

CONCIENCIA MEXICANA

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NON-COLLABORATION! STOP THE GRAND JURY!!!



The five grand jury resisters (l-r): Andres Rosado, Steven Guerra, Maria Cueto, Julio Rosado and Ricardo Romero.

Who We Are...

Conciencia Mexicana is an official publication of El Comité Nacional Contra La Represion (National Committee Against Repression). *Conciencia Mexicana's* formation comes about in response to the U.S. government's attack on **Movimiento de Liberacion Nacional (M.L.N.)** leadership; Ricardo Romero, Maria Cueto, Steven Guerra, and Julio Rosado; and community health worker, Andres Rosado. With their principled stand of **non-collaboration**, they have once again emerged as grand jury resisters.

El Comité Nacional Contra La Represion completely supports the grand jury resisters' prin-

ciplined stand of non-collaboration with the grand jury or with any repressive agency of the U.S. government.

We recognize that by creating and encouraging such repressive agencies such as the F.B.I. and C.I.A., as well as the grand jury, the U.S. ruling class/government only reinforces its position as the greatest enemy presently facing humanity.

We completely support the **Movimiento de Liberacion Nacional** for which Ricardo Romero and Julio Rosado have provided leadership since its formation. We support the M.L.N. in its advocacy of **Socialist Reunification of**

Mexico and Independence and Socialism for Puerto Rico.

We realize that for advocating these political positions in an open, legitimate organization, the U.S. government has targeted the five activists by the grand jury; thus threatening the very existence of any legitimate political organization.

For these reasons, the National Committee Against Repression shall work to inform and organize communities throughout the occupied territory in support of the five grand jury resisters. We will be directing a **Special Committee to Free the Mexicano Political Prisoners in the Occupied Territory.** ■

For More Information

**"The duty of a revolutionary is to make revolution."
Ché Guevara**



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**"Nothing is more precious than freedom and independence."
Ho Chi Minh**



Criminal Contempt: New Tool For Political Internment

On September 24, 1982, the U.S. government escalated the level of repression against the Puerto Rican and Mexican revolutionary movements organized within the **Movimiento de Liberación Nacional (M.L.N.)** with the arrest in three cities of three M.L.N. members, a sympathizer, and later, the arrest of a fourth member in Colorado.

The charge on which the arrests were made by F.B.I. agents, acting on orders of the U.S. Justice Department, was *criminal contempt*, a rarely-used criminal statute related to the use of the grand jury for the imprisonment without charges (detention) of political activists in the U.S. colonies and within the U.S. itself.

The arrest of the five — three Mexicans and two Puerto Ricans in New York, Colorado, and California — raised the level of repression, because unlike the previously used statutes of *civil contempt*, the new charge of *criminal contempt carries indefinite imprisonment, including possible life imprisonment*.

At no time does the charge involve an *actual* accusation of a crime, other than that of refusing to talk to the grand jury and the F.B.I. about the activities of radicals and people involved in the movement. With the arrests of the five, the U.S. government sought to establish a number of precedents for future use against others:

1. Arrest without subpoenas or warrants
2. The rights to imprison people without trial
3. The right to impose indefinite prison sentences
4. The right to detain people for political reasons (preventative detention)

The government's objective, thereby, is to produce a number of informers who will provide enough intelligence so as to allow, as President Reagan has stated, the repressive agencies of the Terrorist Task Force to destroy or cripple the Movements of National Liberation.

National Liberation Struggles, both within the imposed U.S. borders and in the the developing world, are the *principal* threat to the system of imperialism upon which the ruling classes, *particularly in the U.S.*, base their program for the exploitation of the natural resources of the world, including labor and its own captive masses and internal colonies.

The profound relationship between the Mexican people in the occupied territories, and those in the Mexican nation south of the Rio Bravo, represents a real threat to imperialism and capitalism.

The Puerto Rican national liberation struggle for the independence and socialist republic of the Puerto Rican workers counts on the participation of

four million Puerto Ricans imprisoned socially in ghettos throughout the eastern U.S.

In addition, there is the struggle for land and independence for the New Afrikan nation.

Finally, there is the principled struggle of anti-imperialist north americans.

The M.L.N., to which four of the five indicted for criminal contempt belong, is playing a major and central role in generating the consciousness of the need for these heretofore separate struggles to *identify their points of unity and converge in mutually supportive campaigns and areas of work*.

The M.L.N. has also fought, and won, a struggle within the movement for the **general acceptance of armed struggle** as an important and central instrument of national liberation.

The political objective of the U.S. government is to delay this process through the destruction of the M.L.N. and the other radical organizations, allow the backward reformist organizations to lead the struggle in their self-contained way, and thus maintain the political isolation of the respective movements.

The government is further seeking to intimidate all activists in this crucial time period of capitalist and imperialist crisis to gain time to affect a minimally-disruptive economic and political recovery. →

On November 17, the profound conflicts between the constitutional framework on which the government claims to run the state, and the naked aggression of the repressive political forces of the F.B.I. and the Justice Department came into the open, through contradictory and mutually exclusive choices faced by Federal Court Judge Charles Sifton, who was being asked in effect to set precedents with the M.L.N. case. Judge Sifton opted for compromise by dismissing the indictment on

the one hand, and upholding the right of the U.S. government to begin the process anew by subpoenaing the five before a new grand jury with the ultimate objective of reinstating the criminal contempt indictment.

That the judge saw necessary to dismiss the indictment is due principally to the broad, mass work of the M.L.N. and the interest and support shown by the religious community within the National Council of

Churches, the National Lawyers Guild, and sectors of the international community and political movement.

Still, there will be no significant changes in U.S. government policy until the political grand juries are smashed by resistance of *all* progressive sectors to their use, and the concrete decision by all to implement a position of **non-collaboration** with the U.S. government political investigations and grand juries. ■

Revolutionary Notes

Sylvia Baraldini of May 19th C.O. Arrested

The following is excerpted from a May 19th Communist Organization press release

"May 19th Communist Organization has called this press conference to express our wholehearted and unconditional support to our comrade and spokesperson, **Sylvia Baraldini**, who was seized and arrested by the F.B.I. Joint Terrorist Task Force on November 9, 1982. We demand her immediate release and condemn this attack by the U.S. government's political police on May 19th Communist Organization, and all attempts to attack the New Afrikan Independence movement by cutting off its public support.

We reaffirm that in the face of this attack, we will continue to build what the U.S. government is trying to destroy: A movement among white people that is, for the first time in history, based on the unconditional support for the right of the New Afrikan nation, and all

oppressed nations, to wage armed struggle for national liberation; and is committed to the defeat of U.S. imperialism and the building of socialist society.

We extend our solidarity to the New Afrikan Independence Movement, the Freedom Fighters of the Black Liberation Army fighting in the field, captured New Afrikan Prisoners-of-War Sekou Odinga, Kuwasi Balagoon and white anti-imperialist Freedom Fighters, Judith Clarke and David Gilbert; Freedom Fighters for National Liberation worldwide and to north americans who are building the armed clandestine movement under the leadership of National Liberation Struggles.

On November 9, Sylvia Baraldini was snatched by agents of the Joint Terrorist Task Force, the Special Joint Police Force of the F.B.I. and the New York Police Department, organized to destroy and criminalize the revolutionary movement.

She is charged with conspiracy and bank robbery and is being held at the Metropolitan

Correctional Center, New York City, for \$300,000 ransom.

The same day she was arrested, her house was broken into, ransacked and vandalized by the Joint Terrorist Task Force agents who destroyed personal belongings and seized stacks of political literature.

The excuse used to arrest Sylvia was a criminal complaint issued by the U.S. Attorney which contained no factual evidence, but is supposedly based on the uncorroborated allegations of a confidential source (C.S.1, identified as Solomon Brown, who was forced *under torture* to give a statement to the F.B.I., which he has since recanted). The only contacts Solomon Brown has ever had with Sylvia Baraldini were in legal visits since his arrest.

The Joint Terrorist Task Force seized Sylvia Baraldini in order to be able to confiscate political documents on her person and in her house. According to their own warrant, they raided her house with a goon squad of at least 10 agents to gather information on organizations such as Weather Underground, May 19th Communist Organization and the Black Liberation Army."

On the November 10, the day after her arrest, she was served with a subpoena to appear before grand jury on Monday, November 15.

On November 19, she was indicted by the government for aiding and abetting the prison escape of Assata Shakur. Another member of May 19th, Allan Berkman, was also indicted as an accessory after the fact.

Clearly the U.S. government is targeting revolutionary north american forces who openly support the struggle of National Liberation Movements towards independence and socialism of the respective homelands: Puerto Rico, Mexico and New Afrika.

El Comité Nacional Contra La Represión expresses our revolutionary comradeship with the members of May 19th Communist Organization and we ask all of our people to unconditionally support Sylvia Baraldini and Allan Berkman, and to work for their release.

Support Demonstration for Ricardo Romero Held in Denver

Over 150 people demonstrated in front of the federal building in Denver, Wednesday, September 29, 1982, to show their support for **Ricardo Romero**, spokesperson for the Mexicano Commission of the Movimiento de Liberación Nacional (M.L.N.).

Romero turned himself in to federal agents to dispell and quell any accusations of being a fugitive member of the F.A.L.N. (Fuerzas Armadas de Liberación Nacional Puertorriqueñas), as the F.B.I. had portrayed him through its press releases.

Amid the chants of demonstrators, Romero reiterated the

M.L.N.'s position of **non-collaboration**.

Montes Garcia and Cintron Fiallo Continue to Resist

Five grand juries currently investigating the Puerto Rican independence movement and its armed clandestine forces — two in Puerto Rico, two in Chicago and one in New York — have been confronted with a staunch and principled stance of **non-collaboration**. They have not succeeded in handing down any indictments.

Ricarte Montes Garcia of La Liga Socialista Puertorriqueña and Norberto Cintron Fiallo, revolutionary labor leader, have been expatriated from Puerto Rico and jailed for civil contempt in Metropolitan Correctional Center (MCC), New York City.

In his statement to the court, Montes Garcia declared, "I appear before you to tell you nothing. I appear without a lawyer as an action to escalate the denunciation of the illegality of all the activities of this institution called Federal Court. I do not recognize in any way the laws of any foreign government in my country. You have the power at the moment. But the day will come when you will not..."

Norberto Cintron Fiallo was released November 18, after serving eighteen months for refusing to cooperate with a federal grand jury investigating the Puerto Rican independence movement. We salute comrade Norberto for his principled position of **non-collaboration**. Long live independence and socialism for Puerto Rico!

16 de septiembre In Denver

Fifty people gathered to demonstrate and picket in front of the Mexican Consulate in Denver, Colorado, on the day commemorating Mexico's independence from Spanish colonial domination, 16 de septiembre.

The event, organized by the Mexicano Commission of the Movimiento de Liberación Nacional (M.L.N.), El Comité de Colorado Contra La Represión, and New Movement in Solidarity with the Mexican and Puerto Rican Revolutions, **was a historical first**. Previous September 16th events had never focused on the Mexican government.

This year, El Comité picketed the Mexican Consulate for several reasons: to expose to our people the continuing division of our nation through the militarily-imposed border; to shed light on the issue of the missing political activists, currently numbering in the hundreds to the south of our nation; to expose the process of "disappearing" activists; to show our support of the Comité de Defensa Popular; and to expose the fascist nature of the repressive PRI government (Partido Revolucionario Institucional) which is nothing more than a built-in dictatorship, in control for over 60 years.

Every September 16th, until our nation is free, until the border is destroyed, until our nation is reunified, we will organize pickets in front of Mexican Consulates everywhere, in the occupied territories and abroad.

**Long Live
the Spirit of Resistance!
Long Live a Free
and Reunified Mexico!**

Government Harassment Heightens Against M.L.N.

After over a year of struggle and collective resistance, Ricardo Romero, Maria Cueto, Steven Guerra, Julio Rosado and Andres Rosado remain free. Since the federal subpoena to appear before the November 18, 1981 grand jury investigating the heroic F.A.L.N. (*Fuerzas Armadas de Liberacion Nacional*), the U.S. government has tried very hard to put the compañeros behind bars.

The latest government tactic, which has been exposed in the latest attempt, is the charge of *criminal* contempt instead of *civil* contempt, the usual charge for non-collaboration.

Refusing to testify before a grand jury is a crime under the so-called U.S. "democracy." However, there are two ways the state can penalize the "offender," both involving imprisonment.

Civil contempt, used exclusively up to now for political activists, requires imprisonment for a maximum of eighteen months, or the full term of a federal grand jury.

Ricardo Romero, Maria Cueto, Andres and Julio Rosado were convicted of civil contempt and served varying prison sentences between March 1977 and May 1978 for refusing to cooperate in any way with the grand jury investigation of the F.A.L.N. being conducted at that time.

Criminal contempt significantly increases the penalty for non-collaboration. There is no maximum sentence, as U.S. District Judge Charles Sifton indicated when he told the five grand jury resisters, "You may be in prison for the rest of your natural lives."

Why is the U.S. government willing and able to put these people behind bars for life for the seemingly simple "crime" of not wanting to talk to a grand jury?

In a motion filed before the U.S. District Court, Eastern District of New York, on October 6, 1982, Michael Deutsch, one of the attorneys for all of the defendants except Julio Rosado (he is defending himself [*pro se*]), summarized the six-year campaign of desperate attempts by the U.S. government to harass the activists, including unlawful searches, surveillance and arrests.

Beginning in 1977, when four of the five (all except Guerra) were subpoenaed

to testify before grand juries operating in Illinois and New York, the U.S. government has tried to disrupt and criminalize the dedicated and effective political work being carried on in the respective Mexican and Puerto Rican communities.

Then, as now, the media, citing "government sources," labeled the activists as "members of the F.A.L.N."

Then, as now, the government had no evidence proving such a link. The government's attempt to label activists involved in open and legal political work as "terrorists" only exposes the repressive nature of the U.S. state and the extent to which it is willing to go to try and stop the growth of Third World unity against U.S. imperialism, in particular, Puerto Rican and Mexicano unity.

The effects of these repressive tactics, however, have been to heighten the awareness of the Puerto Rican and Mexicano communities, therefore solidifying the base for continued resistance and increasing support for the armed clandestine movement.

Clearly, those of us who have worked within the political arena of the Movimiento de Liberacion Nacional understand and fully support the inspiring position of non-collaboration consistently taken by members and supporters of the M.L.N.

Based on this understanding, the November, 1981 subpoenas appear as obvious government harassment of our revolutionary movement.

The brothers and sister proudly maintained their strong position of non-collaboration on November 18, 1981. The five maintained that the government was abusing the grand jury system by subpoenaing political activists who had already been put into prison for refusing to cooperate and were clearly not going to produce evidence. Therefore, they argued, the government was using the grand jury as a way of imprisoning activists based on their political beliefs, not as a means of gathering evidence, the "legal" purpose of grand juries.

At the next court date, December 16, 1981, the judge found them in civil contempt and even sentenced Ricardo Romero to a six-month prison term.

However, the Assistant U.S. Attorney, Charles Rose, was not interested in another civil contempt conviction. He requested, and received, a postponement of actually charging the resisters with any particular "crime." After all, civil contempt convictions did not stop the growth of the revolutionary Movements of National Liberation in 1977-78, why should they work now?

After making it official that the five refused to collaborate with the grand jury on January 6, 1982, the court released them without charge until further notice.

But of course the U.S. government doesn't honor most of its agreements, especially with Third World people. So, on Friday, September 24, 1982, purposely timed with the end of the business week, the F.B.I. carried out a series of coordinated arrests. At gunpoint, and in public places, the F.B.I. arrested Julio Rosado, Andres Rosado, Maria Cueto, and Steven Guerra, based upon warrants issued under a sealed indictment for criminal contempt of a federal grand jury.

The F.B.I. and the government, hoping to keep the four in jail for at least the weekend, tried to avoid weekend arraignments and set bail at an outrageous \$50,000!

Then, on Monday, September 27, the F.B.I. issued the notorious press release claiming the five were connected to the F.A.L.N.:

Investigation by the FBI/NYPD Terrorist Task Force has determined that the five individuals named in the indictment constitute the remaining leadership of the FALN."

This release circulated throughout the U.S. in all print and electronic media, resulting in sensational and misleading headlines such as "Arrests Smash FALN" and "Five Indicted as FALN Leadership."

Ricardo Romero, projected as a "fugitive," turned himself in at a rally in Denver on September 29.

So much for the government's assurance that it would provide notification before proceeding with any actions. On the contrary, the U.S. government once again exposed itself as a collection of lying, manipulating pigs enforcing its repressive, genocidal mandate known so well to the

Mexicano, Puerto Rican, New Afrikan and Native American peoples.

These latest actions are but a continuation of the government's strategy: to discredit the five and the political work/ideology they are committed to.

They have failed.

Over 150 supporters turned out in Denver, Colorado to accompany Ricardo Romero when he voluntarily turned himself in.

"I have done nothing illegal," he shouted to the crowd. "Let them bring on their proof," he added.

With no such proof, the government has cowardly branded them "terrorists." The community can clearly see through such lies. If the government had evidence that the five were involved in "illegal" activities, then why would the five be released on personal recognizance bonds? Recall the eleven Puerto Ricans arrested in Evanston, Illinois, in April, 1980, allegedly members of the F.A.L.N. Their bond was \$2 million each!

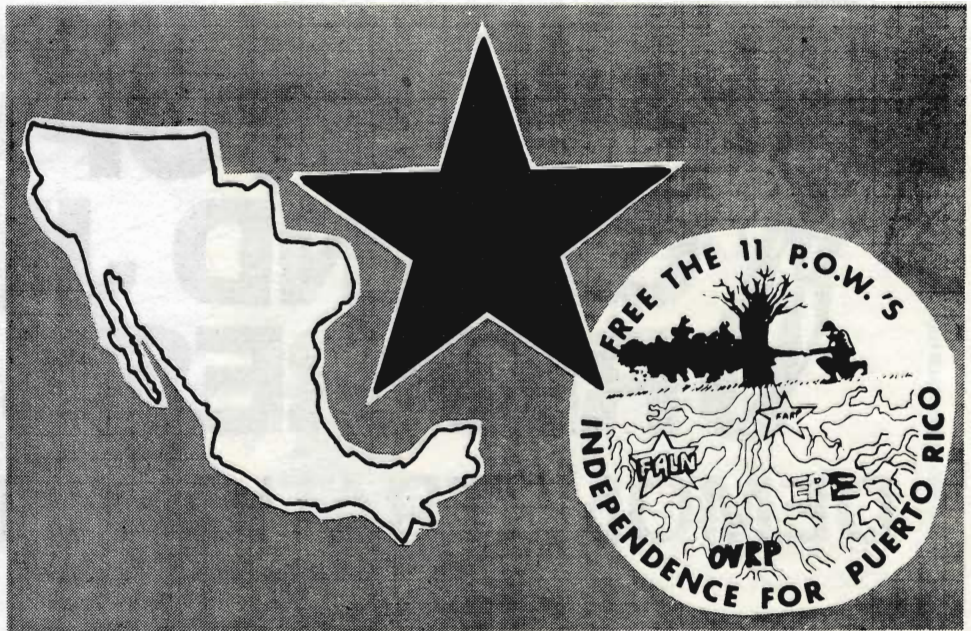
Clearly, the government is doing everything it can to imprison these important activists.

Predictably, the courts denied the October 6, 1982 motion to dismiss the criminal contempt indictments. The Repressive State Apparatuses cannot convict each other of misconduct and manipulation!

However, the government can't even do its job, repression, right. In order to smooth the path to criminal contempt convictions, the government agreed to drop the criminal contempt indictments on November 18, 1982, in a hearing before Judge Sifton. His ruling was based, in part, on the clear record of government misconduct (and mistakes) documented by the defense attorneys, led by Michael Deutsch.

Of course, the five were immediately re-subpoenaed and ordered to appear before a grand jury on November 24, 1982.

At that time, attorneys for the defendants (the five grand jury resisters) will appear, note the five's continued refusal to testify, and move to quash subpoenas, as well as to file a lawsuit against the government seeking an injunction preventing any further harassment, including an end to the useless grand jury subpoenas.



U.S. District Judge Charles Sifton, smart enough to realize the five will continue to take a position of non-collaboration, has already scheduled a hearing for Friday, December 10, to rule on the motion and lawsuit.

At that time, three possibilities arise: 1) Granting the motion to quash and/or ruling in favor of the defendants in the lawsuit, thus, setting all free without pending charges; 2) Citing the five for civil contempt and immediately imprisoning them for the life of the grand jury (maximum 18 months) or, most likely, 3) Setting up the criminal contempt process with a pre-trial hearing at which the government must produce evidence justifying the grand jury subpoenas — something they have never done in public. After this hearing, the five would either be set free, or stand trial for criminal contempt and face an unlimited prison sentence.

On Friday, December 10, the Movimiento de Liberacion Nacional and El Comité Nacional Contra La Represion are calling for a demonstration in support of the five resisters. Contact the Comité in your area for further information.

As a final note, it is very important to remember that **the purpose of the government witch hunt remains the armed clandestine movement, particularly the F.A.L.N.** We support the F.A.L.N., as we support the right of all Third World people to wage armed struggle for national liberation. The strengthening of the various National Liberation Movements inside the

imposed borders of the U.S. scares the U.S. government and promotes its desperate searches for any link to the underground.

However, these five compañeros are not members of the F.A.L.N. As a clandestine organization, *no one* knows who is in the F.A.L.N., *least of all the U.S. government.* This barrier is frustrating to a government used to infiltrating and destroying Third World movements a la COINTELPRO. The U.S. government knows it cannot destroy the clandestine formations currently threatening the U.S. empire on the mainland and on the island of Puerto Rico. That is why it seeks out open supporters involved in "legal" work.

But, the U.S. government is learning that it cannot destroy the open sectors of our movements either. The leading position of **non-collaboration** being practiced by Mexicanos, Puerto Ricans, New Afrikans, Native Americans and white anti-imperialist supporters is an iron wall which will protect the emerging cells of protracted people's war and carry the Movements of National Liberation ever closer to victory and the certain destruction of U.S. imperialism. ■

**DON'T TALK TO THE FBI!
NO COLLABORATION WITH
THE REPRESSIVE GRAND JURIES!**

**LONG LIVE
THIRD WORLD UNITY!
LONG LIVE THE F.A.L.N.!
HANDS OFF THE M.L.N.!!**



STOP GRAND JURY REPRESSION



DEMONSTRATION IN SUPPORT
OF THE
FIVE GRAND JURY RESISTERS



FRIDAY, DECEMBER 10
12noon

Federal Courthouse Building
19th and Stout

The U.S. government, in its desperate attempt to destroy the revolutionary Mexicano and Puertorriqueño Movements of National Liberation, has unleashed the repressive grand jury upon the leadership of the Movimiento de Liberación Nacional and its supporters.

For over a year now, the U.S. government has tried to imprison the five — three Mexicanos and two Puertorriqueños — with the unprecedented use of criminal contempt charges. This is only the latest method to imprison political activists, this time, though, for unlimited prison sentences.

The current attacks on our movements are only test cases. If successful, the U.S. government will surely attempt to heighten its repressive onslaught on other elements of our movements as well as other progressive sectors.

In such an atmosphere, the support of our people is crucial to show the U.S. government that we are **serious** about supporting our leadership.

Sponsored by

**Movimiento de Liberación Nacional, (M.L.N.), Comisión Mexicana
El Comité de Colorado Contra La Represión**

New Movement in Solidarity with the Puerto Rican and Mexican Revolutions