To: The International Human Rights Tribunal
Barcelona, 1989

From: The Resistance Conspiracy Case Political Prisoners:

Laura Whitehorn	Linda Evans	Timothy Blunk
Susan Rosenberg	Marilyn Buck	Alan Berkman

January 1989

TO THE INTERNATIONAL HUMAN RIGHTS TRIBUNAL

BARCELONA, 1989

We send our fraternal greetings to this esteemed tribunal. We are honored to add our voices to the condemnation of U.S. war crimes against Puerto Rico. We are six North American anti-imperialist political prisoners. We stand accused by the U.S. government for acts of resistance against our government's war crimes. Right now, we are fighting in the Yanqui courts, charged with several armed actions targeting U.S,. military bases, Navy installations, and the U.S. Capitol. The communiques which followed these actions all demanded independence for Puerto Rico and self-determination for all the nations of the Caribbean and Central America.

The U.S. stands in violation of the internationally-recognized right to self-determination by committing the crime of colonialism against the nation of Puerto Rico. The struggle of the Puerto Rican people for independence is a guiding light against the forces of reaction. This struggle has, by its example, inspired peoples all over the world. Its example is one of determination and tenacity in confronting the most vicious of enemies, U.S. imperialism.

William Webster, head of the CIA, says the Puerto Rican Independence movement is the Achilles heel of the United States. The fraud of commonwealth status cannot hide the true genocidal colonial state in which Puerto Rico exists. Nor can the devastating conditions of oppression obliterate the more than 90 years of resistance to U.S. domination. The Puerto Rican revolutionary movement, like the Palestinian struggle today, and the Vietnamese war of resistance in the last decades, can not be stopped. The people will not be silenced.

As members and citizens of the U.S. oppressor nation, we recognize that the U.S. is a colonial power and that Puerto Rico is its directly held colony. For the last 15 years we have been part of building a North American anti-imperialist movement which explicitly supports the independence struggle of the Puerto Rican people. Our movement was profoundly influenced by the emergent rearguard struggle of Puerto Rican independence forces which began to organize Puerto Rican people in exile and to attack the colonial power inside its borders in the early 1970's. We see the liberation of the U.S. colonies as a primary responsibility for the anti-imperialist resistance movement. We have taken this responsibility seriously. The movement has and continues to engage in a full range of internationalist activities and solidarity with the Puerto Rican people -- from organizing and educating North American people to protesting against the U.S. occupation and its crimes; from refusing to collaborate with the Federal government in its investigation, harassment, and attacks

or both the clandestine and public sectors of the Puerto Rican independence movement to armed attacks on the military and political institutions of the U.S. colonial government. We are pledged to the freedom of Puerto Rico, and to the freedom of the Puerto Rican POWs and Political Prisoners.

As internationalists, we recognize that we have a common enemy, and to defeat it we must struggle and resist together. We have dedicated our lives and have sacrificed our individual freedoms to build this solidarity.

Commandante Don Juan Antonio Corretjer was one of the greatest examples to us of international solidarity. From him we understood that Latin America can not be wholly free until Puerto Rico is free. The practice of the Puerto Rican people has been internationalist historically. Recently Cuba and Mexico have responded in kind, by guaranteeing the freedom of Puerto Rican patriot William Guillermo Morales.

Inside the Yanqui prisons we have forged day-to-day solidarity and comradeship with Puerto Rican POWs and political prisoners. We have lived and worked together, and share a common struggle against the forces of repression. Our lives have been enriched by the precious relationships we have developed with these comrades.

The Nicaraguans say "Solidarity is the tenderness of the peoples of the world." Our love for the heroic Puerto Rican people, for the beautiful mountains and seacoasts of this island nation, and for its rich history of unfaltering resistance causes us to rededicate ourselves -- today and always -- to fight on every front until Puerto Rico is free.

Laura Whitehorn	Linda Evans	Timothy Blunk
Susan Rosenberg	Marilyn Buck	Alan Berkman

North American Anti-imperialist political prisoner
"Resistance Conspiracy" defendants.

THE CASE DOCUMENT

The "Resistance Conspiracy Case" (U.S. v. Whitehorn, et al. Criminal No. 88-0145) is a political prosecution against seven anti-imperialist activists, Laura Whitehorn, Marilyn Buck, Linda Evans, Susan Rosenberg, Dr. Alan Berkman, Timothy Blunk and Elizabeth Ann Duke (not in custody). The indictment charges them with conspiracy "to influence, change, and protest policies and practices of the United States government concerning various international and domestic matters through the use of violent and illegal means," and four counts of aiding and abetting bombings in the District of Columbia between 1983-85. These bomb attacks against the US Army War College, the US Naval Computer Center and Officers' Club at the Washington Navy Yard and the US Capitol building resulted in damage to buildings but no injuries whatsoever. Statements distributed after these actions identified them as acts of resistance against state terrorism, war crimes and other violations of international law carried out by the Reagan Administration. This prosecution is one of many that are being used to suppress opposition to these policies.

US POLICIES AND PRACTICES OPPOSED VIOLATE INTERNATIONAL LAW.

These seven people have been anti-imperialist, anti-racist and women's liberation activists for many years. Their lives have been dedicated to fighting for human rights and in particular, the right of nations to self-determination. The present indictment charges them with organized resistance to US support for apartheid in South Africa; US sponsorship of the Contra army in Nicaragua; the invasion and occupation of Grenada; US air attacks against Libya and naval bombardment in Lebanon; US colonialism in Puerto Rico; US support for Israel's oppression of the Palestinian people; racism and national oppression inside the US itself, particularly the oppression of the New Afrikan/Black nation; and US support for the Salvadoran military's war crimes against its own civilian population. All of these policies and practices constitute clear violations of international and/or US domestic law.

This prosecution seeks to suppress domestic opposition to the Reagan Administration's international criminal activities by criminalizing popular resistance. This resistance is encouraged or mandated by United Nations Declarations, Resolutions, International Covenants, Programmes of Action, Human Rights Conventions as well as basic human decency.

CRIMINALIZATION OF POLITICAL ASSOCIATION

The government does not claim to know who actually carried out the charged bombings. Through the use of conspiracy and aiding and abetting statutes, the Justice Department targets the coming together of people within a social movement to intervene in the perpetration of war crimes and genocidal policies. This prosecution is designed to set a precedent for convicting people of substantive acts solely by proving political association or common political purpose. US conspiracy law is used to criminalize the politics of anti-imperialist resistance. Proof of political agreement or advocacy becomes proof of membership in a "conspiracy" or "illegal organization." One thus charged is culpable for any and all actions undertaken in the furtherance of this state-defined "conspiracy."

DEFINING POPULAR RESISTANCE TO US WAR CRIMES AS "TERRORISM"

The Reagan/Bush Administration has sought to legitimize its illegal aggression upon national liberation and anti-imperialist movements as "fighting international terrorism." Inside the US, popular resistance to these practices is labelled "domestic terrorism"; internationalist solidarity is called "aiding and abetting terrorism". The Meese Justice Department has promoted this logic to justify massive illegal FBI surveillance, wire-tapping, break-ins, infiltration, and harassment against a wide range of social movements such as those building solidarity with the peoples of Central America and Southern Africa. "Terrorism" is evoked to subvert democratic rights and transform the legal system into a tool of counter insurgency. The government labels political activists as "terrorists" and then asks the court to hold them under preventive detention with no bail because terrorists are dangerous to the community. All of the defendants were denied bail and held in preventive detention; Laura Whitehorn has spent 32 months in this status as of January 1989. The grand jury is frequently used to investigate political movements; contempt of court and of the grand jury have functionally become forms of preventive detention that have been used against almost all of the defendants in the instant case.

A fair trial by an impartial jury has become impossible in this case. Through a combination of an FBI-orchestrated media campaign and a paramilitary exhibition of police power around the courthouse, the government has created a climate of fear and intimidation. For the first time in a US Federal courtroom, a bulletproof plexiglass wall has been erected between the spectators' gallery and the dock. Video surveillance cameras in the courtroom turn the trial into an intelligence-gathering operation for the FBI

POLITICAL PRISONERS SUBJECTED TO EXCESSIVE SENTENCES AND ABUSIVE CONDITIONS OF CONFINEMENT

Since their arrests in 1984-85 these six people have already endured 15 prosecutions and 9 full jury trials on charges repeated the present indictment. By pyramiding charges and sentences, five defendants are already serving sentences ranging from 12-70 years. Susan Rosenberg and Timothy Blunk received 58 years for mere possessory offenses -- the longest sentences ever given on those charges. Susan Rosenberg was one of 3 women political prisoners designated to the experimental Lexington Female High Security Unit (HSU) where she was subjected to small group isolation and psychological abuse. This Unit was condemned by Amnesty International and was later closed pursuant to a federal court ruling that held that Ms. Rosenberg and the other political prisoners had been improperly designated there based upon their political associations and beliefs. Timothy Blunk and Alan Berkman are both designated to the US penitentiary at Marion, Illinois, - the only other US prison monitored by Amnesty International. Since 1983, Marion has become a total "lock-chain" prison where prisoners are held in solitary confinement 23 hours a day.

Upon being transferred to the District of Columbia Central Detention Facility in May, 1988, for 4 months all six defendants were held under oppressive conditions of confinement as "Special Handling" prisoners. This meant 23½ hours a day cell confinement, a total contact ban with other prisoners, being shackled hand and foot whenever they left their units, including legal meetings. Access to attorneys has been restricted. Full strip searches are required of defendants following each legal meeting. All the defendants have been denied outside recreation since their arrival at the D.C. Detention Center.

These conditions violate many tenets of the United Nations Standard Minimum Rules for the Treatment of Prisoners. They have exacted a physical and psychological toll from all of the defendants. Dr. Alan Berkman contracted and has been treated for Hodgkin's Disease since his incarceration and is in a crucial period when a relapse is most likely. After 20 months in the Lexington HSU Susan Rosenberg is recovering from severe weight loss and psychological exhaustion. Marilyn Buck has been on trial continuously for 3½ years.

In summation, this case demonstrates that the US government is willing to subvert its own domestic law and basic democratic safeguards in order to prevent world condemnation of its violations of international law.

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You may contact the resistance conspiracy prisoners,

Laura Whitehorn	220-858		
Susan Rosenberg	233-412		
Linda Evans	233-411	at	D.C. Detention Center
Marilyn Buck	233-396		1901 D Street, S.E.
Timothy Blunk	233-410		Washington, D.C. 20003
Alan Berkman	233-315		

CASE HISTORIES AND BIOGRAPHIES

Name: Laura Whitehorn
Date of Birth: April 16, 1945
Nationality: U.S. Citizen
Incarcerated at: District of Columbia Detention Facility

I. Legal Cases

First Case: Charged by U.S. Government with participating in clandestine anti-imperialist resistance movement.

Arrested: May 11, 1985, at Baltimore, Maryland.

Pre-trial status: May 11, 1985 to the present. Within this period of nearly 4 years, one year was technically spent serving time on a related conviction, and 18 months spent serving time for contempt of court (see below). As a result, the actual time the court credits as preventive detention pending trial in Baltimore is now 20 months. (Appeal denied, August 1985).

Charges: Possessing and manufacturing false identification documents, assault on a federal officer, possession of illegal firearms.

Jurisdiction: U.S. District Court, Baltimore, Maryland.

Liability: 33 years.

Case Status: After one day of trial in January 1986, a mistrial was declared after the government introduced evidence that had been discovered and examined during an illegal warrantless search. A hearing in District Court then showed that most of the government's evidence had been seized as a result of that illegal search, and the court ruled to suppress that evidence. The government appealed this ruling. The lengthy delay in this case resulted from the appeal process. The result of that process was to allow the government to use all the illegally-seized evidence against the defendant.

This case will proceed to trial immediately upon resolution of the Washington, D.C. Resistance Conspiracy case.

Second Case: Accused of resisting a court order to provide handwriting samples to assist the FBI in its attempts to "investigate" and repress political dissent.

Charges: Civil contempt of court.

Jurisdiction: U.S. District Court, Baltimore, Md.

Liability: "Until trial or 18 months, whichever comes first." Served 18 months (January 15, 1987 - July 15, 1988). This time will not be counted against service of any other sentence.

Case Status: Sentence completed. Handwriting examples never furnished to government.

Third Case: Accused of building infrastructure of anti-imperialist resistance movement.

Charges: Making false statements to obtain a passport.

Jurisdiction: U.S. District Court, Southern District of New York.
Liability: 10 years.
Case Status: Convicted and sentenced to 2 years for one of the two counts in the indictment. Served one year of the two at FCI Pleasanton, California; granted parole "on the record;" parole completed as of September 19, 1988.

Fourth Case: Accused of conspiracy to resist U.S. war crimes - the "Resistance Conspiracy Case."
Indicted: May 11, 1988.
Preventive Detention: May 24, 1988 to the present. Appeal denied.
Charges: See case document.
Jurisdiction: U.S. District Court, Washington, D.C.
Liability: 45 years.
Case Status: Projected trial date: Spring, 1989.
Six of the seven co-defendants in this case are currently incarcerated in the Washington, D.C. Detention Center. All but Whitehorn are already serving lengthy sentences of 12 to 70 years.

II. HUMAN RIGHTS VIOLATIONS.

1. 32 months of "preventive detention".

While the U.S. promotes itself as having a fair and democratic legal system, the reality is that basic democratic rights have been systematically denied to members of the oppressed nations as well as to members of the oppressor nation who resist the government.

When Laura Whitehorn was held in Preventive Detention at a re-hearing in June of 1985, the court stated that she was a "danger to the community" and "a risk of flight" because she had stated that she "lives by revolutionary and human principles." The government has also accused her of trying to escape from custody twice in May of 1985.

Whitehorn's legal history (last conviction: 1969, for anti-war and pro-Black liberation demonstrations) and community ties mandate release on bail. Yet she remains held in preventive detention solely because of her political work and identity. This constitutes political internment.

2. A continuing pattern of government illegalities and violations of democratic rights.

This pattern includes:

A. An illegal arrest without probable cause, during which Whitehorn was confronted with shotguns and thrown to the

floor despite the fact that the FBI agents didn't even know who she was.

B. An illegal, warrantless 2-hour search of the apartment in which she was arrested. This search was conducted under the guise of a search for a bomb.

C. Illegal seizure of fingerprints through force. Two days after her arrest, Whitehorn was forcibly carried to FBI Headquarters and subjected to a second set of fingerprints, for purposes of investigation. When she refused to cooperate, she was thrown to the floor and, for 2 hours, 6 FBI agents physically forced her fingerprints to be taken.

3. Vindictive conditions of incarceration.

Following the January, 1986 mistrial and exposure of FBI illegal acts, Whitehorn was moved from one jail or prison to another, under conditions of "special security." After being held (usually in isolation) in 4 different detention facilities in 3 months, she was placed in Davis Hall at FCI Alderson, where she was held in solitary confinement while still a pretrial detainee. When she challenged this solitary confinement, she was told it was mandated for "security reasons" resulting from her "political history and associations."

In all, out of the 44 months she has been incarcerated, a full 12 have been spent in solitary confinement for political reasons.

4. Labelled a "dangerous terrorist" by the U.S. government.

For 20 years, Whitehorn has been an active participant in struggles for human rights and social justice. For this, she has been labelled a "terrorist" by the U.S. government. This serves to justify all types of human rights violations and "special security" procedures, beginning with her arrest in 1985 and continuing to the present. For example, Whitehorn was prevented from speaking to representatives of the media for the first 8 months of her incarceration.

5. "Special Handling" and "special security" procedures in the Resistance Conspiracy case.

All the co-defendants in the Resistance Conspiracy case were held in solitary confinement, locked in solitary cells for 23½ hours per day, at the D.C. Detention Center. It included being chained hand and foot throughout all legal visits and meetings.

These procedures and conditions - mandated by the government solely for political reasons - extend to the courtroom, where a bulletproof, plexiglass wall has been constructed to separate the

spectators from the rest of the court. In addition, special surveillance cameras are trained on the defense table and the spectator section, allowing the government to photograph and observe political supporters of the defendants as well as their families and friends.

These measures are designed to deny the defendants the right to a fair trial. They are stage props whose message is that these defendants are extraordinarily dangerous "terrorists."

BIOGRAPHY OF LAURA WHITEHORN

1. Born April 16, 1945 in Brooklyn, N.Y. Raised in a politically progressive Jewish family in Brooklyn and New Rochelle, N.Y. Paternal grandfather was a representative of the Socialist Party to the New York State Legislature. Raised in an atmosphere promoting human values including anti-racism, equality for women. Opposition to McCarthyist anti-communism was an early influence.

2. Participated in the Civil Rights Movement in the 1960's. Became active in the movement against the war in Viet Nam in the late 1960's.

3. These experiences convinced me that fundamental change would be necessary in order to stop U.S. war crimes against national liberation struggles inside the U.S. and around the world. In the late 1960's, I became an active supporter of the Black Panther Party in Illinois, and worked in the "Weatherman" sector of Students for a Democratic Society (SDS).

4. In December, 1969, the FBI and Chicago police assassinated Fred Hampton and Mark Clark, Black Panther Party members, killing them in their beds at night. Fred Hampton had been the Chairman of the Illinois Black Panther Party; it was clear that he was killed by the government because of his very strong leadership qualities and determination to fight for the liberation of his nation.

5. The murder of Fred Hampton, along with the attempt by the FBI to obliterate the righteous Black liberation movement through a program of assassination, false arrests, and other illegal operations, strengthened my determination to struggle for human rights. At the same time, movements for national liberation around the world were raising in practice the demand for human rights as the right to self-determination. And the U.S. government was exposed as the chief violator of those human rights, both domestically and internationally, using violent and illegal means.

6. From 1969 to the mid-1970's, I participated in building the anti-war movement and supporting the right of the Vietnamese

people to independence and peace. I was an activist in the lesbian and women's anti-imperialist movement in Boston, including leading a take-over of a Harvard building by over 400 women on International Women's Day, 1971, in solidarity with the Vietnamese people. The building was held for 11 days to protest Harvard's war research. I also helped found the Boston Women's Liberation School.

In 1975, I travelled to Viet Nam as a guest of the Viet Nam Women's Union, with 3 other women from the U.S., and returned to help raise material aid for the reconstruction process.

Also in the 1970's, I worked against racism in Boston, including organizing weekly protests and confrontations against the racist "Restore Our Alienated Rights" organization. I organized an extensive network of anti-racist whites who aided Black families by helping to guard their homes against nightly, armed racist attacks, over a period of 2 years.

In the mid-1970's, I helped to build the Puerto Rican Solidarity Committee in Boston, agitating against the U.S. colonialist domination of Puerto Rico. I also worked in support of the 1971 Attica Rebellion and in defense of the prisoners prosecuted by the government for the Rebellion.

Throughout this time, as FBI documents later acquired through the Freedom of Information Act show, I (and my family) was a target of FBI investigation (including illegal surveillance, physical attack and threats). I was targeted in the FBI's attempts to disrupt the Weather Underground Organization, the revolutionary Black nationalist movement, the Prairie Fire Organizing Committee (a national, anti-imperialist organization) and, more generally, the "New Left."

7. In the late 1970's, I moved to New York City to pursue my commitment to building anti-imperialist resistance. I worked with the John Brown Anti-Klan Committee (a national organization of solidarity with the Black liberation movement and opposition to the KKK and all forms of organized white supremacy and Zionism), to fight the Klan in the Northeast. I worked to expose and defeat the FBI's COINTELPRO (Counter Intelligence Program) and to support Black/New Afrikan Prisoners of War and political prisoners. I worked in various campaigns in support of national liberation wars, such as that for the independence of Zimbabwe and for self-determination for the Palestinian people, along with the May 19 Communist Organization. I worked in support of Puerto Rican Independentistas jailed for refusing to cooperate with the FBI's hunt for the F.A.L.N (Fuerzas Armadas de Liberacion Nacional.) I was a member of the Madame Binh Graphics Collective, which produced popular forms of artwork to raise material and political aid for struggles for national liberation. I have consistently participated in the revolutionary struggle

for the liberation of women and an end to the oppression of lesbians and gay men.

8. Through all of these activities, I have supported the internationally-recognized right of oppressed peoples to win their human rights by all forms of struggle, including armed struggle. This included explicit support for the revolutionary armed organizations of the Black liberation struggle/New Afrikan Independence movement and the Puerto Rican Independence Movement - particularly the Black Liberation Army (BLA), and Fuerzas Armada de Liberacion Nacional (FALN).

9. In 1981, following the attempted expropriation of funds from a Brinks truck in Nyack, NY, the FBI increased its persecution of the Black liberation movement and white anti-imperialist movement of which I was a part. Once again, the pattern was emerging: the U.S. violates human rights, causing extensive suffering and the distortion of basic human values. Those oppressed and exploited by these violations organize themselves to oppose them and to challenge the power of U.S. domination. The U.S. responds by using violent and vicious means to attack and destroy the opposition.

During the early 1980's, I went "underground" to help develop the anti-imperialist movement's capacity to struggle effectively for social change and an end to U.S. war crimes. As a political prisoner, I continue to apply my energies to building anti-imperialist resistance.

Name: **Susan Lisa Rosenberg**
Date of Birth: **October 5, 1955**
Nationality: **United States Citizen**
Incarcerated at: **District of Columbia Detention Facility**

I. LEGAL CASES:

First Case: Accused of conspiracy as part of Black Liberation Movement/New Afrikan Independence struggle and its supporters.

Indicted: September 1982.

Charges: Conspiracy, racketeering, bank robbery, murder, aiding and abetting the prison liberation of Black Liberation Army member Assata Shakur (Joanne Chessmard).

Jurisdiction: Southern District of New York, U.S.A.

Basis and Details: The U.S. government alleges Susan Rosenberg to be a member of North American support group to the Black liberation Army. Stemming from the so-called "Brinks" investigation the U.S. government launched a sweeping probe into the Black movement targeting over 30 people for criminal prosecutions, grand jury subpoenas, and harassment.

Case Status: In August, 1985, the indictment was dismissed by the U.S. government. Upon arraignment for this indictment in July, 1985, Susan Rosenberg pled not guilty and requested to be tried for the charges.

Second Case: Accused of conspiracy and aiding in building clandestine infrastructure.

Indicted: November, 1984.

Charges: Conspiracy and seven counts of possession of weapons.

Jurisdiction: District of New Jersey-Newark.

Basis and details: Arrested with Timothy Blunk while moving material for anti-imperialist clandestine resistance. First North American defendants held under 1984 Bail Reform Act authorizing use of preventive detention. Asserted international law defense at trial claiming protection of resistance to U.S. war crimes under United Nations (UN) Charter, UN Resolution, Declarations and programmes of Action as well as Nuremberg and Geneva Protocols. This defense was denied presentation before the jury. Mr. Blunk and Ms. Rosenberg received sentences of 58 years. These sentences were longer than any ever given for comparable charges. All appeals have been denied.

Third Case: Current. Charged with political conspiracy to change U.S. foreign and domestic policies, and aiding and abetting damage to federal property through explosives.

Indicted: May 11, 1988

Charges: Conspiracy, aiding and abetting in bombing U.S. military and government property.

Status: Pre-trial detention.

Jurisdiction: U.S. Federal Court District of Columbia.

Basis and Details: See "Case Document."

II. HUMAN RIGHTS VIOLATIONS

1. My entire life has been dedicated to the social movements for equality, justice, and peace and for an end to my own government's role in violating the right of self-determination for oppressed nations and peoples. Everything I have done has been toward those ends. The most profound human right violation by my government against my person has been its unceasing attack on my political identity. It is a recognized international responsibility to resist injustice, genocide, and crimes against peace and humanity, and not a common crime.

2. I have been imprisoned for 50 months. Over 36 months of that has been spent in either solitary confinement or in small group isolation, a recognized form of psychological maltreatment. The U.S. government in the form of the federal Bureau of Prisons has said explicitly the purpose of this treatment is to force me to renounce by political beliefs and my political associations. This treatment is not the result of disciplinary infractions.

3. Under United States sentencing guidelines, my conviction carries a maximum of 8 years. Tim Blunk and I were both sentenced to 58 years in prison. It is the longest sentence ever given for the type of conviction. The sentencing judge recommended no parole, and suggested we read anti-communist tracts such as "the God that Failed." Our appeals have been exhausted. Without international recognition, and therefore pressure placed on the United States government, this injustice will go unchanged.

4. While I have been incarcerated I have been sexually assaulted by Federal Bureau of Prisons (FBOP) personnel. On September 29, 1986, the day I was transferred from the all male correctional facility (where I had been held for 11 months) to the isolation unit at Lexington I and another political prisoner were taken in handcuffs to the hospital where we were informed that rectal and vaginal examinations were to be performed. We were told not to resist so it would "go easier." We were cuffed at the feet and then cuffed behind the back. Five women officers forced me into a bent position, took down my pants, and held me while a male physician forcibly rammed his fist into my anus and vagina causing me to hemorrhage. No "contraband" was found. This kind of search is <u>not</u> standard procedure for women prisoners in the FBOP.

5. From October 29, 1986 through May 21, 1988, I was entombed in the experimental underground small-group isolation unit for women political prisoners in Lexington, Kentucky. I was the first prisoner designated to this unit and spent the first 2 1/2 months there with one other political prisoner. The purpose of the isolation, sensory deprivation, psychological maltreatment and sexual abuse was to destroy our political identities and our will. The conditions violated all of our human and political rights and failed to meet the UN minimum standards in the treatment of prisoners. The High Security Unit was condemned by Amnesty International (see attached copies of Amnesty International's findings), the European Parliament, the Puerto Rican Legislature, the United Methodist Church, the United Church of Christ, the American Civil Liberties Union, and other civic and religious organizations.

6. A US federal law suit was filed challenging our placement at the HSU as a violation of our First Amendment rights, challenging the conditions of confinement as cruel and unusual, and in violation of international law as torture for political prosecution. The initial ruling in <u>Baraldini v. Meese</u> Civ.No. 88-0764 (BDP) was in our favor. The U.S. government has appealed this decision. The Federal Bureau of Prisons has not complied with the court's ruling to place us in a general population.

7. All of us who were in the HSU suffered symptoms associated with long periods of isolation and solitary confinement. The physical effects, as well as the mentation exhaustion and strain have gone unrecognized by the authorities. The need to regain health, and recover from this treatment is mandated by experts in this field. However, in my case after 20 months I was sent to the District of Columbia Detention facility and held in 23 1/2 hours lock up-solitary confinement in physical conditions far worse than I had experienced to date. These conditions have included the complete denial of <u>any</u> outside recreation for over 8 months. No access to physical or work programs.

BIOGRAPHY OF SUSAN ROSENBERG

1. I was born in New York City in 1955. I am a revolutionary, an anti-imperialist, and a political prisoner. I am a doctor of traditional Chinese medicine and acupuncture. I have been actively involved in radical political social movements since I was a high school student.

2. I am the only child of a politically progressive, active family. My family encouraged my early search for social justice, anti-racism, and the equality of women. My parents were involved in the civil rights, anti-war, and anti-nuclear movements. As a child I was indirectly touched by the impact of the anti-communist McCarthy blacklist.

3. As a result of these influences together with the profound hypocrisy of the legacy of American democracy versus the ugly reality of the US war against Vietnam, the systemic racism against Black and Puerto Rican people, and the subjugation of women, I joined the massive social movement of the 1960's as soon as I was old enough to do so. Before I was 15 years old, the COINTELPRO of the U.S. Federal Bureau of Investigation had assassinated Malcolm X, Martin Luther King, and Fred Hampton, all of whom had been at the height of their political energies in providing leadership to the Black movement, and an alternative vision to American society.

4. In 1969/70 I joined the High School Student Union, the high school branch of Students for a Democratic Society (SDS). Together with the Black Panther Party and the Young Lords Party we organized against the Vietnam war and did community organizing.

5. In 1972 I went to Barnard College and became active in the Women's Liberation Movement. The struggles of women within the national struggles for liberation and independence were an important model. In 1973 the second U.S.-Vietnam Women's Conference in Montreal, Canada was organized. I was fortunate enough to attend.

6. From 1973 to 1976 I was active in the New York City anti-imperialist left and in the women's liberation movement. My activities included work in defense of political prisoners. Specifically, we supported captured Black Liberation Army members Assata Shakur, Sundiata Acoli, and Geronimo Pratt; work in support of Chilean resistance against the Pinochet dictatorship; work in support of Puerto Rican independence; organizing a community-based women's school in Brooklyn, New York. Throughout this time I was a member of a women's singing group that was part of the radical movement's efforts to create an alternative culture. In 1976 I traveled to Cuba on the Ninth Venceremos Brigade.

7. These years crystallized my consciousness as an anti-imperialist. The U.S. role in the overthrow of the democratically elected Popular Unity government in Chile, the ongoing genocide against Vietnam, and the U.S. support for the white minority regimes in Southern Africa led me to conclude that the U.S. government did not respect the right of peoples and nations to self-determination, nor did it respect internal broad forces for democratic popular change.

8. This was a period of intense confrontations between the Black liberation movement and U.S. police forces as part of the developing struggle for Black/New African national liberation inside America. The right to self-defense and self-determination by Black people was (is) a direct challenge to the dominance of white supremacy. The right of oppressed peoples to actively defend themselves from the repressive attacks by the State (police forces) became apparent to me as Third World youth were shot by police, destroyed by the drug plague, or forced into the armed forces. This was also a period when thousands of Black activists and revolutionaries were jailed for resistance to racist violence and oppression. As a white North American, I felt compelled to respond.

9. In 1976 I became involved in community-based anti-drug work at the Lincoln Hospital Drug Detoxification Program. The staff there organized against methadone maintenance as a form of drug treatment. We used acupuncture as the main method of treatment. We defined addiction as a social disease, we lobbied for decriminalization of addiction. We saw the drug plague as chemical genocide against an entire generation of Black, Puerto Rican and poor youth. Our medical work, coupled with our radical positions, made me a target of the New York City "Red Squad" (police intelligence division) and a candidate for placement on the Federal Bureau of Investigation's "radical index."

10. This was a most challenging time for me. I trained for three years as a doctor in the field of acupuncture and Chinese medicine. I went from an intellectual relationship to human suffering and oppression to a physical and personal involvement.

I learned about humility and compassion from people U.S. society long ago condemned and I am privileged to have had that experience. I learned that revolutionary change is about serving the people.

11. In this period I worked with the May 19th Communist Organization, the John Brown Anti-Klan Committee, and the New Movement in Solidarity with Puerto Rican Independence. I was also involved in support of national liberation movements in Southern Africa and with the people of Palestine. I came to see the U.S. role in aiding and abetting these racist governments as U.S.-sponsored state terrorism, and that it was incumbent on us as U.S. citizens to stop United States aggression through active resistance to U.S. military power.

12. In 1981 and 1982 the FBI's "Joint Terrorist Task Force," under the guise of investigating the so-called "Brinks" case, targeted Black/New Afrikan activists and their supporters, including doctors and health care workers associated with the Black Acupuncturist Advisory Association of North America (BAAANA). Alleged "suspects" in that investigation -- many of whom were my colleagues, patients and friends -- had their lives destroyed by this prosecution. Some people were hunted, tortured and killed by U.S. police forces. Many were jailed rather than cooperate with the sweeping grand jury probe into the Black Liberation Movement and its support. The clinic where I worked was raided by the FBI-SWAT forces. I (along with associates Dr. Berkman, Dr. Shakur, Silvia Baraldini, and others) became a target of the investigation and was indicted in September, 1982. My family was threatened by agents of the FBI and told the FBI had "shoot to kill" orders on me. I went underground into the clandestine movement.

13. In November, 1984, Timothy Blunk and I were arrested in New Jersey. My bail was first set at five million dollars, then lowered to one million, and then we were both placed in preventive detention. We were the first North Americans held under the 1984 no bail laws. We were tried and convicted of possession of weapons, explosives, and identification. We represented ourselves at trial and took the position that we were part of the clandestine anti-imperialist resistance, and that the U.S. was guilty of war crimes and international law violations. We were given the longest sentence for weapons possession in U.S. history, 58 years. In August, 1985, the original charges from the first indictment were dismissed by the government.

14. Upon sentencing, I was designated by the Bureau of Prisons to serve my sentence in the small-group isolation high-security unit at Lexington, Kentucky. It was the first political prison for women political prisoners in the United States. Small group isolation is a recognized form of psychological maltreatment by all human rights organizations internationally. I spent

20 months in this unit. (See attached Covert Action article in appendix.) The Bureau of Prison's application of the denial system (a known form of counter-insurgency) to the women political prisoners was employed to break our political identities and our spirit of resistance. While we all suffered physical consequences from this isolation, our spirits overcame the "man's" technological techniques. In my four years of continual incarceration, over three years have been spent in solitary confinement or small-group isolation. All appeals of the first conviction have been denied.

15. In May, 1988, I was indicted in the current case and charged with participation in a political conspiracy to "influence, change, and protest U.S. foreign and domestic policies." Until we live in a world free of apartheid, of occupations, and human suffering resulting from the avarice this decaying system, resistance to U.S. war crimes will continue -- inside and outside its borders. Venceremos.

Name: **Linda Evans**
Date of Birth: **May 11, 1947**
Nationality: **United States Citizen**
Incarcerated at: **District of Columbia Detention Facility**

I. **LEGAL CASES**

First Case: Building infrastructure for anti-imperialist clandestine resistance.

Jurisdiction: U.S. District Court, Southern District of New York.

Pre-trial Status: $350,000 bail (consolidated with cases below).

Charges: Harboring a fugitive, felon in possession of a weapon; transporting a weapon interstate.

Liability: 17 years total.

Basis and Details: Charges arise from FBI pursuit of Ms. Evans and Marilyn Buck, both who had long histories of revolutionary political opposition to the U.S. government. They were arrested together in May, 1985, in New York; both were armed at the time of their arrest. The trial incorporated testimony about Ms. Evans' 20-year history of political activism and continuing harassment by the FBI. It attempted to expose the FBI's use of "anti-terrorism" as a cover for a systematic counter-insurgency strategy to destroy opposition to the U.S. government.

Result: Harboring a fugitive: Hung jury - Re-trial; transporting a weapon interstate: acquittal; felon in possession of a weapon: conviction, with a note from the jury stating that they felt the law was unconstitutional and that participation in political demonstrations should not be subject to felony prose-

cution. Ms. Evans was sentenced to 2 years in prison, the maximum sentence.

Case Status: Appeal denied; Reduction of Sentence denied.

Second Case: Building infrastructure for anti-imperialist clandestine resistance.

Jurisdiction: U.S. District Court, Southern District of New York.

Pre-trial Status: $350,000 bail (continued from above)

Charges: Harboring a fugitive.

Liability: 5 years.

Basis and Details: Re-trial of harboring a fugitive (Marilyn Buck) because of a mistrial in the previous case. Ms. Evans spoke as her own attorney, pro se.

Result: Conviction; Ms. Evans was sentenced to 3 years consecutive to the 2 years' sentence previously imposed.

Case Status: Appeal denied; sentence reduction motion denied.

Third Case: Building infrastructure for anti-imperialist solidarity and clandestine resistance.

Jurisdiction: U.S. District Court, District of Connecticut.

Pre-trial Status: $350,000 bail (consolidated).

Charges: Harboring a fugitive; false statements to obtain a driver's license - 2 counts; false statements to obtain a social security number; use of another person's social security number; possession of a document-making device (photographic negative of Puerto Rico driver's license) with intent to manufacture false identification.

Liability: 30 years total.

Basis and Details: Charges arose from Ms. Evans allegedly obtaining two Connecticut drivers' licenses in false names, using another person's social security number on a forged social security identification card, and obtaining a social security number using a false name. The negative of the Puerto Rico driver's license was found at a printshop where Ms. Evans was employed as an offset printer; allegations are that she manufactured false identification for use by revolutionaries concealing their identities. Ms. Evans was also alleged to harbor Ms. Buck, a revolutionary comrade, in Connecticut as well as in Maryland and New York.

Result: Pre-trial litigation exposed extensive FBI misconduct during the investigation of these charges, including FBI agents lying to the Grand Jury by misrepresenting and distorting facts, and by prejudicing the Grand Jury by identifying Ms. Evans and her comrades as "terrorists."

Case Status: All charges dismissed because of government misconduct.

Fourth Case: Acquisitions and infrastructure of building an armed clandestine resistance.

Jurisdiction: U.S. District Court, Eastern District of Louisiana.

Pre-trial Status: Preventive Detention.

Charges: False statements to purchase firearms and ammunition - 11 counts.

Liability: 40 years.

Basis and Details: Charges arose from 3 separate purchases of a total of 4 firearms and 3 boxes of ammunition. The only illegality alleged is Ms. Evans' use of a false name. This indictment was designed to maximize the potential prison sentence for purchasing 4 legally available firearms, by charging each purchase in several separate counts. During the course of the trial preparations, Ms. Evans refused to cooperate with the FBI investigation by refusing to supply the government with a handwriting exemplar. She was sentenced to contempt of court and served 6 months in prison that will not be credited to completion of her overall sentence.

Result: Conviction on all counts; Ms. Evans was sentenced to the maximum legal sentence, 40 years.

Case Status: Appeal partially granted: ammunition purchases consolidated with weapons purchases, for a total sentence of 30 years.

AGGREGATE CURRENT SENTENCE: 35 YEARS

CURRENT CASE (PENDING) "Resistance Conspiracy Case" Conspiracy to resist U.S. war crimes.

Jurisdiction: U.S. District Court, Washington, D.C.

Pre-trial Status: Preventive Detention (Sentenced prisoner)

Charges: Conspiracy, aiding and abetting malicious destruction of Federal property - 4 counts.

Liability: 45 years total.

Basis and Details: See "Case Document."

Case Status: Pre-trial; Projected trial date in Spring, 1989.

II. HUMAN RIGHTS VIOLATIONS

1. 20-year pattern of FBI harassment.

Since 1967, when Ms. Evans first became a political activist working against U.S. aggression against Vietnam and against racism inside the U.S., the FBI has targeted her for illegal surveillance, harassment, and abuse of her democratic rights. Starting in 1969, when she was a leader of Students for a Democratic Society (SDS), she was subjected to illegal wiretapping of her personal and organizational telephones, illegal electronic eavesdropping in the organizations' offices and in her home. Her employers and neighbors were harassed by the FBI and questioned about her activities and associates. Her mail was opened and her correspondents were investigated. On numerous occasions through these 20 years, her homes and workplaces were broken into for

intelligence-gathering purposes. She was often followed by the FBI in the course of her daily life and political activities; she was routinely photographed for illegal surveillance purposes. All of this illegal surveillance activity by the FBI contravened its own guidelines and violated Ms. Evans' rights to freedom of political expression and association guaranteed under the U.S. Constitution. It was clearly designed to deter her from opposing U.S. practices that are recognized internationally as war crimes and crimes against humanity.

2. Abuses of the Judicial Process.

The primary abuse of the judicial process suffered by all U.S. political prisoners and POWs is that they are prosecuted under criminal statutes with no recognition of the political motivations of their actions or any recourse to the higher law of international covenants for vindication of their acts.

Since 1985, Ms. Evans has been subjected to 5 lengthy litigation processes designed to bury her in prison for the rest of her life. Because of the structure of the current indictment, she can be re-tried and sentenced to additional prison time for acts for which she has already been sentenced. Besides the pyramiding process of being subjected to trial after trial, with the concomitant accumulation of prison sentences, previous indictments have been specifically structured to charge the same acts as violations of several statutes at once, so her potential prison sentence is maximized.

The sentence imposed on Ms. Evans in Louisiana is an example of the grossly disproportionate sentences imposed on U.S. political prisoners. Because she has no history of criminal activity, the recommendation of the court's pre-sentence investigation was that she be sentenced to a prison term of 12 to 18 months; instead the judge sentenced her to 40 years. People convicted of similar acts (false statements to purchase legal firearms) have been overwhelmingly sentenced to probation without any prison time. In the same Louisiana district court, the national leader of the Ku Klux Klan (a white supremacist, anti-Semitic hate group) was sentenced for a conspiracy to invade the Black Caribbean island of Dominica. He was arrested with 10 other men, all trained in and prepared for paramilitary activity, with an entire boat load of fully-automatic, illegal weapons, ammunition, and over $500,000 in cash. He received only a 10-year sentence and was released after serving 24 months. The bias of the courts is clear: encouraging white supremacist violence while attempting to entomb an activist who has fought her whole life against racism and to support human rights.

3. Medical Neglect.

December 14, 1986, Ms. Evans sought a days' medical leave from her prison job in the carpentry shop at FCI - Pleasanton. The medical leave was denied. She was forced to go to work with a severe migraine headache, after the medical staff administered the wrong medication. As a result of taking this drug, Ms. Evans became dizzy and fell down a concrete stairway, breaking her right shoulder. Although she experienced constant pain and difficulty in moving her shoulder, the fracture was not detected until nearly 3 months later when she forced her way into a consultation with an outside-contracted, civilian orthopedist. Calcification and permanent injury had already occurred as a result of this negligence, and even at present Ms. Evans is being denied proper treatment and physical therapy.

4. Conditions of Confinement.

Throughout her imprisonment, Ms. Evans has been subjected to solitary confinement and particularly onerous treatment because of her unwarranted "maximum security" classification. See "Case Document."

BIOGRAPHY OF LINDA EVANS

1. I was born May 11, 1947, in Fort Dodge, Iowa, a small farm community. My father was a partner in an industrial construction company; my mother was a school teacher before the birth of her two children, my younger brother and myself. I graduated from high school in 1965 as valedictorian of my class of 500, and attended college at Michigan State University in East Lansing, Michigan, for about 1½ years.

2. In 1967, I left my studies to become a full-time political activist, motivated by the Black Liberation movement, and to build a popular movement against the U.S. war in Vietnam. I became managing editor of a radical, community-based newspaper, and "regional traveller" for Students for a Democratic Society (SDS), responsible for organizing new chapters of SDS in colleges and high schools throughout Michigan and Ohio. Our major program emphases were fighting racism in schools, universities, and surrounding communities, and developing an anti-imperialist popular offensive to stop U.S. aggression against Vietnam. I was arrested, teargassed and beaten by police for the first time in a 1967 mass mobilization at the Pentagon to stop the war in Vietnam.

3. In June of 1969, I represented SDS and the youth sector of the U.S. anti-war movement on a delegation invited to the Democratic Republic of Vietnam to receive U.S. POWs released in a gesture of friendship with the people of the U.S. We travelled throughout the most heavily bombarded areas of North Vietnam

during out 21-day stay. This trip transformed my consciousness about the legitimacy and need for armed struggle to achieve victory in the fight for national self-determination. I returned from Vietnam committed to the destruction of U.S. imperialism and to internationalist solidarity with national liberation struggles. From the Vietnamese people and the socialist organization of their society, I had witnessed how socialism can benefit the masses of people, and I became an anti-imperialist revolutionary, dedicated to social revolution inside the U.S.

4. On my return from Vietnam, I spoke out extensively against the war and participated in numerous demonstrations, including the SDS-Weatherman "Days of Rage" in Chicago. I was arrested, burned by mace, and beaten by police several times during the demonstrations, and was charged with "aggravated assault on police" as a result of these confrontations. I became a target for FBI harassment and continuing surveillance. Years later, I learned that the illegal break-ins into my homes and organizational apartments, infiltration of my political organizations by police agents, surveillance of my mail, harassment of my family, employers, and neighbors were all part of the infamous COINTELPRO (Counter-intelligence program) for the FBI, designed to destroy the Black Liberation movement and other progressive and national liberation movements in the U.S.

5. One direct result of the FBI's COINTELPRO activities was a 1970 Federal indictment brought against me and several others for organizing the Days of Rage SDS demonstration. I was charged with "crossing state lines to incite riot" and "conspiracy". Later that year I was charged in another indictment with violations of federal firearms statutes. Both indictments were dismissed after extensive litigation proved that all the government's "evidence" had been manufactured through police agent-informants or obtained through illegal searches and illegal electronic surveillances.

6. In 1975 I moved to Austin, Texas, and did anti-imperialist organizing and educational work in the community. I worked in the prisoners' rights/prison reform movement, including directing a prison project that sponsored literacy, legal skills, and vocational classes in the Travis County Jail. I worked with various community organizations that did agitational educational/solidarity work with national liberation movements in Latin America and the Caribbean. I was a founding member of the Austin Committee for Human Rights in Chile, which raised material aid for the popular opposition to Pinochet, and sponsored films, educational forums, and numerous demonstrations. I was a member of the Bertolt Brecht Memorial Guerrilla Theatre Troupe, which wrote and produced political agitational plays. I was also a musician/singer in an all-women's political band that performed at community benefits, on picketlines, at strikes, and at demonstrations.

7. In 1977 I learned to operate offset printing presses and was a founding member of a women's printing and graphics collective that operated a non-profit community printshop. The press collective emphasized training women in graphic arts and printing skills, particularly women from the Black and Chicano/Mexicano communities.

8. During these years, I did extensive political organizing in the women's liberation movement to build support for national liberation struggles and to build opposition to racism/white supremacy among white North Americans. I also did political work around issues that directly affected women and children against racist cutbacks in bilingual education and reproductive rights, and opposition to forced sterilization of welfare mothers, most of whom were Black and Chicano/Mexicano women.

9. In Austin and later state-wide in Texas, I was a founding member of the John Brown Anti-Klan Committee (JBAKC), a national organization dedicated to fighting white supremacy worldwide and inside the U.S. JBAKC worked actively with Black and Chicano/Mexicano community organizations to organize militant opposition to police brutality and murder of Third World youth and to the forced urban development that was destroying Third World communities. JBAKC led an active state-wide campaign to stop racist organizing by the Ku Klux Klan, circulating petitions door-to-door against Klan paramilitary training camps and organizing massive demonstrations against Klan/Nazi marches and their use of television, radio, and print media. We also worked in anti-zionist coalitions to support the Palestinian struggle for self-determination. Part of JBAKC's program was to organize material aid to liberation forces in Southern Africa: we sent shoes and watches to ZANLA guerrillas in Zimbabwe, and sponsored a "Dollars for Bullets" campaign for the PLAN and SWAPO. We also organized support for the liberation from prison of Black Liberation Army leader Assata Shakur and generally worked to support other Black/New Afrikan political prisoners and POWs.

10. As a member of May 19th Communist Organization, I also helped raise material aid for the ZANU Women's Union School in Zimbabwe and organized numerous educational/agitational/material aid campaigns that emphasized the importance of international solidarity: building support for the Puerto Rican independence movement, the actions of its patriotic armed clandestine organizations, and for the release of Puerto Rican political prisoners and POWs; doing educational work around issues of Native American sovereignty and support for Native American POW Leonard Peltier. In Austin, I also worked in coalitions with the Committee in Solidarity with the People of El Salvador (CISPES) to build support for the FMLN/FDR in El Salvador and for the Sandinista revolution in Nicaragua.

11. For the several years prior to my arrest in 1985, I participated in building a clandestine resistance movement in the U.S., dedicated to socialist revolution in the U.S. and to international, anti-imperialist solidarity with national liberation struggles. My current legal situation as a political prisoner is detailed in the preceding case document.

Name: **Marilyn Jean Buck**
Age: **41**
Nationality: **United States citizen**
Incarcerated: **District of Columbia Detention Facility**

I. LEGAL CASES

First Case: Purchase of Legal Ammunition Using Identity Other Than Own.
Arrested: March 21, 1973
Bail Status: $100,000 cash surety unable to post such excessive amount of money. Detained.
Charges: Using false information to purchase handgun ammunition.
Jurisdiction: U.S., Northern District of California, San Francisco.
BASIS AND DETAILS: Indicted in March 1973. The Bureau of Alcohol, Tobacco & Firearms (BATF) and San Francisco Police Department raided a friend's home where she was staying. There were children in the house. An illegal search ensued. Upon arrest, the police threatened her with death. The police also threatened to harm and kidnap the two children, if she did not agree to denounce political allies and beliefs and to work for the government. She was accused of being "the sole white member of the Black Liberation Army" and supplying weapons to this political/military organization which arose out of the struggle for the human rights of Black people. The ammunition Marilyn Buck was charged with purchasing illegally was found in the house where she was arrested.
Bail was set for $100,000.00 cash which was not obtainable. In the course of pre-trial proceedings, numerous instances of U.S. government electronic surveillance came to light, including National Security electronic surveillance.
She was sentenced to 10 years, the longest sentence ever given out for such an offense, at that time. The usual sentence for such an offense was probation.
CASE STATUS: All appeals, including to the Supreme Court were denied.

Second Case: Possession of a Firearm at time of Arrest
Arrested: May 11, 1985
Bail Status: See Fourth Case.

Charges: Transporting a firearm across state lines while a fugitive.

Jurisdiction: U.S. Southern District of New York.

Liability: Convicted and sentenced to 5 years consecutive to previously imposed sentences on prior politically-motivated offense convictions.

Basis And Details: Under threat of death, Marilyn Buck was targeted by the FBI and the Joint Terrorist Task Force (JTTF). She narrowly averted death when she leaped from in front of an oncoming, speeding auto, driven by a JTTF agent. Upon her arrest a handgun was found in her handbag. She was tried and convicted of this charge while awaiting trial on prosecution (I). The court allowed no evidence of the underlying political basis for the prosecution or of the political background of Marilyn Buck.

Case Status: All avenues of appeal have been exhausted.

Third Case: Escape from Federal Prison for Women.

Arrested: May 11, 1985

Bail Status: See Fourth Case.

Charges: Escape from custody of U.S. Attorney General.

Basis and Details: Held for more than 4 years as a political prisoner. Denied any parole because of her refusal to denounce her political beliefs and associations with the Black liberation movement and the Anti-Imperialist Movement. During this period of detention she spent 1 1/2 years in county jails, without any access to fresh air, outdoor exercise, the right to productive labor, decent nutrition or medical care. After a legal struggle to be placed in a Federal prison, she was removed to Alderson, West Virginia Federal Womens Prison in September 1974 and placed in a behavior modification program of the control unit in Davis Hall, the segregation and isolation section of the prison. She was held in the control unit for more than a year, based exclusively on her political beliefs and associations. She was finally placed in general population. After the fourth denial of parole and serving 53 months on a charge on which the guidelines prescribed 14-22 months, she asked for and was granted a furlough in June 1977. She failed to return, and was indicted for escape.

Case Status: In August 1985 she was sentenced to 5 years consecutive to original politically-motivated conviction of 10 years, for a total sentence of 15 years. The sentence was the maximum possible but was extreme and inordinate, given that the usual sentence imposed on social prisoners for failure to return from furlough was 6 months to 1 year, consecutive. She was sentenced to this because of her political beliefs and affiliations.

Fourth Case: Conspiracy to build and support the Black liberation struggle.

Arrested: May 11, 1985

Bail Status: No Bail; detained as fugitive from prior politically-motivated offense conviction.

Charges: RICO conspiracy - Armed bank robbery and aiding escape; 6 other related charges.

Jurisdiction: U.S. Southern District of New York.

Liability: Sentenced to 50 years with no parole consecutive to previously imposed sentences totaling 20 years; or 70 years.

Basis and details: In October, 1981, in NY, an unsuccessful expropriation (robbery) of a Brinks armored vehicle, in which one Brinks guard and 2 police agents died, took place.

A communique was issued by a unit of the Black Liberation Army and North American allies stating that the unsuccessful expropriation was attempted in order to raise funds to further the cause of Black (New Afrikan) people's struggle for independence and self-determination from U.S. colonial and imperialist domination.

In the aftermath, the Joint Terrorist Task Force (JTTF), a national police agency, spearheaded by the FBI, carried out a major counter-insurgency operation against the New African Independence sector of the Black Liberation movement, and its North American anti-imperialist allies. Homes were besieged by JTTF and U.S. Army forces, one militant revolutionary was killed and one was tortured. Countless numbers of people were imprisoned for refusing to collaborate with the government investigation. The centerpiece of the political-legal attack was a broad-ranging RICO conspiracy indictment.

Using this conspiracy statute, the government repressive apparatus targeted years of activities which had occurred in the furtherance of building both clandestine and public political resistance. The successful escape of Assata Shakur, who now resides in Cuba under political asylum, was central to this political-legal attack.

The trial of Marilyn Buck and Dr. Mutulu Shakur took place from November 1986 - May 1987. In the course of the trial the defense exposed the U.S. government's counter-intelligence program (COINTELPRO) against the Black movement, as well as other national liberation struggles and domestic socialist and progressive struggles. They also invoked particular aspects of international law. The court refused to recognize its obligations under international law.

Case Status: Marilyn Buck was convicted in May 1987 and sentenced to 50 years with parole, to follow a 20 year sentence she was already serving for politically-motivated offenses. A joint appeal has been initiated by her and her co-defendant. The appeal process has been obstructed by the U.S. judiciary's removal of Dr. Shakur's attorney.

Pending Case: Accused of conspiracy to influence change and protest U.S. policy -- both foreign and domestic.

Arrested: May 11, 1985

Bail Status: No Bail - Detained as fugitive from prior political offense convictions.

Charges: Conspiracy and 4 other related substantive charges.

Jurisdiction: U.S. District Court, District of Columbia.
Liability: Maximum penalties - 45 years.
BASIS AND DETAILS/CASE STATUS: See "Case Document."

II. HUMAN RIGHTS ISSUES/VIOLATIONS

1. In support of and adherence to the UN Charters of Human Rights, The International Covenant on Political & Civil Rights, and under all pertinent international laws, including the Nuremberg accords, she has joined with countless other citizens of the U.S. in denouncing, condemning and actively opposing the illegal, criminal policies of the U.S. government.

2. She claims the right to oppose the colonialism of the Black nation and Black people, Puerto Rico, Native Americans and the U.S.-occupied northern half of Mexico as well as all other colonially occupied territories and to act in alliance with those struggles for self-determination and independence under the Geneva Convention and UN Special Commission on Decolonization.

3. She has been a target of U.S. government counter-insurgency programs to disable, neutralize and destroy political opposition and individuals, since the late 1960's; and has spent 8 years in politically-based detention. The U.S. government pretends to the world that there are no political prisoners, only criminals. Yet each offense for which she was convicted is the result of her political beliefs, associations and activities. She will be detained for the rest of her life, barring a political resolution to the question of detention of political prisoners.

4. The Constitution of the U.S. has been violated in pursuit and destruction of its political opposition. In Ms. Buck's case this includes illegal invasions of her homes; illegal electronic surveillance; denial of bail; and a gross violation of her First Amendment rights to freedom of speech and political association.

5. She has been denied medical care while in detention. To receive any care has necessitated political pressure and legal action. In this last 3 1/2 years, there have been 3 major struggles around her health care.

6. Likewise she has been subjected to political persecution and selective, inhumane treatment as a political prisoner through isolation and segregation, in violation of UN Standards of Minimum Rules for the Treatment of Prisoners. At different times she has been held in conditions which violate the following rules: Part I, nos. 6, 8-11, 15, 20-22, 24-27, 30-36, 39, 40, 42, 46-49, 52-54 and Part II, nos. 56-91, and 94.

7. Use of U.S. criminal jurisdiction and conspiracy laws to disguise human rights violations, state terrorism, political persecution; and to criminalize political opposition in order to deflect or prevent international criticism or sanctions.

BIOGRAPHY OF MARILYN BUCK

1. Of four children, I am the oldest child and only daughter of the Reverend Louis E. Buck & Virginia Geisler Buck, citizens of the U.S.

2. My father is an Episcopal minister (now retired) who participated in the civil rights movement in Texas, as part of his ministerial responsibilities. Ultimately, because of its own institutions, he was dismissed, censured and unable to gain employment in any other diocese in the U.S. My mother is now a registered nurse.

3. My childhood was spent in Texas where nearly every political and social institution, as well as most economic institutions, were segregated. As a white child I was not even aware that I benefitted from the racism and oppression. I became aware of the hatred, and genocidal violence through my parents involvement in the civil rights movement. Crosses were burned on the lawns of my family, friends and associates. My grandparents refused to enter our homes, once my parents became involved in civil rights.

4. I joined in the struggle against racism after I graduated from high school in 1965. It was in this same period that I also began to question other aspects of the U.S. government's behavior in the world, as it became increasingly involved in a war of aggression against the Vietnamese people. At first I believed the lies. But my own experiences of the stark inequality of life for Black and Mexicano people in Texas as well as the unequal treatment I received as a woman in U.S. society led me to conclude that to be a respectable, moral citizen, not only of the U.S., but of the world community of nations, I had to actively oppose injustice and inequality.

5. While a student at the University of California, Berkeley, and then at the University of Texas, I came in contact with student organizations including SNCC, the Free Speech movement and Students for a Democratic Society (SDS). I joined the Student Non-Violent Coordinating Committee (SNCC) in Berkeley, but at that same period in 1966, white people were asked to leave the organization. We were advised to take responsibility to organize white people to stop being racist. Sectors of the civil rights movement became transformed into the Black Power movement. I joined SDS at the University of Texas where we protested and organized against the war in Vietnam, against racism and in support of student rights.

6. In the spring of 1967, I abandoned my university studies to go to work in the National office of SDS in Chicago. I attended a teacher-organizer school where I was introduced to the writings of Malcolm X, Franz Fanon, Ho Chi Minh, Fidel Castro, and other advocates of national liberation; as well as to the writings of Marx and Lenin. Subsequently I became a co-editor of the SDS national newspaper, "New Left Notes", for a brief period. While at the National office I joined with other women in advocating and incorporating the liberation of women as a necessary demand in the SDS national program, in the summer of 1967. In this same period SDS became decidedly anti-imperialist in its world view and political orientation. The world was in a period of revolutionary advances. We undertook our responsibility and the imperative to change the U.S. and its government which is responsible for a world-wide policy of domination, and of social, political and economic injustice and inequality.

7. Near the end of 1968 I began working with San Francisco Newsreel, a radical film-making and propaganda collective. Although I did some film work, I was mostly involved in using films and documentaries as an organizing tool at community meetings, high school student groups, worker's committees and even in the streets. The images of people struggling for their homelands and their people, and to gain control of their own labor and human dignity inspired viewers with a sense of the power of collective organization and the will of peoples who were not afraid to fight for liberation and justice. I, as an agitator and propagandist, too, drew courage and inspiration from seeing people, particularly women, taking a step towards their own liberation, as they sought to liberate and build their nations.

8. I was active in numerous solidarity groups, in support of the Vietnamese, the Palestinian struggle to regain their homeland, and the Iranian struggle against the Shah. Increasingly I also understood that we north americans have a responsibility to end the U.S. and colonial policies and domination of the Native American, Mexicano and Black oppressed nations. Racism, national oppression, and economic exploitation can not be reformed out of existence.

9. I became an active supporter of the Black liberation struggle and worked with many fine young women and men in the Black Panther Party. The courage and militancy, as well as the love and tenderness for the people these sisters and brothers exhibited, affected me profoundly as a white person. I lived the difference between a white supremacist culture and society of plenty, and greed where human value is defined by nationality, race, class and sex; and the culture of Black, oppressed people where human value was intrinsic and fundamental to a vision of a future of justice and freedom.

10. As an anti-imperialist activist and advocate of socialism, I, along with many thousands, was identified in the FBI Counterintelligence Program (COINTELPRO) files. Because of my continued support for Black liberation and an end to racism, I became a target of COINTELPRO. I was accused by the FBI of being "the sole white member" of the Black Liberation Army. As a result, in 1973, I was arrested and later convicted of buying 2 boxes of handgun ammunition. (see case profile I)

11. As a political prisoner I was designated as a "high security prisoner" by the U.S. government and was subjected to extraordinary measures in the name of security. After nearly 2 years in which I was kept in county jails, I was sent to the control unit and behavior modification program at the Federal Women's Prison at Alderson, West Virginia, where I remained for more than a year. Once I was released into the general population, I met Lolita Lebron, one of the 5 Puerto Rican Nationalist Prisoners. From her, I learned a great deal about struggle and the sacrifices necessary in the long road to liberation and justice. I also learned much about the history of my own government's colonization of Puerto Rico and the responsibility we, as U.S. citizens, bear to support the struggle for Puerto Rico's independence.

12. While still in prison I became a licensed clinical-medical technician. Health care and the people's right to it is a fundamental right. I felt that such a skill would enable me to participate more directly in the saving of lives. Prior to 1973 I had taken an emergency paramedic course.

13. In June 1977 I was granted a furlough from prison. I did not return and was put on the FBI's wanted list. Once out of prison, I continued to play a role in the building of resistance to U.S. imperialism, though I lived and worked clandestinely.

14. In 1979, Assata Shakur was freed from prison. The FBI considered me to be a "suspect" because of my past political history. This event motivated the FBI to escalate its counter-insurgency operations against the Black Liberation Movement. Then in 1981, after an unsuccessful expropriation of an armored car, the FBI, in its leadership role as the political police, mounted a broad sweep against the New Afrikan Independence Movement and north american allies. I became a major target. Information is still coming to light about women who were terrorized by the FBI and other police agencies in their search for me and many other courageous revolutionary militants. State terrorism and counter-insurgency operation are used domestically, not only to attack incipient movements for national liberation and social justice, but also to intimidate and discourage masses of people from the oppressed nations, as well as from within the oppressor nation, from supporting or joining in these struggles.

15. I was captured on May 11, 1985, along with a north american comrade, Linda Evans. I have been held in detention and have been facing court trials continuously since my arrest. Currently I have been tried 3 times and have received sentences which now total 70 years to be served consecutively, and without parole. I am now awaiting trial in Washington, D.C. (see pending case). In the past 3 1/2 years I have not touched the soil of the earth, not even a blade of grass. I have not walked on solid ground except to be transported in chains and shackles from one detention center to another. The isolation from Nature is profound. Despite the ever-intensifying political repression, I believe that the world-wide process of national liberation and the building of socialism is the hope for the future of all our generations to come.

NAME: **Timothy Adolf Blunk**
DATE OF BIRTH: **May 21, 1957**
NATIONALITY: **United States Citizen**
INCARCERATED: **District of Columbia Detention Facility**

I. LEGAL CASES

First Case: Protesting South African apartheid.
Arrested: September 26, 1981 at John F. Kennedy International Airport in Queens, NY. Released on $15,000 bail.
Charges: Riot; mob Action (misdemeanors).
Jurisdiction: New York State.
Sentence: 9 months plus 1 month for contempt of court; served in full at Rikers Island Correctional Facility for Men.
Basis and Details: Arrested and beaten by police in demonstration against the US tour of the South Afrikan Springbok rugby team and US government's support for apartheid.

Second Case: Aiding and building clandestine infrastructure.
Arrested: November 29,, 1984 in Cherry Hill, N.J. with Susan Rosenberg.
Pre-trial Status: Held in preventive detention 7 months.
Charges: Conspiracy; possession of explosives; possession of weapons; possession of false identification.
Jurisdiction: US Federal Court, District of New Jersey.
Sentence: 58 years with recommendation of no parole.
Basis and details: Arrested while moving material for anti-imperialist clandestine resistance. First north american defendants held under 1984 Bail Reform Act authorizing use of preventive detention. Asserted international law defense at trial, claiming protection of resistance to US was crimes under the UN Charter, UN Resolution, Declarations and Programmes of Action as well as Nuremberg and Geneva Protocols. This defense was not

allowed before the jury. In spite of a lack of previous felony record and evidence of extensive community ties, political and moral support, Mr. Blunk and Ms. Rosenberg received sentences of 58 years. These sentences were longer than any ever given out on comparable charges. All appeals including motion for reduction of sentence denied citing defendants' political beliefs as proof of incorrigibility.

Third Case: Building resistance to US government war crimes.

Indicted: May 11, 1988 (Indictment unsealed). Arraigned on May 26.

Charges: Malicious Destruction of Government property by fire or explosives (4 Counts).

Jurisdiction: US Federal Court, District of Columbia

Liability: 40 years, consecutive to present sentence.

Basis and details: See "Case Document."

II. HUMAN RIGHTS ISSUES/VIOLATIONS

1. Resistance to US war crimes and international law.

Since his 1984 arrest, Mr. Blunk has asserted that he has acted according to his internationalist obligation and rights to oppose the war crimes, human rights violations and colonialist/imperialist practices of the US government. During their trial in New Jersey, Mr. Blunk and Susan Rosenberg sought to justify their resistance activities under the Nuremberg Principles as well as the United Nations Declarations, Resolutions and Programmes of Action mandating decolonization. They maintained that these international proceedings as well as the Geneva Protocols confer affirmative responsibilities and obligations of citizens of oppressor nations such as the United States to build concrete solidarity with those colonies and oppressed nations (Puerto Rico, Native American nations and the New Afrikan/Black Nation) struggling for self-determination and independence. In the District of Columbia "Resistance Conspiracy Case" Mr. Blunk is again being prosecuted as a criminal and is accused of "terrorism" with other activists for their resistance to US international crimes.

2. Preventive Detention.

Immediately following his arrest in November, 1984, Mr. Blunk was held under preventive detention pursuant to the 1984 Bail Reform Act. Despite his background, moral and political commitments, absence of a criminal record or flight from previous prosecutions and despite the nonviolent possessory offenses charged, Judge Frederick Lacy held him without bail citing "terrorist activities" and his "danger to the community."

3. Excessive and extraordinary sentence.

Following their conviction in New Jersey, Judge Frederick Lacy sentenced Mr. Blunk and Ms. Rosenberg to an unprecedented 58 years on possessory offenses. Judge Lacy recommended against parole and cited the defendants' political beliefs and "commitment to violence". The sentences have been upheld on appeals to the Supreme Court. They stand in stark contrast to the lenient sentences routinely handed out to right-wing white supremacists such as the Ku Klux Klan or religious fundamentalists who are convicted of using explosives and weapons against Black peoples' homes or medical facilities.

4. Isolation and solitary confinement.

From the time of his arrival at USP Marion, Illinois in June 1986 until November 1988, Mr. Blunk was held in solitary confinement: 23 hours a day at Marion and 23 1/2 hours a day at the D.C. Central Detention Facility. This isolation is prohibited under the United Nations Standard Minimum Rules for the Treatment of Prisoners and has been consistently condemned by human rights organizations such as Amnesty International.

BIOGRAPHY OF TIMOTHY BLUNK

1. I was born on May 21, 1957, in Princeton, New Jersey, where my father was attending seminary. He is an ordained Presbyterian minister; my mother is a pianist and music teacher. I am the eldest of three sons. From early childhood I was raised according to progressive Christian principles with the perspective of the Church as an important institution of social justice and activism.

2. Through the Presbyterian Church my parents were active in the cause of civil rights for Black people and opposed the US war in Vietnam. I often accompanied my father in his ministry in Newark and Elizabethport, New Jersey where our church operated free clothing and food distribution centers for poor people in those communities. Our summers were spent as a family on church-sponsored labor projects such as home construction in rural Appalachia and, later, on the Papago-Indian Reservation in Southwest Arizona. These experiences educated me in the realities of oppressed peoples' lives inside the US as well as in the necessity of seeing the struggle for social and economic justice in structural terms.

3. In 1975 I entered college at Denison University in Granville, Ohio on an academic and sports scholarship. There I began pre-medicine studies which I continued after transferring to Hampshire College in Amherst, Massachusetts in my second year.

4. While attending Hampshire I became very involved in the student movement demanding that schools divest themselves of stocks in companies doing business in Rhodesia and South Africa as well as in anti-racist struggles led by Black and Third World students on campus. Following a student occupation of Hampshire's administration building, it became the first college in the country to completely divest itself of South African stocks. I was also active in building solidarity and raising material aid for ZANU, organizing in support of the Palestinian movement and helped to form a student Committee to Support Political Prisoners.

5. During my college years I also had the opportunity to travel to Cuba and Centra America. In 1979 with another Hampshire student (a Uruguayan exile) I travelled for 8 weeks on bicycle in Guatemala, Honduras, Belize and Mexico. Six months later I was fortunate to be able to travel on an educational tour to Cuba to study its exemplary health care system. Within a short period of time I witnessed both the devastating contradiction of US imperialism in Central America as well as its potential resolution in revolution as exhibited by Cuba. These experiences forced me to examine my own life's priorities and commitments on the deepest level, and I decided to put aside my aspiration to be a doctor in favor of full-time work as an anti-imperialist activist.

6. I graduated from Hampshire in January, 1980, after completing a thesis project on the necessity of men to transform ourselves through active support for the struggle for the liberation of women. Working as a waiter and then as a counselor at the Northampton State Mental Hospital in Massachusetts, I supported myself and my political work during the next year and a half. During this period I helped to form a chapter of the John Brown Anti-Klan Committee, a national anti-white supremacist organization pledged to build support for Black people's struggles for human rights and self determination. We organized in Southern New England to stop the organizing efforts of the Klan.

7. In July, 1981, I moved to New York City where I began working in the New Movement in Solidarity with Puerto Rican Independence and Socialism. This organization worked under Puerto Rican leadership and worked among white north americans to educate and agitate in support of the independence movement, including the armed clandestine organizations operating on the island as well as the FALN (Fuerzas Armadas de Liberacion Nacional - Puertorriquena) inside the US rearguard.

8. In New York, I was first employed as a teacher at St. Ann's Episcopal School and taught physical education. Later I worked as a day care teacher at Liberation Daycare, a progressive community daycare center in the Puerto Rican barrio on the Lower East Side of Manhattan.

9. On September 26, 1981, I was arrested and beaten by police in a direct action protest against the US tour of the South African Springbok rugby team. After being charged with assault on police officers and released on $15,000 bail, I pled guilty to misdemeanor riot and mob action charges. I was sentenced to 9 months plus 1 month for contempt of court which I served at the New York Correctional Facility for Men at Rikers Island.

10. In November, 1981, I married Silvia Baraldini an Italian citizen living in the U.S. Silvia, a long-time anti-imperialist activist was later arrested and convicted in the New York federal RICO (Racketeering Influenced and Corrupt Organizations) conspiracy trial brought against the Black/New Afrikan independence movement and its white supporters. Silvia received a 40 year sentence for her participation in the prison escape of Black/New Afrikan prisoner of war Assata Shakur. Silvia is now held at the Metropolitan Correctional Center in New York following her court-ordered release from the Lexington Female High Security Unit.

11. Subsequent to my release from Rikers Island in January, 1982, I chose to go into clandestinity to help build for anti-imperialist resistance to ongoing US war crimes and preparations for a full-scale invasion of Central America. On November 29, 1984 I was arrested with Susan Rosenberg while moving material, including explosives, weapons, ammunition and false identification.

12. At trial Susan Rosenberg and I attempted to present an international law defense asserting our right to engage in resistance activities to US war crimes. We cited UN Declarations regarding the right to self-determination, resolutions concerning decolonization, human and civil rights conventions and other Programmes of Action. Furthermore we asserted that our activities are protected under the Nuremberg Principles as well as the General Protocols. Judge Frederick Lacy refused to allow us to present this defense or to call in expert testimony on international law and alleged US violations thereof. Citing our political beliefs as communists and anti-imperialists, Judge Lacy sentenced both of us to 58 years - the longest sentences ever given in comparable cases.

13. I was designated to USP Leavenworth and remained there for a year. I was in general population during this time but held in a special block with other political prisoners such as Native American activist, Leonard Peltier, Puerto Rican p.o.w. Oscar Lopez Rivera and Black/New Afrikan prisoner of war Kojo Bomani Sababu. While at Leavenworth I worked as a cook in the kitchen, refusing employment in the prison industries. I studied political economy through a Masters Degree program offered at the

prison through the University of Kansas. Here I also pursued my interests in art and music, using the facilities available to general population prisoners.

14. In May 1986, Oscar Lopez Rivera and I were locked down with Kojo Komani Sababu in administrative segregation pending investigation of an "escape conspiracy." I was found guilty of the conspiracy on an institutional disciplinary infraction and transferred to USP Marion. The burden of proof in such proceedings is minimal, requiring only a standard of "some evidence" which in my case constituted testimony by two prisoner-informants. One informant had a life sentence for murder commuted and was entered into the Federal Witness Prosecution Program. He obtained a new identity, guaranteed police protection and a living income. The other informant also received federal protection for his entire family as well as $250,000 for his cooperation. Oscar Lopez and Kojo Bomani Sababu were both brought to trial on federal charges along with two other longtime Puerto Rican independence activists, Dora Garcia and Jaime Delgado. All were convicted and are serving sentences in federal custody.

15. From June, 1986, until May, 1988, I was incarcerated at the federal penitentiary at Marion, Illinois - one of the two federal prisons in the US ever investigated by Amnesty International for human rights abuses. Since October 1983 Marion has operated as a total "lock-down" institution where prisoners are kept in solitary confinement 23 hours a day. Marion's abuses and behavior modification program are well-documented. It has historically been used to confine political prisoners who are frequently designated there directly following trial. I became involved in aiding outside efforts to expose and end the Marion lockdown. In particular I have concentrated on fighting for adequate healthcare and education about AIDS for the Marion population.

16. During my time in prison I have studied painting, drawing and creative writing. Currently I am the editor of an anthology of poetry, writings and artwork by political prisoners inside the US called Hauling Up the Morning (due to be published in Spring 1989).

Name: Alan Berkman, M.D.
Date of Birth: September 4, 1945
Nationality: Citizen of United States
Place of Incarceration: District of Columbia Detention Facility

I. LEGAL CASES

First Case: Charged with refusal to collaborate with FBI investigation.

Arrested: May, 1982.

Pre-trial status: Summary detention under the statute.

Charges: Civil contempt of a federal grand jury.

Jurisdiction: Southern District of New York.

Basis and Details: In March 1982, Dr. Berkman was visited at his office in Lincoln Hospital by members of the FBI's Joint Terrorist Task Force (JTTF) investigating the Black Liberation Army. They stated they had information that he had treated Marilyn Buck, a North American anti-imperialist believed to be a supporter of the BLA, for a gunshot wound sustained on October 20, 1981. The JTTF told him that the government could charge him for failure to report the alleged incident, strip him of his medical license, and send him to prison. They wanted him to cooperate instead and offered him a bribe of $50,000 and immunity from prosecution. When he refused to cooperate, he was subpoenaed to a grand jury. He refused to collaborate and was imprisoned.

Case Status: Civil contempt was terminated in December 1982 when he was indicted by the grand jury (see below).

Second case: Charged with providing medical treatment to a wounded revolutionary.

Arrested: December 1982.

Pre-trial Status: Bail

Charges: Accessory after the fact of bank robbery and murder.

Jurisdiction: Southern District of New York.

Basis and Details: While imprisoned at MCC - N.Y. for contempt, he was indicted as an accessory after the fact in a large scale federal conspiracy case against members and supporters of the Black Liberation Army. He became the first medical doctor since the Civil War era to be federally indicted for treating a fugitive and not reporting it. The federal charge carried a potential sentence of 12½ years. The FBI again attempted to coerce him into becoming an informant, and he again refused. Shortly after being released on bail, the government again issued a subpoena for exemplars as a way to imprison him and stop his public speaking about the grand jury and FBI misconduct. Rather than return to jail, he went underground.

Case Status: These charges were dropped in October 1987.

Third Case: Charged with aiding clandestine revolutionary groups.

Arrested: May 23, 1985

Status: Preventive Detention

Charges: Aiding and abetting possession of weapons, destructive devices, and false identification.

Jurisdiction: Eastern District of Pennsylvania.

Basis and Details: Arrested in a car with Elizabeth Ann Duke outside Philadelphia, PA. The government alleged that Dr. Berkman was associated with revolutionary clandestine groups during the period he was a fugitive. He was held in pre-trial preventive detention for two years, during which time he developed cancer. His charges stem from one weapon found in the trunk of the car he was riding in and other weapons and explosives found in a garage allegedly rented by his co-defendant, Elizabeth Duke. He was held in contempt of court for 5 months for refusing to give physical exemplars.

Case Status: Convicted by a jury in March 1987. The government asked for a 48 year sentence based on his expressed political beliefs. The judge rejected the government's political criteria and sentenced him to 10 years imprisonment and 5 years probation.

Fourth Case: Charged with failure to appear in court.

Arrested: May 23, 1985

Status: ---

Charges: Failure to appear.

Jurisdiction: Southern District of N.Y.

Basis and Details: Dr. Berkman was indicted for failure to appear in February 1983 after he did not appear in court on the 1982 federal conspiracy case (see below).

Status: Entered a guilty plea in June 1987 and was sentenced to 2 years consecutive to 10 year sentence in October 1987.

Fifth Case: Charged with bank robbery.

Arrested: May 23, 1985

Status: Pled no contest.

Charges: Robbery.

Jurisdiction: Middlesex County, CT.

Basis and Details: Dr. Berkman was charged with participating in an expropriation while a fugitive. Men disguised as federal agents allegedly took the proceeds from a supermarket cash room. The government alleges the money was used to build clandestine infrastructure.

Status: In March 1988, Dr. Berkman entered a "no contest" plea to the charge and on May 18, 1988 was sentenced to 5 years imprisonment to be served concurrent with his federal sentence.

Sixth Case: Charged with conspiracy to build resistance to U.S. war crimes.

Arrested: May 23, 1985

Status: Projected trial date: Spring, 1989.
Charges: 4 counts of malicious destruction of government property.
Jurisdiction: Washington, D.C.
A) Basis and Details: See "Case Document."
B) Status: Pending trial.

II. HUMAN RIGHTS ISSUES/VIOLATIONS

1. Dr. Berkman had for many years employed his medical skills in the service of both oppressed communities and political prisoners held by the U.S. government (see accompanying biography). He had treated a number of political prisoners and prisoners of war who had been medically abused or neglected and even overtly tortured. He believes doctors cannot ethically turn patients over to governmental authorities who are likely to abuse them. The use of the grand jury and his subsequent indictment in 1982 were designed to both stop his work for human rights of political prisoners and an attempt to coerce him into becoming an informant.

2. Dr. Berkman was held in preventive detention for more than two years. This is consistent with the government's practice of denying bail to political prisoners. Bail was even denied when he developed cancer and wished to be treated at a medical facility of his own choice.

3. The government has systematically denied him medical care, exposing him to both potentially crippling and fatal medical problems. In June 1985, he sustained a complete rupture of his Achilles tendon and several medical specialists recommended surgical repair. The government refused to allow him to have the indicated surgery, and he has residual disability.

In November 1985 he was diagnosed as having Hodgkin's Disease, a form of lymphatic cancer. Even after the initial diagnosis was made, the government delayed needed medical tests and attempted to transfer him to a federal prison hospital not equipped to treat his illness. As a result of a public campaign, Judge Pollack ordered the government to have him treated at an appropriate medical facility. During his entire hospitalization and throughout the months of radiation therapy, he was subjected to extraordinary security measures and kept in solitary confinement in the prison. Despite the dangers of a relapse of the cancer, he has been subjected to the most stressful and unhealthy prison conditions (see below).

4. He has been subjected to long periods of isolation based solely on his status as a political prisoner. Despite having no disciplinary infractions, he has been kept in isolation from May 1985 to May 1986, October 1987 to March 1988, and from May 1988 to November 1988.

He is designated to the U.S. Penitentiary at Marion, Illinois, the highest security federal prison for men. He is kept in 23 hour a day lockup there and is allowed outside only once a week. Marion has the worst health care facilities of any federal institution and is not equipped to monitor him for a possible relapse of his cancer. Dr. Berkman was sent to Marion despite the fact that he has a limited sentence of 12 years, has no history of escape or violence in prison, and has an illness of great severity. His designation there is politically motivated and vindictive and threatens his life.

His current conditions at D.C. Jail are detailed in the accompanying case document.

5. Dr. Berkman is one of the defendants in the case, U.S. v. Whitehorn. The government is attempting to suppress and criminalize those social movements and political activists who have most consistently and militantly opposed U.S. governmental violations of international law. The indictment in this case is itself a product of governmental illegalities, infringes on protected democratic rights, and is part of a governmental strategy to divert attention from its own illegal actions. Dr. Berkman asserts his right and responsibility to organize opposition to state sponsored terrorism and human rights abuses.

BIOGRAPHY OF ALAN BERKMAN

1. I was born on September 4, 1945 and was the second of four children of Sam and Mona Berkman. I lived on a U.S. Army base until the age of 3 when my family moved to Middletown, N.Y., a small city in a largely rural area of New York State. My father owned and operated a small business. I worked weekends and summers throughout my teenage years and learned to respect the dignity and value of manual labor.

2. I was one of the first people in my extended family able to attend college. Within days of my arrival, Ku Klux Klan members in Birmingham, Alabama bombed a Black church and killed 4 young girls. I was profoundly moved not only by the tragedy and violence but also by the dignity and courage with which they were mourned as martyrs in a long tradition of Black resistance and struggle for human rights. I became active in the Civil Rights movement.

3. In this same period, I also began to see the war in Vietnam in a new light: U.S. rhetoric about preserving democracy seemed to be an attempt to mystify the realities of imperialist expansion and genocide. I participated in my first anti-war mobilization in 1965.

4. I entered Columbia University medical school in 1967 and became active in both anti-war activities and in efforts to change the policies of the medical school. I worked with a student group that helped establish an affirmative action program to increase the numbers of minority students and women at the school; we worked with community groups to pressure the hospital to deal with community health problems, and we supported a drive by a progressive union to organize the hospital workers.

5. I supported the takeover of buildings at Columbia University by Black and white student groups in 1968. This Columbia "Rebellion" protested both the University's involvement in the Vietnam War and its encroachment on the Harlem community. I helped give medical care when police clubbed and brutalized hundreds of demonstrators.

6. During the period of 1967-71 while I was in medical school, the escalation of the war in Vietnam and of the Black Power movement in the U.S. convinced me that there needed to be a fundamental restructuring of U.S. society. I became a committed anti-imperialist and an activist. I realized fundamental change could only come through the collective efforts of the oppressed and decided that I would root my life and devote my energies in that direction.

7. In 1971, during my internship, I was asked by prison support groups to see some of the scores of prisoners who were wounded and beaten during the Attica Rebellion; almost every weekend that I was not on hospital duty I travelled to New York State prisons.

8. The next year I began to practice medicine in the oppressed community of the South Bronx in a small clinic founded by the Black Panther Party. For most of the next ten years, I had the joy, satisfaction, and frustration of being a community doctor in the ghettoes and barrios of New York.

9. In 1974, I went to a community clinic in Lowndes County, Alabama at the request of the American Friends Service Committee. Lowndes County has a population that is 85% Black and it was the heart of the voter registration drive in Alabama in the 1960's; it is the third poorest county in the United States. In the wrenching poverty of rural America as well as in the decaying cities, I saw that malnutrition, infectious disease, alcoholism, drug addition, and crime are not separate problems but rather symptoms of an underlying disease known as capitalism and colonialism. I began to more deeply understand why self-determination is the most fundamental of human rights.

10. In 1973, when Native Americans reclaimed their land at Wounded Knee as part of their struggle for self-determination, I went there to serve as a doctor. We were surrounded by hundreds

of federal agents who used machine guns, helicopters, and armored personnel carriers to attack the village. When people resisted, the government cut off food and water to the 350 men, women, and children inside. After a number of weeks I left at the request of the Indian leaders and testified in federal court about the government's blockade and its impact on the people inside.

11. This was the first of many subsequent times that I would try to intervene in the government's efforts to use health care as a weapon against those who struggle for human rights. This brought me into conflict with the FBI on many occasions.

12. During the 1970's I also worked with several established radical political organizations. I helped to found an anti-imperialist group called the Prairie Fire Organizing Committee in 1974. In 1977, I helped to start a national organization to combat the resurgence of racism and the growth of the Ku Klux Klan. I was also active in building support and raising material aid for liberation movements in Southern Africa and in Puerto Rico. In 1980 I had the honor to meet Prime Minister Robert Mugabe of newly independent Zimbabwe to discuss the solidarity work I had helped to develop in the United States.

13. FBI documents reveal that I was kept under intensive surveillance during that period. My home was watched, my job visited, and some of the organizations I was active in were infiltrated by FBI informants. My home was broken into and my papers searched on several occasions.

14. In 1975 I married Dr. Barbara Zeller who is herself a committed fighter for human rights as well as a committed physician. In 1976 we had a daughter, Sarah Michel Zeller-Berkman. My family has been subjected to surveillance and harassment by the FBI; our home phone is tapped and has been broken into several times.

15. In 1978 and 1979, I was involved in a struggle to obtain medical care for William Morales, a Puerto Rican freedom fighter who had been injured in an explosion. The FBI physically abused him as he regained consciousness after emergency surgery in an effort to obtain information. When eye specialists recommended surgery to try to preserve his vision, the Justice Department refused to allow it. At the request of his family and lawyers, I consulted on his case and testified in federal court about the need for surgery. The judge ordered the operation and stipulated that I be present to curtail any potential FBI misconduct. I helped Mr. Morales obtain needed medical care over the next year.

16. In late 1981, I was asked by attorney William Kunstler to see Sekou Odinga, a Black revolutionary captured on October 23, 1981. After his arrest he was interrogated by the Joint

Terrorist Task Force; I examined him in Kings County Hospital several days later. I found obvious marks of torture: cigarette burns on the arms, toe nails torn out, severe damage of the pancreas caused by a beating with blunt instruments. I drew up an affidavit, and along with Mr. Kunstler, I made those findings public.

17. In March 1982 I was approached by the Joint Terrorist Task Force at my office in Lincoln Hospital. This initiated the series of prosecutions reflected in the accompanying case document.[1] It is clear that the FBI is determined that I not leave prison alive and that I spend my years in prison isolated from family, friends, and the social movements I have tried to help build. For more than 25 years I have been sustained by a vision of a truly egualitarian society where oppressed people can exercise the self-determination so long denied them, where the productive capacity is controlled by and benefits the majority of people, where women can be truly liberated from thousands of years of male supremacy, and where there can be peace. That vision continues to burn within me today.

[1] My decision to go underground in February 1983 was based both in a belief that my medical skills and political commitment should be put to use and that I would not be afforded a fair trial.

Statement from "Resistance Conspiracy Case" Defendants
July, 1988

On May 11, 1988 we were indicted for seeking "to influence, change, and protest policies and practices of the United States government concerning various international and domestic matters through the use of violent and illegal means." The indictment charges us with conspiracy and abiding and abetting the bombing of a number of military and governmental buildings -- resulting in property damage, but no injuries to anyone.

What does "the policies and practices" refer to?

- The U.S. practice of slaughtering thousands of Nicaraguan civilians through the Proxy contra army.
- The U.S. invasion of Grenada, the first Black socialist non-aligned nation in this hemisphere.
- The U.S. policy of establishing brutal dictatorships in El Salvador, Guatemala, Honduras, and Chile that murder their own people to make their countries safe for U.S. investments.
- 90 years of U.S. colonization of Puerto Rico.
- The U.S. policy of aiding and abetting the racist governments of Israel and South Africa.
- The centuries-old practice of racial genocide and oppression of Black, Puerto Rican, Mexican, Asian and Native American peoples here, and of promoting racism and racist violence.
- The U.S. government's denial that Prisoners of War and political prisoners are held in U.S. jails, targeted for isolation and destruction.

Do we want to change these policies and practices?

Wholeheartedly. They violate every tenet of international law and decency. They cause death, destruction, poverty and suffering for millions. It is a disgrace that we, the people of the U.S., allow our government to pursue them. To do nothing is to become the tacit accomplices in these crimes and practices.

Each of us charged in this indictment has committed our life to fighting for social justice here and to extending solidarity to national liberation movements around the world. Each one of us has been involved in supporting the just struggle for the Vietnamese people, in fighting against the Ku Klux Klan and racist violence, in supporting the struggle for Black liberation/New Afrikan independence and for Puerto Rican independence. We have participated in and supported the movement for women's liberation, sought an end to gay and lesbian oppression. We have been anti-imperialist activists and organizers for many years.

This has been our life's work, and it had brought us into continuing conflict with the U.S. government. It has also linked us with the millions of people around the world who struggle for freedom and against exploitation. Fighting against poverty and oppression, and inspired by a vision of collective and personal liberation, people from South Africa to Palestine to Central America to the ghettos of the U.S. are struggling to change the conditions of their lives.

The U.S. government fears the growth of the anti-imperialist movement that we've helped to build over the past 20 years. We have been targeted by the F.B.I. for continuing harassment, surveillance, and imprisonment.

Each of us had been an anti-imperialist political prisoner for more than three years. We have been condemned to sentences as long as 70 years. Laura Whitehorn is

now the longest-held political prisoner in "preventive detention." We have battled cancer, psychological torture, and isolation, buried in the worst prisons in the U.S. along with hundreds of Black/New African, Puerto Rican, Native American and Northamerican political prisoners and Prisoners of War.

We are neither terrorists nor criminals. We are guilty of no criminal activity.

Now we face these new charges: They were brought more than three years and 14 prosecutions after the last of us was arrested. The charges are couched in language that target our politics and associates. The government makes no claim to know who actually did the bombings. The Reagan administration wants to stage a show trial that will not only have a chilling effect on activists here, but will also divert attention from the North/Poindexter trials going on down the hall from ours[note: the North/Poindexter trial has been postponed since the writing of this statement].

We will fight this politically-motivated indictment, but we expect no justice. We are each held in solitary confinement, unable to meet together or with our lawyers to prepare a defense. We are accused of acts of resistance against state terrorism by the U.S. government, acts which themselves caused no causalities, and are labeled "terrorists," forced to come to court draped in shackles, and displayed behind a bullet-proof plexiglass partition. North and Poindexter, whose actions merit a trial for war crimes and crimes against humanity, are called heroes by politicians, and come to court draped in the blessing of Ronald Reagan and with the benefit of millions of dollars from right-wing backers.

The government is relentless in its pursuit of those whose love and concern extend across national and racial barriers, and those whose commitment leads them to active resistance. That is why the Sanctuary and Plowshares movements have been targeted by the Reagan administration. That is why a group of Puerto Rican *independentistas* are now facing charges in Hartford, Connecticut. That is why a group of working class anti-imperialist activists currently face sedition charges in Hartford, Connecticut. That is why a New Afrikan Freedom Fighter, Dr. Mutulu Shakur, and one of us, Marilyn Buck, were recently tried in New York.

If political prisoners can be treated as less than human -- as outside the bounds of human decency -- how will other sectors of the political community be treated when their voices become too loud?

The Reagan Administration wants our prosecution to serve as a warning to those who demand justice and human rights.

We say as long as this government tramples on the rights, the lives, and the dignity of human beings here and anywhere else in the world, there will be always be resistance. That is not a criminal conspiracy -- it is a movement of solidarity and resistance, of love, and of hope.

"the state can have no case
there is no case
against freedom"
- Thulani Davis

From anti-imperialist political prisoners:

Alan Berkman
Marilyn Buck
Susan Rosenberg

Timothy Blunk
Linda Evans
Laura Whitehorn

Reflection on Being Buried Alive

by Susan Rosenberg

We stood at the electronically controlled metal gate under the eye of one of eleven surveillance cameras, surrounded by unidentified men in business suits. We were wearing newly issued beige short sleeve shirts, culottes, and plastic slippers. We were in handcuffs. An unidentified man had ordered us placed in restraints while walking from one end of the basement to the other. The lights were neon fluorescent burning and bright, and everything was snow white—walls, floors, ceilings. There was no sound except the humming of the lights, and nothing stirred in the air. Being there at that gate looking down the cell block made my ears ring, and breath quicken.

The cell block was 100 feet long with 9 cells on one side and seven on the other. They were all locked shut. Alejandrina Torres (Puerto Rican Prisoner of War) said "it's a white tomb, a white sepulcher." I nodded, and whispered "it's Stammheim." (Stammheim is a special isolation prison in West Germany). The official in charge said to the voice box on the wall "open R1 please, I have Torres and Rosenberg." A disembodied voice answered "please move a little to the left, I can't see you on my screen..." For nearly three months we were the only two prisoners there, then a third political prisoner, Silvia Baraldini, and a social prisoner, Debra Brown, were brought there.

After our first week Alejandrina and I were "teamed" by officials. We were informed that we were permanently designated to the HSU, expected to serve our entire sentences of 35 to 58 years there. We were told that we had no due process because the director of the Bureau of Prisons, acting as an agent for U.S. Attorney General Meese, had personally approved our placement, and only he could approve our removal. When we asked if there was any way for us to get out of the HSU we were informed that if we changed our associations and affiliations a change would be considered. The staff joke was you got a "one-way ticket" to the Lexington HSU.

All contact with everyone was monitored, surveyed, and analyzed. No contact was allowed with anyone other than attorneys and immediate family for the first 16 months. The phone calls and mail were utilized for ongoing political surveillance against our friends, and our movement. There were never set policy rules so procedures changed daily, making life completely unpredictable.

At first we were told that we could not receive any mail unless we submitted a list of 15 names to be investigated. Only those who passed the investigation would be allowed to communicate with us. We refused to submit such a list. After three months this "rule" was changed and we were allowed to receive and send mail but not allowed any political literature. All mail incoming and outgoing was logged, and read by the Special Intelligence Lieutenant assigned to the HSU. Publications which were rejected as "promoting violence, and were a threat to the orderly running of the institution" included, *The Nation*, *Claridad*, *MERIP Reports*, *CovertAction*, and others.

At one point we were allowed to review rejected political literature. We would be brought into the front of the unit under the eye of the camera and one or two officers, seated at a card table and told "you have one hour." Once, the administration had both Alejandrina and I review the literature at the same time. The officer put two cartons of literature on the table and said, "girls, you can't exchange literature, remember we're watching you."

The unit was shown to every law enforcement official who came to the prison. This meant that we were on constant display. It got so bad that officers would bring their wives and children to tour the unit. A group of high school students came and so did Ed Meese. We made a sign that read "FREE ALL POLITICAL PRISONERS IN U.S. PRISONS—STOP HUMAN RIGHTS ABUSES," and would display it when we heard a tour coming.

One day a man toured the unit. As he came on the cell block he said, "So this is the dead wing." He had an Irish accent, and we asked where he was from. He said he knew all about the "boys" (the Provisional IRA). He said this must be the "terrorist isolation wing" which was similar to the "dead wings" throughout Irish and British prisons.

While law enforcement and "terrorism" specialists had full access to HSU tours, they were denied to groups such as the National Lawyers Guild, the Kentucky Chapter of the National Organization for Women, and the American Sociology Association.

Everyone who wrote us asked how we felt about what was happening and how we resisted it. It was never an easy question to answer, and it still isn't. Small-group isolation is a form of mental/psychological maltreatment, recognized by the tortured and torturer alike. The isolation, the sensory deprivation, the constant inactivity, and the forced dependency for basic life necessities on jailers who both hate you and fear you mean that existence is a constant confrontation where the four walls become the world.

We survived relatively intact only because we knew what the Justice Department was trying to do to us, and that knowledge enabled us to hold onto our political commitments and identities with strength. When we were enraged and tempted to live out the stereotypical behavior that they expected (i.e., to be violent) we had a collective of each other. This unity of the political prisoners and some of the social prisoners allowed us to laugh, to find humanity in each other, and to carry on. Despite the most extreme efforts of the Bureau of Prisons, they did not win. We never lost memory or reality of ourselves or our political opposition to U.S. imperialism. •

The government also knows that I have very long and deep friendships and associations with other people and organizations who have been attacked by this grand jury. The government is also fully aware that I have had a serious medical problem for many years, and in fact was a semi-invalid for almost two years -- unable to walk, to work, or lead a fully productive life in any way. In fact I think it is one reason the government subpoened me, hoping that my fear of the negative impact that jail will have on my health would coerce me to collaborate. The government knows that imprisonment is punitive because of this reality.

Like any other person, I have no desire to go to jail. I might be much more fearful to take this step if I were alone, though I would still refuse to talk. But I know that I do not stand alone. That while I take this position of non-collaboration as an individual, I am part of a much larger struggle -- a struggle for a much more humane and just society for all of our children. And if my taking this stand can enable even one other person to have the strength and conviction to say "No, I won't collaborate," then I am happy to make this contribution.



Damn He Who Thinks Ill Thoughts!

—juan antonio corretjer

In anticipation of and in protest to the naval maneuvers in Vieques, the Red Guerrilla Resistance, a revolutionary organization, bombarded a Navy Officer's Club in Washington, D.C. I was honored to receive the press communique issued by these North American comrades. It read in part:

For years, inhabitants of the Puerto Rican Islands of Culebra and Vieques have struggled against US naval attacks on their islands - attacks that pockmark these islands with bomb craters, threaten to destroy the fishing industry and force the inhabitants out of their homes. Determined struggles on Culebra in the '60s drove the Navy out; then Vieques became the new target of these "genocidal games." In 1979, comrade Angel Rodriguez Cristóbal, Puerto Rican revolutionary and leading member of the Puerto Rican Socialist League, was arrested demonstrating with the people of Vieques against the US Navy; on November 11, 1979, he was assassinated by the US government while imprisoned in Tallahassee, Florida. In honoring his memory, we commit ourselves to continuing to fight in solidarity with the struggle for Puerto Rico's independence and socialism. We express our support for the Puerto Rican armed clandestine movement and Puerto Rican Prisoners of War and Political Prisoners.

(This communique was dated April 20, 1984.)

These words of fiery solidarity were heard around the world, they penetrated cells and dungeons, saluted our heroes and heroines of the armed struggle and grand jury resistance and presented an armed tribute to the memory of Angel Rodríguez Cristóbal.

The enthusiastic reception received by this action goes beyond the necessary annotations. The bombs of our allies had barely begun to resound in Washington, when the babble of colonial insults began. A haughty, but bloody example of how the "masters" hate to be hit where it hurts. It has been a long time since we departed from the mechanical theories about the obligations of the people of an imperialist country: whether or not, at a given moment in our struggle, they could be our best allies. In the specific case of Puerto Rico, it will be the revolutionary armed clandestine movement, those who share the need to exterminate our common enemy, who will be in the best position to cooperate with our battle. Any Puerto Rican who believes that the North American working class will support our independence struggle in an effective manner, might as well wish for a cold day in hell. The same can be said of those who expect support from the prudish, moderate and legalistic white left.

Any time our Puerto Rican armed clandestine patriots strike where and how they should, they are met with the same insults. All

the government needed to shoot off their publicity hungry cannons was the allegation that through a casual raid, the government uncovered a Machetero safehouse (as if they were dealing with mere delinquents); or the arrest of some of the many delinquents of vulgar criminality to attempt to link the Puerto Rican revolutionary armed movement with the crime that is a product of the system in which we live, and that to a certain extent, one supports the other. Evidently, the Macheteros are the most patriotically active clandestine organization as well as the best developed, both in the political and military sense. In the first place, their major bellicose actions - Muñiz Air Base and the bazooka blast in Hato Rey - illustrate this point. The recently published Program of the Revolutionary Party of Puerto Rican Workers, their clandestine political organization, deserves to be carefully studied by all Puerto Rican people in general and particularly by independence advocates and socialists.

We need not ask ourselves why the government is attempting to portray the Macheteros as vulgar criminals. The tragic, unintentional episode in Naguabo in 1980 and the moral rectitude with which the Macheteros publicly examined this incident, show how many light years away from criminality these clandestine Puerto Ricans really are. One need only look at the government's conduct against resistance to the federal grand jury, to uncover their attempts to criminalize the entire patriotic movement. Since April of 1936 to date, this apparatus of political persecution, led by the FBI, has launched an ever-increasing plot to criminalize the independence movement. That the patriotic consciousness is aware of this embarassing fact is evidenced by the testimony of personalities as removed from the independentist military line as those who spoke against the grand jury from the witness stand in Judge Nickerson's Brooklyn courtroom on April 6.

The public hatred against Puerto Rican clandestinity that, in the recent past turned against Albizu Campos and the Nationalist Party, is hidden, latent, but ferocious and lies in wait for the relatively legal independence sectors that imperialism is obliged to tolerate under the present circumstances, but it is an opportunist tolerance, one of the imperialist dominator's favorite and most effective tricks.

But as any historical inevitability, they too will fall. Because the imperialists are well aware of the role that the clandestine organizations will play in their destruction, an overflowing fury has been unleashed against them; the hatred which truth provokes in denial, the bitterness which colonial ammoralism feels when faced by patriotic regeneration.

In conclusion, parodying Hostos, I'd like to end by translating from the French, the words with which he ended his telescopic essay on the 20th Century:

Damn He Who Thinks Ill Thoughts!

(Taken from *El Nuevo Día*, May 22, 1984)

US Government Culprit in Cerro Maravilla Massacre

July 25 will mark another year since the murder committed by the Puerto Rican police in Cerro Maravilla, where patriots Arnaldo Darío Rosado and Carlos Soto Arrivi were savagely killed. This tragic date, so significant in our patriotic calendar, gives us an opportunity to reflect objectively on the repercussions of this desperate, repressive act, carried out by Romero Barceló under the orders of the FBI.

We must ask what motivated the FBI to order Romero Barceló to carry out this criminal operation. We can not just naively imagine that Romero Barceló wanted to scare the independence movement. If we start from that logic, we would have to accept the idea that Romero Barceló has power in the colony which is just not true. In Puerto Rico--the classic US colony-- the entire "government", must comply with orders from Washington.

If we take a glance at the year 1977 and the beginning of 1978, we realize that revolutionary violence was reemerging in Puerto Rico at that time. An example was the execution of the bosses' lawyer, Allen Randall, which was carried out on September 23, 1977 by a workers' commando unit who took responsibility for their action. On February 1, 1978, the FARP assaulted a police post in the barrio of Montebello in Manatí, destroying their communications equipment and expropriating the arms they found there. This armed action was in solidarity with the striking workers of UTIER. On February 8, 1978, the CRP took responsibility for the bombing of the Chase Manhattan Bank offices, another action

MARIANNA BRACETTI AWARD

RESOLUTION

Silvia Baraldini, Susan Rosenberg, and Alejandrina Torres are three prisoners who are being compelled to serve out their sentences in the control unit of the prison at Lexington.

The control unit is a prison experience of fascist origin which tries to force the prisoners to renounce their political convictions by means of sensory deprivation and their own self-destruction or if this fails to lead the prisoners to commit suicide.

Silvia Baraldini is an Italian citizen who comes from a family that distinguished itself through its opposition to fascism and assistance to the clandestine forces that fought it in her country. She has been a supporter of anti-imperialist organizations in the U.S. Her love for freedom and opposition to the oppression of the people constitute her fundamental principles for upholding the right of Puerto Rico to independence and self-determination. There is no doubt that her support for the Puerto Rican struggle is one of the reasons for which she suffers psychological torture in the Lexington Control Unit.

Susan Rosenberg is a North American who has distinguished herself in the anti-imperialist struggle in the U.S. She has stood out in the defense of the oppressed sectors of her country. She was one of the founders of the committee of North American citizens in solidarity with Puerto Rican independence. We are sure that this continued support for the liberation of Puerto Rico is one of the elements that has brought her to suffer psychological torture in the Lexington control unit.

Alejandrina Torres is a Puerto Rican from San Lorenzo residing in Chicago who believes in Puerto Rico's right to freedom. She herself is a firm believer in the international right that pertains to all colonized people in the use of all means at their disposal, including armed struggle in the pursuit of this said goal of liberation. She has been condemned by the U.S. courts precisely for sustaining these principles. Her continued torture in the Lexington prisons control unit is an effort to crush her spirit and intimidate people who believe as she does.

These 3 compañeras represent the unified struggle for liberation in the most noble form imaginable. They embody the courage and sacrifice that the defense of freedom demands. In their valiant patriotic comportment they join other women in our history who followed the road of the liberation struggle with indomitable spirit. One of these figures in our history who fearlessly embraced the struggle for the liberation of Puerto Rico without regard for personal consideration was the exception-

al revolutionary Marianna Bracetti, member of the Bravo Center #2 secret society of Lares. The qualities of this woman who with affection and passion made the flag of the Lares revolution, are represented (repeated) in these 3 prisoners who today are savagely in the control unit of Lexington Prison.

In recognition of the previous considerations and of the enormous importance that Silvia, Susan, and Alejandrina have in the struggle for independence and against fascism, the Nationalist Party of Puerto Rico, the Unitary Comm. Against Repression, the Comm. to Support the Prisoners of War and the League of the Rights and Liberation of the People agree:

1) To extend to Silvia Baraldini and to Susan Rosenberg Puerto Rican citizenship in recognition of their unrelenting efforts to support Puerto Rican independence and their sustained solidarity with the valiant Puerto Ricans who struggle for the consummation of their patriotic goals. Additionally it is necessary to reiterate that the contribution of both of them, together with their heroic resistance to psychic torture motivate great feelings of appreciation and admiration in us.

2) To institute the Order of Marianna Bracetti as a public and revolutionary standard for women who struggle with courageous and ennobling sacrifice for the freedom of Puerto Rico.

3) To award the Order of Marianna Bracetti to Silvia Baraldini, Susan Rosenberg, and Alejandrina Torres in consideration of their efforts towards the independence of Puerto Rico and as an expression of national repudiation of the brutal and savage treatment they receive for said position.

4) To communicate to the freedom-loving and peace-loving world the patriotic recognition that is extended to those compañeras and to invite all those who consciously love freedom to unite in their homage and in our protest to stop the North American regime through its Bureau of Prisons from continuing its evil intention of assassinating the compañeras.

Given in San Juan, Puerto Rico, June 12, 1988

Letter from Alan Berkman

Dear friends:

I was very moved by your message of support, and I would like to respond by sharing some personal thoughts provoked in part by your letter.

During my recent hospitalization, there were a few days when my physical condition was precarious enough to stimulate me to do a self-conscious review of the decisions I have made in my life. Faced with a possibility of death, and being in one of the few situations where I had no "stake" in the outcome of my own introspection (how often do our decisions—even our thoughts—seem shaped by the weight of past commitments or a reluctance to face and share difficult truths?), I wanted to see one more (last?) time if I was fundamentally satisfied with the decision I made about 20 years ago to be a revolutionary. Clearly, that was the major turning point, for giving form and substance to that decision has defined my adult life.

You were right in your message to me—I have no regrets.

I found my mind flooded with memories of the people I have known, struggled with, and loved over the years. I was somewhat surprised to realize that in those moments of introspection, I was not terribly concerned with personal accomplishments or frustrations. At some very fundamental level, my decision to be a revolutionary was a decision to love others, to share my life with and commit myself to the struggle of the oppressed, to work toward a truly collective society as the only possible future for humanity. For me, and I believe for any of us in the oppressor nation, being a revolutionary is a way to transcend the empty and malignant individualism of bourgeois ideology and culture and combat the harsh realities of our own white supremacy, national chauvinism, and where applicable, male supremacy. For us in the imperialist center, the self-conscious struggle to identify with the oppressed is the first step to regaining our basic humanity and assuring a place in world history.

This can't be left as a series of abstract beliefs or even articulated in an anti-imperialist politic and strategy; it must be manifested in concrete life decisions and practice. At the most difficult and frustrating points in our political lives—or at those points when sacrifices are demanded and risks need to be taken—an abstract internationalism will not be adequate to sustain us; we need a close, human identification with our Third World comrades as well as with the exploited and oppressed within the oppressor nation.

My own struggle to become a revolutionary, my relationships with Third World revolutionaries in particular, and the relationships I was able to build with the oppressed communities I served as a doctor, taught me to love as well as to fight. The collectivity I have experienced has convinced me that it is possible to build a society in which every person can receive more than s/he gives; this has gone a long way to combat the cynicism that arises from observing the frequent setbacks that individual revolutionaries have suffered in attempting to build socialism.

I have no regrets; on the contrary, I feel a profound gratitude to those who have helped shape my life as a revolutionary.

I have no doubt that it is difficult for a revolutionary of any nation to sustain that commitment during the early stages of a struggle—a time marked by isolation from the masses, frequent setbacks, and an almost overwhelming sense of enormous obstacles. (I can think of two recent examples that we should all read—***Days of the Jungle*** and ***Fire from the Mountain***.) I know how difficult it is in the North American oppressor nation. Over the years I have occasionally turned to comrades and asked, "Are we all crazy?" I don't feel bad about asking the question; it is far better to ask and answer it self-consciously than to allow revolutionary commitment to degenerate into merely habitual and undirected political work and a "movement lifestyle." As revolutionaries, whether we function primarily in clandestinity or as public organizers, we must always be willing to confront the hardest questions and to learn the most from our errors. But this we always do with an eye to the future and to making our work more effective. The current struggle for unity in the Puerto Rican independence movement is a wonderful example that we all must learn from and not simply passively observe. Revolution is vital and forward moving; it is the antithesis of the bourgeois cynicism that some of us raised as petit-bourgeois intellectuals may be prone to.

I, like each of you, am an anti-imperialist and am committed to the independence of Puerto Rico. I have also been profoundly influenced by the Puerto Rican independence movement and have a personal love for Puerto Rico. I have had the chance to travel its territory, guided by patriots who love the land and its traditions; I have had the chance to live and work in the barrios of New York and learn some of the language and culture of the Puerto Rican people. My very understanding of revolution and of being a revolutionary have been shaped by the organizations and personages of the Puerto Rican independence movement: by the revolutionary fervor and commitment of the **FALN** and the armed clandestine organizations on the island; by the science so staunchly fought for by the

ALAN BERKMAN. . .

MLN; by the powerful embodiment of revolutionary character and intellect in Don Juan; by the compassion of Doña Consuelo; by the daring of William Morales; by the serenity of Andrés Figueroa Cordero in facing death with his principles strong and his revolutionary optimism intact. These are some of my heroes, and they give me great faith in the ultimate victory of revolution both in Puerto Rico and here; revolutionary struggle produces people such as these while US imperialism produces Ronald Reagan. I hope that I, and that we as a movement, will fulfill our commitments and move forward our solidarity as the Puerto Rican independence movement advances its struggle.

Finally, let me share a dream I have. Perhaps it is not a dream, but rather a vision or even a projection.

I have been invited to the newly liberated country of Puerto Rico for the activities celebrating independence. I am met at the already renamed airport which is hung with the Puerto Rican flag, the Lares flag, portraits of Albizu Campos, and banners bearing the logo of the various armed clandestine organizations and of the national liberation front. We drive through the celebrating city to a house where I meet many Puerto Rican comrades I have known personally or known about; the POWs have a particular place of honor. There are also dozens of comrades from the New Afrikan, Mexican, Native American and North American anti-imperialist struggles; perhaps the Mexican comrades have brought relatives of the comrades who died defending William Morales and the tradition of Latin American solidarity. We laugh and embrace, not quite believing we are all there, not quite believing the beauty and joy of the occasion. As our rejoicing dies down, Puerto Rican comrades come over and introduce themselves: they are cadre of the armed clandestine movement who spent years arduously building the politico-military front that was the main instrument of the Puerto Rican people's victory. They invite us to visit the graves of the patriots and martyrs.

After paying respects to El Maestro, we drive for hours into the mountains to the town of Ciales. Crowded around Don Juan's grave, many of us who were in prison or underground at the time of his death take the opportunity to speak a last few words to him (surely we can talk with the dead since they continue to live within us). Tears begin to fall; the tears so beautifully described in Doña Consuelo's poem. They are tears for all those who died, tears for all the lonely years in prison, tears for all the families disrupted and children who grew up without one or more parents. The tears flow freely in front of comrades for in many cases they were not shed for years in front of the oppressor ". . .and each tear becomes a bullet. . ." Don Pedro said *La Patria es Valor y Sacrificio* and the victory was not won without deep human sacrifices.

Eventually we all pile back into our cars and drive up the winding mountain roads of the central part of the country until we reach a large house with a beautiful view of the traditional jibaro countryside. We collectively prepare a huge traditional Puerto Rican meal and serve it on tables outside in the late afternoon sun. Toast follows toast, but soon words are drowned out by a spontaneous outpouring of laughter—deep, joyous laughter. Somewhat different than our laughter earlier in the day, joy is now modulated by the full impact of the reality of victory, of the magnitude of the defeat of US imperialism, by the fact that we are celebrating the culmination of a hundred years of resistance. The richness of that laughter will sustain each of us—those who return to complete the revolutionary tasks in the US and those who turn towards the creation of a new society in an independent Puerto Rico.

A dream, comrades, but one I hope I share with many of you. I hope we see each other on Independence Day. ☆

amnesty international

UNITED STATES OF AMERICA

THE HIGH SECURITY UNIT, LEXINGTON FEDERAL PRISON, KENTUCKY

AUGUST 1988 SUMMARY AI INDEX: AMR 51/34/88
DISTR: SC/CO

A High Security Unit (HSU), built by the Federal Bureau of Prisons (FBP) at Lexington Federal Prison, Kentucky, came into operation in September 1986. Initially three women convicted of politically motivated offences were held there; later they were joined by four other female prisoners. During 1987 the HSU became the focus of growing public attention and criticism.

The women prisoners could associate together at certain times of day but were isolated from all other inmates and kept in a specially controlled environment which included 24-hour camera surveillance. They were not allowed to participate in the training, rehabilitative or recreation programs provided for other long-term prisoners; correspondence and visits were restricted; and they were strip-searched whenever they left the outdoor exercise yard, which they were permitted to use only under constant supervision.

Amnesty International wrote in May 1987 to the FBP about these conditions. It referred to a 1979 study in which it had found that prisoners kept in long-term small-group isolation in the Federal Republic of Germany suffered from pathological disorders caused by their conditions of confinement. It noted that the conditions in the Lexington HSU had reportedly already begun to have a detrimental effect on one prisoner, who complained of headaches and loss of powers of concentration. Amnesty International expressed concern that confinement in the HSU was based on general security considerations rather than on the inmates' own behaviour and was apparently indefinite (all the women in the unit were serving very long prison sentences).

The FBP replied in June that the women were treated humanely and that the HSU was designed for inmates who might be subjects of rescue attempts by outside groups. Amnesty International reiterated its concern on 6 October. In a further letter in October the FBP said that some modifications to conditions in the HSU had been made and that a new high security female prison in which there would be more flexible conditions, was under construction in Marianna, Florida.

In June 1988 an Amnesty International observer attended the court hearing of a motion for a preliminary injunction requesting the immediate closure of the HSU. Lawyers for the plaintiffs (three of the seven women

prisoners) challenged regulations which they claimed allowed the transfer to the HSU of prisoners because of their political beliefs or affiliations. They also argued that the conditions in the HSU were causing the women irreparable injury. Amnesty International's observer found the HSU's conditions "deliberately and gratuitously oppressive" and concluded that there was overwhelming evidence that the prisoners had deteriorated physically and psychologically during their custody there. He recommended that the HSU should be closed forthwith, and that conditions in the new Florida unit should not replicate those in the HSU. His report was sent to the Director of the FBP on 14 July 1988.

On 15 July 1988 Federal District Judge Barrington Parker ruled that the FBP had violated the prisoners' First Amendment right to freedom of speech, association and expression because they had been held in the HSU on account of their political beliefs, and ordered them to be transferred into the general prison population. He did not find the general conditions in the HSU to be in breach of the Constitution, but said that the prisoners' treatment "skirted elemental standards of human decency" and warned the FBP to be careful that conditions at the new Florida unit "do not lead to wanton and unnecessary infliction of psychological pain."

Amnesty International considers that the conditions of confinement and the transfer of prisoners to the HSU on the basis of their political beliefs constitute "cruel, inhuman and degrading" treatment in contravention of Article 5 of the Universal Declaration of Human Rights. The prolonged isolation of the prisoners, the humiliating strip-searches and the additional restrictions imposed on them had a detrimental effect on their physical and mental health.

This document describes the developments in the HSU regime and summarizes the Federal District Judge's ruling in July 1988. Appended is Amnesty International's correspondence with the FBP, the latter's replies, and the Amnesty International observer's report of the court hearing in June 1988.

This summarizes a 38-page document, USA: The High Security Unit, Lexington Federal Prison, Kentucky, (AI Index: AMR 51/34/88), issued by Amnesty International in August, 1988. Anyone wanting further details should consult the full document.

EXTERNAL

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ALLEGATIONS OF ILL-TREATMENT IN MARION PRISON, ILLINOIS, USA

Background and summary

The attached document contains an Amnesty International observer's report on an investigation into allegations of ill-treatment made by inmates of Marion federal penitentiary. It reviews a federal district court hearing which examined, among other things, complaints that prisoners had been beaten by prison guards during the imposition of a "lockdown" (confinement to cells) in the prison in November 1983.

Marion Penitentiary in Southern Illinois, houses some 350 inmates, and is the highest security prison in the federal system. Although all inmates in the prison are held in conditions of maximum security, the prison also has a separate Control Unit where prisoners regarded as an extreme security risk are confined.

The lockdown was imposed on 27 October 1983, after violent incidents in which two prison guards in the Control Unit and an inmate in the prison's general population were killed by inmates. On 28 October the Warden declared a state of emergency in the prison and the Federal Bureau of Prisons (BOP) authorized the temporary transfer of 60 officers from other prisons to Marion to assist in restoring order. In early November 1983, following further disturbances in some areas of the prison, these officers took part in an operation in which the entire prison population had their cells searched, prisoners' property was removed and prisoners were transferred to other units of the prison. It was during these enforced cell moves that most of the allegations of ill-treatment occurred.

The allegations were first revealed after lawyers associated with the Marion Prisoners' Rights Project visited the prison from 15 to 23 November 1983 (after unsuccessfully having tried to gain access some five days earlier) and interviewed 84 inmates. These lawyers subsequently produced a report describing large-scale brutality by guards toward prisoners during the cell searches and giving detailed allegations of ill-treatment in 37 cases. Those alleged to have taken part in the ill-treatment included a "Special Operations Response Team" brought into Marion prison after 27 October, who wore no identification tags and were outfitted with helmets, face masks and special riot control equipment, including three foot clubs with steel beads on the end. Most of the allegations described prisoners being beaten, kicked or clubbed by groups of guards, usually while handcuffed, in separate incidents between 27 October and mid-November. Four prisoners alleged that they were beaten by guards in the prison's hospital unit, with one being held afterwards for three days handcuffed, in an unheated, stripped, hospital cell, with the water turned off. The lawyers said in their report that they had observed injuries and bruising to many

of the inmates interviewed.

On 22 March 1984 Amnesty International wrote to the Director of the Federal Bureau of Prisons, expressing concern at the above allegations and asking if an investigation had been carried out. The Director of the BOP replied in April, stating that the lock-down operation and cell moves had been monitored by senior staff and that, although force had been necessary at times, the prison guards had not acted improperly. He also stated that the federal court, with which some of the inmates had filed complaints, was "an appropriate form" to review the allegations of brutality.

In July 1984 a group of Marion inmates filed a "class action" suit <1> in the Federal District Court for the Southern District of Illinois, in which they sought a preliminary injunction to end what they claimed was the use of "excessive force" by prison guards and to lift certain restrictions and practices imposed as part of the continuing lockdown in the prison. <2> The prisoners claimed that their treatment violated constitutional standards against "cruel and unusual" punishment. The court hearings, which took place in January and June 1985, examined, among other things, the allegations of guard brutality during imposition of the lockdown in November 1983. Although prison records and video tapes of some of the cell moves were examined by the court, most of the evidence about the alleged beatings consisted of testimony given by guards and prisoners. In August 1985, the magistrate (assigned by a federal judge to hear the case and make recommendations) recommended that there had been no constitutional violation of the prisoners' rights. This was based primarily on his finding that the testimony given by inmates was not credible. After reviewing the record in the case and hearing four days of additional testimony, the magistrate's decision was confirmed by the judge of the court in February 1987 and the motion for an injunction denied.

In March 1984 and June 1985, the House Judiciary Committee Subcommittee on Courts, Civil Liberties and the Administration of Justice also held two one-day hearings into conditions in Marion prison. <3> Inmates' representatives and lawyers from prisoners' rights groups claimed that the restrictions which continued to be placed on the large majority of inmates (including those who had not been involved in the violence of 1983) were causing unnecessary hardship and exacerbating tensions in the prison. The National Prison Project of the American Civil Liberties Union requested also that the Subcommittee appoint an independent Board of Inquiry to assess the relative responsibilities for the violence which occurred during the imposition of the lockdown. This request was not taken up by the Committee. The Committee did, however, commission two consultants to

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<1> An action brought on behalf of all inmates in similar circumstances in the institution.

<2> Nearly all inmates at Marion were still being confined to their cells for 23 hours a day with no work or educational programmes. The prisoners also complained, among other things, of the widespread use of physical rectum searches, the shackling of inmates leaving their cells and other deprivations (see AI's observer's report).

<3> The House Committee on the Judiciary is a congressional committee of the US House of Representatives which, among other things, has oversight and legislative responsibility relating to the federal prison system.

undertake a study of the general conditions prevailing in the prison. The consultants' report made a number of recommendations including the ending of forced digital rectum examinations for non-medical reasons and an improved classification and grading system of prisoners, but did not call for an immediate end to the lockdown itself. The consultants did not investigate specific allegations of brutality in the prison, noting that these were being reviewed by the courts.

Amnesty International's observer attended part of the federal district court hearings into the motion for an injunction brought by inmates of Marion penitentiary. He also attended the June 1985 congressional hearing into conditions in the prison, and studied the report of the consultants appointed by the House Judiciary Committee.

Amnesty International was unable to draw conclusions on the substance of the allegations of brutality, the evidence for which consisted largely of conflicting testimony given by guards and inmates. However, its observer found serious shortcomings in the measures taken to investigate the allegations. The lawsuit initiated by the inmates themselves provided the only independent forum for reviewing these complaints. However, the federal court was limited to finding proof of specific violations of law or constitutional rights, and it was beyond its jurisdiction to examine whether there were procedures or practices which might have facilitated acts of brutality, or to make recommendations to protect inmates. AI's observer noted that there were a number of relevant circumstancs which the court was unable to address, which an independent administrative inquiry might properly have looked into. These included the absence of the use of name tags by guards involved in the lockdown operation, which prevented the prisoners from identifying individuals alleged to be involved in abuses; the denial of access to lawyers in the immediate afermath of thelockdown; the non-reporting by prison officials of the use of force, and the role and training of the Special Operations Response Team.

In December 1986 Amnesty International wrote to the Federal Bureau of Prisons enclosing a copy of its observer's report and drawing attention to these concerns. Amnesty International recommended that a full, independent and impartial inquiry be instituted, which could look into all the circumstances of the alleged events. Amnesty International suggested that such an inquiry should, in particular, examine whether procedures or practices existed which might have facilitated brutality; examine the adequacy of the complaints machinery existing within the prison; review the training of correctional service employees in responding to sistuations such as that occurring in October 1983, and report on whether improvements

could be made in any of these areas to minimise the risk of ill-treatment.

In its letter, Amnesty International also raised some concerns regarding the general conditions prevailing in the prison as part of the continuing lockdown. Its observer had noted that a number of practices, including the use of restraints and the lack of provision for work programmes appeared to violate the United Nations Standard Minimum Rules for the Treatment of Prisoners and that certain conditions could, in their totality, amount to "cruel, inhuman or degrading" treatment. While Amnesty International was not in a position to comment on what security measures may be needed in running the institution, it hoped that these observations would be taken into account by the prison authorities in reviewing conditions in the prison.

Amnesty International's observer's report and its correspondence with the Federal Bureau of Prisons from March 1984 to February 1987 are attached.