Committee to Stop FBI Repression Statement (May 18, 2011)

Secret FBI documents reveal attack on democratic rights of anti-war and international solidarity activists

FBI agents, who raided the home of Mick Kelly and Linden Gawboy, took with them thousands of pages of documents and books, along with computers, cell phones and a passport. By mistake, they also left something behind; the operation plans for the raid, “Interview questions” for anti-war and international solidarity activists, duplicate evidence collection forms, etc. The file of secret FBI documents was accidently mixed in with Gawboy’s files, and was found in a filing cabinet on April 30. We are now releasing them to the public.

The raid at the Kelly/Gawboy home was one of the many coordinated raids at Minneapolis homes and the offices of the Anti-War Committee on September 24, 2010. Two additional homes were raided in Chicago. To date, 23 anti-war and international solidarity activists have received subpoenas to appear in front of a Chicago Grand Jury headed by U.S. Attorney Patrick Fitzgerald.

Taken as a whole, the secret FBI file shows the willful disregard for the rights of anti-war and international solidarity activists – particularly the first amendment rights to freedom of speech and association. The documents make it clear that legal activity in solidarity with the peoples of Colombia and Palestine is being targeted. The documents use McCarthy-era language, which gives one the feel that the 1950s red scare has returned. And finally, the documents show the chilling plans for the armed raid that took place at the home of Kelly and Gawboy on September 24, 2010.

The documents show that public advocacy for the people of Colombia was the genesis of the FBI investigation. The ‘Operations Order’ for the FBI SWAT Team states “The captioned case was initially predicated on the activities of Meredith Aby and Jessica Rae Sundin in support of the Revolutionary Armed Forces of Colombia, a U.S. State Department designated foreign terrorist organization (FTO), to include their travel to FARC controlled territory.”

While we have no way of knowing if it was speaking tours or educational events on Colombia that got them so riled up, there is something we can state with certainty: There is nothing illegal about traveling to Colombia, or visiting the areas where the FARC is in charge. This is something that journalists, including U.S. journalists, do, and we have yet to hear of their doors being broken down. Upon returning from Colombia, Aby and Sundin spoke at many public events about their experiences.

The FBI interview questions for Meredith Aby ask “1) Have you ever met Lilia [sic] Obando? 2) Where? 3) When? 4) Why?” Liliana Obando is a well-known Colombian trade unionist who spoke in the Twin Cities at an event organized by the Anti-War Committee. She received a visa to travel in the U.S. from the U.S. government. She spoke about the sickening human rights violations that were being carried out by the Colombian government and its paramilitary allies.

While we understand that the Colombian government is the third largest recipient of U.S military aid, and that government officials would prefer that that people here in the U.S. don’t get a chance to hear about human rights abuses committed with their tax dollars, the fact remains: there is nothing criminal in trying to learn the truth. The FBI is attacking the right of anti-war activists to speak out against U.S. foreign policy.

Likewise, the “interview questions” make a big deal about delegations that visited Palestine. The Israeli authorities try to disrupt these trips because people return from them and expose the gross human rights violations that are carried out in the context of the military occupation. But once again – this is a legal activity that activists have every right to engage in.

The documents show how the FBI investigation expanded outwards, starting with Colombia and soon focusing on Palestine. How did the FBI get involved? The most likely explanation is that a undercover police officer going
by the name “Karen Sullivan” infiltrated the Anti-War Committee shortly before the 2008 Republican National Convention. Among the first people she met were Meredith Aby and Jess Sundin, who often spoke at public events about what they saw in Colombia. Karen Sullivan - the professional liar - then gave her reports to the FBI, paving the road to the September 24 raids.

The New McCarthyism

When Wisconsin Senator Joe McCarthy went on a red-baiting witch hunt in the 1950s, communists, socialists and progressives of all stripes were hounded out of jobs, housing, the entertainment industry and institutions of higher education. More than a few people were jailed for their ideas. The secret FBI documents indicate an investigation is underway that takes its cues from this shameful past.

The FBI documents include 57 interview questions about Freedom Road Socialist Organization, the organization that some of those who were raided or subpoenaed to the Grand Jury are members of. The questions include; “Are you a member?” “How many members are there?” “Who are the leaders?” And on and on and on. It is like pages of the calendar have been turned back 60 years.

In the United States there is a constitutional right to association. Like-minded people are allowed to form groups and political parties that promote their views. FRSO members, along with others, were very active in organizing the massive anti-war protests at the Republican National Convention. They participate in the labor movement, community organizing, and the anti-war movement too. And they advocate that capitalism should be abolished and replaced with socialism. Given the bank bailout, continuous wars and the economic crisis it is not unreasonable to see these activities and views as a breath of fresh air.

“Dangerous” raid

In the documents, the “Operations order” for FBI SWAT for “Operation Principal Parts” the raid on the Kelly/Gawboy home has the word “DANGEROUS” in underlined bold type at the top of the page. FBI agents were told to bring assault rifles, machine guns and two extra clips of ammunition for each of their side arms. Two paramedics were to stand by in the event of causalities. Other documents include photos of Kelly and Gawboy, as well as pictures of stairs leading to their front door and the front door itself.

What transpired on September 24 was this. Gawboy was awoken by the FBI pounding on the door. When she stated she wanted to see the search warrant, agents used a battering ram on the door, breaking the hardware and shattering a fish tank in the process. Gawboy was taken down the front steps in her nightgown while the FBI swat team entered her home.

The justification for this armed home invasion is given in the “Operations plan” - “Kelly is believed to be the owner of an unknown number of firearms which may be at his residence...”

Kelly, who learned to shoot while in Boy Scouts, owns guns – just like a lot of Minnesotans. The “Operation Plan” also claims that Kelly “offered to provide weapons training” - an outright lie that originated with the police infiltrator “Karen Sullivan” or a fiction writer at the FBI office.

The bottom line is this: there can be no justification for the raid in the first place, and still less for it to be done by agents smashing doors and wielding machine guns. This is a recipe for people getting hurt or killed.

The events of September 24 and the ongoing grand jury are not about “material support of terrorism,” as any normal person would understand it. What is happening is this: anti-war and international solidarity activists are being targeted for practicing our rights to speak out and organize. We have done nothing wrong. Our activism is making this world a better place.
OPERATION ORDER
FBI SWAT - MINNEAPOLIS

415U-MP-70824
Operation Principle Parts

DANGEROUS

I. SITUATION

A. Background:

The captioned case was initially predicated on the activities of Meredith Aby and Jessica Rae Sundin in support of the Revolutionary Armed Forces of Colombia (FARC), a U.S. State Department designated foreign terrorist organization (FTO), to include their previous travel to FARC-controlled territory. Since opening the original investigations an additional 16 Subjects in six FBI Field Divisions have been identified.

Subjects in Minneapolis, Chicago, Phoenix, Detroit, Los Angeles, and Charlotte Divisions have provided and/or conspired to provide material support to the FARC and/or the Popular Front for the Liberation of Palestine, also a U.S. State Department designated FTO.

Search warrants and interviews of subjects will be conducted at approximately 10 locations in Minneapolis, Chicago, and Detroit Divison on 7/24/2010.

B. Location:

1823 Riverside Apartment #2
Minneapolis MN

C. Subject:

Name: Michael Hugh Kelly
Race: White
Sex: Male
Height: 5'10"
Weight: 145lbs
Eyes: Hazel
Hair: Grey
DOB: 08/09/1957
CrimHist:

date sign: 9/22/10
Name: Linden Marie Gawboy
Race: White
Sex: Female
Height: 5'01"
Weight: 200lbs
Eyes: Blue
Hair: Brown
DOB: 08/13/1963
CrimHist: Disorderly Conduct, Presence at Unlawful Assembly

Others: Rosemary Doreen Nevils, Black Female, DOB: 04/22/1949
        Peter Loring Dodge, White Male, DOB: 11/22/1941

***Subject considered dangerous due to possession of weapons***

D. FBI Personnel/Duties:

1. FBI ASAC  Richard Thornton

2. FBI SWAT:

   SA John Gainer  (MP3)
   SA Shane Ball   (MP4)
   SA Michael Cannizzaro  (MP5)
   SA Jean Laplace  (MP6)
   SA Wayne Kauffmann (MP9)
   SA Dan Harris   (MP10)
   SA Jason Hopfer  (MP13)
   SA Pat Rielly   (MP14)
   SA James Somerville (MP15)
   SA Larry Wesbey  (MP16)
   SA Dave Walden  (MP17)

3. Medical:

Two North Memorial medics will be provided. Medics on scene will make
decisions as to treatment and transport of injured personnel. Hospital location will be determined
by the medics.
4. Hostage Negotiators:

Negotiators have been notified and will provide negotiators as needed.

5. Perimeter:

Will be handled by swat personnel and supplemented by local law enforcement as well FBI/Task Force officers

II. MISSION

On 9/24/2010, a search warrant will be executed in the above captioned matter. Based on the potential danger that the subject may pose SWAT will clear the residence prior to searchers entering.

III. EXECUTION

A. Concept of Operations:

On order, FBI SWAT will knock and announce, "FBI Search Warrant." Upon waiting a reasonable amount of time and receiving no answer, the team will then, if necessary, breach the apartment door, hold their position and again attempt to call the subject out. After receiving no response again the team will enter and clear the residence. Following the clearing of the residence, the residence will be turned over to other FBI Agents and Task Force personnel and a search will be conducted.

B. Tasks:

1. FBI SWAT:

SA John Gainer- Team Leader
SA Dave Walden- entry
SA Wayne Kauffmann- entry
SA James Somerville- entry
SA Pat Rielly- entry
SA Dan Harris- rear security
SA Jason Hopfer- rear security
SA Jean Laplace- perimeter
SA Michael Cannizzaro- perimeter
SA Shane Ball- breaching (cut saw)
SA Larry Wesbey- breaching (ram)
C. Coordinating Instructions

1. Vehicles:

**Black Suburban**- Hopfer (driver), Harris, Laplace, Cannizarro

The Black Suburban and 4 SWAT Operators will drive to the rear entrance of the target location and take station in the alley and make notification to the TL.

**Blue Sprinter Van**- Kauffmann (driver), Gainer, Walden, Somerville, Rielly, Ball and Wesbey

The Blue Sprinter Van will hold short on Riverside until rear security is in place. The Van will drive to the front of the building, SWAT Operators will exit and proceed to the common entrance at 1823 Riverside.

2. Time Schedule:

Be in the FBI parking garage at 0630. Briefing will occur at 0700.

3. Staging Area:

FBI garage. Proceed directly to target location by the following route: Washington Avenue to Cedar Avenue to Riverside Avenue.

D. FBI Deadly Force Policy:

Deadly force may be used only when necessary; i.e. when Agent has reasonable belief that the subject poses an imminent danger of death or serious bodily harm to Agent or others (self defense or defense of others).

E. Contingencies:

**Medical:** See Annex

Two North Memorial paramedics will be present. North Memorial Medics on scene will make decisions as to treatment and transport of injured personnel. For additional info see the medical annex.
IV. ADMINISTRATION AND LOGISTICS

A. Weapons: Assault/entry team members will carry M-4's, MP-5's and handguns.

B. Clothing/Specialty Equipment: Team members will deploy with standard SWAT uniform.

C. Breaching Equipment: rams, haligans, bolt cutters, cut saw.

V. COMMAND AND CONTROL

ASAC Thornton will have on-scene command. SA John Gainer will be SWAT Team Leader. SA Lisher will lead the negotiators.

Communications will be on DN5.

Administrative communications will be on Bureau radio channel A1.
FRSO Interview Questions

START OFF BY WARNING THE INTERVIEWEE THAT THE FOLLOWING QUESTIONS PERTAIN TO A TERRORISM INVESTIGATION AND ANY MATERIAL FALSE STATEMENT IS A CRIMINAL OFFENSE

1) Have you ever heard of the Freedom Road Socialist Organization ("FRSO")?

2) What is it?

3) What does it do?/What is its purpose?

4) Are you a member?

5) What is your position within the FRSO?

6) How is it structured?

7) How many members are there?

8) Who are the leaders?

9) Where in the U.S. does it exist?

10) Who are the other members in Minneapolis (or Chicago)?

11) How does it pay for expenses?

12) Does it have an office?

13) Are there regular FRSO chapter meetings?

14) Where do they take place?

15) What is discussed?

16) Do you or anyone else at the meeting or with the FRSO, take notes?

17) Where are those notes?

18) Do you pay dues to the FRSO?
19) How much?

20) What is the purpose?/What happens to the money?

21) Who collects the dues?

22) Are there regular national meetings of the FRSO?

23) Where do they take place?

24) What happens at the national meetings?

25) Is it affiliated with any other organization in the United States?

26) Does it control/direct/exercise influence over, any other organization in the United States?

27) Have you ever heard of the Anti-War Committee ("AWC")?

28) What is it?

29) What's the relationship between the AWC and the FRSO?

30) Are you a member of the AWC?

31) Do you have a "red" name?

32) What is it?

33) What's the purpose of having a red name?

34) Do you have a "red" e-mail account?

35) What is it?

36) What's the purpose of having a red e-mail account?

37) Have you ever heard of a group called the Popular Front for the Liberation of Palestine, also known as the PFLP?
38) What do you know about the PFLP?

39) Where is it based?

40) What is its philosophy?

41) Have you, anyone from the FRSO, or anyone you know, ever traveled to the Middle East? Gaza? West Bank? Israel?

42) Have you, anyone from the FRSO, or anyone you know, ever given money intended for the PFLP?

43) Have you, anyone from the FRSO, or anyone you know, ever given anything intended for the PFLP?

44) Have you, anyone from the FRSO, or anyone you know, ever given money intended for the Union of Palestinian Women's Committee, also known as the Women's Committee?

45) Have you, anyone from the FRSO, or anyone you know, ever met with anyone from the Women's Committee?

45) Have you, anyone from the FRSO, or anyone you know, ever met anyone from the PFLP?

46) Are you aware that the PFLP has been designated as a terrorist organization by the United States?

46) Are you aware that it's illegal to give money to any part of a designated terrorist organization, even a charitable part?

47) Have you ever heard of a group called the FARC?

48) What do you know about the FARC?

49) Where is it based?

50) What is its philosophy?

51) Have you, anyone from the FRSO, or anyone you know, ever traveled to South America?
Colombia?
52) Have you, anyone from the FRSO, or anyone you know, ever given money intended for the FARC?

53) Have you, anyone from the FRSO, or anyone you know, ever given anything intended for the FARC?

54) Have you, anyone from the FRSO, or anyone you know, ever met anyone from the FARC?

55) Are you aware that the FARC has been designated as a terrorist organization by the United States?

56) Do you support, either financially or otherwise, groups that have been designated as terrorist organizations in the United States?

57) Have you ever taken steps to overthrow the United States government?

Questions for Specific Individuals

Parker Thistle-Hartog
1) Do you run the Anti-War Committee?

2) Have you ever given money from the Anti-War Committee or the Anti-War Committee Educational Fund, to a terrorist group, specifically the PFLP, through third parties?

Jessica Sundin
1) Did you collect dues from FRSO members?

2) What did you do with the money?

3) Have you ever lied as a witness in any court proceeding, including a grand jury?

4) Have you ever recruited fighters to the FRSO?

Stephanie Weiner
1) What did you do with the proceeds from the Revolutionary Lemonade Stand?

Stephanie Yorek
1) Have you ever hosted any members of the FARC?
Mick Kelly
1) Do you own a gun?

2) For what?

3) Have you taught any FRSO member how to shoot?

4) Why?

5) What’s your personal view of the FARC?

6) Did you ever meet a woman named Maha Nassar?

7) Who is she?

8) Where did you meet her?

9) What were the circumstances of your meeting her?

10) Was she a member of the Women’s Committee?

11) Was she a member of the PFLP?

Ann Pham
1) What’s your husband’s immigration status?

2) When you visited Israel, did you lie to Israelis authorities about the purpose of your trip?

3) Have you ever assisted in someone else, FRSO or not, in raising funds for a trip to Israel, West Bank or Gaza?

4) From whom did you raise the funds?

5) What was the purpose of the trip?

6) Did you ever assist anyone in getting money to Hatam Abedayeh for the purposes of him sending it to Israel, Jordan, the West Bank or Gaza?

7) Who?
8) When?

9) How much?

10) How did he get the money over there?

**Tracy Molm**

1) Did you ever recruit anyone to go to Israel, the West Bank or Gaza?

2) Who?

3) When?

4) What was the purpose of the trip?

5) Did you tell that person to lie to Israeli authorities about the purpose of the trip?

6) What do you think of terrorist groups? Do you support them?

**Meredith Aby**

1) Have you ever met Lilia Obando?

2) Where?

3) When?

4) Why?

5) Who is she?

6) Is she a member of the FARC?

7) Did you ever help her raise money in the United States?

8) Why was the Colombian Action Network formed?

9) Who is El Gordo?

10) Did you ever meet with him in the United States?
For travel arrangements to Chicago, please contact witness coordinator Pat LeBlanc, (312) 353-5300
ATTACHMENT B

LIST OF ITEMS TO BE SEIZED

RESIDENCE OF MICHAEL KELLY

Evidence concerning the violation of: (1) 18 U.S.C. § 2339B: Providing, attempting and conspiring to provide material support to designated foreign terrorist organizations, as follows:

(1) Documents, files, books, photographs, videos, souvenirs, war relics, notebooks address books, diaries, journals, maps or other evidence, including evidence in electronic form, related to:

a) Kelly's travel to and from and presence and activities in Minnesota, and other foreign countries to which Kelly has traveled as part of his work in FRSO; Kelly's ability to pay for his own travel from the United States to Palestine, Colombia and travel within the United States from 2000 until present, including all materials related to Kelly's personal finances and finances of the Freedom Road Socialist Organization ("FRSO");

c) Kelly's potential co-conspirators, including any address books, lists, notes, photographs, videos, or letters of Kelly's personal contacts in the United States and abroad;

d) the recruitment, indoctrination, and facilitation of other individuals in the United States to join FRSO, including materials related to the identity and location of recruiters, facilitators, and recruits, the means by which the recruits were recruited to join FRSO, the means by which the recruitment was financed and arranged;

e) the recruitment, indoctrination, and facilitation of other individuals in the United States to travel to Colombia, Palestine and any other foreign location in support of FTOs including, but not limited to FARC, PFLP and Hezbollah, including materials related to the identity and location of recruiters, facilitators, and recruits of these FTOs, the means by which individuals were recruited to travel to Colombia, Palestine and other foreign locations in support of FTOs, and the means by which the recruitment was financed and arranged;

f) FARC, PFLP, Hezbollah and other FTOs which the FRSO and Kelly have supported, attempted to support or conspired to support;

g) Kelly's use of the email addresses mickelly.fightback@gmail.com and mickelly@fightbacknews.org and telephone numbers (612) 370-0167 and (612) 715-3280, or any other telephone numbers, and Facebook, MySpace, or other social networking websites.
(2) Computer equipment, electronic storage devices, and cellular telephones belonging to Kelly and their contents, including files, telephone numbers, photographs and videos, related to the evidentiary items listed in paragraph 1 above, pursuant to the procedures set forth in the accompanying affidavit.
Warrant Location: 1823 Riverside Ave. Apt. 2, Mpls, MN
Case Number: 415L-MP-71446   Date: 09/24/2010

Item: _________________________________

Located By: ___________________________

Located At: ___________________________

Initials of Evidence Technician: ________ Item No. ____

Warrant Location: 1823 Riverside Ave. Apt. 2, Mpls, MN
Case Number: 415L-MP-71446   Date: 09/24/2010

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Case Number: 415L-MP-71446   Date: 09/24/2010

Item: _________________________________

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Located At: ___________________________

Initials of Evidence Technician: ________ Item No. ____
TO:

Michael Kelly

SUBPOENA TO TESTIFY
BEFORE GRAND JURY

SUBPOENA FOR:
■ PERSON
■ DOCUMENT(S) OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE  Dirksen Federal Building
         219 South Dearborn
         Chicago, Illinois 60604

Special August 2009-1 Grand Jury 09 GJ 717

COURTROOM
Room 1625
DATE AND TIME
10/19/2010; 9:30 am

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s): *

For 2001 to the present: (1) all pictures and videos relating to any trip to Colombia, Jordan, Syria, the Palestinian Territories, or Israel; (2) all items relating to any trip to Colombia, Jordan, Syria, the Palestinian Territories, or Israel; (3) all correspondence, including but not limited to emails and letters, with anyone residing in Colombia, Jordan, Syria, the Palestinian Territories, or Israel; (4) all records of any payment provided directly or indirectly to Hatem Abudayyeh, the Popular Front for the Liberation of Palestine ("PFLP") or the Revolutionary Armed Forces of Colombia ("FARC"); (5) all records of any telephonic or electronic communication with anyone in Colombia, Jordan, Syria, the Palestinian Territories, or Israel; and (6) any item related to any support provided to any designated terrorist organization, including the PFLP or the FARC.

The terms "documents" and "records" mean any item in tangible, digital, or electronic form.

Please see additional information on reverse.

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK

(By) Deputy Clerk

DATE

09/22/2010

This subpoena is issued on application of the United States of America

NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY

BRANDON FOX, AUSA
219 South Dearborn Street
Chicago, Illinois 60604
(312) 353-5277

* If not applicable, enter "none".
September 22, 2010

Michael Kelly

Re: Grand Jury Subpoena --

When you appear before the grand jury, pursuant to this subpoena, you will be informed as follows:

1. The grand jury is conducting an investigation of possible violations of federal criminal laws.

2. You may refuse to answer any questions if a truthful answer to the question might tend to incriminate you.

3. Anything that you do or say may be used against you by the grand jury or in a subsequent legal proceeding.

4. If you have retained counsel, the grand jury will permit you a reasonable opportunity to step outside the grand jury room to consult with counsel if you so desire.
# PHOTOGRAPHIC LOG

## GENERAL INFORMATION

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### Special Handling Instructions
- □ Batteries
- □ Biohazard
- □ FGJ
- □ HAZMAT
- □ Latents
- □ Refrigerate
- □ Req. Charging
- □ None
- □ Other

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### Firearms Certification

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UNIVERSAL STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # ____________________________

On (date) ____________________________ item(s) listed below were:

☐ Received From
☐ Returned To
☐ Released To
☐ Seized

(Name) ____________________________

(Street Address) ____________________________

(City) ____________________________

Description of Item(s):

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Received By: ____________________________ (Signature)

Received From: ____________________________ (Signature)