

# WITCH HUNT AGAINST ANTI-WAR ACTIVISTS

## FREQUENTLY ASKED QUESTIONS...AND ANSWERS!



### WHAT'S THE STORY?

On September 24th the FBI raided the homes and offices of peace activists in Minneapolis and Chicago. They seized computers, phones, large amounts of documents and other personal items, and delivered a total of 14 subpoenas to appear in front of a Grand Jury. They have also contacted other activists in the peace community in an ongoing investigation of "material support of terrorism." This is a very serious attack on freedom of speech and our right to organize. Although they have not yet been charged with any crime, the 14 are facing possible jail time if they don't talk to a grand jury about their political work or if they are indicted and convicted.

### WHO ARE THE PEOPLE THAT WERE RAIDED & SUBPOENAED?

They are 14 working people, between 29 and 71 years old, who are active in their communities and in favor of social justice.

They disapprove of US foreign policies of war, and were all involved in organizing protests against the 2008 Republican National Convention in St. Paul, Minnesota.

Most of them are members of trade unions (AFSCME, Teamsters, SEIU, AFT) and/or other organizations such as the Anti-War Committee, Colombia Action Network, Palestine Solidarity Group, Freedom Road Socialist Organization, etc.

Come meet them and you will see that *they are just like you*. You can learn more about them and their story here: <http://www.stopfbi.net/about/profiles>

### WHAT ARE THEY BEING ACCUSED OF?

The search warrants mentioned "material support of terrorism" and groups in Colombia, Palestine and Lebanon.

The current definition of "material support" can cover just about anything, like providing humanitarian aid that ends up in the hands of a group tagged as 'terrorist' by the US government, or posting a link to an informational website. The implications of this law, as it is being used, are troubling to anyone who does community organizing, or anyone who does journalistic reporting or academic research on wars, conflicts or controversial movements.

If the current "material support" laws had been in effect in the 1980s, people in the U.S. who supported the anti-apartheid movement in South Africa led by Nelson Mandela and his political party, the African National Congress (ANC), or people who supported the Republican movement in Northern Ireland, would have been "supporters of terrorism."

### BUT SERIOUSLY, DID THEY HELP TERRORISTS?

Absolutely not: The FBI hasn't arrested or indicted anyone. No one who was subpoenaed has done anything wrong. The whole operation looks like a 'fishing expedition' and an attempt to chill dissent (and on the heels of the Department of Justice [Inspector General's report](#) on the FBI's misuse of terror laws against non-violent peace groups from 2001-2006, that becomes even clearer).

We also think that the notion of 'terrorist' is a political tool used to demonize anyone who actively opposes policies of the U.S. government and its allies. It is the new "red scare", and it's important to remember that dissent is not the same as disloyalty and accusation is not the same as evidence.

It is also important to note that the US government unilaterally decides who is on its "terrorist list", and that designation is almost impossible to appeal or change.

### WHAT IS A GRAND JURY?

A Grand Jury is a one-sided, secretive and anti-democratic process that is nothing like the judicial process as you may think of it.

There is no judge, no defense attorney, no press or audience present. Just the prosecutor and the jury that the prosecutor hand picks.

Since the person called before the Grand Jury is not allowed to have a lawyer in the room and there is no judge present, there is nobody able to contradict the prosecutor. The prosecutor one-sidedly picks the elements they want to present to the jury.

When appearing in front of the Grand Jury we don't know if we are the targets of the investigation or if we are testifying against someone else, or what we are accused of.

Not quite the fair justice process portrayed in the school books, is it? The U.S. is one of the only countries in the world that still uses Grand Juries, and not even all states in the U.S. use Grand Juries. [ a detailed FAQ about Grand Juries: <http://www.abanet.org/media/faqjury.html> ]

### SO WHAT IS HAPPENING NOW? WILL PEOPLE GO TO JAIL?

All the people who were subpoenaed during the September 24 raids and in the following days, have chosen

to 'plead the Fifth Amendment' which states that "No person shall be compelled to be a witness against themselves."

Consequently, the first round of subpoenas were canceled. This doesn't mean the case is dropped, only that they aren't summoned to appear in front of the Grand Jury at this time. The Grand Jury, though, continues to meet.

In November some of the subpoenas are to be reactivated. This round of subpoenas will likely include a grant of immunity to force people to testify to the grand jury about their political activity.

If they refuse the immunity, then they would be 'in contempt of the court', and would face possible jail time. The amount of jail time is unknown and could be until the end of the Grand Jury term (which can be extended beyond the initial 18 months).

They all have jobs and families. Many are homeowners and parents of small children, so there is a lot at stake.

Getting jail time for refusing to talk to a Grand Jury does not mean being guilty of anything. And testifying before a Grand Jury, even with immunity, does not mean that they won't be charged with a crime. Immunity only means that they cannot use what a person says against that individual. There is absolutely no guarantee that they will not be indicted or sentenced in this case for things others say about them.

Once people accept immunity there is no turning back. They have to answer any question that the prosecutor asks them, and without the presence of their lawyer. No line of questioning can be ruled 'out of order' since there is no judge.

#### **IF THEY HAVE DONE NOTHING WRONG, WHY NOT TESTIFY?**

There are many reasons not to testify. Here are some:

We believe people should have the right to express opinions in opposition to U.S. interventions and wars without being interrogated McCarthy-style about who they associate with and what they do.

Through solidarity work at home and abroad, the people subpoenaed may have been in contact with community organizers, trade unionists, and activists in other countries with repressive governments whose very lives could be at stake, and they have refused to be put in a position where they could not protect their identities.

Because of the profoundly anti-democratic and dangerous nature of the Grand Jury and the "material support of terrorism" law, the people who have been subpoenaed have decided they cannot cooperate with them. It is important to note that this law is fairly new, and that whatever happens in this case will affect its use in the future.

Those who have been subpoenaed have said they are also not going to cooperate in any way with the abuse of their rights or the harassment of their friends. We are encouraging anyone who is contacted by the FBI to exercise their right to remain silent and call the National Lawyers Guild at 1-800-NLG-ECOL

#### **ARE MANY PEOPLE SUPPORTING YOU?**

Absolutely: people are outraged by what is being done. We immediately received the support of families, friends, co-workers, communities and fellow activists. The FBI would have liked to single people out and quietly persecute them but instead our community is coming together to fight this harassment and intimidation on a national level.

Many are familiar with the FBI's COINTELPRO and can remember how they targeted people like Martin Luther King Jr, Albert Einstein, John Lennon and Charlie Chaplin (to name a few high profile cases). Support from within the activist community has been coming in strong.

So far more than 130 organizations have issued statements of support condemning the raids, and virtually every major peace and justice organization in the US has come out against these attacks. So have many trade unions such as AFSCME Council 5 (45,000 members), Duluth Central Labor Body (17,000), locals of AFT, Teamsters and other unions, Christian, Jewish and Muslims groups, the national Green party, advocates of civil rights, community centers and many, many more.

Hundreds of protests have been organized throughout the country, and thousands of people have taken to the streets.

Minnesota State Representative Karen Clark and State Senator Linda Berglin circulated a "Dear Colleague" letter in the Minnesota State Legislature and within hours collected the support of 62 legislators. More needs to be done to pressure our representatives to help us (including the president).

#### **WHAT CAN I DO?**

We want to pressure the President and Congress to call off the Grand Jury

- Contact your legislators, President Obama and Attorney General Eric Holder to demand the end of this Grand Jury
- Tell as many people as you can about this case
- Stay informed by joining our [email list](#) or [Facebook group](#) (links at [stopfbi.net](#))
- Get your organization to pass a [resolution](#)
- Join or organize protests and meetings
- Invite a speaker to come talk about the case
- Write a letter to the editor or articles
- Make a donation at [stopfbi.net/donate](#)
- Volunteer—contact the Committee to Stop FBI Repression for details.

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