others involved in the shootout stated that the officer instigated the incident and that the Panthers acted in self-defense.

The shooting of Barge Miller took place while Chip was recovering from a gunshot wound to his head- just three weeks after the CHP incident. Witnesses all verified that Chip was at home still recovering from his wounds and never left his apartment.

Chip was convicted for both incidents, receiving a death sentence for the murder of Barge Miller and life for the shootout with the CHP. The death sentence was later commuted to life, so he is currently serving two-life sentences- one conviction for an act of self-defense- another conviction for a crime he is innocent of.

In 1998, Chip suffered a massive stroke. Since, he has been denied proper medical care.

He was scheduled to re-appear before the California Parole Board on February 1, 2007, but we have received news that it has been postponed. No news as to when his

meeting will be rescheduled.

In the past, authorities have denied all of Fitzgerald's previous release requests, asserting that he has shown no remorse for his crime and he remains a danger to society. In a previous article, Mel Mason, spokesperson for the Fitzgerald Campaign, has responded to their rejections, stating, "Chip has said he is extremely sorry that a person lost (his) life. He's as remorseful as he can be because he says he didn't murder the guard."

Chip has been a model prisoner with no prison record of any criminal and/or violent acts. In fact, he has been a role model, mentoring young prisoners and helping to diffuse violent situations. He is not a threat to society and his presence is desired back amongst his loved ones.

We ask that when the times comes, those reading the ABCF Update will be moved to act on Chip's behalf. We hope that you will do what is needed to see that Chip is able to taste freedom again. It is time for Chip's freedom. Please support the Freedom for Chip Campaign.

## FREQUENTLY USED

# Acronyms/ Terms

**ABCF:** Anarchist Black Cross Federation - anti-authoritarian federation of ABC groups who support and defend PP/POWs.

**ABC-BG:** Branch Group - ABCF group with more responsibilities than a SG.

**ABC-SG:** Support Group - ABCF group with fewer responsibilities than a BG.

**AIM:** American Indian Movement - above ground revolutionary organization of Native Americans.

**Anarchism:** Free or libertarian socialism. Anarchists are opposed to government, the state, and capitalism. Therefore, simply speaking, anarchism is a no government form of socialism. Types of anarchists include: Anarcho-Communist, Anarcho-Syndicalist, Autonomist, Collectivist, Individualists, and Mutualists.

**BLA:** Black Liberation Army - revolutionary Black clandestine formation formed to defend the Black community and the BPP, inactive since the '80s.

**BPP:** Black Panther Party - above ground Black revolutionary group seeking Black political power, disbanded in the mid-'70s.

**FALN:** *english translation:* Armed Forces of National Liberation - revolutionary clandestine group fighting for Puerto Rican independence.

**FC:** Federation Council - decision making body of the ABCF.

**MOVE:** Not an acronym, the name of an organization based in Philadelphia who are committed to the teachings of John Africa. Their belief is in "life."

**PC:** Prisoner's Committee - rotating body of 5 PP/POWs on the ABCF's FC.

**PP/POWs:** Political Prisoners and/or Prisoners of War.

(See page 1.)

**Self-Defense:** The legal act of protecting one's life or the life of another with the idea/purpose of self determination and independence. Armed self-defense is relative to the ABCF, specifically in the U.S., in that as the organization grows, so too grows the need to protect ourselves from the armed aggressor of the state, right wing, and other ideological opponents. (Firearms training as preparation for self-defense are legal activities within the confines of the U.S.)

**Self Determination:** The right by virtue of which all peoples are entitled freely to determine their political status and pursue their economic, social, and cultural development. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic cooperation, based upon the principle of mutual benefit and international law. In no case may a people be deprived of their own means of subsistence.

**SDS:** Students for a Democratic Society - left student group founded in the '60s.

**The Update:** This is a quarterly publication of the ABCF.

**WUO:** Weather Underground Organization - first the Weathermen, later known as the WUO, evolved out of the SDS as an underground formation of primarily white anti-imperialist revolutionaries from the student movement.

*(The Anarchist Black Cross Federation (ABCF) produces the Revolutionary Political Dictionary with these and other expanded definitions of political terms. Available from Los Angeles ABC for \$1 and two 39 cents stamps.)*



# Law Enforcement Injustice

by *Zolo Agona Azania, New Afrikan Prisoner of War*

The wanton abuse of police power is not a mere thing of legend. It's a fact of life in these United States, and elsewhere.

From the moment any awful act of police misconduct came to light via the news media, or testimony in the courtroom, an entire police department stood by and let it happen -- and then clammed up about what had taken place.

Whatever happened in the past is not merely history. That is to say, injustice of today is directly related to injustice of yesterday. People who are concerned for fairness and the appearance of justice will not be able to dismantle police corruption and abuse of public trust, if they assert to be neutral while looking the other way. Clearly the challenge is that if you stand neutral or deliberately indifferent because you have not personally been the recipient of injustice and abuse in the courts and on the streets by the sworn enforcers of the law, then you have to walk in the footsteps of people, like myself, where and to whom these things happened.

On August 11, 1981 I was illegally arrested by political police and accused of killing a police officer during an armed bank robbery. False evidence was invented

and used as a ruse against me, calculated to provide a wrongful conviction and death sentence, cloaked with improper acts with the state prosecutorial machinery and resources to give it the appearance of propriety. The credibility of every witness who testified for the state is in question.

The police made intentional false reports about when, where and how I was captured, among other things, to make the charges against me sound plausible. The autopsy report about the cause of death of the police officer was falsified in relation to the ballistic test-firing of the weapons.

Two hand-guns, a .38 and .44, were planted by police and presented to the all-white jury as incriminating evidence, which misled and influenced the decision of the decision making body to which it was addressed. Prosecutors claimed the .44 was the murder weapon. Donald McDuffie Sr., a well known loan-shark, testified he sold me a .44 pistol. The .38 was traced back to the Gary police department by B.A.T.F. (Bureau of Alcohol, Tobacco and Firearms) agents.

On May 25, 1982 I was sentenced to the penalty of death. After years of contesting the bogus charges, the death sentence was

reversed by the Indiana Supreme Court in 1993. But after a second trial on the sentence only, it was put on me again in 1996.

My case does not involve D.N.A. testing. There was a reasonable likelihood that the knowing use of admitted perjured testimony, tainted evidence, and police misconduct in both trials, could have affected the judgment of at least one juror, and the outcome would have been different. The jury trials were rigged against me.

People of Afrikan ancestry (whom I call New Afrikans) were systematically excluded from the pool from which my jury was selected. Rather than monitor and repair a jury selection system that was not working properly, county officials tried to cover up the flaws by destroying material evidence and lying about the problem. Every human being who serves on a jury have the power, and moral responsibility, within a small specified group to express, affirmatively, the true meaning of democracy.

By **Zolo Agona Azania #4969**  
Indiana State Prison  
P.O. Box 41  
Michigan City, Indiana  
46361-0041 USA

## Los Angeles ABC's Update Report

### Jaan Laaman

Marisa from LA ABCF was able to record an interview she did with Jaan and we are in the final stages of productions of that CD. Members are currently in contact with AK Press for possible distribution of the CD. Proceeds from the interview will go to assist Jaan's legal fund.

As part of this project, we are also currently creating a pamphlet of the CD interview, which will be out within the next couple months. It has been a long time since the ABCF has produced a pamphlet and we are due.

### Chip Fitzgerald

As stated in this issue of the Update, Romaine 'Chip' Fitzgerald has a parole hearing coming up. Members from LA ABCF have been in contact with Chip and his support group and will be assisting in promoting a letter campaign to the parole board for Chip's release. We ask that all members of the ABCF promote the Free Chip Fitzgerald Campaign when it begins. We currently have a section of the LA ABCF website dedicated to Chip's Freedom Campaign. You can check out the site at: [abcf.net/la/laabcf.asp?page=lachip1](http://abcf.net/la/laabcf.asp?page=lachip1)

### ABCF Material and Website

Members of LA ABCF are currently going over the ABCF reading material for proof reading. With the constant changes taking place in various cases- this seems to be an on going project- but a project that we feel someone needs to take on.

We are consistently updating the website as well. So please take note- especially in regards to PP/POW address changes.

### Research

Members of the group are constantly researching political prisoners cases. We are trying to establish files for all the prisoners we support, which will include newspaper articles and court documents that will support the case for political prisoner status. While the prisoners we support clearly fall within the definition of the international community, it can only help to have the information available that proves their legitimacy.

We are also researching prisoners that other groups have presented as political prisoners. Some of those individuals we have confirmed their status and have or will present them to the Federation for a vote; others we have found insufficient evi-

dence for political prisoner status and can present evidence as to why, we, as an organization do not consider these people political prisoners. There are still many cases that either we have found little evidence on or fall within that grey area on the definition of political prisoner. In either case, we feel this work in much needed and will become useful at some point. If there are any individuals chapters wish for us to research please let us know.

### New Political Prisoners

The ABCF has recently reviewed and approved a few cases brought forward by LA ABCF. We have written those PP/POWs requesting permission to add them to our list. As a continued policy, we never add a PP/POW to our lists unless given permission by the prisoner directly.

However, we are proud to announce that two individuals have returned letters to us indicating that they wish to work with the ABCF. New Afrikan POW, Zolo Azania and accused Japanese Red Army member, Tsutomu Shirotsaki have responded to our requests and have been added to our list. We ask that members of the ABCF contact these two PP/POWs and begin support.



# Montreal ABC's Update

It's been a busy year for Montreal ABCF, and this is a good chance for us to reflect on where we've been and where we're headed.

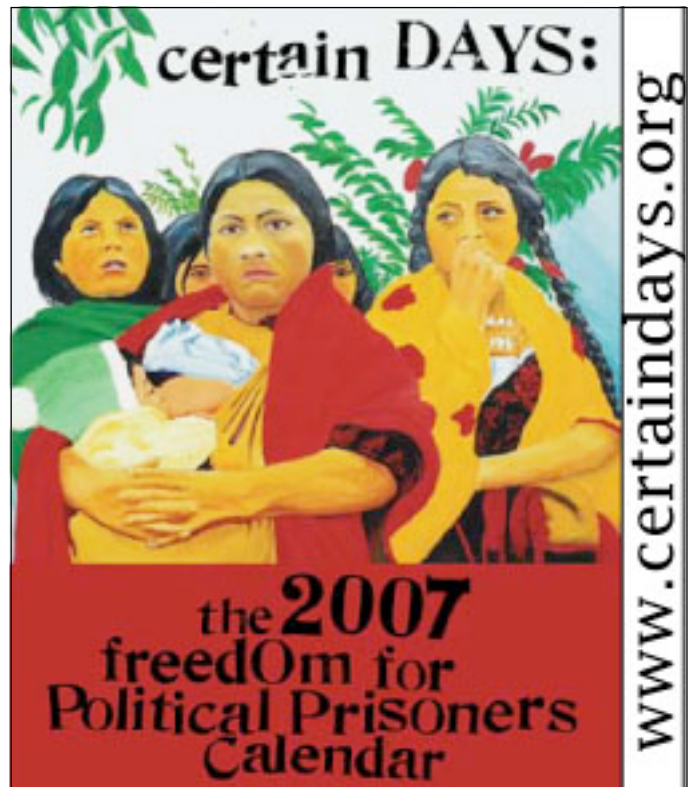
We're entering our fourth year of work on 4strugglemag, our zine of writings and art by and for political prisoners and their supporters, and edited by Ohio 7 PP Jaan Laaman. The Fall 2006 issue features analysis of nuclear tension in North Korea, the struggle in Palestine, hip-hop and the younger generation of politically conscious prisoners, and much more – with original contributions from Mumia Abu-Jamal, Bill Dunne, Russell Maroon Shoats and others. Check it out online at [www.4strugglemag.org](http://www.4strugglemag.org).

This year, along with several other activists in Montreal, we also took over the production of the 2007 Certain Days: Freedom for Political Prisoners Calendar.

This year's calendar is focused on the theme of immigration, and features work by many political prisoners and activists, including cover artist Tom Manning, David Gilbert, Herman Bell, Alvaro Hernandez, Mumia Abu-Jamal, Jeffrey "Free" Luers, the MOVE 9, the Cuban 5, Gord Hill, GoreB, Just Seeds, and more.

As always, the calendar is a fundraiser. This year's proceeds will benefit the New York State Task Force on Political Prisoners, No One Is Illegal-Kingston, and Addameer, a Palestinian solidarity group.

Help support this important project! Order copies at [www.certaindays.org](http://www.certaindays.org) (special bulk and prisoner rates are available),



ORDER YOUR COPY NOW! \$15/\$9 for prisoners  
 Certain Days c/o QPIRG Concordia  
 1455 de Maisonneuve Blvd. O.  
 Montreal, QC H3G 1M8 CANADA

# The Anarchist Subsistence Program

## Stamp Schedule

**January- Philadelphia**

**February- Los Angeles**

**March- Philadelphia**

**April- Los Angeles**

Send a check or money order to Philadelphia ABCF made out to Tim Fasnacht for forty 39¢ stamps in the last week of the month before the month you are responsible for.

Philadelphia ABCF  
 P.O Box 42129  
 Philadelphia, PA 19101

The Anarchist Subsistence Program seeks to provide material aid to those PP/POWs who come from our own anarchist/anti-authoritarian community.

As with the Warchest, this program is designed to aid PP/POWs who receive little financial aid. However, it is unique because it exclusively assists those from the anarchist/anti-authoritarian community.

Over the last few years there has been an increase of anarchist/anti-authoritarian PP/POWs. Most of these new prisoners have support committees who raise awareness and funds on their behalf. Long held anarchist/anti-authoritarian PP/POWs have had their support overshadowed by these new cases. This program is designed to ensure that support for them remains consistent.

The two functions of this support campaign include a monthly financial assistance

and forty 39¢ postage stamps per month. Supporters of the Anarchist Subsistence Program send whatever funds they can to Philadelphia ABC (who facilitates the program) who in turn distributes the funds among anarchist political prisoners who participate in the program. All U.S. supporters also take turns sending the stamps directly to Philadelphia ABC.

Listed here are the monthly check documentation and rotation of groups sending stamps. If you want to support this important program and help us expand the number of Anarchist Subsistence Program campaigns we run, contact Philadelphia ABC. Make checks or money orders out only to: TIM FASNACHT. Funds should be sent in the last week of the month before the month the funds will be used (i.e., send March funds in the 3rd week of February).

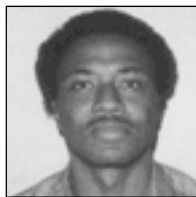
|              | JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEPT | OCT | NOV | DEC |
|--------------|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|
| PHILLY       | 0   | 0   | 0   | 0   | 15  | 0   | 0   | 0   | 0    | 0   | 0   | 0   |
| NJ/HAYES     | 0   | 0   | 10  | 0   | 10  | 10  | 0   | 0   | 0    | 0   | 0   | 0   |
| LA           | 0   | 0   | 100 | 0   | 0   | 0   | 0   | 0   | 0    | 100 | 0   | 0   |
| RYAN/ALSKA   | 0   | 0   | 0   | 0   | 0   | 10  | 10  | 10  | 10   | 10  | 10  | 10  |
| JIM M/PHILLY | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 15  | 0    | 10  | 0   | 10  |
| EZE/NJ       | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 50  | 0    | 0   | 50  | 0   |
| JAX          | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0    | 0   | 0   | 20  |
| TOTAL        | 0   | 0   | 110 | 0   | 25  | 20  | 10  | 75  | 10   | 120 | 60  | 40  |



Sekou Odinga  
05228-054/ Box 8500  
Florence, CO 81226-8500  
Receives \$30 per month



Ruchell Cinque Magee #  
A92051 / 3B-05-103  
Box 3466  
Corcoran, CA 93212  
Receives \$30 per month



Herman Bell  
79C0262 / Box 116  
Fallsburg, NY 12733  
Sullivan Corr. Facility  
Receives \$30 per month



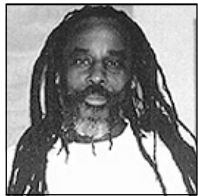
Ricardo Jimenez  
# 88967-024  
PO Box 1000 A-2  
Lewisburg PA 17837  
Receives \$30 per month



Alvaro Luna Hernandez  
255735/ Hughes Unit  
Rt. 2, Box 4400  
Gatesville, TX 76597  
Receives \$30 per month



Dylcia Pagan  
# 88971-024  
5701 8th St., Camp Parks  
Dublin CA 94568  
Received \$60 per month



Hanif Shabazz Bey  
295933 / Box 759  
Wallensridge Supermax  
Big Stone Gap, VA 24219  
Receives \$30 per month



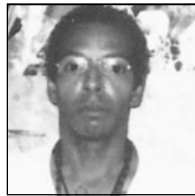
W.J. "Wolverine" Ignace  
RRAC Matsqui / Box 400  
Abtsfrd., BC  
V2S 5X8 Canada  
\$30 every 3rd month



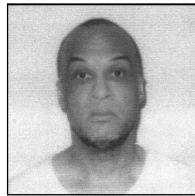
James OJ Pitawanakwat  
Mission Inst. / Box 60  
Mission BC V2V 4L8  
Canada  
\$30 every 3rd month



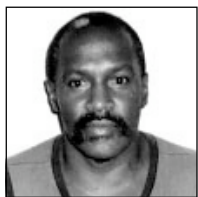
Russel Maroon Shoats  
AF-3855  
175 Progress Dr.  
Waynesburg, PA 15370  
Receives \$30 per month



Sekou Kambui  
113058 / Box 56 SCC  
(BI-21)  
Elmore, AL 36025-0056  
Receives \$30 per month



Joseph Bowen  
AM-4272/ 1 Kelley Drive  
Coal Township, Pa  
17866-1021  
Receives \$30 per month



Ojore Lutalo  
59860 / PO 861  
SBI# 0000901548  
Trenton, NJ 08625  
Received Emergency Funds



Jalil Muntaqim  
(Bottom) 77A4283  
Box 618 135 State St.  
Auburn, NY 13024  
Received Emergency Funds



Sundiata Acoli (Squire)  
39794-066 / Box 3000  
White Deer, PA 17887  
USP Allenwood  
Received Emergency Funds



Carmen Valentin  
# 88973-024  
5701 - 8th. St. Camp Parks  
Dublin CA 94568  
Received Emergency Funds



Jaan Laaman  
W41514 / Box 100  
South Walpole, MA 02071  
Received Emergency Funds



Thomas Manning  
10373-016 /Box 2000  
USP Hazelton  
Bruceton Mills, WV 26525  
Received Emergency Funds



Richard Williams  
FALLEN COMRADE  
Died in Incarceration  
Nov 4, 1947- Dec 7, 2005  
Received \$30 per month



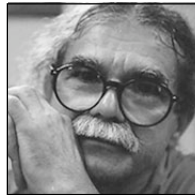
Veronza Bowers  
35316-136 / Box 1032  
Coleman, FL 33521  
FCI Coleman  
Received Emergency Funds



Edwin Cortes  
92153-024nBox 1000  
Lewisburg, PA 17837  
Received Emergency Funds



Adolfo Matos  
88968-024  
3701 Klein Blvd  
Lompoc, CA 93436  
Received Emergency Funds



Oscar Lopez Rivera  
87651-024 / Box 33  
Terre Haute, IN 47808  
Received Emergency Funds



Jihad Abdul Mumit  
323749-138  
Box 1000  
Lewisburg, PA 17837  
Received Emergency Funds

**"Thanks much for the support you've been organizing. I really appreciate it. After not having any or very little support for so long, it now seems like people have all of a sudden realized that I am alive."**

**~ Sekou Odinga (New Afrikan Prisoner of War)**



Name: \_\_\_\_\_ Ph: \_\_\_\_\_

Street Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

ONE TIME DONATION ☐

MONTHLY SUPPORTER ☐

**Monthly supporters, please check one of the following:**

I'll commit to 6 months ☐ I'll commit to 1 year ☐ Amount:\$ \_\_\_\_\_

Send cash, checks or mos  
made to **TIM FASNACHT** to:  
**Philly ABCF**  
**P.O Box 42129**  
**Philadelphia, PA 19101**  
**timABCF@aol.com**  
**toll free (877) 673-2658**



# SUPPORT THE ABCF WARCHEST

The ABCF has initiated a program designed to send monthly checks to PP/POWs who have been receiving insufficient, little, or no financial support during their imprisonment. PP/POWs requesting funds complete an application of financial questions. When the ABCF has collected sufficient funds to send out another monthly check, the applications are reviewed by a rotating body of PP/POWs called the Prisoner Committee, who make a judgement on which applicant is in the most financial need. There is also an emergency fund designed to immediately send checks to those PP/POWs in need of one-time or emergency assistance.



Founded in 1994, the Warchest has provided consistent and reliable financial aid, serving a much-neglected comrade function. Since its inception, the ABCF has raised over \$46,000 with just this one program. All funds raised go directly to the political prisoners, for which the program is designed. Despite our success, our comrades are still in dire need of funds. Endorse this program by giving a monthly or one-time donation to increase the number of prisoners being supported monthly. A financial report is published that documents all money received and the prisoner it was sent to. The prisoners' addresses are also printed so that endorsers may write and hold us accountable.

**Send cash, checks or mos made to TIM FASNACHT to:**  
**Philly ABCF • P.O Box 42129 • Philadelphia, PA 19101 • timABCF@aol.com**

## WARCHEST REPORT 2006

| FUNDS IN   | JAN | FEB | MAR | APR | MAY | JUN | JUL    | AUG | SEPT | OCT | NOV    | DEC |
|------------|-----|-----|-----|-----|-----|-----|--------|-----|------|-----|--------|-----|
| LA ABCF    | 0   | 0   | 200 | 0   | 0   | 0   | 625    | 0   | 0    | 0   | 100    | 900 |
| MTL ABCF   | 0   | 0   | 0   | 0   | 0   | 0   | 37.89  | 0   | 0    | 0   | 41.38  | 0   |
| PHL ABCF   | 55  | 55  | 0   | 40  | 25  | 0   | 0      | 25  | 0    | 0   | 0      | 0   |
| JAX ABCF   | 120 | 0   | 0   | 0   | 0   | 0   | 0      | 0   | 0    | 0   | 50     | 0   |
| NJ ABCF    | 20  | 20  | 20  | 20  | 0   | 0   | 0      | 0   | 0    | 0   | 0      | 0   |
| CHRIS/NJ   | 0   | 0   | 0   | 0   | 20  | 20  | 0      | 0   | 0    | 0   | 0      | 0   |
| EZE/NJ     | 0   | 0   | 0   | 0   | 0   | 0   | 50     | 100 | 0    | 0   | 100    | 0   |
| RYAN/ALSKA | 0   | 0   | 0   | 0   | 0   | 25  | 25     | 25  | 25   | 25  | 25     | 25  |
| PROPAGANDI | 113 | 0   | 0   | 0   | 0   | 0   | 0      | 0   | 0    | 0   | 300    | 0   |
| SMF        | 41  | 0   | 0   | 0   | 0   | 0   | 0      | 0   | 0    | 0   | 0      | 0   |
| ANON       | 0   | 0   | 0   | 120 | 0   | 0   | 0      | 0   | 0    | 0   | 0      | 0   |
| JIM/PHILLY | 0   | 0   | 0   | 0   | 0   | 0   | 0      | 0   | 0    | 10  | 0      | 0   |
| TOTAL      | 349 | 75  | 220 | 180 | 45  | 45  | 737.89 | 15  | 25   | 35  | 616.38 | 925 |

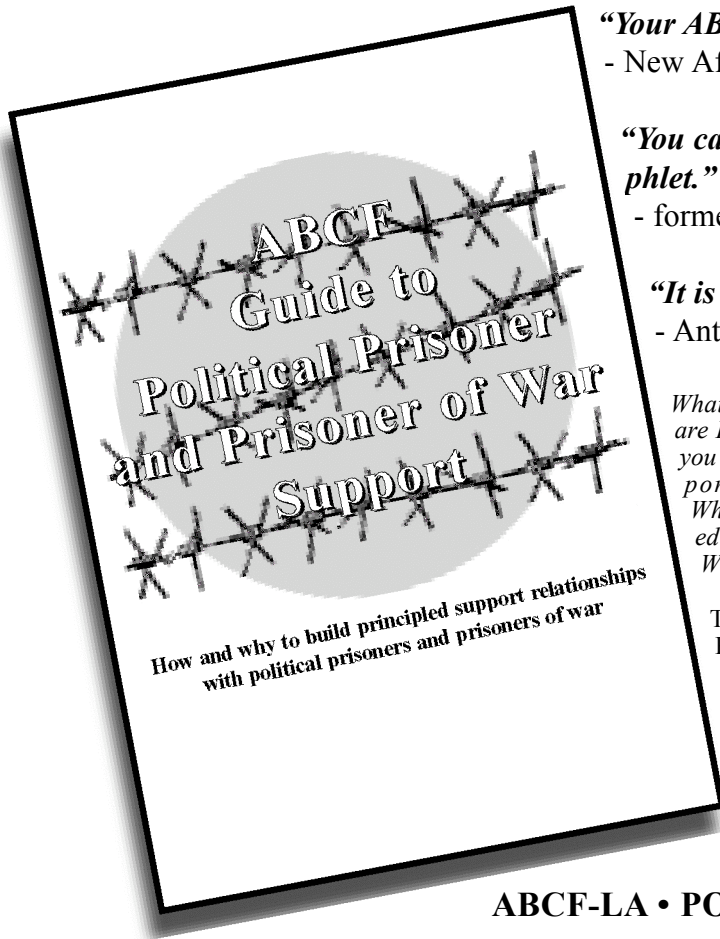
| FUNDS IN |        |
|----------|--------|
| 1994     | 351    |
| 1995     | 3860   |
| 1996     | 4143   |
| 1997     | 3544   |
| 1998     | 7643   |
| 1999     | 5814   |
| 2000     | 3514   |
| 2001     | 5290   |
| 2002     | 2873   |
| 2003     | 1785   |
| 2004     | UNACC* |
| 2005     | 4439   |
| 2006     | 3268   |
| TOTAL    | 46524  |

| FUNDS OUT        | JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEPT | OCT | NOV | DEC |
|------------------|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|
| SEKOU KAMBUI     | 30  | 30  | 30  | 30  | 30  | 30  | 30  | 30  | 30   | 30  | 30  | 30  |
| RUSSELL SHOATZ   | 30  | 30  | 30  | 30  | 30  | 30  | 30  | 30  | 30   | 30  | 30  | 30  |
| JOSEPH BOWEN     | 30  | 30  | 30  | 30  | 30  | 30  | 30  | 30  | 30   | 30  | 30  | 30  |
| HANIFF BEY       | 30  | 30  | 30  | 30  | 30  | 30  | 30  | 30  | 30   | 30  | 30  | 30  |
| HERMAN BELL      | 30  | 30  | 30  | 30  | 30  | 30  | 30  | 30  | 30   | 30  | 30  | 30  |
| SEKOU ODINGA     | 30  | 30  | 30  | 30  | 30  | 30  | 30  | 30  | 30   | 30  | 30  | 30  |
| RUCHELL MAGEE    | 30  | 30  | 30  | 30  | 30  | 30  | 30  | 30  | 30   | 30  | 30  | 30  |
| ALVARO HERNANDEZ | 30  | 30  | 30  | 30  | 30  | 30  | 30  | 30  | 30   | 30  | 30  | 30  |
| TOTAL            | 240 | 240 | 240 | 240 | 240 | 240 | 240 | 240 | 240  | 240 | 240 | 240 |

| FUNDS OUT |        |
|-----------|--------|
| 1994      | 120    |
| 1995      | 2796   |
| 1996      | 4308   |
| 1997      | 4588   |
| 1998      | 6412   |
| 1999      | 5191   |
| 2000      | 4544   |
| 2001      | 4637   |
| 2002      | 4320   |
| 2003      | 1300   |
| 2004      | UNACC* |
| 2005      | 2620   |
| 2006      | 2880   |
| TOTAL     | 43716  |

**REMAINING: \$2441.94**

(\*Funds unaccounted for due to unreported funds from Jacksonville ABCF)



***“Your ABCF Guide to PP/POW Support is great, PERIOD!”***

- New Afrikan POW Sundiata Acoli

***“You can see many of our concerns addressed in this pamphlet.”***

- former Puerto Rican POW Carmen Valentin

***“It is extremely well thought out and put together.”***

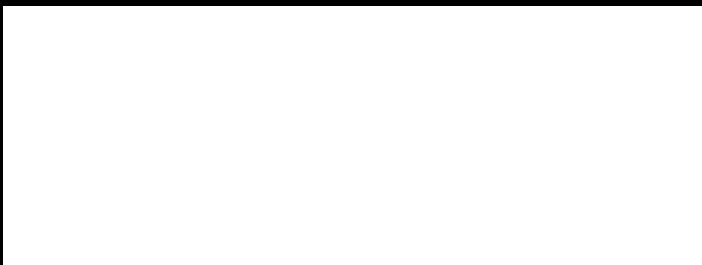
- Anti-Imperialist PP Tom Manning

*What's the ABC? What's the ABCF? Who are Political Prisoners? Who are Prisoners of War? Where are they? Why make a criteria? What do you mean by 'documentation' and how do I get it? What kinds of support do Political Prisoners need? How should I go about my work? What can PP/POWs get in prison? What do I need to know if I want to visit? Can I bring them food packages? What about clothes? What do you mean by 'principled support'? How do I get involved?*

This is a practical guide compiled by Political Prisoners and Prisoners of War themselves, based on concrete history and work experience. It will help answer all of the above questions and more. The ABCF guide to PP/POW includes definitions that were democratically agreed upon at an international tribunal, specific procedures for obtaining documentation on PP/POW's, information on visiting, phone contact, food/clothing packages, and the working policies of the ABCF in our work to support PP/POW's. Send \$1 and two stamps to:

**ABCF-LA • PO Box 11223 • Whittier, CA • 90603**

LA-ABCF  
Branch Group  
PO Box 11223  
Whittier, CA 90603



***“This work is not done for glory, but because we believe in mutual aid.”***