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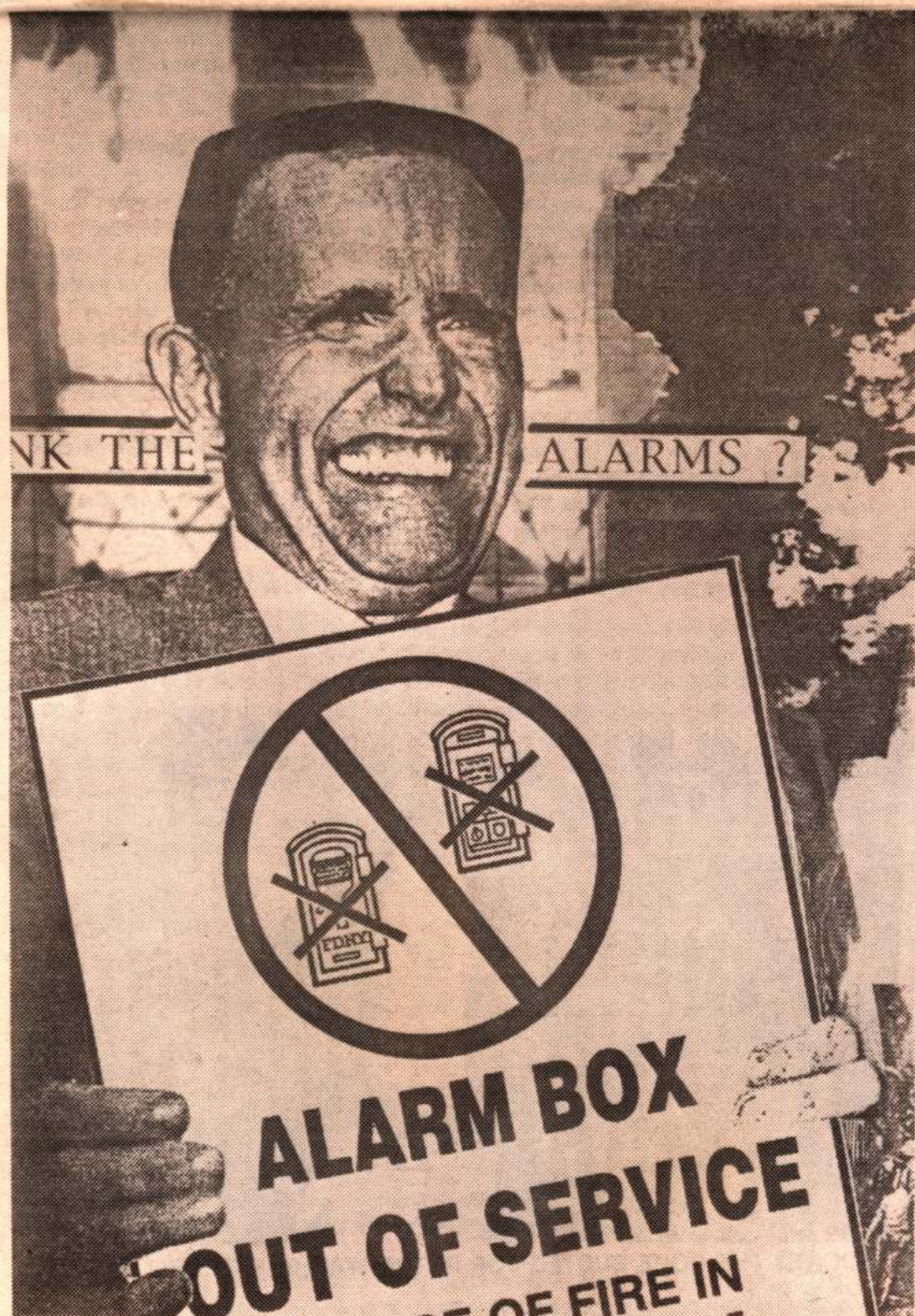
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FEB/MAY 1995
ISSUE #35

RUDY TO NYC: BURN BABY BURN!

**Fire Alarm Removal Targets
Low-Income Neighborhoods**



ZAPATISTAS UNDER ATTACK!!

**MEXICO PRES. DANCES TO
WALL ST. TUNE; LAUNCHES
NEW CHIAPAS OFFENSIVE!**

**EYEWITNESS REPORT FROM
ZAPATISTA REVOLUTION!**

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**ANTI-SQUATTER
COUNCILMAN PAGÁN
CRONY NAILED IN
HOUSING SCAM!!**

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**SQUATTER COURT VICTORY
PUTS CITY ON DEFENSIVE!!**

SHADOW EDITORIAL

NEWT COVENANT

How does Amerika's ruling class get rid of pesky "liberalism"? First, they put a spineless jellyfish in a suit and make him the first "baby-boomer" president--the voice of yuppie progress and rationality. He comes forth with a plan for national health insurance but does not stand behind it, so that in the end everything is back at square one. The health care plan is now a skeleton in the closet, like an attack of impotence that Bill Clinton does not care to talk about. He makes a couple of progressive statements but does not argue in their favor to convince the populace. He takes a feeble swipe at homophobia in the military, which only gives the military homophobes a chance to humiliate their "commander-in-chief." "Don't ask, don't tell"--this is the story of Bill Clinton's life. He also appoints a couple of really talented women and people of color to the government. Their careers meet, however, with the same fate as the health care plan and gay rights in the military. Joycelyn Elders is thus fired for talking about jerking off, just as the right wingers are shining their shoes for the first day of the brave Newt world. Yet another attack of impotence on Clinton's part, as untalked about as Zoe Baird and Lani Guinier.

Now, this sort of behavior on the part of a "leader" doesn't do much for the morale of the followers. A large portion of the "left" was immobilized by Bill Clinton. All of the union people and social worker types had great illusions in him. So did the feminists. Many of them figured back in 1992 that Clinton's election would give them breathing space. The Reagan/Bush era was finally over. They would not have to organize demonstrations anymore. They could join society, develop careers, surf the Internet. Clinton did not deliver on their illusions, and the result was disillusionment. Many of the aging baby boomers will never return to left wing activism, because they already have a stake in the system. Furthermore, Clinton has made a joke out of many of the things that the left considers holy. National health care seems further away than ever, and it is more evident than ever that a progressive person does not stand a chance inside the system. The Republican right is back, and now it has an armed fringe acting as its shock troops on abortion. What is likely to happen to the ideals of a generation that identified with Bill Clinton?

Of course, the problem is that the liberals' juice has been turned off by the ruling class. At their best, they were able to bribe the discontented segments of society, not create a coherent social contract. This bribery, in the form of the New Deal and Great Society, became too expensive for Amerikan capitalists. They had to compete with capitalists from less liberal countries, where money is spent on Nintendo factories instead of Medicaid. Ronald Reagan was brought in to remedy this situation by giving the poor a kick in the pants. Reagan served his purpose, but eventually, the Reaganite order collapsed in chaos. Like Democratic politicians of the past, Clinton was brought in as a sponge to soak up the chaos. His promises helped neutralize the leaders of the Black community, some of whom might otherwise have come to independent conclusions about things like the Los Angeles riots. Clinton is less troublesome than some liberals of the past. The ruling class will probably not have to shoot him. He accepts the realities created by Reaganism. In 1996, he will take the fall for fifteen years of Reaganite policies, the last four of which he himself implemented, and thereby restore the normal Republican state of affairs. Meanwhile, Clinton will continue to capitulate to Newt and the rest of the pond life.

SHADOW STAFF:

EDITORS: Chris Flash, A. Kronstadt

REPORTERS: Lamont Cranston, Scott Cunningham, Paul DeRienzo, Keith Ericsson, Chris Flash, Stuart Frankel, Free-I, Bernadette Geiger-Counter, Kurt Hill, Drew Kramer, A. Kronstadt, Barbara Lee, Bob McGlynn, Amelja Morales, Frank Morales, Nashua, Marina Ortiz, William Pleasant, Upton Roosevelt, Gabby Sloan, Ashley Thayer, Sara Valentine, John Veit, Rosanna Vento, Bill Weinberg

PHOTOS: Jack Dawkins, Chris Flash, Lannes Kenfield, Peter LeVasseur, Andrew Lichtenstein, Ashley Thayer

ART: Scott Cunningham, Eric Drooker, Tuli Kupferberg, Mac McGill, Mike Schafer, Seth Tobocman, L. Van Abbema, Andrew Wendel

PASTE-UP: Mac McGill, L. Van Abbema

PROOFREADERS: Stuart Frankel, Ruth

ATTORNEYS AT LARGE: Stanley L. Cohen, Ronald Kuby, William Kunstler

MICHAEL CESAR "THE POPE OF POT" 1942-1994

On January 31, Mickey Cesar, better known as the self-ordained "Pope" of the Church of Realized Fantasies, died after a long battle with cancer.

Mickey the Pope was a gay man who enjoyed flaunting his sexuality and getting into the media spotlight as often as possible, even if it meant his getting deep into trouble for it. Coming to New York from Amsterdam, Holland, where marijuana, hashish and other soft drugs are tolerated, the Pope set up his church on the Lower East Side of Manhattan. He made no effort to conceal the church's use of marijuana as its holy communion as he freely dealt in pot.

The Pope was well known in the underground for his church-run marijuana delivery service "We Deliver," which could be accessed by calling 777-CASH. He became known to cops when "We Deliver" was busted in 1981, resulting in an eight month jail sentence. He was set up by undercover cops in 1983, selling a pound of pot to one of them in Washington Square Park. This was shortly after he publicly dared the police department to try to stop his delivery service, which he said was protected by its religious status. This resulted in his getting three years in jail.

As soon as he was released, the Pope went right back into business with the church and delivery service. In 1990, the Pope and "We Deliver" was the subject of a PBS television series "The Nineties," he advertised his toll-free telephone number (1-800-WANT-POT) on the Howard Stern radio show, and he even marched in New York's Halloween Parade sporting full papal regalia with a giant marijuana leaf on front, passing out free joints and handbills advertising his service. Unfortunately, some of these were also given to undercover cops at the parade.

In November of 1990, the storefront office of "We Deliver" was raided by the Manhattan South Narcotics Squad. Cops lined up everyone outside, including the Pope, just in time for the 6:00 news. The Pope told the assembled camera crews: "The law against marijuana is totally insane--no sane jury will find me

guilty". The Pope later told the SHADOW that the narcs stole more than 2 pounds of pot, a new watch, hashish, and cash, including \$3,000 from the Pope's pocket. The Pope ended up doing two years in various jails. (See SHADOW #15 for more.)

Blood appeared in his urine for months as his jailers refused him diagnosis and treatment by an outside hospital. Eventually, he was diagnosed with cancer of the kidney, but by that time it had spread to his lungs and other organs. Poor prison food and medical treatment made the Pope become insulin dependent. After a few botched jail operations, he was released in March of 1993 on parole after doctors gave him six months to live. The state of New Jersey tried to have him extradited for an old warrant for marijuana possession, but a New York judge refused, citing his medical condition.

Always refusing to bow to authority, the Pope refused to submit to piss tests to check for marijuana consumption. He lived for the next two years with his cancer in and out of remission. (See SHADOW #28 for more.)

He was busted again in 1993 by a huge force of pigs and feds looking for a lot of pot, but the case was dismissed by a sympathetic judge who saw how sick he was. Again, cops stole most of the pot in his apartment, which contained only a few ounces.

The Pope's last public appearance was at the 1994 Smoke-In in Washington Square Park. He had always been active in efforts to legalize pot, including working on previous Smoke-Ins. However, the 1994 Smoke-In had been taken over by Dana Beal, who had the ailing Pope physically thrown off the stage by a goon squad when he attempted to address the crowd.

Mickey wanted to resurrect the Church and delivery service, but he was too weak. The last times I saw him at home, he couldn't move around very much. He had a bottle of maple syrup and a can of yams nearby to be consumed quickly whenever he felt himself about to go into a diabetic coma. Unable to get experimental cancer treatments that seemed to help him, the Pope had to move to a hospital in Westchester to get them. Late last year, he checked into Calvary Hospital in the Bronx, where he finally died -- still a free man.

--By Chris Flash

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MICKEY THE POPE BUSTED FOR POT IN WASHINGTON SQ. PARK

JOHN PENLEY

FEDS SET UP DAUGHTER OF MALCOLM X IN FARRAKHAN ASSASSINATION PLOT

By Paul DeRienzo

Informants are the stock in trade of the FBI when the bureau sets out to destroy popular movements. During the height of the civil rights movement in the 1960s, the FBI, under director J. Edgar Hoover, launched their so-called COINTELPRO operation against black radicals. The stated purpose was to prevent the rise of what the bureau termed a "black messiah" who Hoover feared could unite African-American people against the United States government.

After COINTELPRO was exposed in the 1970's, the FBI claimed the operation had been discontinued and that reforms in the Bureau would prevent any similar assault on American citizens' right to peaceful protest. But the recent federal indictment in Minneapolis of Qubilah Shabazz, a daughter of Malcolm X, for allegedly plotting the assassination of Nation of Islam leader Louis Farrakhan seems to indicate the spirit of J. Edgar Hoover is alive and well at the Federal Bureau of Investigation.

At the heart of the government's case against Shabazz is a long time informant for the FBI, Michael Fitzpatrick, 34, who is currently facing charges for possession of cocaine in Minneapolis. Prosecutors say Fitzpatrick tipped off the FBI after Shabazz allegedly let him in on her desire to kill Farrakhan, a man suspected of having been involved in her father's assassination in a fusillade of bullets on February 21, 1965 in Harlem's Audubon Ballroom. Qubilah, her mother Betty Shabazz, and three of her sisters witnessed the slaying.

Among those who suspect Farrakhan's involvement is Betty Shabazz, who told reporters last year of her suspicion and added that it was "common knowledge." Her comments led to an article in the New York Post accusing Farrakhan of planning the assassination, prompting a multi-billion dollar libel lawsuit by the Nation of Islam against the Post. However, Farrakhan does admit to helping create a climate of hatred and hostility towards Malcolm X due to a bitter feud between Malcolm and Nation of Islam founder Elijah Muhammad, though he denies having had any role in planning the murder of Malcolm X.

The government's evidence against Shabazz, who has pleaded not guilty, is a stack of 20 audiotapes of conversation between her and Fitzpatrick and a 50 minute videotape that Fitzpatrick secretly made in a Minneapolis area motel room. According to reports in the Minneapolis *Star Tribune* that quote a federal official, on the videotape, Fitzpatrick does most of the talking, encouraging Shabazz to go along with the plot against Farrakhan, while she objects that innocent people might be killed.

Who is Michael Fitzpatrick?

Michael Fitzpatrick began his political career as an informant while a teenager attending the United Nations International School in Manhattan, where Shabazz was also a student. Fitzpatrick, the son of an Irish union organizer and a Jewish businesswoman, joined the Jewish Defense League and was the chief government informant in a 1978 case in which two militant Jews were convicted of plotting to blow up Egyptian government offices in Manhattan. According to activist attorney William Kunstler, Fitzpatrick actually provided the dynamite that was supposed to be used in the attack.

Fitzpatrick had become an informant when he was convicted in the 1977 bombing of the pro-Soviet Four Continents bookstore in Manhattan. According to court documents, he was paid about \$10,000 to inform on the two JDL members involved in the Egyptian bombing plot, Bruce Berger and Victor Vancier. Berger currently works for an organization that aids Jewish immigrants in the United States. Vancier resumed his militant Jewish activism since his 1991 release from prison after a 5 year jail term for several unrelated bombing charges.

Vancier is the host of "Positively Jewish" and "The Jewish Task Force," public access cable television shows in New York City. He has used the shows to denounce blacks, Israeli leaders and to praise Baruch Goldstein, the militant Israeli settler and former Brooklynite who slaughtered 29 Muslims as they worshipped at a Hebron mosque last year.

According to another former JDL member, Stephen Rambam, Fitzpatrick was also a part of SOIL, or Save Our Israeli Land, a protest organization that included Vancier and Dov Hikind, now a Democratic State Assembly member from Brooklyn.

Another JDL member and associate of Fitzpatrick in the late 1970's was Mordecai Levy. Levy says despite his hatred of Nation of Islam leader Louis Farrakhan, he firmly believes Qubilah Shabazz was set up by the FBI. Levy claims Fitzpatrick has a long history of infiltrating various political groups in order to set them up for arrest. One of the groups says Levy, was the Revolutionary Youth Movement, an arm of the former Communist Workers Party, whose members Fitzpatrick reportedly trained in the use of firearms.

According to Levy, the question to ask Fitzpatrick is why he continued as an informant even after he was already off the hook on the earlier bombing charges. Levy told the **SHADOW**: "a lot of times informants become addicted to the money, the glory, or the task. I think he had all three. He was a mercenary, a pirate, a freebooter, he enjoyed the work, he enjoyed putting people away."

Levy doesn't hesitate to express his hatred of Louis Farrakhan, a man he refers to as a "black Hitler," but Levy told the **SHADOW** that despite the enmity he holds for the Nation of Islam leader, he's concerned that "this innocent girl, Malcolm X's daughter, not be framed." Levy added that if the FBI can use someone like Fitzpatrick to "set-up" Shabazz, "today its her, tomorrow it could be a Jewish group, it could be a legitimate African-American group, it could be a gun club... If they can get away with framing Malcolm X's daughter who has no track record of any anti-semitic or anti-white or anything activity -- [then] that's despicable."

After informing in the Egyptian offices bombing case, Fitzpatrick disappeared into the federal witness-protection program, which moved him into a Minneapolis suburb under the name of Michael Summers. In the 1980's, he drifted back and forth between New York and Minneapolis before settling there again four years ago. Chris Gunderson was a member of a local anarchist collective when Fitzpatrick became a regular at Backroom Anarchist Books, the group's organizing center.

Gunderson told the **SHADOW** that it was at an October 16, 1986 demonstration called "Minneapolis is Revolting" targeting corporations involved with the military-industrial complex in Minneapolis that he first saw Fitzpatrick. A scuffle broke out with police as protestors attempted to take to the streets and Fitzpatrick was in the middle of the action.

Gunderson says that Fitzpatrick "represented himself.. as having been a member of the Communist Workers Party who had been assigned to do youth work in the



INFORMANT. Michael Fitzpatrick in a yearbook photo from 1978.



Michael Fitzpatrick, in a 1993 police photo. AP Photos

punk scene and that in the course of that he had been won over to anarchism."

Gunderson adds that Fitzpatrick suggested that one of the reasons he left the Communist Workers Party was because he felt the group had "chickened-out and not proven themselves committed to...militancy. And he thereby set a standard for militancy that he wanted everyone else to live up to. That was one of his main ways of advancing the idea that people needed to escalate their tactics in ways that were quite clearly foolish and inappropriate. But at the time he cut an impressive figure and was able to influence people for a certain amount of time."

The web of deceit began to unravel after Fitzpatrick started bringing weapons into the bookstore, sparking suspicion among some of the anarchists. According to Gunderson, Fitzpatrick brought a can of "police-issue" mace into the bookstore. The mace was then discovered by the police when they came into the bookstore shortly after he had left. [The police said] they were looking for a runaway at the time." Gunderson adds that the anarchists noticed "a pattern of actions and encouragement from him that seemed to us over time to constitute an effort to set us up."

William Kunstler is co-counsel representing Qubilah Shabazz along with Inner-City Broadcasting founder Percy Sutton. Both attorneys represented Malcolm X during the 1960's and are still active in progressive politics. Interviewed by the **SHADOW**, Kunstler said that "the real purpose" behind Fitzpatrick's attempt to "stimulate Qubilah Shabazz into a conspiracy to assassinate Louis Farrakhan" was to get Farrakhan killed, "not by her, but to stimulate that enmity again between those who loved Malcolm and those who followed Elijah Muhammad into an internecine civil war that resulted in so many deaths in the 60's...it's a dirty business engineered by the FBI...to prevent the rise of what Hoover used to call a black Messiah."

Although Louis Farrakhan's racial rhetoric has aroused animosity among many whites, he is still a popular figure in the African-American community, in part because he's perceived as standing up for young black men. According to Kunstler, "Farrakhan for better or for worse is the only national black leader with that charisma. He can fill Yankee Stadium and they want to cut him down."

At a packed assembly of Nation of Islam members in Chicago last month, Farrakhan accused the FBI of trying to create conflict and division between the Nation and the family of Malcolm X. Farrakhan also accused the FBI of lying to Nation of Islam leaders about the plot. According to Farrakhan's lawyer Ava Muhammad, the FBI had said that a Muslim extremist group -- not a Malcolm X family member -- had been involved in the plot to kill Farrakhan.

William Kunstler says he's interested in the role of the Clinton Administration's Justice Department in the Qubilah case. Kunstler told the **SHADOW** that "first the Attorney General's office said we knew nothing about this -- four days later, they said we knew all about it. It's my suspicion they of course knew all about it, but first they denied it which is very interesting."

Kunstler also addressed charges by Minneapolis prosecutors that Qubilah had neglected her son, Malcolm X's grandson, also named Malcolm. Kunstler said with a hint of contempt that "prosecutors announced someone said Qubilah had 'liquor on her breath' -- that's a great sin I guess." Kunstler says the abuse charge was "dispelled totally because the authorities found it was totally unfounded."

If convicted, Qubilah Shabazz faces up to 90 years in prison and more than two million dollars in fines. The trial has been postponed until May 1st and Kunstler says while "the only fair trial would be no trial at all, I have a suspicion there maybe no trial at all." According to Kunstler, new information may further undercut the government's case against Shabazz.

Former FBI agent Dan Scott held a press conference in Minneapolis to say he had been the case agent for Michael Fitzpatrick back in the late 1970's. Scott told reporters that Fitzpatrick was an idealistic and credible witness, but according to Kunstler, former agent Dan Scott was himself kicked out of the FBI for drunkenness and killing someone in a car accident.

Kunstler adds "there's a puppeteer pulling the strings and there are lots of puppets out there." And the strings attached to Michael Fitzpatrick run straight back to the FBI.

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IS NEW YORK HEADING FOR ANOTHER WAVE OF BURNOUTS?

By Keith Ericsson

It was an almost comical display of political viewpoints in the City Council on January 10 as members of the council's Public Safety Committee questioned Fire Commissioner Howard Safir about Mayor Rudolph Giuliani's administration's intentions regarding the deactivation of all 16,300 fire alarm boxes in New York City. Commissioner Safir talked tough to the lawmakers about the administration's position, calling the current call box system "93 per cent ineffective". When Public Safety Chairman Sheldon Leffler questioned Safir about removing the boxes within days of that hearing, Safir shot back that recent articles in *New York Newsday* were "totally inaccurate" in their reporting of the story.

Interrupting Leffler, Safir added that "obviously the Long Island newspaper does not understand Brooklyn firefighting". In published reports throughout most of early January, it had been rumored that the Mayor and Fire Commissioner had intended to jump the gun on the council. Mayor Giuliani has stated flatly that the fire alarm boxes are costly and that false alarms were running out of control. Citing numbers ranging well over 200,000 false calls, the Mayor says that the City would save two million dollars the first year and well over five million dollars annually once the call boxes are removed. In spite of figures offered by community groups, the mayor's office and the council's own studies, the debate that day ended in a stalemate. Neither the council or the mayor's office were set to budge. However the committee voted 9 to 0 for keeping the boxes operable for three months pending adequate review.

The current battle over the city budget has been fought on many fronts over the last few months, as both the City Council and the Giuliani administration attempt to advance their respective views over the future of New York for the rest of the decade. While the city's growing budget deficit threatens to rival the mid-1970's brush with bankruptcy, the re-play of yet another crisis may be on the horizon: urban burnout. That was the fear of about a dozen community activists who had held a news conference on the steps of City Hall moments before the

Fire Commissioner was set to argue his case. The Fire and Sanitation Coalition of Greater New York, a self-described "regional organization committed to preventing a recurrence of urban burnout in NYC", rendezvoused in front of newscameras with President Dave Rosenszweig and members of the Fire Dispatchers Benevolent Association and electricians from Local 3 on the steps of City Hall. Dr. Roderick Wallace of the Coalition cited double-disaster statistics on housing overcrowding--"70,000 more than in 1970" and a "mayor who has not done his job for a year". The Fire and Sanitation Coalition was alone the following week in calling for Safir's resignation. Eric Rassi cited a Fire Commissioner who "has misled the Mayor and most of the press".

Borough Presidents all (except Bronx's Ferrer) voiced disapproval, as well as 90% of the city council. President Tom Von Essen of the Uniformed Firefighters Association balked at an order using firefighters (who were otherwise busy with building inspections) to flyer neighborhoods with Anti-Call Box propaganda. "A misuse of city funds to further the commissioner's personal agenda," said Robert Ungar, counsel to the fire dispatchers union. Comptroller Alan Hevesi refused to rubber-stamp a concocted "emergency". The NYC Fire Chief's Association, 700 strong with active and retired chiefs, went on record to differ with Safir's claiming their full support. More recently, the Vulcan Society, an organization of African-American firefighters, came out against the plan. "My personal argument is that time is of the essence," said Delbert Coward.

The battle over the city's fire alarm box system is more than a fight between lawmakers and community activists. Some say the dispute is only the latest skirmish over a long running and controversial city policy known as "Planned Shrinkage". The policy was sketched out before New York City's mid-70's financial crisis by former City Housing Commissioner Roger Starr, now on the editorial board of the *New York Times*. "Planned Shrinkage" was a sort of urban "triage", aimed at withdrawing essential city services--police patrols, garbage removal, street

repairs, and fire services--from neighborhoods suffering from deep population losses, decay and deemed to be "unsalvageable".

In short, like a Latin American country squeezed by its bankers, the City tried to cope with the fiscal squeeze and keep-up its debt ratings by writing off so-called marginal neighborhoods.

It was a plan to concentrate services on "salvageable" neighborhoods that might otherwise sink into the spiral decay that was already engulfing Brownsville, Brooklyn and the South Bronx. By no coincidence, those neighborhoods chosen for "shrinkage" (abandonment) were overwhelmingly black, poor or Hispanic.

Among the activists who held the news conference before Safir's City Council appearance was Dr. Roderick Wallace. Wallace is the technical director of the Public Interest Scientific Consulting Service and a fellow of the New York Academy of Medicine. Little known outside of scientific and medical circles, Doctors Roderick and Deborah Wallace have written numerous papers on the long running policy of "Planned Shrinkage". They point to the 1978 findings of the New York State Assembly Minority Task Force on Urban Fire Protection. The Task Force, led by then Republican gubernatorial candidate Perry Duryea, found that the City's Fire Department had falsified records of fire statistics in the 1970's. It also said that "during the City's fiscal crisis, the Fire Department failed to publish its annual report," resulting in "the suppression of information vital to public understanding."

Wallace and Wallace believe that the falsification of records by the Fire Department was intended to dispel the then and still common belief that most of the fire damage to New York City's housing stock was a result of arson, and to promote the belief that any individual apartment fire may be as random as a heart attack. Roderick Wallace says the fire patterns over densely packed neighborhoods is as predictable as an insurance company's actuarial tables.

Way back in 1969, the City commissioned the New York City Rand Institute (an offshoot of the Rand Corporation, a think tank that provides military models for the Pentagon) to develop computer models of the city, much like those used in defense planning, to improve the efficiency of fire services. The Rand Institute's models were later criticized by both the

Duryea panel and the Wallace's subsequent studies as being overly simplistic and generally inadequate. According to those close to City policy making, the Giuliani administration has been accused of using the same Rand Institute models in determining fire safety and policy for the 1990's. While the administration continues to have close ties with both the Police and Fire Departments, ironically, the mayor has suggested the closing of an undetermined number of fire houses in the coming year.

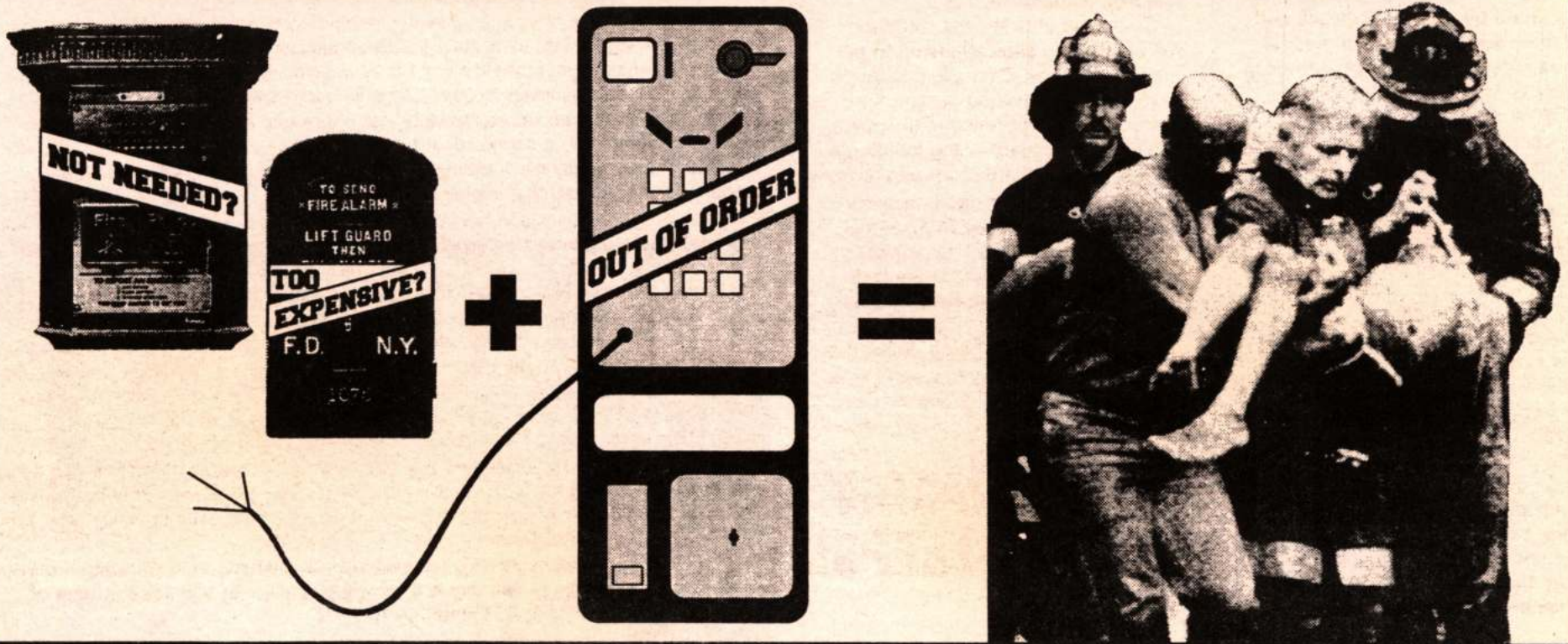
This is what the results were following the release of the Rand Institute's models in the early 1970's. According to city records, more than 50 Fire houses were closed throughout the mayoral administrations of John Lindsey, Abraham Beame and Ed Koch. One year following the Rand findings, in 1970, then Deputy Fire Chief Charles Kirby warned City officials of a coming fire epidemic in the Bronx.

Deputy Chief Kirby said that nearly all of the Bronx firehouses should remain open in order to hold the line against the coming firestorm. His warnings were ignored and fire house closings began in the South Bronx, Harlem, Crown Heights, East New York, and the Lower East Side. Incidents of fire increased dramatically in these neighborhoods. The results of the "Planned Shrinkage" policy was devastating and changed the fabric of life in New York. The city experienced an out-migration of roughly 1.1 million middle class non-hispanic whites to the less-populated and lower-taxed regions of the sunbelt. Yet, within the city, residents from these burnt out neighborhoods were moving to similar communities not yet hit with the firestorm. From the South Bronx to Brownsville, East New York to Harlem, the consequences from the burnout were as devastating as they were inevitable--a slow motion urban firestorm that reduced once vibrant areas as surely as B-17's burned Dresden or Hamburg, Germany during World War Two.

While these neighborhoods burned, the misinterpretation of choice, at the time for most commentators, was arson. Memories of the inner city uprisings of the '60's were still fresh in the minds of politicians, journalists, and the public at large. In truth, New York city never experienced the large scale devastating

See BURNOUT On Page 23

IS THIS THE CITY'S NEW MATH?



SUSPICIOUS FIRE BREAKS OUT AT THE NINTH STREET SQUAT!!

By Chris Flash



About a dozen people lost everything they had when their squatted building was destroyed by fire on January 19. The building, located at 643 East 9th Street, was better known as the Ninth Street Squat. Among the residents was well known community activist and Pot Parade/Smoke-In organizer Jerry The Peddler.

People on the roof of a nearby squat saw and heard explosions of flames come from the third floor of the Ninth Street Squat as the fire began around dusk. Jerry told the SHADOW that he was across the street with friends in La Plaza Cultural (a Lower East Side version of Berkeley's People Park) when they suddenly saw the building in flames from the third floor up. Jerry ran inside hoping to get his cat, but he was forced out by the smoke and heat. (Luckily, his cat had already gotten out his window and was waiting for him on the second floor fire escape.) All of the residents got out safely, with only one taken to a hospital, suffering from smoke inhalation.

Strangely, soon after the fire began, uniformed and plainclothes cops converged on the scene, including high ranking cops who were seen laughing and joking. As cops questioned Jerry about being inside the squat during the fire, Jerry ran after his cat who was running into a neighbor's backyard. The assbackward pigs thought he was running away from them, and they chased and cornered him. Finally, they realized that he was a victim and not an arsonist, and they slunk away.

Arriving firemen practiced standard procedure in dealing with squat fires. They stood by as the top floors and roof were sufficiently consumed by flames before they attempted to extinguish the fire. Witnesses told the SHADOW that several female pigs who usually patrol Tompkins Square Park threatened them with arrest when they loudly demanded that the firemen use their hoses instead of letting the building burn. Other cops nearby were seen laughing among themselves as the fire raged. By 7:00 p.m., the fire was out.

A fire marshal approached the squat residents as they sat wrapped in blankets across the street watching their home disappear in smoke and flames. The marshal said that the fire began in the rear third floor hallway, outside Jerry's apartment. He said that he saw what appeared to be grease and tar smeared on the walls, stairs and railings inside, probably to spread the fire. He added that empty gas cans were also found inside.

Some of the squat's residents were set up in temporary hotel rooms by the Red Cross while others were put up in neighboring squats.

The next morning, another mysterious fire erupted in Serenity House, a block away. This time, however, the fire was confined to only one apartment, mostly due to renovations and the installation of fire-proof sheetrock many months before, as well as the presence of several fire extinguishers. Residents had the fire put out as firemen arrived.

That same morning, Fire Department crews returned to the Ninth Street Squat and neatly cut several large square sections out of the roof. People looking on from La Plaza noted that the firemen knew where it was safe to walk on the roof, having let the fire consume certain parts the night before. Cutting the roof is also standard procedure after a squat fire. The purpose is to expose the building's joists and interior to the elements, insuring that no one can live there again once everything is sufficiently rotted.

According to Jerry, the Ninth Street Squat was built in the 1870s, refurbished around 1906 and again in 1936. The property changed hands several times and was last owned in the 1970s by an absentee landlord from Boston who would show up drunk at the building every few months, looking for rent money. Eventually, the building was taken by the city for non-payment of taxes. The city expected the tenants to leave, but as they moved out over time, others moved in. Jerry says he began living there on January 12, 1984.

Two days after the fire, building residents were allowed inside to get their belongings. Over the next few days, firemen returned several times to the building for reasons unknown. Finally, on February 7, the building's windows were boarded up by crews hired by the city. No one knows for sure who is behind the Ninth Street Squat fire, which now seems more suspicious since a smaller fire took place in one of the building's storefronts on Thanksgiving Day. The construction of a new housing police station only a block away has some people wondering if all of these events are connected.

THE SHADOW NEVER SLEEPS!!

13TH STREET SQUATTER VICTORY!!

By Chris Flash

Squatters of the Lower East Side have won their latest legal battle against the combined forces of the City of New York, a phony housing group controlled by right wing pro-landlord City Councilman Antonio Pagán, and persons trying to sabotage their legal efforts.

As reported in SHADOW #34, on October 12, 1994, the East 13th Homesteaders Coalition, which comprises five buildings on East 13th Street, obtained a Temporary Restraining Order (TRO) through State Supreme Court Judge Elliott Wilk. Represented by attorney Jackie Bukowski, the coalition is seeking a permanent injunction against Lower East Side Coalition Housing Development (LESCHD), a housing group controlled by councilman Pagán. LESCHD has been trying to take the five buildings with help from the city, claiming they are vacant and are a "blighting influence" on the neighborhood. LESCHD plans to convert the buildings into "low-income" housing that would revert to market rate housing in fifteen years. The TRO prevents the city from taking any action toward evicting the buildings without "due process."

Taking a calculated risk, the coalition allowed various city agencies to inspect the public areas of their buildings. To ensure against a double-cross, the homesteaders requested that Judge Wilk attend the inspections.

On November 22, officials from the Fire and Buildings Departments, Housing Preservation and Development (HPD) engineers, Pagán's reps from LESCHD, LESCHD's contractors, members of the Corporation Counsel (the city's in-house lawyers) and Deputy Inspector Richard Seta of the ninth precinct, were escorted through the buildings. After Wilk left, the city's lawyers attempted to obtain a vacate order, alleging "unsafe" conditions found at one of the buildings (one joist in a basement was sagging -- this was immediately replaced after the inspections). The cops present told HPD they would not attempt an eviction since it was not in the scope of Wilk's order to inspect the buildings.

Despite concerns of some squatters that the inspections were a ruse to force mass evictions, the cops were cool, though they had back-ups of riot cops and "emergency service" vehicles only a few blocks away. (The SHADOW learned that the city tried to induce Deputy Inspector Seta to sign an affidavit alleging that the homesteaders posed a threat to the safety of police and that he supported their removal. Seta refused.)

Shortly before xmas, city lawyers made a motion for Judge Wilk to decide the case expeditiously on the grounds that the coalition's case had no merits. The city claimed that the homesteaders came to court with "dirty hands" as trespassers and that they had no case. Judge Wilk said he would give them an answer sometime in January.

Also present in court that day were two members of one of the buildings (535 East 13th St.). The men, known as "Butch" Johnson and John ("The Communist") Potak, have been trying since last October to sabotage the coalition's case against the city. Beside spreading disinformation to convince squatters that the suit will cause the evictions of the squats, Johnson and Potak have also mounted a smear campaign against those involved in the suit, claiming they are police agents and working for the city.

Interestingly, Johnson was seen sitting with LESCHD members in the courtroom, exchanging telephone numbers as they whispered in his ear. Persons attending the hearing told the SHADOW that they saw Johnson earlier giving the court clerk a package which he said contained "a cassette tape." Strangely, a cassette tape recording of a squatter Eviction Watch meeting was stolen by Potak, who then issued posters and leaflets publicly exposing squatter defense strategies discussed at the meeting.

At an earlier court date, Johnson and Potak attempted to have their building removed from the collective suit. According to SHADOW sources, when representatives from HPD told Judge Wilk that they were offering Johnson and Potak city apartments in exchange for removing their building from the suit, Johnson said, "Yes, that's what we want." When questioned by the SHADOW, Johnson claimed "everyone was offered free apartments." Other residents of the 13th Street buildings told the SHADOW that this is a lie.

Later, when the homesteaders received the city's response papers to their suit, they discovered a letter written by Johnson, alleging that the parties to the suit against the city do not live in the buildings. The city, with no strong argument against the homesteaders, has used Johnson's letter to bolster its case against them.

On February 6, the city requested another inspection of one of the buildings, located at 545 East 13th Street. City lawyers claimed that they were concerned about a bow in the brickwork on the side of the building. The residents had already installed an architectural bracing structure to stabilize it. They allowed one rep from HPD and one engineer to inspect the brickwork, and the inspectors agreed that the bracing was good. The city then had a wooden canopy installed for further safety. This was accepted by the homesteaders, who planned to have one erected anyway for future work on the building.

On February 10, Judge Wilk denied the city's motion and again extended the TRO. He then requested an evidentiary hearing, setting March 13 as the date on which daily hearings will begin. Judge Wilk also questioned the city's allowing abandonment for so many years, and he asked why the city has been holding housing stock. HPD reps admitted that HPD administers 2,000 buildings with a total of 20,000 units. (SHADOW sources believe the numbers are much higher.) They told Judge Wilk that their true fear is that if the homesteaders succeed, a "land rush" will be created.

Beside thwarting the city's attempts to evict them, the homesteaders can now use the evidentiary hearing to question high ranking city officials responsible for housing policies for the past 15 years. The case can be used to present a factual record of how and why people have become homesteaders.

City lawyers left the courtroom agreeing to the date of the new hearing and not challenging the extension of the TRO. Six hours later, Carol Sellers of the Corporation Counsel called Ms. Bukowski to say that the city will invoke an automatic stay. Sellers refused to say when they would do this, telling Ms. Bukowski that they are only legally required to mail notice to the parties of the suit. Sellers also said that the case is now out of her hands and is being handled by other city attorneys. As the SHADOW goes to press, there is no indication that the city has stayed the TRO. Ms. Bukowski, who checks daily to see if it has been stayed, sees no difficulty in vacating it.

Ms. Bukowski told the SHADOW that the city's right of automatic stay "is only to be used as a shield, not a sword. It is meant to preserve the status quo, which in this case is people living in their homes; not to be used by a loser to do with impunity what he would have done if he had won the lawsuit," she explained.

If the TRO is stayed by the city, the plaintiffs will then go to the Appellate Court to overturn it. Even so, the evidentiary hearing will take place as scheduled in front of Judge Wilk on March 13 at 60 Centre Street.

SHADOW EXCLUSIVE: EYEWITNESS REPORT FROM THE ZAPATISTA REVOLUTION

By Bill Weinberg

[NEWS FLASH!! As the SHADOW goes to press (2/10), we have just received word that Mexican government troops are moving on the Zapatistas with orders to arrest Subcomandante Marcos and other Zapatista leaders. Apparently, A Zapatista safe house in Mexico City was busted, and a woman arrested is said to have revealed Marcos' identity under interrogation. A safehouse was also busted in Veracruz, and explosives were said to be found, providing President Ernesto Zedillo with the "justification" for breaking the ceasefire. Powerful Wall Street figures had also been pressuring Zedillo to crack down on the Zapatistas to "restore confidence" in the peso. Meetings to organize solidarity with the Zapatistas are being held on Tuesday nights at 7:00 by the National Committee for Democracy in Mexico at the Washington Square Church at 135 West 4th Street.]

A year has come and gone since the Indian rebel movement called the Zapatista Army of National Liberation (EZLN) launched its New Years Day 1994 uprising in the southern Mexican state of Chiapas. As 1994 came to a close, this poorest and most Indian of Mexican states was back at the brink of war. A ceasefire was brokered at the last minute, but the new President Ernesto Zedillo and his long-ruling Institutional Revolutionary Party (PRI) face both financial crisis in the wake of December's dramatic peso collapse, and a fast-growing revolutionary movement throughout the Mexican south.

"I consider myself only an instrument of the people, who want a legitimate government," says Amado Avendaño, the self-proclaimed "rebel governor" of Chiapas, from his improvised office in an occupied building of the National Indian Institute (INI) in the Highland city of San Cristobal de Las Casas.

Pine needles cover the floor, and the rebel governor's Indian supporters have set up a small altar in the reception area, with candles and *copal* incense. "So I am here," says Avendaño, who still wears a patch over one eye from his pre-election auto crash which he calls an assassination attempt. "At the moment I no longer have that support, I am ready to go back home and continue to publish my newspaper.

Avendaño published *El Tiempo*, San Cristobal's small but feisty daily, before announcing his gubernatorial candidacy with the Party of the Democratic Revolution (PRD), which has emerged as the first serious left opposition to the PRI's entrenched 65-year hegemonic rule.

The August elections brought the PRI's Eduardo Robledo to power, but a "Popular Electoral Tribunal" made up of representatives from Indian and *campesino* groups declared the results fraudulent after their independent investigation. Upon Robledo's assumption of power on December 8, the EZLN declared the ceasefire, which had held since January, broken. 40,000 federal army troops poured in to Chiapas, fortifying the roadblocks surrounding the Zapatistas' stronghold in the remote jungle known as the Lacandon Selva.

Seemingly trapped, on December 19, the Zapatistas surprised the nation by filtering out of the Selva--and through the army's net--along remote mountain trails, and announcing their presence in 38 of Chiapas' 111 municipalities, mostly in the Highlands. Blockading roads, and occupying the municipal palace in the village of Simojovel, the Zapatistas declared the 38 municipalities "in rebellion" and loyal to the "rebel transition government" of Amado Avendaño.

As the army moved in on the rebel positions, the Zapatistas abandoned their roadblocks and disappeared into the local population. Tanks and troops occupied the Highland villages, often at the ostensible invitation of the municipal authorities. But the *PRLista* municipi-

pal governments often have administrative control only over the village centers. In the surrounding outlying peasant communities, real territorial control lies with the Indian and *campesino* independent (i.e. not government-controlled) organizations, which generally support Avendaño and the EZLN.

Since last January's Zapatista uprising, these groups have united in the State Council of Indian & Campesino Organizations (CEOIC), and launched a statewide campaign of land occupations. The federal government, in an effort to buy peace, has agreed to reimburse the big ranchers, who make up the traditional economic elite of Chiapas, for their squatted lands. But the ranchers' organizations are demanding a government crackdown on the occupations and have openly announced that they are putting the money into arms. Violent conflict between CEOIC militants and the *Guardias Blancas*, the private goon squads of the cattle aristocracy, continues to shake the state. CEOIC charges that the landowners are organizing "death squads."

Since December 8, CEOIC has declared five "pluri-ethnic autonomous regions" in Chiapas. In a state long torn by violent divisions between Indians and *mestizos*, the CEOIC is demanding a local self-government which includes and respects all ethnic groups. Many outlying hamlets have declared themselves self-governing "New Municipalities," breaking from the PRI-controlled municipal governments of the village centers. Avendaño and the EZLN have recognized these Autonomous Regions and New Municipalities.

Avendaño, who has appointed an Autonomy Council made up of Indian leaders, says, "The Tojolobales in Trinitaria, Las Margaritas and Ocosingo want their own laws, in their own language and tradition. The Choles, in the northern zone of the state, want their own system of justice in their own territory." All of the seven councils the rebel governor has appointed include Indians--this in a state where the impoverished Indian majority has always been excluded from political power.

Robledo, attempting to defuse the situation, has officially left the PRI. The federal government has declared the official agrarian reform, terminated elsewhere in the country in preparation for the anticipated privatization of communal *ejido* lands under NAFTA, back on the agenda in Chiapas, where it was never effectively applied in the first place due to the power of the local aristocracy.

But it may not be enough to buy peace. "Nothing has changed in Chiapas," says Avendaño. "So the Zapatistas have reason to be in the same state of war."

On December 19, San Cristobal's Bishop Samuel Ruiz began a hunger strike--which he called a religious fast--for peace. Ruiz, long a champion of



JOSHUA SCHWARTZ

ZAPATISTA STANDS GUARD IN LACANDON SELVA

ZAPATISTA DEMONSTRATORS TRASH CHASE MANHATTAN BANK!!

By Chris Flash

In response to Mexican President Ernesto Zedillo's orders on February 9 for the detention of the top leadership of the Zapatista National Liberation Army (EZLN), approximately 150 people met in front of the Mexican Consulate General's building at 8 Easat 41st Street on February 13.

The rally, called by the New York Committee for Democracy in Mexico/USA, included speeches, chanting, and a letter from EZLN leader sub-comandante Marcos read aloud. After an hour or so, the demonstrators made their way up Fifth Avenue to the Chase Manhattan Bank at 44th Street. The Rockefeller family-controlled Chase Bank, with billions of dollars at risk in Mexican investments, has called on the Mexican government to crush the Zapatista uprising in order to restore foreign investor confidence, whose security in Mexico is the main purpose of the NAFTA agreement.

After demonstrating outside the bank for a while, some 50-100 people spontaneously went inside to bring the point home to Chase lackeys and their customers. Some people chanted, held posters and howled, while others engaged in creative trashing, including graffiti, tossing garbage and stuffing the suggestion box with demands that Chase Manhattan keep out of Mexico. After about 20 minutes, the demonstrators left the bank, just as pigs descended on the corner in force. They immediately grabbed one vociferous demonstrator, who was probably identified by the Chase-oids.

As the crowd made their way down Fifth Avenue, they were escorted by pigs who threatened arrest if they stopped walking. A woman was arrested at the library for not moving fast enough. She was charged with "Disorderly Conduct" and "Resisting Arrest." Moments later, pigs chased and caught a young man who wanted to walk in another direction. As P.O.s Hennessy and Amendola of the Midtown South precinct beat the man, a woman asked why they were hitting him. Without missing a beat, Amendola jumped the woman and beat her to the ground before cuffing her. Predictably, both were charged with assaulting the pigs.

Another demo has been called for February 17 in front of another Chase Manhattan Bank at One Chase Plaza, between William and Liberty Streets, at 4:30 p.m. The Committee for Democracy in Mexico meets every Tuesday at 135 West 4th Street, at 7:30 p.m. For more info, call (212) 614-6662.

Chiapas' Indians, brokered the abortive dialogue between the Zapatistas and the federal government at his cathedral last March. Now, the EZLN has rejected the Multi-Party Peace Commission convened by President Zedillo as bogus, and demanded government recognition of the National Intermediation Commission (CONAI) convened by Ruiz as a condition for declaring a ceasefire and returning to the table. On December 24, the government blinked and agreed to recognize CONAI.

Ruiz, fasting in the cathedral, was visited by both high-level government delegations and groups of supportive Indians from Highland villages who drum and dance in his honor. The government troops which had penetrated into Zapatista territory on the edge of the Selva were withdrawn, and the EZLN responded by declaring a six-day truce beginning January 1. After ten days of tension and paranoia, Chiapas appeared, for the moment at least, to be back from the brink.

After nearly three weeks, Bishop Ruiz ended his fast. On January 15, the EZLN announced an indefinite ceasefire, and Interior Secretary Esteban Moctezuma was helicoptered into a secret location in the Lacandon Selva for the first talks on the possibility of a new dialogue with the Zapatistas.

But the crisis is far from over. "It's a

grave situation," says Marina Patricia of the San Cristobal Diocese's Fray Bartolomé de Las Casas Human Rights Center. She says the center has documented 130 human rights violations in Chiapas in 1994 after the January ceasefire.

They include killings, rapes, torture and arbitrary detention, mostly committed by the army or *Guardias Blancas* against local Indians. "There have been no serious investigations," says Patricia. Furthermore, in many cases, such as that of two Tzeltal women raped at a military roadblock in Altamirano, victims are willing to report violations to the Las Casas Center, but too intimidated to pursue the cases in the legal system.

Meanwhile, the left opposition is challenging the installation of PRI governors in the neighboring states of Oaxaca, Veracruz and Tabasco. From December 2 through 8, the central square in Oaxaca City was occupied by thousands of pro-democracy dissidents from the PRI-controlled teachers' union demanding the resignation of the PRI's Governor Diodoro Carrasco. This followed a November strike in which teachers occupied the city's airport, and two were mysteriously killed. Oaxaca's Dissident Section 22 of the National Education Workers Union (SNTE) has forged strong links to independent Indi-

See ZAPATISTAS On Page 23

DEA'S FINEST DETAILS CORRUPTION

By John Veit

(Celerino Castillo III, one of the Drug Enforcement Agency's most prolific agents, who netted record busts in New York, Peru, Guatemala, El Salvador and San Francisco, was ordered not to investigate US-sponsored drug trafficking operations supervised by Oliver North. After twelve years of service, Castillo has retired from the agency, "amazed that the US government could get away with drug trafficking for so long." In his book *Powderburns: Cocaine, Contras, and the Drug War* [Mosaic Press, 1994], Castillo details the US role in drug and weapons smuggling, money laundering, torture, and murder, and includes Oliver North's drug use and dealing, and the training of death squads in El Salvador and Guatemala by the DEA.)

NEW YORK CITY: NO RULES

After spending six years as a cop in Edinburgh, Texas, Vietnam veteran Celerino Castillo joined the DEA. His first assignment was New York City in 1980. Cocaine was making a healthy return to streetcorners and the city's surviving discos. Crack pipes were making their first gasps in the city as Ronald Reagan ushered in a new era of borrowed prosperity and conspicuous decadence.

Placed in the New York office's wildest squad, the "Raiders," Castillo watched as dealers' doors were kicked in without warrants, illegal wiretaps were performed, and Miranda rights were forgotten. During a stint at Kennedy Airport, he saw agents rip off traffickers, regularly pocketing cash, jewelry and drugs. Not being one to snitch, the young agent held his tongue. "I had always done things by the book. Here they ripped out the pages and stomped on them," Castillo told the SHADOW. "Internal Affairs was always watching, but we were protected by the cluster of New Yorkers in DEA's Washington office known as the New York Mafia." These administrative agents insured that the New York office, the country's largest, was immune from "messy internal investigations." Contacted by the SHADOW, DEA spokesman John Hughes denied that such an organization existed, stating that such a thing would, "stick out like a sore thumb."

PERU: DRUG WAR FUTILITY

By 1984, the US appetite for cocaine was peaking as fields in South America were converted to accommodate the coca leaf. Castillo, the only Spanish-speaking field agent in Peru, continued his efficient work, making numerous busts in his two years there.

Working the jungles, although frustrating for Castillo, was a welcome change from Manhattan's steel maze and reminiscent of Vietnam. Stymied by the DEA's advisory status in foreign countries, however, Castillo was unable to probe too deeply into Peru's narco underworld. The Peruvian military thought their American advisor would be satisfied torching small labs and shooting down traffickers' planes. Castillo demanded to bust the big labs, the factories run by the cartels. Peru's military however, conveniently kept the larger fields and refineries off-limits to American investigation. The military claimed that the Shining Path (*Sendero Luminoso*, the Maoist guerrillas whose reign of terror included cocaine smuggling and numerous murders of government officials and civilians) controlled the areas of major cocaine production.

The last thing Peru's government wanted was to have an American agent killed by *Sendero*, which would jeopardize future military aid. Castillo later learned their caution was merely a smokescreen used to protect Colombian cartel-controlled airstrips and refineries from American intervention. The military, like most Peruvian governmental agencies, was largely dominated by Colombia's cartels who were adept at greasing palms and instilling fear in the hearts of potential drug enforcement heroes.

The US took a more prominent role in the Peruvian military during Castillo's four years there, with programs like Operation Condor, which used the collective services of the DEA, CIA and the armies of Colombia and Peru to fight drug trafficking. With their help, Castillo was able to coordinate more and larger busts, including South America's biggest ever: four tons of raw coca paste, three airplanes, and a gargantuan cocaine refinery able to perform every phase of the leaf's metamorphosis into nose candy. As a result, US military aid to Peru was increased.

Despite his successes, Castillo remained mired in the DEA's bigoted bureaucracy. Castillo's station chief, Peter Rieff, a non-Spanish speaker, felt threatened by Castillo and transferred him to Guatemala without the promotion originally promised after one year's service. Rieff's reasoning was, "you just haven't paid your dues, Cele."

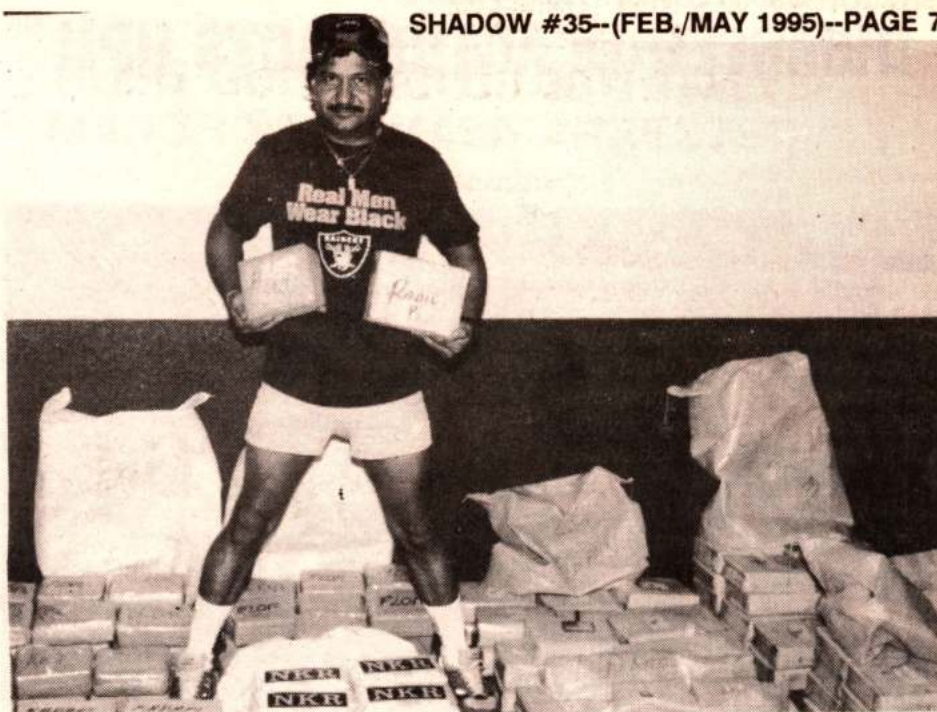
ASSASSINATION PLOT IN GUATEMALA

During a later assignment, an informant provided Castillo with wiretapped conversations of a drug dealing Guatemalan colonel outlining an intricate plan to assassinate him. "Instead of talking about the bust the informant was setting up, Colonel Moran kept going on about how he was going to blame the rebels for my assassination. A hit squad was going to wait in the bushes and ambush me when I drove past on Highway 8 in El Salvador," Castillo told the SHADOW from his home state of Texas, where he is currently president of his local Parent Teachers Association.

Castillo had reported to his superiors that Moran was heavily involved in narcotics trafficking, frequently orchestrating cash drops to the Panama City branch of the scandal-ridden Bank of Credit and Commerce International (BCCI). After hearing the tapes outlining the assassination, DEA superiors ordered Castillo to drive down Highway 8 to El Salvador to investigate a mission of dubious importance. "I felt as if someone had painted a bullseye on the back of my head," Castillo recalled. "Tree branches were sniper rifles, I drove about ninety miles an hour most of the way."

DEA files outlining Colonel Moran's sporadic career as a DEA and CIA informant were provided to Castillo by agents sympathetic to his plight as an agency pariah. During later DEA attempts to silence Castillo, the Colonel was summoned to testify before the DEA's Office of Professional Responsibility. Moran detailed allegations to enthralled inspectors that Castillo had shot several drug dealers in the back of the head during a bust in Puerto Barrios, Guatemala in 1986. The charges were false and Moran's plot to assassinate Castillo was never mentioned during the proceedings.

DEA informants include some of the world's most disreputable rouges who often use their informant status as *carte blanche* to deal dope on the side. Although DEA spokesman Hughes denied to the SHADOW that such "double dipping" is tolerated, he added: "You don't



CELERINO CASTILLO POSES WITH 600 KLOS OF COCAINE SEIZED

use the Pope to catch drug dealers."

Hughes also denied that the agency is reckless with their overseas agents, saying they "always have a recourse for back-up, usually with local police." Local police certainly didn't help Camerena, and Castillo laughed when the SHADOW told him Hughes' remarks.

CENTRAL AMERICA: CHAOS, COCAINE, DEATH SQUADS

The Guatemala City DEA office in the US Embassy compound covers four countries: El Salvador, Guatemala, Belize, and Honduras. In 1985, Castillo's beat, El Salvador and Guatemala, was one of the most volatile on the globe, racked by years of internal warfare, death squad violence, and narcotrafficking.

Like Peru, both governments were subservient to three related entities: the US Government, the cartels, and their militaries. The militaries operated on their own, violently rooting out suspected communists from their borders while trafficking drugs and weapons to support themselves. Both nations' militaries harbored death squads who routinely kidnapped and tortured suspected subversives. It was with these elements that Castillo was forced to cooperate in forming anti-narcoterrorism units.

In training his elite drug squads, Castillo utilized the services of renowned death squad leaders. Dr. Hector Antonio Regalado was hired as a firearms trainer for Castillo's El Salvador unit at the recommendation of Colonel James Steele, commander of the United States Military Group which oversaw American armed forces in Central America.

Trained at the US' School of the Americas in Ft. Benning, Georgia, Regalado often bragged of his triggerman role in the assassination of Archbishop Oscar Romero, a globally beloved human rights activist, in March 1980. Regalado was also a torture expert, frequently using his skills as a dentist to extract information from notable "subversives." Much to Castillo's disgust, the death squads' most notorious human butchers and drug dealers became his students and colleagues. While Castillo's classes dealt primarily with surveillance, raid tactics and firearms training, others detailed explicit torture methods. Deemed "interview techniques," students were instructed how to use cattle prods and hoses and to submerge suspects' faces in buckets of water until nearly causing drowning.

Death squad drug busts made the Mexican *federales* seem tame by comparison. Standard procedure involved Castillo doing the intelligence gathering for a bust, after which the military would swarm in, interrogating and torturing the traffickers to death before

absconding with a portion of the drugs.

One such bust happened on September 25, 1987, when Castillo's unit busted a cocaine ring run by Guatemalan Congressman Carlos Ramiro de Paz. 3000 kilos of cocaine, the largest bust in Central American history, were found. By the time the coke got to headquarters, however, six hundred kilos were missing. A soldier laughingly admitted to Castillo that the G2 (Guatemala's elite military unit) had pilfered it.

While the G2 let de Paz live, (G2 wiretappers later relished listening to him pleading with Medellin cartel leader Pablo Escobar to have mercy on him), everyone else was hacked to death with machetes. A Mexican drug courier's daughters were gang-raped before their execution.

Castillo reported these and other details of Guatemalan and Salvadoran military corruption to his station chief, Bob Stia, who reluctantly signed the reports. All of Castillo's reports were forwarded to the US Embassy, where they went on to Washington. DEA Washington refuses to open the Puerto Barrios file, in addition to most of Castillo's reports, citing privacy restrictions. Castillo has, however, made his reports available to journalists and the public.

IRAN-CONTRA-COCAINE

The Iran-Contra scandal blared across American television and newspapers, but drug activity was rarely mentioned. The American public accepted the Reagan Administration's version of Iran-Contra, which maintained that weapons were covertly sold to Iran in order to generate funds for Contra mercenary soldiers seeking to overthrow the Nicaraguan Sandanista government. The money used by US Marine Corps Lieutenant Colonel Oliver North and his entourage from weapons sales to Iran to fund the Contras was a "drop in the bucket," according to Castillo. He told the SHADOW, "To the best of my knowledge, most of the money to fund the contras came through narcotics trafficking."

During Castillo's first day briefing, DEA Station Chief Stia casually mentioned an operation being conducted by North and the National Security Council in El Salvador's Ilopango airport. This operation was to dominate the rest of Castillo's life, ruining his career as an agent. Stia said North picked up where the CIA left off, in supplying the contras with the necessary trappings of insurrection. US support of the contras was highly illegal, prohibited by the US congress' Boland Amendments.

While Castillo empathized with contra soldiers in the field, who were dependent upon the erratic stream of sup-

See POWDERBURNS On Page 20

DISABLED IN ACTION ACTS UP!!

IN MEMORY OF MARTIN LUTHER KING: CIVIL RIGHTS SUSPENDED FOR CIVIL RIGHTS MUSEUM!!

By Ashley Thayer



JACK DAWKINS

By Rosanna Vento

It was a cold January 27th afternoon, barely 35 degrees. I took the F train from Delancey out to Jay Street-Borough Hall, Brooklyn to attend a civil disobedience action organized by members of Disabled in Action (DIA) against the New York City Transit Authority (NYCTA). They were protesting because NYCTA made a bad purchase, and the disabled are paying for it. Earlier that morning, the members of DIA had demonstrated in front of the offices of the Metropolitan Transit Authority (MTA) located at 45th Street and Madison Avenue.

During 1993-1994, NYCTA bought almost 200 new city buses known as the TMC-RTC 8400/8500 series (identifiable by the four digit bus numbers beginning with 84 or 85). They spent \$33-36 million to buy these buses, but failed to test if they were wheelchair accessible. You see, these buses have wheelchair lifts, but the lifts have consistently proven to be unsatisfactory to the point of not working at all.

People with disabilities complained a lot about the non-functioning lifts, so NYCTA was forced to investigate. But instead of taking these buses out of service, the NYCTA made a "management decision" and on June 24, 1994, ordered bus drivers operating all 8400/8500 buses not to use the wheelchair lifts at all, and to tell the public that they were out of order! As a result, these buses were available to every member of the public except wheelchair users and people unable to walk up steps.

To date, NYCTA claims to have repaired the buses in Manhattan, but people requiring access to the wheelchair lifts say that many of the 8400/8500 buses are still not functioning as they should, while the buses in Brooklyn have not been fixed at all. In other words, people with disabilities have no choice but to wait out in the cold winter weather, sometimes as long as an hour, until a non-8400/8500 bus comes along. NYCTA claims that it is making efforts to remedy the situation. NOT TRUE! The people in wheelchairs are forced to wait out in the cold while two, three or four of these 8400/8500 buses pass by in succession to pick up everyone except them.

On the way to join the protest, I didn't see a single wheelchair on the subway. It is apparent that New York City subways are not wheelchair accessible. In fact, in all of NYC, including all five boroughs, only 19 subway stations are wheelchair acces-

sible! Chances of departure and destination stations being wheelchair accessible are virtually nil. People using wheelchairs deem subway travel an impossible mode of transport. Most disabled people therefore rely on the NYCTA buses. THE NYCTA KNOWS THIS!

I was very moved to watch the protest which consisted of about a dozen wheelchair users. I was amazed at how such a small number of people, united in a common cry for justice, bravely wheeled themselves out in front of the traveling city buses (they targeted the 8400/8500 series only). They blocked traffic and forced Jerusalem Street to be closed and traffic to be re-routed. They did not budge when threatened with arrest. They handed out leaflets and received much sympathy and support from the numerous passersby. Channel 7 Eyewitness News' arrival at the site of the bus action, late that afternoon, was very timely as the police were just then considering arresting everybody--although they admitted to not having wheelchair accessible paddy wagons!

Interestingly, bus operators themselves are very sympathetic and don't appreciate NYCTA policy which forces them to abandon, neglect and mistreat people in wheelchairs. These malfunctioning buses that they are forced to operate are insufficient to meet the needs of the people--all people.

The flyer distributed by members of DIA to the bus drivers read: "Enough is Enough! We're Sick and Tired of Being Left Out in the Cold by the MTA (Metropolitan Transit Authority) Lies and Deception!" followed by a "Dear Bus Operator" letter explaining the situation, including a request that bus drivers help people with disabilities get justice by returning the defective buses to the garage, so that they can be properly repaired before they are put into service. The DIA flyer requested bus drivers not to use the buses that exclude people in wheelchairs. The flyer concludes with: "If We Can't Ride, Nobody Rides."

My friend, Italian teacher Nadina La Spina, is very active in the disability movement. It's through her that I have kept in touch with some of their work, which is very impressive and inspiring. I, in turn, tell her about things going on down here on the Lower East Side. Often we've discussed the unity that exists between all marginalized people: people with disabilities, the poor, squatters everywhere, the mentally and emotionally challenged... We can all be strengthened by our common fight for justice, not divided by our separate

The assassination of Martin Luther King on April 4, 1968 in Memphis, Tennessee sparked widespread riots, arson, looting and more racial hatred across the country. In the decades that followed, a dark cloud of guilt and shame hung over Memphis, tarnishing its image around the world.

King was shot on a balcony at the Lorraine Motel at 450 Mulberry Street. The Lorraine remained open after the assassination and continued operating for the next twenty years as a motel occupied by black people. In 1977, Jacqueline Smith, who had been studying to be an opera singer, moved into the Lorraine. She received room, board and \$10 a day in exchange for cleaning rooms and giving tours of the small shrine to Dr. King.

When the city proposed a plan in the mid-80's to build a civil rights museum at the Lorraine, which would result in the evictions of its residents, Ms. Smith accused Mayor Dick Hackett of supporting the museum for the wrong reasons. She said his goal was to create a tourist center and improve his standing in the Black community.

Hackett had declared "Memphis is for sale" in an earlier speech at Memphis State University. According to Ms. Smith, he wanted to create a tourism market and hoped to get the attention of the national press. The enormous popularity and success of Elvis Presley's Graceland estate, also in Memphis, convinced Hackett that the Lorraine Motel could become a "Black Graceland."

Eight million dollars in state, city and county funds became available for the purchase of the Lorraine and the building of a Civil Rights Museum there. Ms. Smith told the SHADOW that the best monument to Dr. King would be a center at the Lorraine offering housing, job training, free community college, a health clinic or other services for the poor.

Ms. Smith says that the building of the Civil Rights Museum at the Lorraine is part of a national trend toward gentrification, pricing poor people out of their own communities. As an example, Ms. Smith told the SHADOW that in 1986, Vance Avenue and other streets in the area were placed on the State Register of Historical Places. Downtown merchants and rich developers were given tax money, tax-free bonds, property tax freezes and other incentives from the Memphis Center City Commission to renovate their storefronts, re-open businesses, and develop residential units.

603 Vance Avenue was the home of longtime civil rights activist Cornelia Crenshaw, where the initial strategies were planned for the sanitation workers' strike which brought Dr. King to Memphis in 1968. Ms. Crenshaw and other senior residents of Vance Avenue organized and approached the Memphis Center City Commission for money to renovate their decaying homes. They offered two of their homes as collateral.

Vance Avenue was then removed from the State Register of Historical Places, thereby eliminating renovation funds for homeowners there. On October 25, 1993, the City of Memphis placed a condemnation sticker on Ms. Crenshaw's house. Crenshaw, who was 76 years old, poor and sick, died on February 19, 1994.

Ms. Smith says that the condemnation of Ms. Crenshaw's house is a tragic example of how the real estate land grab has been used against long time area residents, many of whom have been displaced.

The residents of the Lorraine Motel were evicted in March of 1988. Ms. Smith was forcibly removed after refusing to leave, declaring that the Lorraine belongs to the people. She said, "Dr. King would have wanted me to stay here. He said he didn't want any memorial, that he wanted to help the poor. That's what he died doing."

Since her eviction from the Lorraine, Smith has lived on the sidewalk in front of the museum, protesting and exposing what happened to her and other area residents by the City of Memphis.

(Ms. Smith can be reached through P.O. Box 3482, Memphis, TN 38173-0482)



ASHLEY THAYER

issues. Together, as a group united, we can work wonders.

The position of the disabled community is that NYCTA is not handling the matter correctly and is in violation of the recent Americans With Disabilities Act (ADA). Passed on July 26, 1990, the civil rights legislation bans discrimination against people with disabilities on all levels. The anniversary of its passage is commemorated each July in New York City with a grand parade organized by DIA. This year, given the resurgence of the right

wing in Washington, the event will focus on protecting the ADA. Call or write to NYCTA and tell them that until the buses can reliably accommodate everyone, the 8400/8500 buses must be taken out of service! Contact DIA for further information:

Disabled In Action
P.O. Box 30954
Port Authority Station
New York, NY 10011
(718) 261-3737

HUNDREDS MARCH TO SAVE MUMIA ABU-JAMAL!!

By Barbara Lee

(Editors' Note: Mumia abu-Jamal was Minister of Information for the Philadelphia Black Panthers at a very early age. At the time of his arrest in 1981, he had worked as a print and radio journalist who had aired on National Public Radio and National Black Network. He had also served as president of the Philadelphia Society of Black Journalists. He was one of very few reporters in Philadelphia willing to cover the activities of the radical Black organization MOVE, which was under heavy police repression in the early 1980s.

One night in 1981, he was driving a taxicab in Philadelphia, as he was unable to make a living as a conventional journalist because of his controversial views. He spotted a police officer beating and arresting his brother, and went over to find out what was going on. At that point, Mumia's story diverges from that of the police. The police version is that Mumia shot police officer Daniel Faulkner twice in the head. Mumia maintains that another person in the crowd that gathered shot Faulkner. The main civilian witnesses at Mumia's trial were two prostitutes. Cynthia (Lucky) White had been arrested twice (for prostitution) in the two week period following the police shooting, and agreed to testify during her second incarceration. She changed her description of Mumia several times, describing him first as short and then tall; first without, and then with dreadlocks. A second witness, also a prostitute, said after the trial that she had been pressured by police who told her that if she testified she'd be "allowed to walk the streets, like Lucky." At his sentencing hearing, prosecutors questioned Mumia about his political views and statements with a view to establishing that Mumia had "wanted to kill a cop all his life," and should be sentenced to death. The prosecutor won a death sentence.

Mumia abu-Jamal is now facing the most serious threat of execution in his fourteen years of imprisonment, with newly elected Republican Governor Tom Ridge promising to immediately begin executions. Mumia's name is second on the list of death-row prisoners facing the electric chair.)

HARRISBURG, PENNSYLVANIA, JANUARY 17, 1995: While a Black Man sits on death row, people of different ethnic backgrounds and walks of life have gathered together in an effort to save his life.

Busloads of activists converged on the state capitol of Harrisburg, Pennsylvania to protest the incarceration and threatened execution of former Black Panther and journalist Mumia Abu-Jamal. It was the inauguration of Pennsylvania's new governor, Tom Ridge and the people were determined to show the new governor that they are not going to give up hope that Mumia will be free.

The massive protest took the town of Harrisburg by surprise. While the marchers headed toward the state building, the police were in a state of confusion. One policeman radioed to his superiors that ACT-UP was among the activists present and the pigs seemed very disturbed by that.

The National Guard didn't interfere at all and the local pigs let the protesters march to a vantage point close enough to the stage so that they were able to successfully fuck with the inaugural ceremony by yelling and chanting. People on the podium kept

turning to see what the commotion was all about instead of paying attention to Gov. Ridge giving his speech.

Afterwards the marchers left the scene unmolested by any of the authorities (with the exception of the many cops, undercover and otherwise, that videotaped and photographed many of the activists.)

The day ended with an Ecumenical church service at a local church and an information forum with updates on Mumia's situation and discussion and planning of future events.

Some of the speakers included Safiya Bukhari Alston (Coalition to save Mumia Abu-Jamal, N.Y.C.), and Jamilla Levi (Pittsburg paralegal to Jamal).

For information on Mumia contact:
International Concerned Friends and Family of Mumia Abu-Jamal
P.O. Box 19709
Philadelphia, PA 19143

You can write Mumia at:
Mumia Abu-Jamal AM-8335
SCJ Green County
1030 E. Roy Furman
Waynesburg, PA 15370

COPS QUELL ANTI-BRUTALITY MARCH WITH MASS ARRESTS!!

By Karen Norden

Three days before Christmas on December 22, NYPD cops gave Reverend Al Sharpton their version of a Christmas present when they busted him and 33 of his supporters at an anti-police brutality rally in midtown Manhattan across from the Plaza Hotel. The mass arrests followed a peaceful demonstration where the family members of police brutality victims, including Ernest Sayon, Yusef Hawkins and James Frazier spoke out against "killer cops" and demanded the hiring of more minority officers.

In front of a crowd of about 300 mostly African-American demonstrators, Sharpton chanted "Rudy says get back, we say fight back." He called for a boycott of businesses that supported Giuliani's police armageddon that swept the street vendors off of 125th Street on October 17; 22 peddlers were arrested. Other speakers condemned the military cop mentality and called for an end to police brutality in a year when complaints of abuse rose by 41 percent. During the demonstration, hundreds of cops in full riot gear lined the streets waiting for battle. One suburbanite cop pointed to his handcuffs and said, "They want us to go back to Long Island? I know a place where they can go."

Following the rally, Sharpton had planned to lead a civil rights march down Fifth Avenue, but this was cancelled when cops threatened to arrest anyone who took to the street. As an alternative, police liaisons agreed to let the crowd walk on the sidewalk, which was lined with police barricades. The demonstrators cooperated with the cops and the street was quickly cleared.

The police liaisons, however, set a trap for Sharpton. After liaisons ushered the demonstrators onto the sidewalk, hundreds of riot cops moved in. The barricades were shifted to completely surround the ralliers, and hundreds of people were caged into one block of sidewalk in front of Bergdorf Goodman. The doors to the store were locked and there was no way for demonstrators to escape without walking through a small opening directly past a pack of scowling cops. Those who did not leave fast enough were rounded up and arrested. Thirty-one men

including Sharpton and three women were picked up and dumped into police vans before cops had their fill and allowed the crowd to escape.

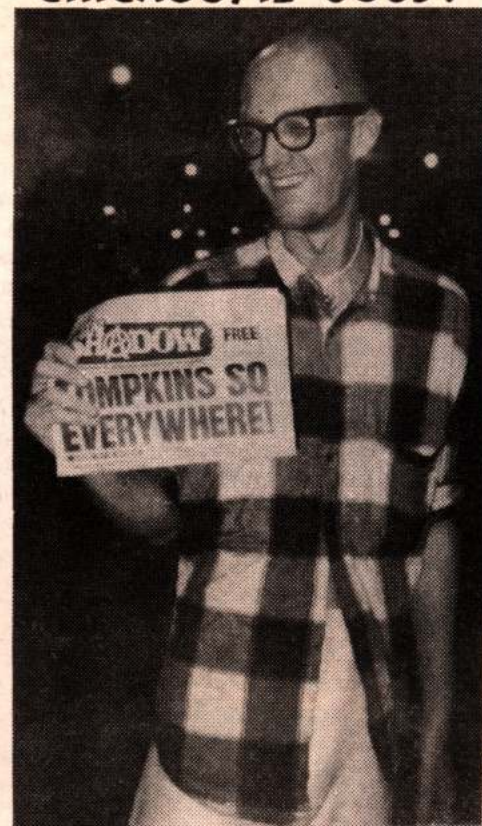
Among those arrested were three members of ACT-UP who had come out to support the demonstrators. When ACT-UP members tried to find out where they were being taken, police refused to tell them and threatened to bust everybody. When they questioned one cop, who was relaxing in the passenger seat of a van, the cop only tossed them a "What, me worry?" expression and slammed the van window shut in their faces. Moments later, the back door of the van swung open and a more human cop, a species that was vastly outnumbered that December evening, clandestinely divulged a possible location.

Most of those arrested, including Sharpton, were taken to the 17th Precinct on 51st Street. There they were charged with disorderly conduct and obstructing traffic and released with desk appearance tickets.

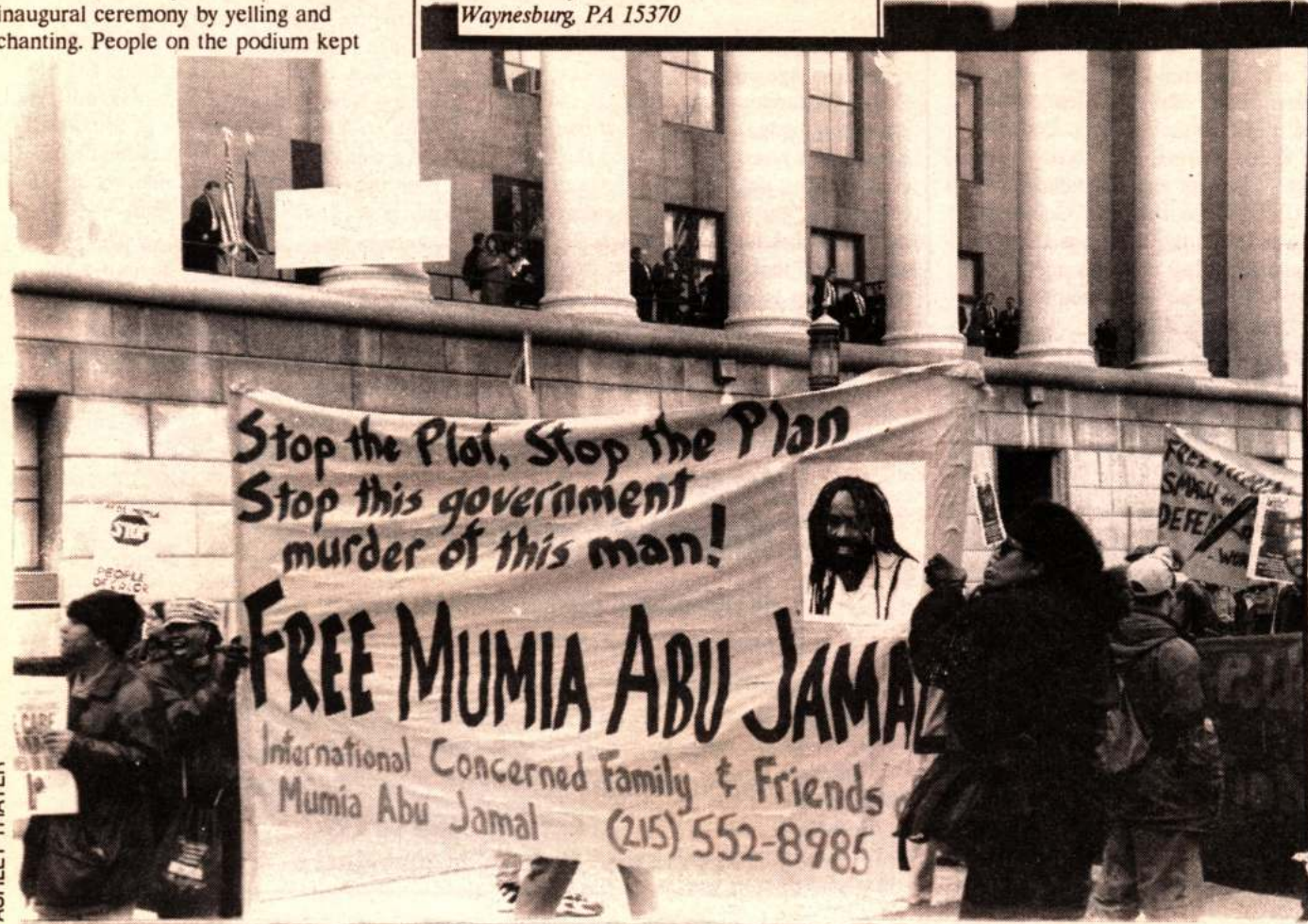
Across the street from the rally, Curtis Sliwa of the Guardian Angels led a rowdy counter-demonstration at which he and others addressed a crowd of approximately 100 people. Most of the pro-cop ralliers were supporters of racist talk show host Bob Grant, who had called for the protest on his radio show. None of the counter-demonstrators were arrested.



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CHRIS FLASH

COOPER UNION'S DIRTY LITTLE WAR ON THE NEIGHBORHOOD

By George Bliss

In the mid-eighties, at the height of the real-estate boom which displaced much of the culture of the East Village and the Lower East Side, Cooper Union (a tuition-free college of art and engineering on Cooper Square in the East Village) used some 1.5 million dollars of its endowment to purchase a 9,000 square foot former Gulf gas station at the southernmost tip of Cooper Square (at 4th Street and the Bowery). The plan was to gobble up even more lots and get enough frontage on Third Avenue to build a high-rise dormitory. (Cooper Union, following the example of New York University, has been trying to enter the real estate game for quite a while.) The plan fell through, though, when the neighboring building owner wouldn't sell and Community Board #2 opposed a variance. The upshot was that Cooper built its high-rise dorm on 9th and 3rd on a lot that they don't even own--the first step in what is now clearly an overall strategy by the school to gentrify Cooper Square and erase Astor Place as we know it.

The Gulf site was used by Cooper for the ensuing seven years for incidental storage and faculty parking. No overt attempt to find a tenant to recoup some of the huge investment in the property was ever made; the school just let it sit there, unkempt. Four years ago, I moved into a room in a friend's apartment in the building next door to the old station, on Fourth Street. As a designer/builder of non-polluting vehicles looking to relocate my workshop after losing a large ground-floor space nearby, I soon formulated the idea of proposing to Cooper Union the development of the Gulf site into the world's first "alternative vehicle station." Through a student involved with my work, the school's business director, Bob Hawks, informed me that they wanted \$72,000 per year in rent (after property taxes) if the space was to be let.

I regarded this as an encouraging word and set about forming a non-profit organization, attracting a board of directors and seeking the funding needed to renovate the station--a process which took about two years. I found a terrific young architect who designed the facility, purchased a fleet of pedicabs, and started a zero-emission delivery business to demonstrate our ability to pay the rent. Ben and Jerry's, the Energy Foundation, even NYC's Department of Transportation began to take an interest in the project. During this period there was no indication that the school was looking for a tenant; no signs went up, nobody came snooping around. It started to look as though a fantastic vision really had a chance of becoming a reality. I was ready to go back to Cooper with a bona fide proposition in the spring of 1993. The goal was a collaboration with the school--with engi-

neering students and faculty--to develop vehicles for the future but actually introduce them here and now for use by the local community. This industrial "incubator" would eventually transform the auto garages of NoHo and SoHo into "green vehicle" production facilities. Gas stations would soon be electrical vehicle recharging stations. Jobless, homeless people on the Bowery would find meaningful work, and the industrial zone would be revived, all because of Cooper Union's initiative and leadership.

Of course, we assumed that the school would be crazy for this idea. Not only would this fulfill its own purported mission "to mobilize artistry and technology in the service of city life," but Cooper would finally have a solid foundation for income generation, something it has lacked as a tuition-free school. This way, it could sell science--get patent royalties and research grants and sell corporate access to new technologies--which would all mean income--in addition to the rent we'd pay each month from the rental of vehicles and the businesses that would operate out of the station. Moreover, Peter Cooper, the uneducated mechanic/industrialist who founded the school as his way of repaying the workers who made his great fortune possible, would smile to see his intent well revived in this era of economic distress.

Virtually at the same time that I was to approach Cooper with a full-blown proposal, the Community Board (itself in disbelief) informed me of the school's intent to rent the space to nightclub developers Eric Goode and Serge Becker, known in the 1980's for their clubs M.K. and Area. These guys had a rep which preceded them--they had driven people out of their homes with their limousine crowds of glamorous know nothings. CB# 2 had definite problems with Cooper doing this, as did the NoHo Neighborhood Association and the SoHo Alliance, an artist's group. These parties immediately set up a meeting with Bob Hawks to protest the plan, basing their arguments on zoning laws which, in NoHo and SoHo, reserve ground floor spaces for industrial use. The school, they informed Hawks, would have to get a special permit to convert this site to a retail use such as a restaurant or bar--a process which normally takes at least a year and requires the owner to publicly seek an industrial tenant first (such as our "industrial incubator"). The community groups valiantly defended our proposed transportation project. Councilmember Kathryn Freed and Borough President Ruth Messinger also appealed to Cooper Union without success. Cooper's position was that if the Buildings Department would allow this conversion without a permit, they would go ahead and to hell



GEORGE BLISS

with people's objections.

Initially, the determination from the Buildings Department had it that this could not legally be done; a special permit was needed. One month later, I actually spoke with the developers myself, who said they were backing off because they did not want to deal with the permit requirements. Hawks even invited me to come in with our proposal. But then, a few weeks later, Buildings mysteriously changed its position on the interpretation of the zoning law. Valerie Baker, the Buildings official responsible for the new ruling, left her job the day she overturned the determination.

Three more times, the community groups met with Cooper Union and attempted to dissuade the school from going forward with this unprecedented "as-of-right" conversion of industrial space. They had identified fifty sites that could be converted to any use now that Cooper Union had established the precedent--clubs, Gap stores, McDonalds drive-ins, you name it--throughout the East Iron Historic District in Downtown Manhattan. Industrial jobs and the architectural integrity of the neighborhood were at stake. Cooper Union refused to back down.

In February 1994, Goode & Becker took possession of the site. Workbenches, machine tools, and student projects were all thrown into dumpsters and carted off. The school, with millionaires as tenants, bent over backwards for them, paying for the removal of the gas tanks and eating the property taxes incurred for this for-profit use of their property. Hawks himself admitted that the school stood to gain a meager \$60,000 per year in rent after taxes from this tenant, less than one full-time faculty salary.

The community groups, to their credit, refused to give up and took this case to the Board of Standards and Appeals, the highest zoning body in the city. Testimony went on for hours, and spanned the next eight months, detailing the effects of this conversion. The school, not the developers, paid tens of thousands of dollars for lawyers who argued that because the text of the law read "spaces below the floor of the second story shall be reserved for industry," all one-story buildings must therefore be exempt

(since they don't have second stories). Exhausted and demoralized, the appellants in late 1994 conceded defeat and came to a settlement with the developers and Cooper Union that allowed the club/restaurant to operate. The lease is for fifteen years. The eight-foot perimeter wall which blocks out the unwanted neighborhood will be permitted as well, affording almost unlimited capacity for private parties (Goode's specialty). The intent of the law--to protect ground-floor space for industrial use--has been permanently undermined for all one-story buildings (mostly garages), as well as all parking lots and empty land where anyone use one-story buildings can now be developed as-of-right in the industrial zone. This was done through a combination of insider manipulations and a linguistic trick, sprinkled with a lot of moaning and groaning by a sacred institution, Cooper Union.

The Bowery Bar, as it is now called, is crammed nightly by limelight-seeking jellyfish who arrive in front of the homeless people on the street in gigantic limousines. At 2 A.M. nightly, twelve taxis are lined with their engines running constantly, drivers waiting patiently for the drunks who can pay.

Concurrent with Cooper Union's signing of its lease with Goode & Becker, the school applied for and received \$500,000 in taxpayer funding to study "traffic-calming" possibilities in and around Cooper Square. Additional money was requested to undertake a nighttime study of all the traffic problems resulting from the overabundance of nightclubs in the area. The Center for Appropriate Transport (CAT) applied to the same federal fund and did not receive the funding (\$140,000) to develop the first alternative vehicle station. However, through volunteerism, sweat equity, and borrowed money, CAT this spring will launch New York's first pedal-taxi business. With an ultimate investment of \$50,000, CAT expects to create 50 pedicab driver positions with income potential above \$15 per hour. That's \$1,000 per job.

(George Bliss is the founder and creative director of CAT. He currently faces criminal mischief charges for slamming a steel gate in the wall around the Bowery Bar and yelling at customers.)



GEORGE BLISS

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DEVIL IN A SPRAY CAN

By A. Kronstadt

A creepy way of thinking is haunting City Hall these days as Giuliani's campaign against "quality-of-life offenses" takes on supernatural dimensions. On October 29, 1994, a "Combat Graffiti Conference" was held at Baruch College, hosted by the New York City Police Department. The think tank that assembled this conference distributed a position paper, part of a series called *Reclaiming the Public Spaces of New York*. This scholarly police document, outlining the Giuliani administration's new campaign to get tough with "graffiti vandals" contains elements of a witch hunt—more literally than you might imagine. Let's air out this City Hall document and examine the spooky implications.

The cops start out by trying to give a socio-scientific definition of graffiti which is just plain boring until you get to the last item. Read some of it:

"Graffiti, or 'tagging' as it is commonly referred to on the street, is the etching, painting, covering or otherwise placing a mark upon public or private property with the intent to damage such property."

TYPES OF GRAFFITI:

Symbolism Graffiti is the painting or "bombing" of a wall with an identifiable symbolic character or "tag." This scrawling vandalism is mostly perpetrated by teenage groups.

Narcotic Related Graffiti is symbolic coded characters which inform potential customers of a drug dealer working in a specific location.

Profane or Explicit Graffiti is the painting of vulgar language, most commonly done in restrooms and locker rooms.

Political Graffiti is painted remarks which generally represent current anti-establishment sentiment.

Personalized Graffiti is commonly painted or pen marked love messages (e.g. initials inside a heart).

Bias Graffiti is the painting of repugnant slogans or symbols, offensive toward a person's color, religion, creed, ethnicity, or sexual orientation.

Occult Graffiti appears throughout the City illustrating occult and satanic symbols. This type of graffiti has occurred on storefronts, alleys, walls, cemeteries, religious institutions and public parks. Pentagrams, crosses, inverted chalices, satanic words, and skeletal figures are a few examples of this category of graffiti. Individuals who engage in the occult apply significance to this kind of graffiti and the sites where it is placed."

So, the cops recite this litany of all the naughty kinds of graffiti—the evil doer codes, the pishy-cocky words, the your-mama insults, not to mention politics that normal people don't agree with. Notice however, that the category of occult graffiti occupies three times the space as any of the other types. It is also the one that begins by saying that this kind of graffiti "appears throughout the City," though individual tags and dirty words must use up a thousand times more spraypaint than this kind of devilment.

Then, look at the things that the cops classify as "occult." Crosses? The NYPD is a 75% Roman Catholic police force, and it is very strange that one of their internal cop documents should call crosses on the wall a symbol of the occult. Do the cops think any Christian who expresses his or her religious convictions with a spraycan is in league with the Devil?

The "inverted chalice" business is interesting in and of itself, but only those familiar with Manhattan's Lower East Side will probably catch the nuance here. As more than one *Shadow* reader knows, an inverted champagne or martini glass, often with a three-strikes-you're out sign underneath, was a very common graffiti in the Lower East Side and "throughout the City" at one time. Examples of it are still abundant. It was most often spraypainted by aficionados of a local band called Missing Foundation, but within a certain segment of Lower East the upside-down martini glass was an icon of rebellion, akin to the peace symbol or hammer and sickle. For the Missings, as for many other participants in the Tompkins Square Park rebellion, that symbol meant "the party's over" and "three strikes you're out" for the bourgeoisie, the yuppies, the gentrifiers, etc. The story goes that this graffiti is the parody of a symbol that the cops would scrawl on the doors of padlocked saloons during the prohibition era, along with the words "the party's over." The *Shadow* challenges the NYPD Satanism specialist to come forward and state his source for the assertion that the inverted chalice, martini glass, or whatever is a Satanic symbol. He is probably as much an authority on the Missing martini glass as the Christian cross. This seems like another attempt to "Satanize" the Lower East Side and its counterculture. Newt Gringrich, it appears, is already within our city walls.

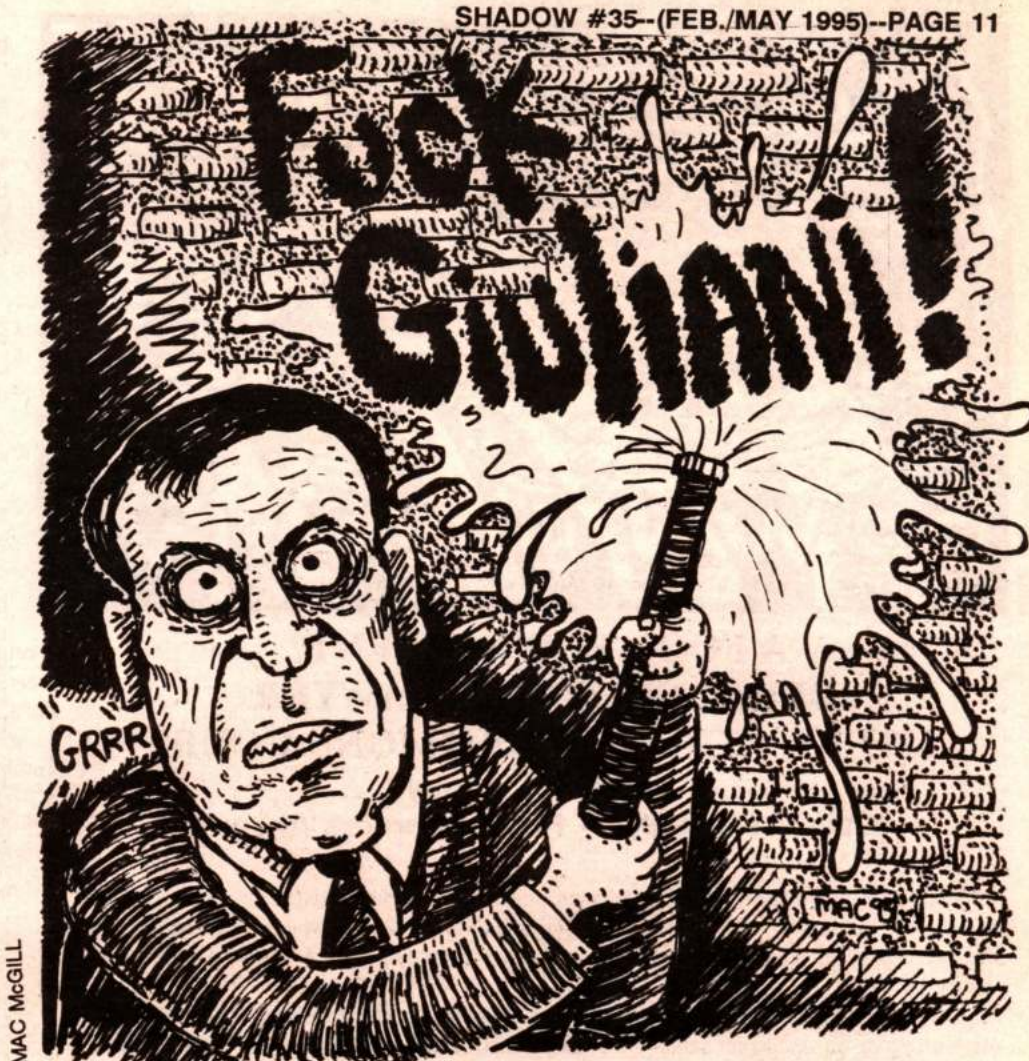
The next page houses a passage entitled "Graffiti is a Crime," which tries to explain what is wrong with graffiti anyway. Like the previous section this one doesn't waste much time in getting around to the Evil One. The last line of this section reads:

"Graffiti has also been related to drug and gang violence, and the occult."

The occult is now up there with drug and gang violence—and Beelzebub is now part of the justification for a more extensive police crackdown on graffiti. This is happening right here in sophisticated New York, folx, not in rural Mooga-Booga Texas.

No one doubts that Mayor Giuliani and Police Commissioner Bratton consider meddling in the occult to be a heresy against the Virgin Mary, worthy of burning at the stake or some high-tech equivalent thereof. After all, both of them went to Catholic school. But the City's attempt to demonize graffiti has more secular implications. These implications concern private property. Most people who do not own property do not worry about graffiti. The people who do hate it like the devil.

Graffiti cuts into a landlord's dictatorial power to do whatever he wants with his



property. A landlord can co-op your building and evict you if you can't afford to buy, or carry out destructive renovations right next to your bedroom. He can take over half of your sidewalk and rent it to a yuppie restaurant as an outdoor cafe. He considers the few regulations that keep him from driving your rent sky high to be genocide against him. But whatever you do, don't ever, ever put your mark on his property. Not even on the outside, where you are and he isn't. The anti-graffiti initiative is something that comes from the property-owning class. Here is your proof, straight from "Police Strategy No. 5" another publication in the recent police department series *Reclaiming the Public Spaces of New York*:

FACT: In 1993, there were 910 arrests for graffiti vandalism. Under a pilot program granting rewards for information leading to the conviction of a graffiti vandal, which was conducted in two precincts for six months, the Police Department issued only one reward.

So, in other words, New Yorkers don't snitch on graffiti artists even for pay. To the great masses of us ordinary people, the writing on the wall is just a part of our environment.

Some of us even like having graffiti around us. Some of us think it adds a homey human-scale touch in a city of overpowering corporate architecture. It is one of the few ways that non-property-owning people can influence their environment. Donald Trump's dreams become our reality, whether we like it or not, because he has money. Macklowe and Zeckendorf can tear down our familiar surroundings, erecting plate-glass and poured-concrete monstrosities in their place. The only thing the people have is hope and spray paint.

Some of us consider graffiti an art. St. Mark's Books sells fifty-dollar coffee table volumes of New York City graffiti art, so at least some of the stuff on the walls qualifies as art even by ruling class standards. However, it is currently forbidden to use the term "graffiti artist" in the mainstream press. You have to use the loaded term "graffiti vandal." Read the *Daily News*, *Post*, and *Times* these days, and all you will never see the word "graffiti" without the company of the word "vandal." This Newspeak serves two purposes. One is to tack on a meaning to the word "graffiti" that the word itself does not imply. The other is to teach us not to say "graffiti artist," which is what most of us call people who put up graffiti. Look up at the previous quotation from the "Combat Graffiti Conference" pamphlet.

"Graffiti, or 'tagging' as it is commonly referred to on the street, is the etching, painting, covering or otherwise placing a mark upon public or private property with the intent to damage such property."

Few New York graffiti artists would ever be convicted under this definition because the "intent to damage property" is seldom involved in their actions. Graffiti is motivated by a desire for self-expression or attention and only rarely by hostility toward the property or its owner, who is usually a distant absentee landlord. For the most part, graffiti does not even damage the property. A wall is a wall, whether it has graffiti on it or not. From the landlord's standpoint, however, the property has indeed been "damaged." His monopoly over it has been breached by the graffiti artist, who has used it as a means of conveying a message that the landlord has not sanctioned. The big blank wall which used to say "I'm rich and I own this" now says, "Lower East Side Boys," or "Jose 489." The landlord is pissed off because he has to share a fraction of a millimeter of the surface of his wall with the outside world. He wants us to be pissed off too, but the snitch rate indicated by the above statistic says that the people don't really care. How insensitive we are!

Graffiti, according to Giuliani himself, is one of the "visible signs of a city out of control." What Rudy means is that graffiti is a sign that the City is out of the control of its owners, the rich and the landlords. When does any poor person in New York ever feel "in control"? The countries of the world that have nothing written on the walls are countries where the ruling class has total control. China and North Korea know what to do with graffiti artists. So do Giuliani and Bratton. The people of New York, however, know which side of the wall they live on.



MIKE SCHAFER

A FOOL FOR A CLIENT? BEING YOUR OWN LAWYER (FOR A WHILE) IN SUMMONS COURT

By Ronald L. Kuby
(Office of Kunstler + Kuby, Attorneys At Law)

Representing yourself can be a very empowering experience. No more sitting around waiting for the lawyer to show up. No more standing by silently while the attorney and the judge have an interaction from which you are excluded. You are taking control of your own case!

Contrary to popular myth, being a lawyer is not much more difficult than being an arc-welder or an Audi mechanic. Or as one satisfied client said recently, "That looked pretty easy. Could you write it down so I can do it myself next time?" So here it is:

**WARNING: DO NOT ATTEMPT TO USE THIS KIT ANYWHERE
BUT IN SUMMONS COURT AT 346 BROADWAY.
CHILDREN: DO NOT TRY THIS WITHOUT YOUR PARENTS
BEING PRESENT!**

MATERIALS YOU WILL NEED:

Before you go to court, you should first go to a law library, or a good public library that has a copy of the penal code, and xerox the section of the law that you are accused of violating (see your summons). For example, you will find "Disorderly Conduct" under Penal Law Section 240.20. Under the law, a person is "guilty of disorderly conduct when, with intent to cause public inconvenience, annoyance, or alarm, or recklessly creating a risk thereof:

1. He engages in fighting or in violent, tumultuous or threatening behavior; or
2. He makes unreasonable noise; or
3. In a public place, he uses abusive or obscene language, or makes an obscene gesture; or
4. Without lawful authority, he disturbs any lawful assembly or meeting or persons; or
5. He obstructs vehicular or pedestrian traffic; or
6. He congregates with other persons in a public place and refuses to comply with a lawful order of the police to disperse; or
7. He creates a hazardous or physically offensive condition by any act which serves no legitimate purpose."

Study these provisions carefully. At the same time you copy this law, you should xerox several cases that have been used to set a precedent under the law you are accused of violating. In this case, they are People v. Tarka, 75 N.Y.2d 996, 557 N.Y.S.2d 266 (1990), People v. Hall, 48 N.Y.2d 927, 425 N.Y.S.2d 56 (1979), and People v. Dumas, 68 N.Y.2d 731, 506 N.Y.S.2d 319 (1986). Ask the law librarian where to find these cases. Make copies for yourself and copies for the Judicial Hearing Officer, who will hear your case in court.

YOUR FIRST APPEARANCE AND THE MOTION TO DISMISS:

Summons Court is the lowest criminal court in the City of New York. Summons Part 1 (Hereinafter called SAP 1) prosecutes only violations. Violations are lower than felonies or misdemeanors, and are not considered "crimes". In this article, we will treat only the offense of "Disorderly Conduct"--the most common violation for political demonstration-related conduct.

Summons court is so crowded that SAP 1 is presided over by a retired judge, called a Judicial Hearing Officer. Many of these JHOs are quite progressive, if somewhat idiosyncratic, and it is often fun to appear before them. Many of them, realizing the general stupidity of prosecuting people for whizzing on the street or playing basketball in unauthorized zones (two of the more common violations), try and assume a counselling function toward the young people who appear before them. They are not particularly interested in wasting time on you.

First, make sure you show up at 9:20 a.m. on your court date. Then, go past the courtrooms to the 2nd or 3rd window of the row of windows on your right. A worker will be behind the window. Be Very, Very Nice To Her! Hand her your summons and tell her that you wish to see the "white sheet". She will take a minute or so and return with a white piece of paper that looks just like your summons. On the back, though, on three lines, will be a narrative account from the police officer on what it is that you allegedly did. Copy this down verbatim. Then go into the SAP 1 courtroom.

Since this is the first time you have appeared in this court for this case, you will not be on the calendar. The court clerk will call all of the calendared cases first. Then he will call the summons cases as they wend their way from the window to the courtroom. When your name is called, confidently walk forward and say "(Your name), appearing pro se" (Pronounced "pro-say"). This means you are representing yourself. Tell the judge

"I have a motion to make to dismiss the complaint on the ground of facial insufficiency." The judge will look up expectantly. What the fuck do you know?

You should know that before the state can bring you to trial, it must make an accusation against you that is in proper form. This accusation must allege that you committed each and every material element of the offense charged, and must allege specific facts from which a reasonable person could conclude that you indeed violated the law. These are not mere technicalities. They are fundamental rights, designed to put you on notice of the nature of the accusation against you. A summons that fails to allege the proper material elements, or alleges conclusions instead of facts, is "defective on its face" or "facially insufficient", and must be dismissed.

The basic problem is this: The policeman has not yet been born who is capable of writing every material element of an offense, plus facts to show your commission of that offense, in the tiny writing space provided on the summons. As amazing as it sounds, thousands of cases get dismissed every year, with a waste of millions of dollars in worker hours, simply because the State is too cheap to provide the police with a normal-sized sheet of paper. Your case can be one of them!

The most common omission in "Disorderly Conduct" cases is the failure to properly allege the element of "intent". As with most crimes, disorderly conduct is not just wrongful conduct--it is wrongful conduct plus a wrongful state of mind. For the summons to be valid, it must allege that you engaged in the unlawful conduct "with the intent to cause public inconvenience, annoyance, or alarm, or recklessly created a risk thereof." If this allegation is not made, tell the judge that the complaint is insufficient on its face in that it fails to allege that you acted with the requisite intent, and pursuant to People v. Tarka and People v. Hall, copies of which you have and can offer to the judge, the case must be dismissed.

Let's suppose the white sheet says, for example, that you "intentionally blocked traffic by sitting in the street." Any problem with this? The answer is yes--the same problem. To be convicted of disorderly conduct, you had to intend to engage in the conduct you engaged in--you intended to sit in the street rather than accidentally slipping on a banana peel. But that is a different kind of intent. The intent talked about in Hall and Tarka is the intent with which you committed the intentional conduct--intending to cause public inconvenience or recklessly creating a risk thereof. A white sheet that simply says you did what you did "intentionally" does not comport with the statutory requirement and should be dismissed.

This is but one common defect in the summons. Sometimes, the white sheet will just recite the law. For example: "At t/p/o [time and place of occurrence] defendant obstruct[ed] vehicular traffic." Here, the police have failed to allege facts by which a reasonable person could conclude that you violated the law. The white sheet just shows a bare legal conclusion. As such, under the Dumas case, it must be dismissed.

There are infinite variations on this theme. Suppose you are charged under subsection (4), "Disturbing a Lawful Assembly". If the white sheet fails to allege the assembly was a lawful assembly, then a material element of the offense is missing. And if the white sheet alleges the assembly was lawful, this is a bare legal conclusion, unsupported by any facts. Either way, it must be dismissed.

Examine the other allegations in the same manner. If charged under subsection (2), does the complaint allege that you made unreasonable noise? If so, what facts are alleged to show to a judge that you made noise and it was unreasonable noise? Was the gesture obscene? How do you know? How would the judge know? Did the officer allege that you created a hazardous condition? Who was imperiled? How were they imperiled? What evidence does the officer cite to show the act served no "legitimate" purpose? What is a "fact"? What is law? What does it all mean, really?

If you lose your motion to dismiss, you must make some fast choices. You can ask the judge for an Adjournment in Contemplation of Dismissal (ACD). The ACD was explained fully in SHADOW #16 and is almost always a good deal. You should quickly explain that the charge grew out of a demonstration to protest evil and vindicate good; no one was injured; the police overreacted; you have no criminal record, etc. If the judge rejects the ACD, you must either plead guilty or not guilty. If you plead not guilty, a date for trial will be set. If you plead guilty, a small fine and/or community service will probably be assessed.

If you decide to go to trial, you should speak with an attorney, even if you want to represent yourself. Trials, even simple ones, are sufficiently complicated and individualized so that no advice columnist should attempt to provide guidance. Work up to trials gradually, by trying your hand at these motions. That's why they call it the "practice" of law!

**Any questions? Send yours to DOWN BY LAW,
c/o THE SHADOW, P.O.Box 20298, New York, N.Y. 10009**

E.G. Smith Distribution

E.G. Smith Distribution began in October 1993, distributing Anti-Authoritarian, and other politically focused books, pamphlets, and audio with the idea to make small press and other important publications accessible. If the text of one book can inspire people to take action or even think about possibilities they never had before, it is obviously important that more people have access to it.

E.G. Smith Distribution is completely non-profit & volunteer operated. There is no paid staff, all profit goes directly back into the distribution (i.e. Prisoner orders, future orders, postage/mailings, etc.). It is hard to find alternative media, and in some cases expensive to get--with this in mind E.G. Smith's primary goal is to get this media out to people who are interested in pursuing positive social and political change for the lowest price possible. Roughly, 60% goes directly to pay for the material ordered, 20% to printing catalogs, etc., and 20% to pay for mailings and/or prisoner orders.

While adding new titles in every catalog, E.G. Smith plans to begin publishing in late '94 and early '95. For a free catalog send a stamp to the below address.

E.G. Smith Distribution
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Columbus, Ohio, 43202

E.G. Smith offers wholesale terms on some titles to infoshops, bookstores and other distributors.

LATINO BIBLE SCHOOL TEACHER STRANGLED BY KILLER COP!!

By A. Kronstadt

On Thursday, December 22, 1994, Anthony Baez, 29, was playing football with his two brothers, Eric Baez and Henry Rothwell, outside their parents' house on Cameron Place in the Bronx. Their ball accidentally hit a parked patrol car. One of the cops inside got out of the car and started screaming at them. The brothers moved away from the car and continued their game, but the cop came over to the brothers and demanded, "Which one of you is going to fight me?" Anthony Baez attempted to flee, but the cop, now assisted by one of the other cops in the car, collared him, placed him in handcuffs, pushed him to the ground, and put a gun to his head. While Baez was still in handcuffs, one of the cops, Officer Francis X. Livoti, grabbed him by the neck and administered an illegal chokehold. At that point, Anthony Baez' 70-year old father came out of the house and told Livoti to stop strangling his son because he had asthma. Livoti responded: "If he's got asthma what was he doing out here playing football?" Anthony Baez died in police custody.

Unlike the victims of other highly publicized incidents of police brutality like Rodney King, Baez was not a suspect in any crime, aside from the "disorderly conduct" charge levelled against him (post-humously) for playing football in the street. He was a member of the Disciples of Christ Church and taught Sunday School in both the Bronx and in Florida, where he was an applicant for the police force. Nevertheless, after the incident, Patrolman's Benevolent Association president Phil Caruso defended the police actions, saying that Baez had been disturbing the neighborhood by playing football at night.

The incident did not hit the press until December 29-30. On the 29th, Dr. Charles Hirsch, the city's Chief Medical Examiner, said that the cause of death was "still being determined." Soon afterwards, Dr. Michael Janis, a pulmonary pathologist hired by the Baez family, said that the death was not asthma related, but that all of the evidence pointed to asphyxia resulting from strangulation. Dr. Janis also found bruises and abrasions around Baez' scalp, hands, and neck.

Unable to refute the evidence, the New York City Medical Examiner's Office ruled on January 4 that Anthony Baez died while in police custody of asphyxiation caused by compression of his neck, compounded by acute asthma. His death was ruled a homicide.

Officer Francis Livoti was the Patrolman's Benevolent Association delegate for

the 46th Precinct, where the incident took place. He had been under review by the Police Department's Force Monitoring System as a result of 11 complaints of excessive force filed against him during his 11 years with the Department. Because of his reputation for using excessive force, he had been assigned to work with a sergeant. Other patrolmen had requested not to be paired with him because of his reputation. As PBA representative, he had defended the rights of cops charged with stealing jewelry and other valuables from drug dealers. Livoti was transferred to desk duty, but the five other cops who witnessed the Baez incident--Sergeant William Monahan, William Fullam, John Walcott, Mario Erotokritou, and Daisy Boria--continue to walk the streets with their guns as of this writing.

SOUTH BRONX RESIDENTS DEMAND JUSTICE

On January 16, Martin Luther King's Birthday, 200 demonstrators stood in the rain outside Bronx Criminal Court to demand justice for Anthony Baez. Many were members of local South Bronx churches who carried signs commemorating Baez as a church member, Bible school teacher, and summer camp counselor. Speakers included Professor Richard Perez of Brooklyn College, who pointed out that because nothing had been done about the 11 complaints of excessive force that had been lodged against the officer who put the fatal chokehold on Anthony Baez, "number 12 was murder." South Bronx activist Hortencia Bonilla said that on the day following the murder, the cops who had been stationed on rooftops to monitor the community were "having the time of their lives laughing and joking" and that she hoped it was to contain their sorrow over the needless loss of life. Although Rev. Ruben Diaz, a Giuliani appointee to the Civilian Complaint Review Board and pastor of a South Bronx church, got a sprinkling of applause when he called for justice for Baez, he got a thumbs down from others, some of whom shouted, "Do something about it, and 'You work for the police.'" Diaz was seen lingering after the rally, chatting amiably with an NYPD deputy chief sitting in an unmarked car nearby. Only a sprinkling of police were in evidence around the edges of the rally and these were treated with a marked absence of malice by the peaceful crowd. One of the speakers, a local minister, pointed to the semicircle of cops and said: "I worry about you guys, I worry about your souls."

three years probation in the 1992 shooting of Haitian cab driver Jacques Camille, merely lost thirty days pay and was placed on disciplinary probation by the Police Department. Camille was unaware that two passengers in his cab had committed a robbery when the cop pulled him over. He had his hands in the air when Gelfand shot him in the abdomen.

At 7 P.M. On November 25, 1994, at the corner of Nostrand Avenue and Park Place, Keith Richardson was shot to death by two plainclothes police officers, Anthony Trotman and Dwayne Chandler. Naji Abdo Alqotaini, an innocent bystander, was killed by a stray bullet. The police story is as follows: Keith Richardson came out of a pool hall, allegedly after having had a fight with someone. The police say that he had a BB gun in his waistband, which he pulled out and then replaced in the waistband, whereupon the cops opened fire. They fired nine times, hitting Richardson five to eight times. Richardson died shortly thereafter. Alqotaini, who was standing on the sidewalk about 150 feet away, was hit

either by a stray bullet or one that passed through Richardson. One person who was on the street at the time claims to have seen the police plant the BB gun on Richardson as he lay on the ground. Others claim to have seen Officers Trotman and Chandler harassing women on the street and "looking for trouble" minutes before the incident. Police indiscriminately beat people in an effort to disperse the crowd that gathered, causing a young woman to suffer a miscarriage.

The *Daily News* reported on December 1, 1994 that a group of off-duty cops and their friends beat one Manhattan parking garage attendant and fired shots at another early on the morning of November 26, 1994. About 50 transit and City police officers had been at a party at the Southgate Towers Hotel on West 31st St. The garage attendant, Rony Balu, was hospitalized for two days after having been repeatedly kicked in the head and abdomen. The incident allegedly started when one of the cops objected to paying \$19.00 for valet parking. When Antoine

More KOP-WATCH On Page 17



Well, here we are again!! Believe it or not, things have been fairly quiet kop-wise on the Lower East Side, according to our Kop-Watchers. (Either that, or the kops are getting better at keeping a low profile.) However, elsewhere in the city, it's business as usual. Here are but a handful of stories that have appeared in the mainstream press:

The *New York Times* of November 5, 1994, reported that complaints of police misconduct to the Civilian Complaint Review Board rose 46% in the first six months of this year, as compared to the same period in 1993. The 2290 complaints received through June included 220 reports of beatings, 24 reports of flashlights used as clubs, 15 pistol whippings, and 153 threats of force.

The eviction of vendors from 125th Street on October 17, 1994 and subsequent NYPD occupation of that street to prevent their return cost New York City taxpayers \$800,000 in police overtime.

On October 5, 1994, in a bizarre incident in Queens, off-duty cop Angelo Angelico Jr. was waving an unauthorized .357 Magnum pistol, proclaiming, "My gun's bigger than yours," when he was shot by another cop. Eight undercover Housing Police officers were transporting suspects when they saw a car being driven by Angelico coming toward them on the pedestrian walkway. They spotted the gun on his dashboard with his hand on it. Officer Matthew Virginia fired one shot, which bounced off the car and grazed Angelico's forehead. Angelico later told arresting officers that he had been chasing a gunman on a moped. Angelico, who joined the force in August 1993 at the age of 32, was fired on December 1, 1994. In addition to the unregistered Magnum, police found five other guns in his locker.

In East New York at 6 P.M. on October 24, Joelle Clervil and Anthony Merisier were pulled over by Officers Steven Griffith and Thomas Ulrich, allegedly for a routine traffic stop. The cops claim that the men in the car did not cooperate, and that one of the officers put his arm into the car as the driver, Clervil, tried to start the engine. Both officers then fired into the car, killing Merisier in the passenger seat. Although the police say that they thought Merisier was reaching for a gun, no gun was found.

New York State Police Officers David Harding and Robert Lishansky were fired some years ago after admitting to fabricating evidence in some two dozen criminal trials. They were sentenced to prison terms along with four other former State

Troopers in connection with the evidence tampering scandal. Now, however, they are being sued for civil rights violations by Carl Chamberlain of Ithaca, New York, who is claiming that they fabricated evidence leading to his conviction in a fatal hit and run for which he is serving a 25-year-to-life sentence. The state is providing defense counsel for the two ex-cops under a provision of the Public Officers Law.

On November 14, 1994, Gregor Kitzis tried to talk his way out of a parking ticket on West 102nd Street in Manhattan. He was wrestled to the ground by police, called a "faggot," slammed into a wall, then thrown into a patrol car where the cops continued to abuse him. He was charged with resisting arrest, obstructing governmental administration, second degree assault on two police officers, and incitement to riot.

On November 3, 1994, Rachel Nero, eight months pregnant, was vending fruits and nuts near the subway station at Utica Avenue and Eastern Parkway, accompanied by her eight year old daughter, Shaqua. Officer Steven Gallagher appeared, grabbing Rachel and twisting her arm behind her back. Officer Gallagher then slammed her, stomach first, into a van, and dragged her across the street. She and Shaqua were taken to the station house, where they were further abused (Shaqua was slapped across the face by Officer Wylie). Gallagher is known for being a "vigilante" cop who had been beating up street vendors and confiscating their goods for months before this incident. He is still on the beat.

Officer Sandra Martinez was arraigned for burglary on November 16, 1994 for stealing cash from a smoke shop (marijuana store) while in uniform. The alleged incident happened on December 15, 1993, when she entered the store with two other officers. According to the charges, after Martinez took the money from the front of the store, the other two cops went in the back where one stole more cash while Martinez searched a woman and prevented other customers from entering. The two officers who accompanied Martinez were already under investigation for similar shakedowns earlier in the year. Raymond Diaz, the commander of the 25th Precinct where the incident took place, said that he knew an Internal Affairs Bureau investigation was underway but that he "did not know who the targets were."

The November 23, 1994 *Daily News* reported that Sean Gelfand, a cop convicted of third-degree assault and sentenced to

EVENTS + ANNOUNCEMENTS

(Send yours to: The SHADOW, P.O. Box 20298, New York, NY 10009)

FEB. 17--ZAPATISTAS VS ROCKEFELLERS: Demonstrate with supporters of Mexico's Zapatista army against Chase Manhattan Bank, which has ordered Mex. Pres. Zedillo to crush the Zapatistas or else get no US money. At 1 Chase Plaza (between William + Liberty Sts.) Call 212-614-6662.

FEB. 17--OPENING OF OUR WORLD THROUGH OUR EYES: Native American photo art show at Blackout Books, 50 Avenue B, (between 3rd + 4th Sts.), 9:00 p.m. Call 212/777-1967 for info.

FEB. 19--OPEN MIKE NIGHT: Speak your mind, read your poems/stories, perform, and let it all hang out. Or you can just watch. Every Sunday night at ABC NO RIO, 156 Rivington St., 7:30 p.m.

FEB. 20--CAN AN ANARCHIST BE A CHRISTIAN? Libertarian Book Club hosts discussion on Jacques Ellul at the Brecht Forum, 122 West 27th St., 10th Fl. 7:30 p.m. Call 212-242-4201.

FEB. 21--FOOD NOT BOMBS VIDEO: Video series about police attacks on FNB in San Francisco and on upcoming FNB gatherings throughout the US. At CUNY Graduate Center, 33 West 42nd St., Rm BM10, 7:00 p.m.

FEB. 21--STUDY GROUP ON REVOLUTIONARY ANARCHISM: At Blackout Books, 50 Avenue B, (between 3rd & 4th Sts.) 7:00 p.m. Call 212/777-1967.

FEB. 21--NATIONAL COMMITTEE FOR DEMOCRACY IN MEXICO: Meets every Tuesday at the Washington Sq. Methodist Church, 135 West 4th St. 7-9:00 p.m. Call 212/614-6662.

FEB. 22--FORUM ON ANARCHO-SYNDICALISM: At Blackout Books, 50 Avenue B (between 3rd + 4th Sts.) 7:30 p.m. Call 212/777-1967.

FEB. 23--FOOD NOT BOMBS VIDEO: See Feb. 21 for details. At ABC NO RIO, 156 Rivington St., 7:00 p.m.

FEB. 24--POLITICAL PRISONER SUPPORT LETTER WRITING PARTY: At Blackout Books, 50 Avenue B, (between 3rd + 4th Sts.) 7:30 p.m. Call 212/777-1967.

FEB. 28--WOMEN'S SELF-HELP GROUP: At Blackout Books, 50 Avenue B, (between 3rd + 4th Sts.) 7:30 p.m. Call 212/777-1967.

FEB. 28--FOOD NOT BOMBS VIDEO: See Feb. 21 for details. At NYU Loeb Student Center, 566 La Guardia Pl. #411. 8:00 p.m.

MARCH 4--RALLY TO DEFEAT THE CONTRACT ON AMERICA: Speakers include William Kunstler, Tom Hayden, Ramsey Clark, Dennis Banks. At Cooper Union's Great Hall, 41 Cooper Sq. (8th St. + 3rd Ave.) 3:00 p.m. Call 212/633-6646.

MARCH 12--RADICAL WALKING TOUR OF ANARCHIST JEWS: Led by radical historian Bruce Kayton. Meet at 175 E. Broadway at 1:00 p.m. Only \$6.00. Call 718-492-0069.

MARCH 17--PROTEST INVASION BY NEW YUPPIE WATERING HOLE: The Bowery Bar has circumvented zoning restrictions to convert an old gas station into an ultra-exclusive yuppie dive surrounded by a ten foot wall, laying the groundwork for future area gentrification. Gather at Tompkins Sq. Park at 8:00 p.m. for a march to the bar, located at the southwest corner of Bowery + 4th St. By the Die Yuppie Scum Committee.

MARCH 20--STRUGGLE FOR FREEDOM IN AFRICA: Hosted by Libertarian Book Club. See Feb. 20 for details.

MARCH 25--RADICAL CHELSEA WALKING TOUR: Hosted by rad historian Bruce Kayton. See sites associated with Carlo Tresca, Malcolm X, and more. Meet outside the Chelsea Hotel, W.23rd St. (bet. 7th + 8th Aves.) at 1:00 p.m. \$6.00. Call 718-492-0069.

APRIL 1--SURPRISE ACTIONS ON THE LOWER EAST SIDE!! (Sorry, we can't say more, but the pigs read the SHADOW too!!)

APRIL 2--GREENWICH VILLAGE RADICAL WALKING TOUR: Sites include the Stonewall Bar, house of Weatherman Underground, and more. Meet at the Washington Sq. Park arch at 1:00 p.m. \$6.00. Call 718-492-0069.

APRIL 9--RADICAL JEWS II WALKING TOUR: Special Passover Tour. Call Jewish Radical Educational Project at 212-675-9788 for meeting place.

MAY 1--ANNUAL SQUATTER MAYDAY CONCERT: This year, a group of outcasts called the Class War Organizer (CWO) have again succeeded in grabbing the permit to use Tompkins Sq. Park while posing as members of the movement. They are agents provocateur working against true activists and squatters who can pay their expenses only if they can scam the money from their duped New Jersey connections.

JUNE 15-26--FOOD NOT BOMBS INTERNATIONAL GATHERING: Protesting United Nations' use of violence on behalf of transnational corporate greed on the UN's 50th anniversary. Workshops, music, lots of free food, and fun. At + near UN Plaza in San Francisco. To send ideas + get info, call 1-800-884-1136 or 415-386-9209.

SUPPORT THE MEXICAN REVOLUTION!! Contact the Zapatista Solidarity Committee at: 212-642-5212, and the National Committee for Democracy in Mexico at: 212-614-6662.

NENA HEALTH CENTER PROVIDES A WIDE VARIETY OF SERVICES on a sliding scale for those without insurance. Weekdays, 8:30AM-4:30PM, Weds till 7:00PM. 279 East 3rd Street, or call 477-8500 for more info.

WORKS BEING SOUGHT for vegetarian art show at the Sunnen Gallery, 49 Prince St. Call 212-966-3188.

LET THEM TALK radio show features investigative activist journalist Paul DeRienzo. Best alternative news and music!! Wednesday nights (technically Thursday mornings) on listener-supported WBAI radio, 99.5 FM, 1:30-3:00 A.M.

EXCHANGE YOUR USED NEEDLES for new ones. Bleach kits, condoms and other supplies FREE. At the Lower East Side Needle Exchange, 39 Avenue C (between 3rd + 4th Streets). Wed. + Sat: 11:00AM-2:00PM, Fri: 7:00-10:00PM. For info, call (212)228-7734.

IT PAYS TO ADVERTISE IN THE SHADOW!!
SUPPORT YOUR UNDERGROUND PRESS: PUT YOUR MONEY WHERE YOUR POLITICS ARE!!

MORE OF THE SLEAZE FACTOR: DA TARGETS PUEBLO NUEVO: ANTONIO PAGÁN SEEN AS LOSER!!

By Stuart Frankel with Paul DeRienzo and Chris Flash

Robert Caballero, an on-again off-again ally of the pro-landlord profiteer City Councilmember Antonio Pagán, is under investigation by the Manhattan District Attorney for corruption. Caballero is a neighborhood native who bootstrapped himself up to become executive director of Pueblo Nuevo, one of the largest "non-profit" housing groups in the area that manage and control city-owned buildings. For many years, he was groomed by the liberals who run most of the other housing groups, but subsequently decided to join forces with Pagán, who maintains a controlling interest in Lower East Side Coalition Housing Development, another so-called housing group.

Pagán appointed Caballero to Community Board 3, but liberals continued to speak highly of him, saying that he was really concerned with housing in the neighborhood. There was a public rift between Caballero and Pagán when CB3 voted to support low-income housing between Grand Street and Delancy Street over the vociferous objections of the affluent Grand Street co-ops (which had been found guilty of racial discrimination). Pagán needs the support of the racists for his political base and opposed the housing; Caballero voted in favor of it. Several months later, after frantic maneuvering behind the scene, CB3 took a second vote and withdrew its support for the housing. This time, Caballero supported Pagán and the racists.

In common with many of the other housing groups, Caballero was a strong opponent of squatters. He was instrumental in seeking the eviction of squatters from the Glass House Squat on Avenue D last summer, allegedly to build a hospice for HIV-positive people. When asked whether the HIV-positive people he was evicting from Glass House would be able to get housing in his project, Caballero said that they could get on the waiting list with several hundred other people. He added that squatters have no special rights, that they just wanted housing for themselves.

According to former employees of Pueblo Nuevo, it turns out that Caballero and other members of the Pueblo Nuevo board also wanted housing for themselves and their relatives, and they took government money in order to have it built for them (unlike squatters, they are too lazy or too busy pimping for grant money to do their own work). These former employees say that they became FORMER employees when they complained about improprieties and discrepancies in Pueblo Nuevo records.

Caballero resigned from the Pueblo Nuevo board last month. Allies of his who still work for Pueblo Nuevo say that he was treated "shabbily" by board chairman Father Jack Donahue, although Father Donahue denied to the SHADOW that he had forced Caballero out. Pro-Caballero forces in Pueblo Nuevo told the SHADOW that the charges are all brought by Israel Perez who is, they complained, a "gadfly." Perez is a longtime foe of Pagán's and many in the community say he is not always reliable, but he is not the only one who is making complaints against Caballero -- he is just the only one who is willing to be named in public right now.

Meanwhile, according to published accounts, the D.A.'s office is investigating for fraud and mismanagement, and the future of Pueblo Nuevo is uncertain. There are only two board members right now, although seven are required by the group's bylaws. Former board member Lisa Kaplan, a longtime housing advocate who is also on the board of People's Mutual Housing Association (PMHA), has rejoined the Pueblo Nuevo board at Caballero's request. Kaplan and Caballero are friends (although Kaplan did not hesitate to break with Caballero when he voted to kill the Grand St. project). Kaplan told the SHADOW that some progressives in the neighborhood wanted to run Caballero against Pagán in the next city council election - this plan was clearly only in the preliminary stage, since other progressives the SHADOW spoke to had not heard of this.

There are rumors that PMHA will take over some or all of Pueblo Nuevo's projects, a move that may save Pueblo Nuevo. The vast majority of Pueblo Nuevo's tenants are low-income people not involved in the corruption or in the forced evictions that created some of Pueblo Nuevo's housing in the first place, and they deserve protection. What is clear is that the political climate is changing -- that the resolutely anti-Pagán Kaplan stands poised to become a major player in the neighborhood housing field.



MAC MCGILL



Hey SHADOW!

Saw the editorial (See SHADOW #33--Ed.) about squatter's rights that mentions me, Steven and our 2 apartments, and simply had to write to say that, as usual, you got the facts wrong.

FYI, here's the real story. Our group moved into an abandoned building 15 years ago, victims of a rent scam. It was 6 of us versus 30 apartments, so we put signs up all over the neighborhood inviting anyone wanting to homestead to please come and join us. The response from the streets? Zero. We desperately needed money to start fixing the building up, so since no one else wanted it, in July 1980 our Tenant's Association allowed me to take the empty studio across the hall and join it to the one I was already in. (Other tenants then did the same, so there are 6 of us with 2 spaces, not just me.) We entered the Tenants Interim Lease (TIL) program in February 1981. Steven and I met 2 years later. He was not a squatter, he never had his own place in the building, he just moved into mine.

Yeah, I have 2 apartments, but it's not like they were handed to me on a platter. To get them I worked like a dog, living for years without heat, water, electricity, windows, walls, ceilings, toilet, sink, stove, refrigerator, taking showers in fire hydrants, using plastic bags as crappers, pissing in cans. I learned how to do demolition, construction, roofing, flooring, plumbing and electric, helped fill 42 giant dumpsters with trash, rubble, plaster, bricks, an old boiler, radiators, and whatever else was lying around, carried thousands of pounds of garbage down the stairs, thousands of pounds of construction materials up the stairs. I battled junkies, thieves, muggers, and various agencies that tried to take the building away, and endured and survived things you could never comprehend, since you've never been a squatter yourself. And that's the real story of our two apartments - I did not marry the boy next door to get more room. Got it now?

By the way, congratulations - you finally spelled my last name right.

Lisa Ramaci
(District Leader, District 2)

Dear Lisa,

You give an excellent and eloquent rationale for support of squatters and squatting, but you neglected to mention that since gaining legal control of your apartments, you and Steve have decided to toss in your lot with the gentrifiers. Now that you've climbed up the ladder, you have been working tirelessly to kick other squatters back down.

Steve's not a squatter, you say? When Steve was helping to found the Democratic Action Club in 1991 to launch the political career of the pro-landlord profiteer Antonio Pagán, he repeatedly identified himself as a "squatter" - on DAC posters, in DAC literature, in numerous interviews with the local media. The idea was to make



LISA RAMACI IN HAPPIER DAYS

Pagán's support seem more broad-based than it really is. But if you say that Steve was never a squatter, we take you at your word. We've always maintained that Steve is a lying opportunist; it's nice to have you confirm that for us.

By the way, your last name is spelled wrong next to the buzzers outside your building.

The Editors

HI SHADOW!

I have shown some of my friends issues 33 + 34 of the SHADOW and they were very upset with issue 33. One of the things that upset them is calling the police "pigs." Down here, "pigs" are what we call Senators, Congressmen, and other public officials, not our policemen. At present, unlike New York City, we are a bit more fortunate and don't have to worry about being beaten up by both the criminals and our police force. However, as our town grows larger, this could certainly happen to us at some future date. If it does, we will no doubt be calling our policemen pigs too.

A lot of our Desert Storm vets are having problems with a strange type of illness. We can expect Uncle Sam to stall, put it off, study it, and he'll get off cheaper if a lot of the victims die before they can get him nailed and he has to pay 'em. It was the same way with our Viet Nam vets and Agent Orange. Boy, am I glad I'm a Korean vet where things like that were not used.

Brainwashed

I believe
that Lee Harvey Oswald
was a lone assassin
who killed John F. Kennedy.

I believe
that Uncle Sam
knows nothing
about UFOs.

I believe
that my friends who died in Viet
Nam were killed by Viet Cong,
not by our foreign policy.

I believe
that AIDS was started
by a green monkey
in Africa.

I believe
that the invasion of Panama
was not a war crime
and George Bush is no war criminal.

I believe
that Operation Desert Storm
was not to help George Bush
or US oil companies.

I believe
that NAFTA and GATT
will help US workers.

I believe
that our leaders are public servants,
not self-serving bastards,
and I even believe
that Billy Graham,
Bill Clinton,
George Bush
And Pat Robertson
have never,
not even once,
played with their peckers.

John B. Denson
c/o VFW Post 1988-Box 883
Green Cove Springs, FL 32043

PRISONER MAIL:

Dear Editor,

We the men and women on the inside think it would be wonderful if the SHADOW and its readers would create an article and list of Professionals, Laymen, and students of Law who would be interested in voluntarily assisting us with our appeals. Anyone with knowledge in doing supplemental briefs, Writs of Coram nobis, 440's, Article 78's, etc...please help us with our pleas for freedom and judicial relief. George W. White #94-B-0605
135 State Street
Auburn, NY 13021

Dear SHADOW,

Pataki's election still has me a bit in shock and very much scared! Yeah, all politicians are shitheads, but Pataki? Besides the Death Penalty, things we've heard he has in mind for us: 23 hour lockdown, no prison commissary, a parole condition of paying for our imprisonment, totally revoking the work release program... I could list more things, but this shithead's only intent is to make our lives more miserable. Things are getting bad, destined to get only worse...but as Lenin said "the worse the conditions, the better it is for the revolution" (or something to that effect.) I find this ironic, all in time for the 25th anniversary of the 1971 Attica Riot.

Love & Anarchy,
Howard Thurston #92A3151

Coxsackie Correctional Facility
P.O. Box 999
Coxsackie, NY 12051-0999

Dear SHADOW Friends,

I'd like you to mention a new anarchist/anti-authoritarian study group for prisoners. It's called Raze The Walls, and the address is: P.O. Box 22774, Seattle, WA 98122-0774. The contact person is Michael Lee, who facilitates for the prisoners involved. Free world people are invited to participate. Mike has more information.

Life goes on as usual within these walls. The new control unit at Tamms is slowly nearing completion. The state has plans to make every prison a "shank-free" environment. What this will mean as far as harassment is still unknown. The latest craze for the guards has been to conduct shakedowns using the "health and safety" inspection rule, whereby they bypass the normal routine for shakedowns, not having to issue shake-down slips, but still confiscating anything they consider contraband.

Well, I'd better go and get some work done now. My supervisor isn't very happy about my using state property for personal letters on his time. Oh gee, it'd be a shame if they didn't get their .12 cents an hour's worth from me!

Staying free until the walls come down!!!

In Struggle,
Ron Campbell #N-30537
P.O. Box 900
Ina, IL 62846

To The Editor:

The Lower East Side anarchist scene has learned a bitter lesson in recent years. Willingness to work with destructive-minded energy vampires with bad politics just because they call themselves "anarchists" is counterproductive and stupid. Finally, the LES scene has repudiated such elements, after far too many years of tolerating their obstruction. The national anarchist scene needs to think about this too. Case in point: The zine *Anarchy: A Journal of Desire Armed*.

This so-called "anarchist" zine last year ran an article extolling the Ku Klux Klan as a "militant" working class organization. It has allowed its letters page to become a forum for Nazi scum who say the Holocaust never happened and extremist sickos who advocate rape of female yuppies. These bozos are giving "anarchy" a bad name.

Now Tad Kepley appears as *Anarchy's* new editor. The names of people he fucked over the last time he was in NYC could fill a page. His attitude towards life is best summed up in his own words: "I will never contribute anything...[but will do] my best to destroy the work of others" (*Anarchy*, Winter 1994). He has never done any political organizing. (Not coincidentally, NO reports on political activism any longer appear in the pages of *Anarchy*.) He has proudly admitted in print to racist, anti-gay, and Jew-baiting graffiti and statements he made when he was last in NYC. His lies and threats of violence against anarchist organizers are notorious.

Neither East Nor West (familiar to LES activists for building links between the Tompkins Square struggle and anarchist struggles in Poland) has pulled its "On Gogol Boulevard" section from the pages of *Anarchy* to protest the rag's recent dive into the sewer. They've got the right idea. The anarchist scene should withdraw all support from this pathetic waste of paper and ink called *Anarchy*!

Anarchy now has an NYC mailing address despite the fact that it is still produced in Missouri. The rag is said to be planning a move to our city. If *Anarchy* ever manages to make it to this side of the Hudson, it should NOT be made welcome by NYC anarchists. Tad Kepley is probably just a bozo and not a police agent. But he's just as destructive as any police agent could hope to be.
Johann Most, NYC

OMNICIDE: THE BIGGEST MURDER CASE OF ALL TIME!!

By Bernadette Geiger-Counter

How can we confront the sorrows of our time? How can we digest the fact that only 15% of the trees that once existed remain. That there is not one drop of clean water left in America. That we have no place to safeguard the tons and tons of radioactive waste that remains poisonous for thousands of years?

We are saturated with radioactive poison from under the ground to the stratosphere, which is manifesting itself in biological degeneration, an epidemic of heretofore unknown diseases, rampant cancer, and the deterioration of the gene pool.

The protective envelope surrounding the Earth is being eaten away by a variety of factors including radioactivity (spread through bomb testing, nuclear power plant emissions and accidents). Trees, our source of oxygen and carbon dioxide absorption, are being cut down. Those remaining may be slowly poisoned with radioactive carbon, which they absorb in place of normal carbon dioxide. It is only a matter of time before we either burn ourselves to death or are asphyxiated.

Earth without oxygen would not support oxygen-dependent life. We, along with all animal and vegetative life would be killed. The human race would be extinguished. The absolute magnitude of the gravity of this moment is difficult to assimilate.

Given the unbearable reality, humans become busy. Androcentric over-achieving personalities run themselves to anesthesia. Mind altering drugs, including prescription, alcohol and illegal abound. Consumer society displaces fear with material possessions, TV drama, and high-visibility front page headlines on the latest homicide, all to divert attention from the biggest murder case of all time - the murder of you, me, our children, our family and friends, our town and country, our Earth, and the potential for future life on Earth.

Ill-informed, diversionary, do-good activities are like swabbing the deck of the Titanic. We have run out of "out." "Out" is where our parents used to put the garbage, and the worst garbage these days is radioactive waste, huge amounts of which are piling up with no permanent repository and with dangerously overcrowded conditions in their temporary locations. Despite assurances that the permanent sites being explored in the West are possible, and despite new disposal plans recently put into action behind our backs, we are facing the permanent contamination of the underground water supply, the poisoning of agricultural resources, food and air and the deadening of huge tracts of land. The federal administration has announced that cleanup costs have doubled. But, what no one is saying is that, in fact, there is no way to clean up!

The quietest explosion of a recent Fourth of July season was the July 3, 1990, Nuclear Regulatory Commission (NRC) policy statement on Below Regulatory Concern (BRC), which establishes a "commission-approved" basis for future decisions, when petitioned by the utility companies, to exempt some low-level radioactive material from regulatory controls. Due to the enormous amount of waste and the generally acknowledged belief that there is no safe disposal site possible, the NRC (a group of 5 men, appointed

by the President, ratified by a Senate committee) assuming a power never given to them by the public, has determined that 30% of all low-level radioactive waste will be considered along with other general garbage and dumped into local landfills, burned in incinerators or used on farmland as sludge.

The NRC bases its authority on the 1985 Low-Level Radioactive Waste Policy Amendments Act. This Act, along with Public Law 99-240, Sec.10(a) (January 15, 1986), whereby Congress gave the NRC power to permit the unregulated disposal of entire categories of radioactive materials, should be repealed.

Radioactive waste created by nuclear power plant operations, amounting to less than 15% of all energy, is classified as either "high-level" or "low-level." High-level is the spent nuclear fuel rods which presently total about 20,000 tons and are being stored at various nuclear plant sites. Everything else is referred to as low-level. Low-level waste has a hazardous life of thousands of years and until now has been shipped to one of three licensed, over-flowing landfills in South Carolina, Nevada or Washington.

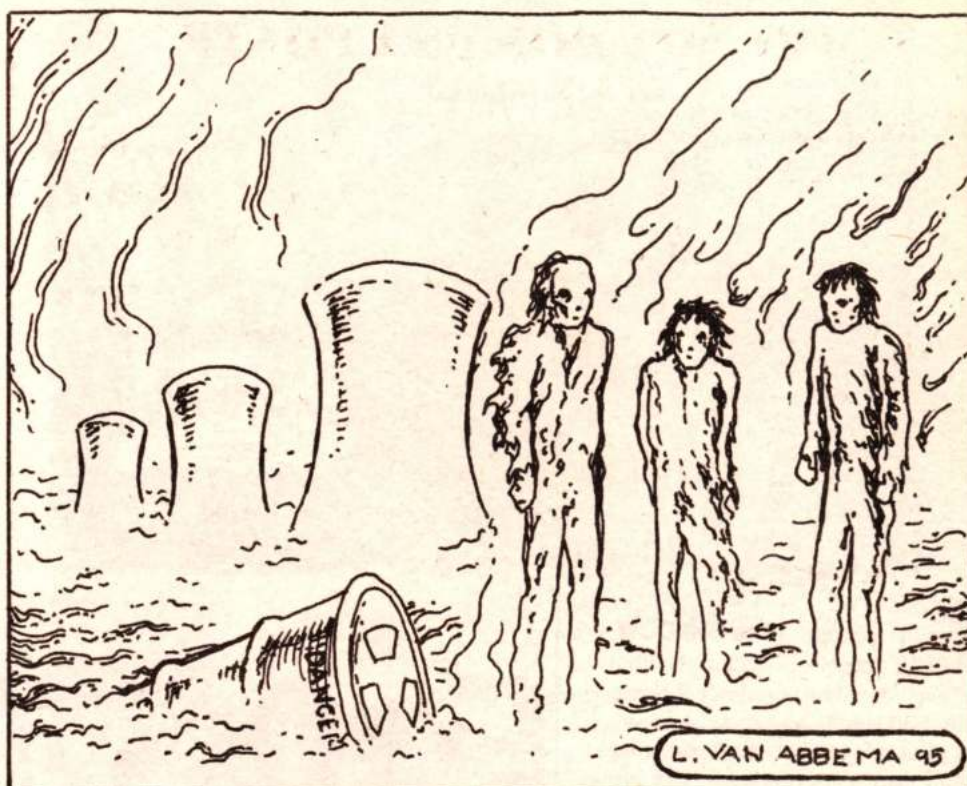
A 1989 study projects a future annual low-level radioactive waste volume of 1.3 million cubic feet, while suggesting that up to 790,000 cubic feet annually could be considered BRC (see Electric Power Research Institute, Below Regulatory Concern Owners Group: Cost-Benefit Analysis of BRC Waste Disposal; prepared by Sargent and Lundy, Chicago, Illinois, March 1989.)

Despite the phrase, this radioactive waste is not "low-level" in its damage to human health. The BRC policy will lead to increased radiation exposures which will add to existing risks of cancer, birth defects, genetic damage and other debilitating health problems of every kind including allergies, asthma, heart ailments and diabetes. There is no safe dose of radiation. Every dose is an overdose. The imposition of the BRC is linguistic detoxification. Poison is poison.

The Atomic Energy Act was passed in 1946, revised in 1954 and amended in 1974. It became the basis for the acceptance of the "necessary evil" of a certain number of deaths coincidental with nuclear power, and consequently in the sanctioned, intentional extermination of a predictable number of citizens.

A quote from page 22 of the NRC/BRC policy statement makes clear the intention to allow deadly poisons to spread, along with the acceptance of a calculated number of deaths as a result of this policy:

This policy establishes the framework within which the Commission will formulate rules or make licensing decisions to exempt from some or all regulatory controls certain practices involving small quantities of radioactive material. The exemptions may involve the release of licensee-controlled radioactive material either to the generally accessible environment or to persons who would be exempt from the Commission regulations. Practices for which exemptions may be granted include, but are not limited to, (1) the release for unrestricted public use the lands and structures containing residual radioactivity; (2) the distribution of consumer products containing small amounts of radioactive material; (3) the



disposal of very low-level radioactive waste at other than licensed disposal sites; and (4) the recycling of slightly contaminated equipment and materials...The policy establishes individual dose criteria (between 1 and 10 millirem per year and a collective dose criteria of 1000 person-rem per year). These criteria, coupled with other considerations enumerated in the policy statement, will be major factors in the Commission's determination on whether exemptions from regulatory controls will be granted."

A single (only) *New York Times* article (dated 6/26/90, pg.A12) by M. Wald, entitled "Disposal of Mild Radioactive Waste to be Less Restricted in New Policy" covers the BRC issue. In it, Jonathan Becker, a spokesperson for Public Citizen, a group founded by Ralph Nader states: "They're making decisions about how to deal with radioactive waste on an economic basis, and not on grounds of what would be best for public health and safety."

The profit motive is central to utility companies. An internal nuclear industry memo gave several reasons why BRC is an important policy to promote, among them: "If the proposed BRC rule is adopted, the current direct economic costs of low-level waste disposal will be reduced by a factor of 100 for the BRC portion, resulting in an annual savings industry-wide of at least 60 million." (Quoted in *Groundswell*, Vol.2, No.4, Spring 1990)

Why should the public be exposed to any risk when it is the responsibility of the utility companies to pay for the disposal of the waste from their industry and the responsibility of the NRC to protect our health, not to sell it off to the influence of high pressure utilities, who no doubt threaten to let the cat out of the bag on the sham industry if they don't get what they want? All

informed, responsible individuals agree that nuclear power is not safe, clean, economical or necessary. Larry Bogart, a devoted long-time activist in the struggle to free Earth from the tyranny of nuclear power, who along with others succeeded in stopping construction of dozens of nuclear power plants, stated, prior to his death in 1990 (under somewhat mysterious circumstances) that:

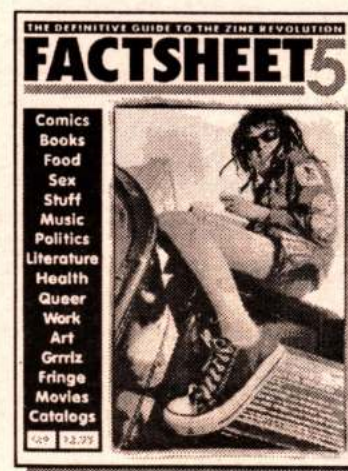
"BRC does not get at the problem. The number one problem is the continuing use of nuclear power. The realization is dawning that nuclear fission has been the world's greatest mistake. By failing to heed the lesson of Chernobyl, we are inviting the world's greatest tragedy. The daily operation of nuclear plants, which have releases that are cancer causing, is the problem -- so that by the year 2000 cancer will be universal -- not just 1 out of 3." (Personal communication to author, July 1990)

President John F. Kennedy, the last president to speak the truth on radiation dangers, who was responsible for halting atmospheric bomb testing in 1963, stated, six months before his assassination: "If even one child loses its life because of nuclear power, it is not worth the cost."

NRC's Chairman Kenneth M. Carr said the agency's goal is to keep the exposure to the individual from all low-level radioactive sources below 100 millirems per year. The Environmental Protection Agency's guideline is for no more than 4 millirems per person per year. International standards are for between 1 and 5 millirems exposure per year. The NRC admits that 10 mrem per year is equivalent to 3.5 cancer deaths in 10,000 population.

See OMNICIDE On Page 22

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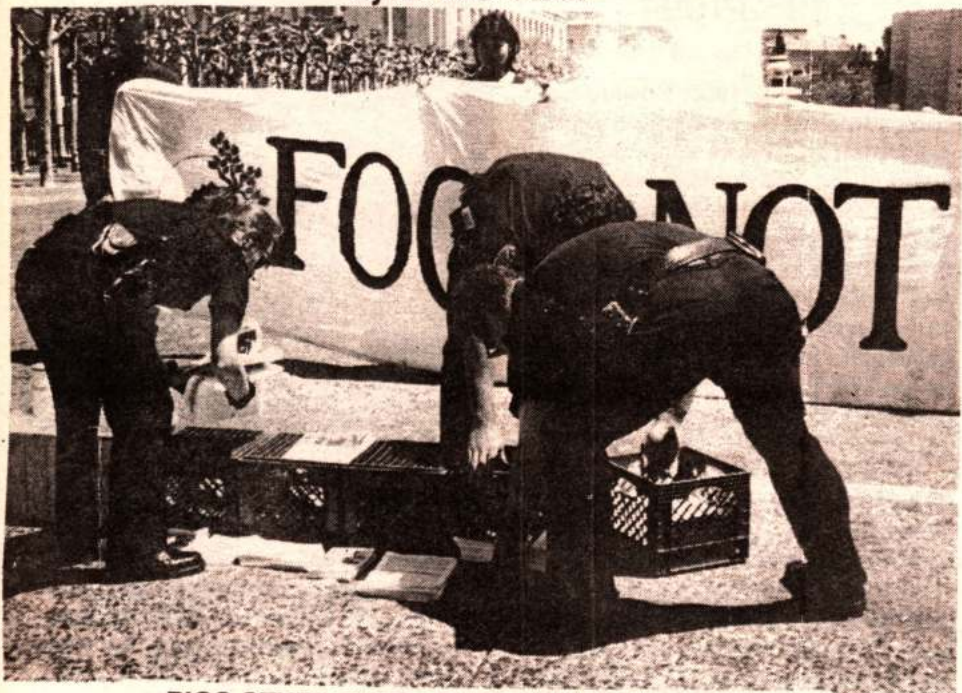
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FOOD NOT BOMBS UPDATE

By A. Kronstadt



PIGS STUFF THEMSELVES WITH STOLEN FOOD

As reported in SHADOW #34, Food Not Bombs (FNB) volunteers are facing an array of felony and misdemeanor charges for serving food to homeless people in the streets of San Francisco. FNB has been continuing to serve free food in spite of the anti-homeless crackdown in SF under the administration of Mayor Frank Jordan. Jordan is a Giuliani-like figure whose "Matrix Plan" for clearing street people out of the downtown area is the West Coast mirror image of the "quality of life" crackdown in New York City.

Keith McHenry of FNB is facing trial on February 14 on charges of assault, battery, and "strong-arm robbery." The latter charge is a felony that could count as a strike under California's recently enacted "three-strikes law," which prescribes life imprisonment without parole for persons convicted of certain felonies three times. The strong-arm robbery charge is being prosecuted on the complaint of Nick Roomel, the Film Commissioner of San Francisco, who claims that McHenry stole his beeper inside City Hall on January 4, 1994. Roomel once played a psychopathic gay killer in the TV series *Night Stalker*. He also served as chairman of Gays for Jordan, an organization which consisted of only two members because Frank Jordan is a notorious homophobe. Roomel has told various stories about the January 4 incident, one of which has McHenry grabbing his beeper and fleeing, and another of which has McHenry waving the beeper in his face and yelling "ha, ha." McHenry told the SHADOW that Roomel had been harassing him for days before the incident, informing police of the whereabouts of McHenry's car and encouraging the cops to ticket it, which they had been doing on a daily basis. McHenry says that he went inside City Hall to make a phone call while FNB was serving food in Civic Center Park outside--and that Roomel came up behind him and punched him in the head. Roomel then called the police and had McHenry arrested. McHenry is also facing trial on February 14, on charges described in SHADOW #34, in which two aides to Jordan, one of them a prominent "anti-homeless activist," claim to have witnessed McHenry smashing a plate glass window with his fist.

Witnesses in the FNB prosecutions have all been police and right-wing members of the San Francisco city government. Juries have had a mixed reaction to the prosecution of FNB activists; most recently Dominick van Zaben of FNB was acquitted of charges of having thrown hot soup on a cop who was trying to arrest him for serving

soup. He was, however, convicted of resisting arrest, because the prosecution was able to establish that van Zaben failed to place his hands behind his back to be handcuffed when ordered to do so by the police.

Food Not Bombs has continued to serve food daily. At the time of this writing, the arrests seem to have let up and no FNB members have been arrested since attempting to serve at the Super Bowl Parade on January 29. FNB also has several lawsuits against the city government of SF, but these have been bogged down in the courtroom of right-wing Federal Judge Vaughn Walker. Meanwhile, McHenry and FNB are planning a national speaking tour, with McHenry due to speak in New York on April 2 on "Micropower Broadcasting," which is radio communication over a small area--something that Food Not Bombs does to create non-commercial media in the Bay Area.

For more info on the tour and Food Not Bombs, you can call 1-800-884-1136.

Keith McHenry with the FOOD NOT BOMBS Winter Tour '95



Friday, March 3, 1995 - Dallas/Ft. Worth
Friday, March 10, 1995 - New Orleans
Friday, March 17, 1995 - Saint Louis
Friday, March 24, 1995 - Washington DC
Friday, March 31, 1995 - Philadelphia
Friday, April 7, 1995 - Boston

Food Not Bombs co-founder, Keith McHenry, has been framed under the new "three strikes" felony law in an effort to silence the group's opposition to government attacks on the homeless. He will present the following program.

- Vegan Cooking
- Squatting with Homes Not Jails
- Starting an unlicensed FM radio station with a demonstration of a micropowered transmitter
- The Food Not Bombs Greatest Hits Video
- Information on the Food Not Bombs International Gathering in San Francisco, June 15-27, 1995

Food Not Bombs

3145 Geary Blvd. #12
San Francisco, CA 94118 USA

1-800-884-1136

JON PARKER AND ANDREW HOFFMAN FOUND "NOT GUILTY" IN NEEDLE CASE!!

By Chris Flash

Jon Parker, founder and director of the National AIDS Brigade and Andrew Hoffman, son of the late Yippie co-founder and 60s activist Abbie Hoffman, arrested after attempting a needle exchange in Chicago, were acquitted on December 8, 1994 by Judge William O'Malley, in a directed verdict at the end of a brief bench trial in the Chicago Criminal Court. The charge of "possession of a hypodermic needle" carried up to a year in jail.

In a needle exchange, clean needles are exchanged for used ones. Condoms and bleach kits to keep needles and works clean are also provided to addicts, all with the goal of reducing the spread of AIDS. As reported in SHADOW #33, Jon and Andrew worked with other activists in setting up a legal needle exchange in New York City, and then sought to use Chicago as a test case, since hypodermic needles are still illegal there.

At an exchange well-attended by the media in August of 1992, Jon and Andrew were arrested after they refused cops' requests to stop distributing needles. Two years later, the case had yet to go to trial. In spite of the District Attorney's offer of full acquittal in exchange for guilty plea, Jon and Andrew both refused.

The prosecution claimed that their effort was not an effort to establish a clean needle exchange, but a "publicity stunt." However, Dan Biggs, Director of Harm Reduction at Chicago Recovery Alliance, testified that publicity was vital to the work of attracting and raising the AIDS awareness of injection drug users and that Recovery Alliance Personnel had been present when Jon and Andrew were arrested. Biggs called Jon "the Johnny Appleseed of needle exchange."

The defense charged "selective prosecution" and asked a police officer called as a prosecution witness why a police captain had been present during the arrest. Jon and Andrew never got to testify in their own defense.

Judge O'Malley, who had been hostile to Andrew from the beginning of the case, listened to both defense counsel and three times interrupted by anticipating their conclusions. He then revealed that during the two years this case has been pending, he had lost a close personal friend to AIDS.

After O'Malley dismissed the charges, he excoriated the prosecution and the defense for wasting an enormous amount of time, effort and money that should have been used to change the hypodermic prescription law. Judge O'Malley concluded: "I'm from the school that believes one clean needle could save a life".

KOP-WATCH

Telfort, another garage worker, picked up a broom handle to help Balu, Officer Jeffrey Cortes of the 40th Precinct allegedly fired two shots in his direction. Cortes was later arrested and charged with attempted murder and criminal use of a firearm.

In Rego Park, Queens on December 21, 1994 police bullets killed Laakhraj Dalipram, a bystander who had already been wounded in a shooting rampage by a berserk gunman, Hsu-Wen Ping. Hsu, who had shot his landlord and landlord's wife in a dispute over an eviction, was killed in a hail of over 50 police bullets. At least 35 of these struck Hsu, but autopsy reports showed that one of the stray nine-millimeter shots was the one that killed Dalipram, who lay on the ground wounded not far from Hsu.

At Intermediate School 391, near the 71st Precinct in Brooklyn, Kevin Laborde was viciously beaten by six police officers on January 19, 1995. He was watching a fight outside the school when the police arrived. As Kevin made a move to leave, police grabbed him, beat him with a stick, stepped on him, then hauled him into a van and continued to beat him. He was then arrested for assaulting a police officer. That day, Kevin's grandmother died of a heart attack from the shock of the events.

On January 22, 1995, Anibal Carrasquillo

was shot dead by the police. He was unarmed at the time. The police lied immediately after the incident, saying that they shot him in the chest, but the Medical Examiner determined that Carrasquillo was shot in the back. Police of the 70th Precinct in Brooklyn said that Carrasquillo was looking in car windows "like he was going to vandalize them." Neither of the cops involved in the incident, Marco Calderon or Paul Percoco, have been placed on desk duty or otherwise disciplined. After the incident, police claimed that Carrasquillo was carrying a vial of crack. Carrasquillo's family is planning a lawsuit.

Finally, Sgt. Hector Collazo of the 1st Precinct in Manhattan was stripped of his gun and badge and placed on modified assignment after beating the precinct mascot dog, Fred, then taking him to the ASPCA to be exterminated after the dog relieved himself on the gymnasium floor. While this may seem like a mild punishment for such a cowardly pig, it is more than most of the cops involved in abusing human beings got this year.

Thanks to our Kop-Watchers. You too can be a Kop-Watcher!! If you have any info (stories, eyewitness reports, photos, badge numbers, plate numbers, etc.) that you would like to see published in the SHADOW and added to our files, please send it all to: P.O. Box 20298, New York, N.Y. 10009. If you have something urgent to tell us about, call the SHADOW Hotline at: 212-631-1181. A long hot summer is just around the corner, so keep on watching those kops!!



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SHADOW REVIEWS



CHRIS FLASH

BILL KUNSTLER IN TOMPKINS SQ. PARK (Summer 1989)

MY LIFE AS A RADICAL LAWYER

By William M. Kunstler +
Sheila Isenberg
(Birch Lane Press)

Reviewed By A. Kronstadt

Writing a book review, you might claim, is an easier job than taking notes on a riot while one you're in the middle of it. Book reviewing is, however, more challenging when you know that the author is going to read your review. Bill Kunstler has not only read the *SHADOW* for years, but actively has supported this paper with legal advice and good writing. His law firm, especially his "partner and alter ego" Ron Kuby, has snatched many a *SHADOW* contributor from the jaws of the State, using legal wisdom which may have originated in part with William Kunstler. It is therefore hard to be objective. It is good to have Kunstler on our side.

My Life As A Radical Lawyer is about the adventures of an adventurous man. He is an adventurer of the Enlightenment like Byron or Shelly--a rebel and a poet. Like most of the great Enlightenment figures, Kunstler was born to the upper middle classes, a third-generation professional. With his background (Yale College, then Columbia Law School), he could have been anything he wanted to be. In his early years, he was not political. He and his younger brother were partners in a law firm handling run of the mill cases in the early 1950s. They raised families and made money, like people did in the 50s. Though he was a "parlor liberal," he recommended Yale classmate Roy Cohn for a teaching position and prepared a will for Joe McCarthy.

As times became more turbulent, however, Kunstler's parlor liberalism evolved in the direction of political activism. Always conscious of his personal motivations, he explains his reason for heading South to defend imprisoned Freedom Riders in the early sixties "...when I was old and looked back on my life, I didn't want to discover that I had merely existed." As attorney for the Freedom Riders and later for Dr. Martin Luther King, he always held to the philosophy that local outrages to civil rights would be reversed on the federal level. "If a

wrong was committed, I thought the courts would vindicate it; if a legal point was right and moral, the courts would sustain it."

Slowly but surely, this philosophy was eroded by the events of the 1960s. Kunstler saw the lengths to which the government was willing to go to suppress dissent, culminating in the Chicago Seven conspiracy trial in 1969. Eight activists ranging in ideology from pacifists to Black Panthers--a cross-section of the movement for social change in America--were put on trial for conspiracy and crossing state lines to start riots at the Democratic National Convention in Chicago a year before. "I was suddenly confronted by a tyrannical judge, malicious prosecutors, and lying witnesses. It was the shock of my life." The government was so determined to convict that it sent a threatening letter purportedly signed by the "Black Panthers" to the juror who was most likely to vote acquittal. At one point in the trial, Kunstler turned his back on federal judge Julius Hoffman and said, "...everything I have learned throughout my life has come to naught, there is no meaning in this court, and there is no law in this court." For this and similar acts of irreverence toward the man in the black nightgown, he was sentenced to four years in prison, only a year less than the sentence imposed on the defendants. Kunstler prevailed in the end, as the convictions of lawyers and clients were set aside on appeal.

In Chicago, Kunstler claims, his courtroom style was forged. He learned his aggressive "put the government on trial" tactics from Black criminal lawyer Charles Garry, Bobby Seale's attorney in the conspiracy trial. "I learned from Abbie Hoffman and Jerry Rubin that humor can dissipate rancor, win over jurors, and make a political point," he states. From the Chicago Seven trial on, Kunstler became a "movement lawyer," which he defines as a lawyer whose courtroom strategies are geared to the political goals of the client.

Kunstler makes no pretense of being a self-denying or self righteous revolutionary. He is aware of his human motivations, admitting that his love of adventure even leads him to be fascinated with the Mafia, whose bosses he has defended for free when their cases represent an important constitutional issue. One night, Kunstler attended a party in honor of a

HOWARD GELD "HOWIE THE HARP" 1952-1994

On February 5, 1995, Howard Geld, known to most as Howie the Harp, passed away. He was a monumental figure in the civil rights movement for people with psychiatric histories and also the homeless. He was born on the Lower East side, NYC in 1952. After a suicide attempt at the age of 13, he was hospitalized at Creedmoor Psychiatric Hospital. It was there that he learned to play the harmonica from an attendant who was also a blues musician.

In 1970, he went to Portland, Oregon and helped found the "Insane Liberation Front" and, bringing the idea back to New York in 1971, founded "The Mental Patients Liberation Project." In 1975, he started Project Release, a mutual support, self-help group of former mental patients empowering each other through sharing resources and brainstorming for alternative solutions to psychiatric confinement and abuse. This project carried on in NYC, while Howie moved to Oakland California. There, he continued his work as an advocate for the mentally-labelled and for the homeless.

He is remembered by some, dressed as Santa Claus, in the streets at Christmas giving out warehoused apartments to the homeless as Christmas gifts. Among his many projects was a crisis hotline, in which suicidal people or persons unable to cope could receive around the clock companionship from understanding peers, thus warding off people's vulnerability to seek help from the same psychiatric system which had previously abused them.

Also in Oakland, Howie and his peers squatted abandoned buildings to run their own alternative mental hospitals. He founded the Oakland Independence Support Center, which is still serving 200 homeless and formerly homeless people a week. He also helped to create a national arts organization called "Altered States of the Arts," which he called, "a delusion come true" and "Mad Arts."

Finally, a few years ago, after so many achievements, Howie returned to his beloved Lower East Side in New York City and continued in his work here. He had a close involvement with "Disabled in Action" and was the MC of their parade last year. He also

major don who had gotten out of jail because of a brief he had filed. Asked to make a toast, he lifted his glass and said "Here's to crime." Statements like this are more an expression of Kunstler's sense of perspective on crime than of amorality. If the rich people at the apex of society did not commit the crimes they commit, there would be fewer bad guys. Meanwhile, everyone is entitled to a lawyer. Over the years, Kunstler's clients have included not only political activists (H. Rap Brown, Leonard Peltier, Phillip and Daniel Berrigan, and the Attica Brothers, to name a few), but a lot of unsavory individuals whom both left and right would want to keep at arm's length. "I actually feel most satisfied when almost no one can understand why I'm representing a certain client," he states. When asked by a reporter why he was defending a very crazy homeless man accused of stabbing a young woman to death on the Upper West Side, Kunstler replied "Because he was the only pariah around."

My Life As A Radical Lawyer is a



worked as a Consumer Advocate for a non-profit agency providing housing and advocacy for people with psychiatric disabilities.

Many people throughout the country learned of Howie's death through the internet, relayed through the Community Access computer. Many people responded with sadness, love and great respect. Sally Clay of "Altered States of the Arts" wrote, "He sparked our movement at its inception and was its shining light right up to the present. I have no doubt that at this very moment, Howie is jamming with the angels, adding his harp music to theirs." He will be both truly missed and most truly remembered.

There will be a memorial for Howie the Harp on March 18, 1995 at 12:00 noon at The Friends Meeting Place, 15 Rutherford Place, which is 15th St., between 2nd and 3rd Avenues.

--By Rosanna Vento

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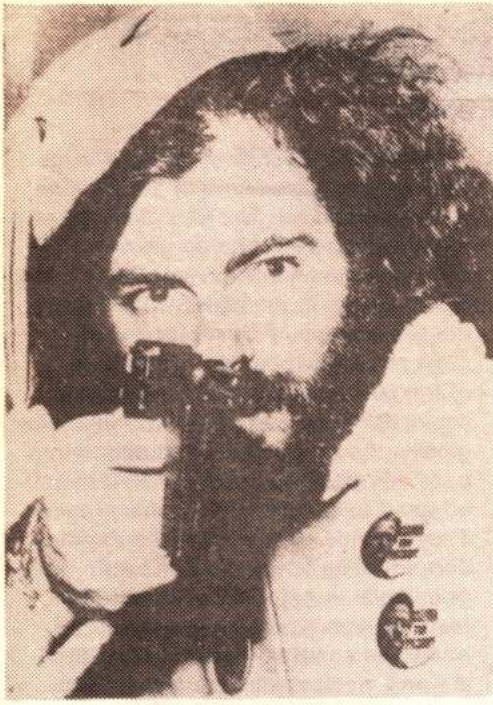
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self-critical and introspective book. Kunstler admits that he loves the limelight. He argues that a lawyer must seize the limelight to counteract the demonization of defendants by the government and press, but he also admits to a deep psychological need to be the center of attention. At various points in the book, Kunstler admits to being an egoist, to indulging in one-night stands, and to making cruel comments to loved ones. While these are foibles that most humans are guilty of, they are not the kind of things that the Ronald Reagans and Ed Kochs of the world will own up to in their autobiographies.

Kunstler makes other surprising revelations, like getting shot up with heroin in a men's room by Lenny Bruce and smoking pot and tripping on acid with his Chicago Seven defendants.

Over all, Kunstler comes across as a pleasure-loving, creative individual who sums up his seventy five years by saying "I have hardly lived a life of quiet desperation."



JERRY RUBIN
1938-1994

I REMEMBER JERRY
By Aron (Pieman) Kay

Jerry Rubin, a founder of the Yippies, died last November as a result of a jaywalking accident in Los Angeles. When I heard the news that morning, I took it very hard. Jerry Rubin, along with Abbie Hoffman, played a big part in formulating my social beliefs and ideology.

Jerry and Abbie, along with Bobby Seale, Rennie Davis, David Dellinger, Lee Weiner, John Froines, and Tom Hayden, were the Chicago 8—a cast of characters who exposed the facade of "democracy" when the Democrats held their convention in Chicago in August 1968. Chicago '68 was the straw that broke Lyndon Baines Johnson's back. There, Mass America saw the first amendment trampled underfoot as the patriots who dared to take a stand against the Vietnam War were beaten with the phallic extenders of the Blue Meanies (Mayor Richard J. Daley's Chicago Police Department and their riot batons, that is). Jerry and Company shook up the pigs because the pigs couldn't face the truth about that dreadful war in the name of greed.

Jerry was not a come-lately to the antiwar movement. He was active in the Vietnam Day Committee in Berkeley; a group notorious for stopping troop trains in the Bay Area. I got turned on to him in 1967 when I was a 17 year old activist involved with organizing free concerts (the historic Love-Ins) in LA's Griffith Park. Jerry also had a hand in the first Human Be-In in Haight Ashbury in 1967 and helped catalyze the October 1967 March on the Pentagon.

I first met Jerry at a rally at Cal State Long Beach, the day after we Voted In The Streets in November 1968. He urged people to come to Washington, DC to in-hog-urate a pig as president and make the White House into a crash pad.

In 1969, we saw not only Woodstock, but the battle of People's Park, the Days of Rage, and clashes over each new incursion into Vietnam. Nixon came into office and the Chicago 8 were indicted for crossing state lines to incite a riot. The trial went on for four months and ended in convictions for the seven remaining defendants (Bobby Seale was severed from the case by fascist Judge Julius Hoffman, who persistently denied him his right to act as his own lawyer). The convictions led to mass protests and were eventually reversed on appeal. New protests arose over the

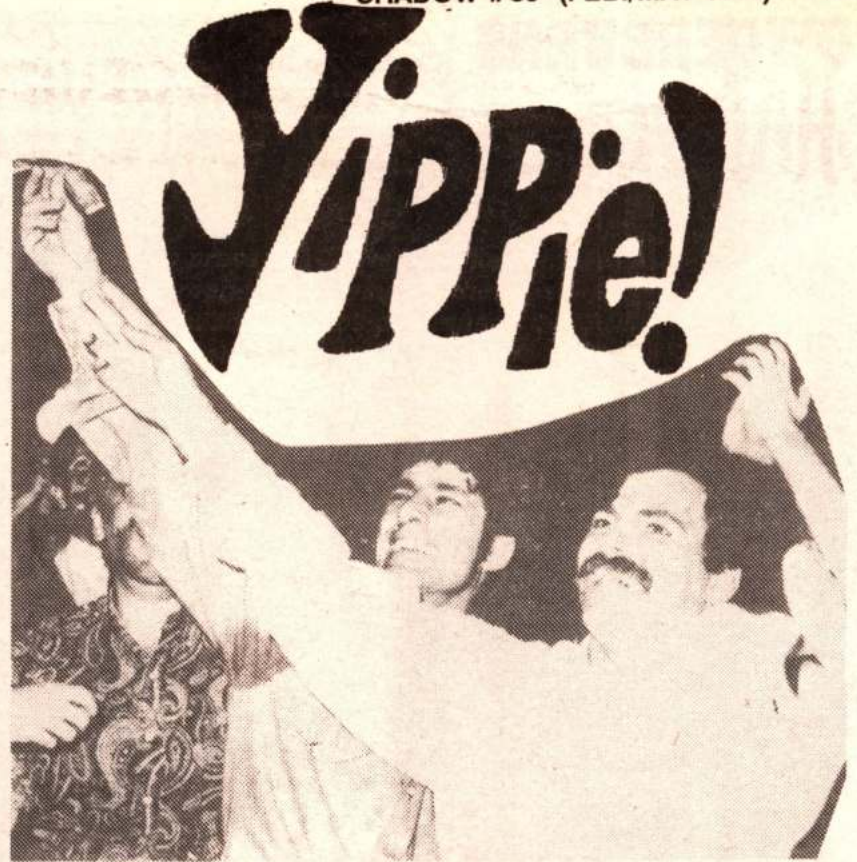
invasion of Cambodia, the Kent State murders and the Panther frameups, and Jerry Rubin was there for it all.

I touched base with Jerry just prior to the 1972 conventions (of both parties) in Miami Beach. A big split was developing among the Yippies over the McGovern issue and personality cults. Older Yippies (including Jerry and Abbie, Stew Alpert, and Ed Sanders) wanted to support McGovern, while younger ones (like Tom Forcade, Ben Masel, and myself) wanted to trash the convention. The Zippies, as our faction called itself, liberated a giant poster of LBJ and marched it around the streets of Miami Beach chanting "we're not McGovernable." We also walked around in Arthur Bremer masks with wheelchairs containing George Wallace dummies (racist ex-Alabama governor and right-wing presidential candidate Wallace had been shot and crippled by psycho Bremer earlier that year). Jerry and Abbie, for their part, worked on establishing an alliance with the senior citizens of Miami Beach, many of whom were old radicals on fixed incomes. Many old people came to Flamingo Park every day and shared conversation and food with us. However, when Zippie Pat Small hit a Miami Beach Councilman in the face with a pie, some of the Yippie leaders called him a provocateur. The animosity grew. After the convention, Jerry moved to New York City, where his car was trashed by the Zips. Disillusioned, he moved to San Francisco and got involved with the yoga scene.

I met Jerry on the street months later and gradually reopened dialog with him. In Fall, 1974, Rubin apologized to Forcade for the name calling. In February, 1975, Tom Forcade rented room 666 in the Sheraton Hotel in SF and had an alternative media conference, along with Jerry, Paul Krassner, myself, other Yippies, and radical journalists, all high on pot and laughing gas.

In 1980, Rubin began working on Wall Street as a securities analyst. Though some attacked him as a sell-out, I think that he did it because he needed the money. He didn't deal with pro-war corporations. In the mid-eighties, he organized large "networking" parties for business types and debated Abbie Hoffman. At a Whole Life Expo before the 1984 election, he expressed support for Gary Hart. I sat with him as he cried at Abbie's funeral in Massachusetts on April 20, 1989. The last time I saw him was at the Abbie Hoffman memorial at the Palladium in June of '89.

Regardless of what he did in the latter part of his life, Jerry's contribution to American radicalism cannot be erased.



ABBIE + JERRY EXCORCISE DEMONS FROM DOLLARS

A SWEET, DORKY PAUL REVERE
By Paul Krassner

Jerry Rubin, his girlfriend, and an associate left Rubin's home on Wilshire Boulevard in Los Angeles and, instead of walking several yards to the corner light, scurried between the six-lane traffic to get to their car across the street. Jerry never made it. He got struck by a car, knocking him into unconsciousness. His injuries were massive. When paramedics arrived, he had no vital functions, and he remained in a coma for two weeks until his heart gave out.

Both the Associated Press and People magazine called me, as a co-founder of the Yippies (Youth International Party), to find out if it was Jerry who first said "Don't trust anyone over 30." Actually, it was Jack Weinberg of the Berkeley Free Speech Movement - which, ironically, is celebrating its 30th anniversary -- though Jerry was certainly involved with the FSM.

He was so earnest and enthusiastic -- constantly asking questions, forever taking notes -- that a few campus radicals suspected an undercover cop lurked behind his Stalin-like mustache. Others, however, described him as "sweet and dorky" and having "a Zen sense of excitement for whatever was going on." Whatever the case, he served as a Paul Revere of the Vietnam War, helping to organize the first campus teach-in. When he was called before the House Un-American Activities Committee, he wore an American Revolution costume to the hearing.

"I felt like a real asshole," he told me. "But I felt compelled to do it."

That touch of theatricality impressed Abbie Hoffman, and when Jerry moved to New York in 1967, they became partners in serious pranks -- from throwing money in the Stock Exchange to exorcising the Pentagon -- that gave birth to the Yippies, a name I provided to describe a phenomenon that was already burgeoning, an organic coalition of stoned hippie dropouts and New Left activists.

A group of us went to Chicago in the summer of '68 to try and get a permit for the revolution -- that is, to protest the Democratic National Convention, since the bipartisan war was then being conducted on the Democrats' watch -- or at least a permit to

allow demonstrators to sleep in Lincoln Park. Abbie stayed on to help organize the event, and Jerry said, "I feel like Fidel Castro leaving Che Guevara in the jungles of Bolivia." We didn't get a permit, and that lack of cooperation eventually escalated into what the Kerner Commission officially labelled "a police riot."

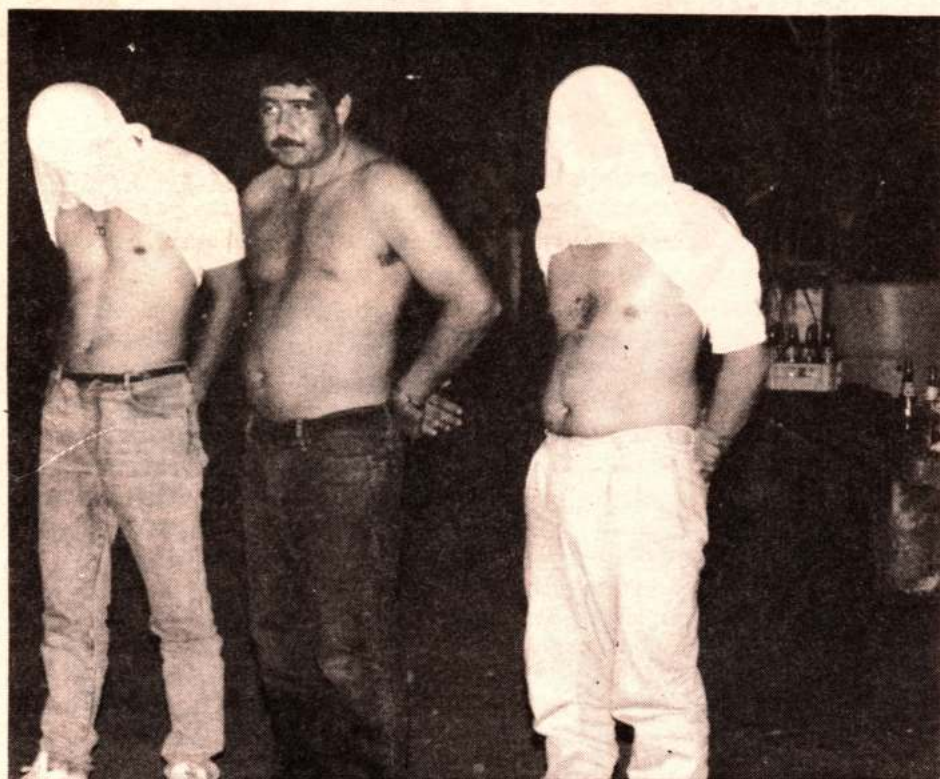
In 1972, Jerry moved to San Francisco and became a health freak. He drank so much carrot juice he turned yellowish orange, especially his hands and face. Two years later, Abbie went underground after a coke bust, but they reunited in the '80s, traveling the country in a series of debates billed as "Yippie vs. Yuppie." Jerry had gone from pot smoking to stock broking, from rabble-rousing to networking. He had evolved from listening to Lenny Bruce records before delivering Yippie speeches to dancing naked to Neil Diamond albums in order to psyche himself up to inspire an audience of potential multilevel marketers.



In the eyes of many former comrades, he had sold out. But Jerry was prepared to launch a project whereby youth gangs could sell his Life Extension products instead of crack and heroin. He was about to drive to South Central L.A. for a meeting with gang representatives -- hoping to turn gang-bangers into capitalists and end welfare -- when his own life ended so abruptly.

POWDERBURNS

(Cont. From Page 7)



PUERTO BARRIOS, GUATEMALA: THESE PILOTS WERE MACHETED TO DEATH AFTER GETTING BUSTED BY CASTILLO'S UNIT

plies by the US, he would not tolerate drug trafficking by anyone. Reports of the Contras dealing in narcotics had saturated the DEA Central American office. Stia always looked the other way, warning "don't interfere with their operation," according to Castillo. Castillo told Stia that he would report any and all trafficking he witnessed. Castillo says this prompted a laugh from Stia, who assured him that excessively insightful investigations into the contra operation would prompt DEA brass to find an excuse to pull him out of the country. It proved to be a prophetic statement.

Castillo had established an informant at Ilopango who was in charge of inspecting cargo and routing air traffic. Soon, Castillo had detailed information on "hundreds of flights carrying cash, drugs, and weapons through Ilopango. All of which was sanctioned by the US government."

Unaware of Ilopango's protected status, Bobby Nieves, a DEA country attache from Costa Rica, wired Castillo in April of 1986, instructing him to investigate hangars four and five at Ilopango, saying in his cable, "We believe the Contras are involved in narcotics trafficking."

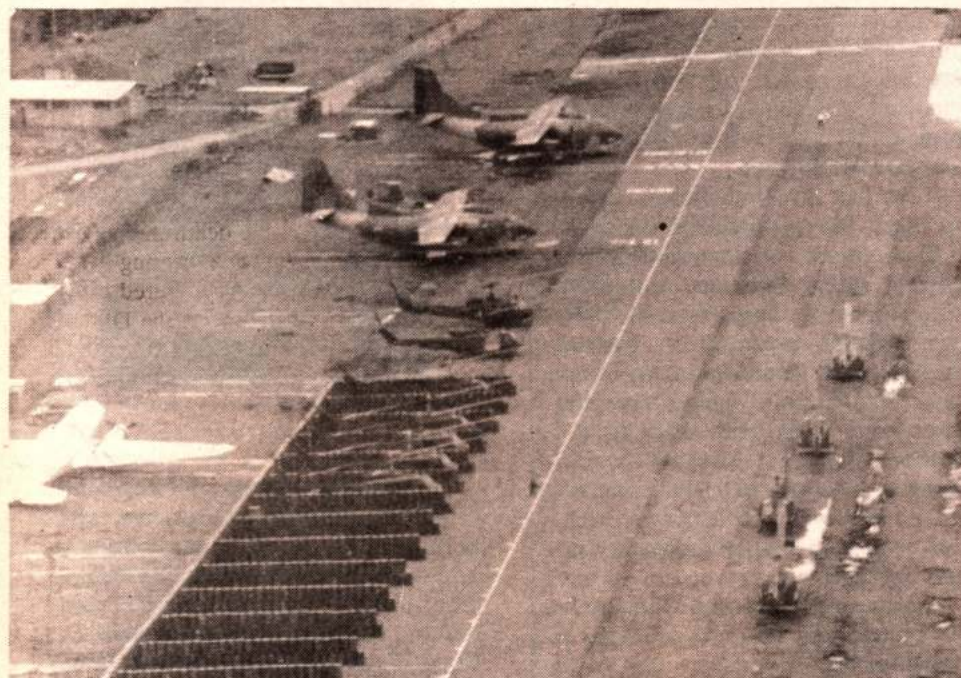
Castillo was shocked to see that most of Ilopango's traffickers were protected by the National Security Council's security blanket. In the spring of 1986, the Central Intelligence Agency had requested a US visa for Carlos Alberto

Amador to use on narcotics trafficking missions. Amador is documented in eleven DEA files for narcotics trafficking and was typical of Ilopango's pilots. Castillo asked US Embassy Consular General Robert Chavez to block the visa request. Chavez complied, but worried he would be later castigated by his superiors. "Everyone was afraid of what might happen to them if they supported my allegations," Castillo told the SHADOW.

The El Salvador home of Walter Grasheim, known in *Powderburns* as William Brasher, was raided by Castillo's anti-narco terrorism unit on September 1, 1986. Grasheim is a convicted cocaine dealer and is documented in seven DEA files alleging drug trafficking. Grasheim's place was a barracks for Contra pilots stopping through El Salvador. Prostitute informants who frequented the disheveled ranch house told Castillo it was the site of many all-nighters where contra pilots and government officials including Oliver North, spent long hours "doing cocaine, having sex, and shooting rifles."

The Grasheim raid yielded "enough firepower to arm a platoon," according to Castillo. The arsenal included "cases of C-4 explosives, hand grenades, rifles, night vision equipment, helicopter helmets, US embassy license plates and files documenting payoffs to El Salva-

See POWDERBURNS On Following



US MILITARY SECTION, ILOPAGO AIRPORT, EL SALVADOR: CENTRAL AMERICA'S PRIMARY NARCOTICS + WEAPONS SHIPMENT POINT

THE POLITICS OF DRUGS IN AMERICA

(Part one of two parts)

By Frank Morales

The United States Government, which for years shipped heroin to American ghettos in the caskets of Vietnam war dead, is currently facilitating the importation and sale of cocaine and heroin worldwide. Global ruling elites, by way of CIA covert mechanisms, are actively involved alongside corporate drug profiteers, in widespread chemical warfare against the poor, especially African and Latino oppressed nations within the US.

These drugs allow the State to criminalize large segments of poor communities, providing the climate and the pretext for police intervention and occupation of these areas by the "colonial army", all the while rationalizing to the racist middle classes the overt police repression designed to "stop drugs." The police are alien troops sent in by the bosses not to protect the people, but to defend the interests and private property of the rich, who, along with elements of the mafia (another organized crime group) are literally calling the shots behind the scenes. In neighborhoods across America, they function as private security for drug dealers, arresting via "buy and bust" operations, massive numbers of poor people, weakened and dependent on chemicals. They allow for street-level thuggery and theft (so called crime), some of which they participate in.

These drugs are the weapons of a "health establishment" whose enslavement to profits and the needs of the white ruling class spell death and genocide for poor people, particularly poor non-white people. The so-called clinics, mental health offices and correctional liaison are the appendages of a medico-psychiatric apparatus of repression which criminalizes deviance as readily as it creates it. Part and parcel of a generalized pharmaceutical assault upon all the people, the drug industry epitomizes and implements the oppressor's craving for profits and social control.

These drugs, second only to bombs in overall GNP, provide the basis for a market that offers the State, via legal and illegal means, the way in which to prop up a crisis-ridden economy where drug infusion equals capital infusion. These chemicals facilitate the State in its effort to stabilize poor communities, by creating grass roots survival economies, which along with military recruitment, lessen the pressures of high unemployment.

Dope selling is one of the most profitable enterprises undertaken by capitalist billionaires. In the twenty years that have followed America's first "war on drugs", illegal global opium consumption has increased by more than 470 per cent, rising from 1,000 tons in 1970 to 4,700 tons in 1990. The linkage between drugs and US militarism worldwide is now well established, giving real meaning to the phrase "drug fascism". A repeated coincidence exists between CIA covert action assets and major drug dealers worldwide. Global trafficking in drugs could not operate without the complicity of the CIA, who block investigations and protect pushers, just like domestic police departments in cities across the US. Agency alliances with Third World drug brokers have, at several key points, amplified the scale of global drug traffic. Along with the US-CIA, many other government espionage agencies have acted to structure the drug market, not to destroy it. Instead of reducing or repressing drug supply, most clandestine outfits regulate drug traffic by protecting favored dealers and eliminating their rivals.

As ideal consumer products, drugs function as instruments of pacification and mind control. The use of drugs as a tool of counter-revolution grew out of CIA research into behavior modification which began in the mid-1950's. From the perspective of class, their utility grew more obvious during the decade of the 60's as mass resistance to the capitalist State was peaking. Psychologically, the drugs that are pumped into poor communities meet a real, if thwarted need for a new world, a new reality. They provide escape from the deprivation, the degradation and the suffering of survival in Amerikkkan bantustans, reservations, ghettos, prisons and homeless shelters. They help to alleviate and medicate the stench of living under domestic apartheid. The addict imagines that he/she is oblivious to the ugly realities of ghetto "life". Although, for the impoverished addict who is not busy getting high, but getting straight, the escape offered by drugs is mostly a flight away from negativity, from repressed emotions and rage. For the oppressed, a bag of dope is nothing more than relief...

The problem is that addiction to heroin and/or cocaine make it impossible to resist and actually realize a new world. They make clear thinking and collective action impossible. Drug addiction is a full time job, eating up a person's time along with their brain cells. The ingesting of 25 to 125 milligrams of these drugs each day by growing numbers of both "legal" and "illegal" addicts, results in the dulling, if not the suffocation of consciousness, the sense of the depth in life, the basis of ethics and morality. Under their spell, the high level of commitment and awareness required for successful revolutionary struggle is doomed, captive to a caged mind and sick body, stuffed with fear. Feelings of inferiority flood the souls of the oppressed. Psychological and physiological dependency insure that the addict continues to dutifully pay to be killed.

The chemical bullets, fired upon colonized neighborhoods of the poor and the marginalized, murder the street level unity and power of the people. Direct military assault, except in exceptional circumstances, managed via the media spectacle, could possibly galvanize popular opposition. Therefore, the masters of counter-insurgency rely on the more covert means of chemical warfare to prevent the spread of popular revolutionary consciousness and organization, particularly that which is based in the urban centers where African and Latino people are in the majority. The lucrative chemicals also provide ample barter for US government funding of fascist gangs worldwide who target democratic/socialist governments and poor people's movements which threaten American pentagon/corporate hegemony.

Laws are passed which give away all of our rights, giving narcotic agents, pigs who never knock, the "right" to kick down a person's door. The drugs that are sometimes seized are eventually resold on the streets to police informers or are ingested by the cops themselves. The prisons, legitimized torture chambers, encircled with the chains of slavery, are filled overwhelmingly with non-white people jailed for drugs. The extreme violence of the American penal system is sanctioned within the sway of a mass sadism, rooted in the logic of public executions. In these US penal colonies, personal privacy is subject to universal surveillance, where control is absolute...What are we gonna do?

DESTROY THAT WHICH DESTROYS YOU!!

POWDERBURNS....

doran military officials. An M-16 rifle belonging to US Military Group Commander Steele was also found."

Castillo called US Customs agent Richard Rivera, asking him to find the sources of the American weapons. Customs called him off the case and the weapons disappeared into the proverbial memory hole. US Customs did not return SHADOW phone calls seeking permission for Rivera to talk. Rivera, however, has since confirmed Castillo's account in eleven interviews with the mainstream press.

Castillo tried to get an American official to answer his inquiries as to how Grasheim, a civilian with no legitimate ties to the US government, had procured brand-new American arms, US embassy radios, and license plates. Edwin Corr, then US Ambassador to El Salvador, denied any link between Grasheim and Iran-Contra, telling the SHADOW that such allegations were "absolutely false." Like most US officials contacted by the SHADOW, however, Corr effusively praised Castillo's diligence as an agent, but expressed bewilderment as to why Castillo has undertaken his crusade.

PSYCHOTIC OLLIE NORTH: COKE DEALER

Jack Blum, Special Prosecutor for Senator John Kerry's (D-Mass) Subcommittee on Terrorism, Narcotics and International Operations told the SHADOW: "There is no doubt in my mind that Oliver North knew about narcotics trafficking at Ilopango." The Committee interviewed dozens of pilots who openly detailed the "guns down, drugs up" operation. One such pilot, Michael Palmer, indicted for bringing 300,000 lbs. of marijuana into the US in the mid 1980's, frequently boasted to prosecutors that his activities were supported by the US government.

During Kerry's investigation, Castillo was ordered by the DEA's Freedom of Information Office to keep his reports on the Contras active, thereby rendering them inaccessible to the Committee and the press. Lacking Castillo's reports, the Committee still concluded in 1989 that:

"There was substantial evidence of drug smuggling through the war zones on the part of individual Contras, contra pilots, mercenaries who worked with the Contras and the Contra supporters in the region."

Tim Ross, a twenty-one year veteran broadcaster for the BBC in Colombia, connected what he called "Ollie North's mob" to drug dealing in that country as well. Ross told the SHADOW that "In late '84, early '85, North brought five Afghani military advisers to Colombia on a speaking tour, three left, two stayed. The two that stayed were chemists who introduced heroin manufacturing to Colombia. He also brought in an Israeli agronomist who helped to cultivate opium poppies."

Ross said that when he started investigating too deeply for North's comfort, however, he was summoned to the US Embassy in Bogota and told, "You're going to lay off this story or you are going to die" by an "ex-marine, the type of guy who used to cut Vietcong throats with his thumbnail." Ross ran the story anyway, detailing Colombia's growing heroin epidemic, but North told his superiors that the story was nothing more than "fabrications, including trumped-up fake Mexican file footage."

Released after *Powderburns* and partially reprinted in the Washington Post and the Virginia Pilot, 534 pages of North's personal diaries mention drug trafficking. The July 9, 1984 entry states, "wanted aircraft to go to Bolivia to pick up paste, want aircraft to pick up 1,500 kilos." The July 12, 1985 entry reads, "\$14 million to finance Supermarket came from drugs." The "Supermarket" was an Honduran weapons depot used by private arms merchants to supply the Contras. North is currently under investigation by the DEA for arms smuggling, according to DEA file number GF GD 91/93. North has denied any involvement with narcotics trafficking, stating in his autobiography *Under Fire*, "Very little in my life has angered me as much as the allegations that I or anyone else involved with the resistance had a drug connection."



1/14/86--CELE CASTILLO TELLS GEORGE BUSH:
"There's some funny things going on at Ilopango."

North claims that when he heard of narcotics trafficking in Central America, he dutifully reported it to the DEA and CIA. DEA director Jack Lawn, DEA spokesman John Hughes and agent Castillo, who would have been assigned to investigate such information, denied that North ever supplied them with narcotics tips.

Oliver North has been no stranger to mayhem. After serving as a Marine combat officer in Vietnam, North had difficulties readjusting to American society. In 1974, according to *Parade* magazine (Nov 13, 1994), North spent an evening running through a suburban neighborhood naked, waving his .45 automatic pistol and screaming, "I'm no good!" North mentions his subsequent three week stay at Bethesda Naval Medical Center's psychiatric ward in his autobiography, but cites marital difficulties and depression over the failing war as causes for his stay there.

North has Castillo largely to blame for his recent loss in the 1994 Virginia senate race. Embarking on a fifty day journey through Virginia prior to the election, Castillo went on several radio and television talk shows and made public appearances throughout the state. Usually addressing die-hard Ollie fans, Castillo's town meetings invariably ended the same way: angry patriots deflated by their hero's involvement in narcotics. Despite millions of dollars in support from Reverend Sun Myung Moon's Freedom Alliance, Ollie still managed to lose the election.

"PROJECT DEMOCRACY"

Castillo constantly threatened his superiors that if they stifled his reports on "Project Democracy", as the Contra resupply operation was called, it would "come back and bite them in the butt." A Sandanista surface-to-air-missile provided the fangs they so desperately feared. On October 5, 1986, a C-123 airplane left Ilopango laden with munitions for the Contras. The plane was shot down and Eugene Hasenfus, the lone survivor, admitted to television news cameras after a few days of captivity that "the CIA did most of the coordination for flights and oversaw all of our housing, transportation, also refueling and some flight plans."

According to North's autobiography, after the Hasenfus affair, then-CIA director Bill Casey ordered North to "shut it down and clean it up," regarding the Contra resupply operation. Casey conveniently died on the second day of the Iran-Contra hearings.

DEA BRASS BRINGS THE HAMMER DOWN

Throughout his investigations, Castillo was warned to ignore Ilopango and the Contras, yet he persisted. Stia's original warning to Castillo came true when representatives from the DEA's Office of Professional Responsibility (OPR) flew in from Washington to investigate Castillo and Stia for violations of DEA rules.

Despite their problems, Stia had always respected Castillo, recommending him for a bonus and promotion in 1987. Castillo repeated every detail of his investigations to the OPR agents, constantly amazed at how little interest was shown in the contra-cocaine connection. OPR had no interest in stopping the sordid dealings of Ollie North's mob, but were looking for anything to nail Castillo so he could be discredited and removed from the agency.

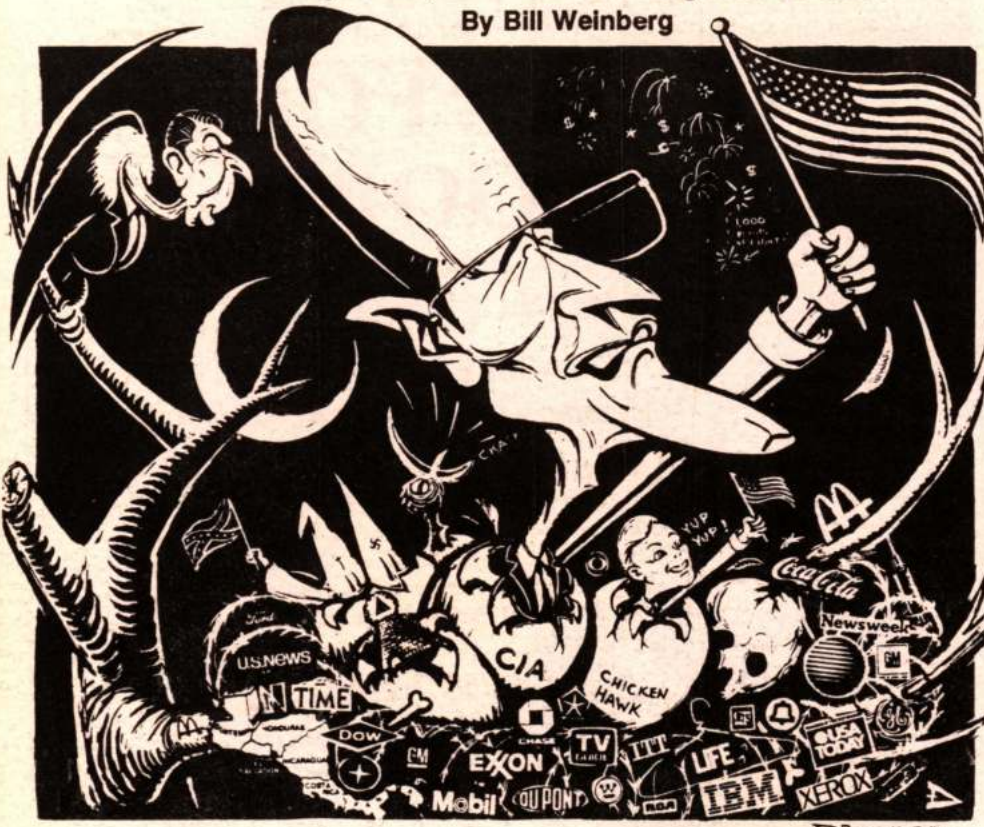
Finding a series of minor violations, including socializing with an informant, receiving and soliciting gifts, possession of an automatic weapon, and misappropriation of government property, Castillo was suspended for thirty five days, then transferred back to the States. The charges stemmed not from Castillo's lack of bureaucratic integrity, but from some paperwork snafus "routinely committed by every agent in the field." Other violations, such as the routine aerial spraying of food crops, rivers, and bodies with the deadly chemical Round-up, were never investigated.

Regarding Castillo's claims, DEA spokesman John Hughes told the SHADOW, "Most of what you have is not confirmable. He may have written the reports you mention; we just don't have them in this office." CIA spokesman David French told the San Francisco Bay Guardian that Castillo's allegations, "are not something we can comment on." Despite the death threats, Castillo receives on his answering machine each week, Hughes assured the SHADOW that, "No one at the DEA bears any ill will against Cele." Ironically, Hughes added, "This is a good story and it deserves to be told."

GEORGE BUSH: THE SUPER-SPY DRUG-SMUGGLING PRESIDENT

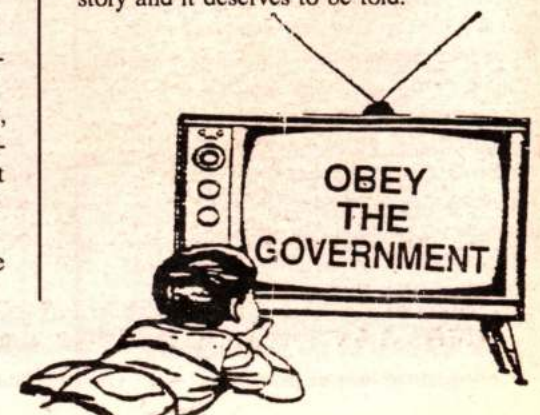
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OMNICIDE (Cont. From Page 16)

Widespread deregulation, as planned, would result in 3.5 cancer deaths per 1000 population, or about one in every 285 Americans exposed. Of course, this is a conservative estimate of health damage. Official calculations are based on cancer deaths only, omitting pre-cancerous conditions of all kinds and genetic damage.

There is abundant documentation of the serious impact of low-level radiation upon the health of people. Many large scale studies substantiate this fact. In particular, even the government sponsored National Academy of Science has admitted in a report entitled "Biological Effects of Ionizing Radiation V" (December 1989) that there is no safe level of radiation.

A number of independent researchers, notably Dr. Alice Stewart in England and Dr. Ernest Sternglass in the U.S. have demonstrated that long-term exposure to relatively low-level radiation may wreak up to 1,000 times more biological havoc than currently accepted "risk levels" which are being used as reference points for decisions such as the BRC. In fact, the danger of so-called "low-level" emissions is far more serious than previously thought.

In 1972, a researcher for the Canadian Atomic Energy Laboratories made a discovery that radically altered our knowledge about radiation and human health. While studying how chemicals cross cell membranes, Dr. Abram Petkau was surprised to find that cell membranes broke much more easily than expected under certain circumstances. When he irradiated the cells over a period of hours or days, he was shocked to discover that the membrane would break at a total dose of less than one rad, whereas it took 35,000 rads to break the membranes by irradiation over a few minutes. After further studies he came to the conclusion that the longer the time of radiation exposure, the smaller the total dose required to do the damage. (See *Diet for the Atomic Age*, by Sara Shannon, 800-548-5757, and *Deadly Deceit*, by Gould and Goldman, 800-444-2524)

This critical discovery revealed that the amounts of radiation that are legally and intentionally released from nuclear energy plants, leaks, spills and accidents are a cause of extreme damage to our health. Yet today, neither Petkau's work nor the great body of research confirming it are widely known. We are still forced to live with "permissible levels" of nuclear radiation while policy is being made with these levels as a reference point.

Dr. Ernest Sternglass, a pioneer in the study of the health damage caused by small amounts of radioactivity, explains the implications of the new understanding that low-level exposure over a period of time is more harmful to body cells than the same exposure given at a high rate for a brief time:

"It turned out that a highly toxic, unstable form of ordinary oxygen normally found in cell fluids was created by the irradiation process; and that this so called 'free radical' was attracted to the cell membrane where it initiated a chain reaction that gradually oxidized and thus weakened the molecules. Thus, almost overnight, the entire foundation of all existing assumptions as to the likely action of very low, protected exposures, as compared to short exposures at Hiroshima or even low-level medical x-rays had been shaken." (see *Secret Fallout*, McGraw Hill, 1978, a book shredded by the publisher and consequently "out of print")

This was (and is) paradigm-altering information. It is exactly these small, on-going amounts of radioactivity which are so damaging. When questioned on this subject, Dr. Sternglass confirmed:

"Because they neglect all the other causes of death, i.e., the weakened immune system which leads to infectious diseases, pneumonia and influenza, allergies and heart problems and other diseases regarded as not related, the effect per unit-rad becomes 50 to a hundred times more. This is confirmed by data from America, Russia and Switzerland. It is criminal to go ahead with BRC in the face of every learned, unbiased opinion." (Personal communication July 1990)

Dr. Rosalie Bertell, who has done extensive research on the health effects of radiation, explains other implications of on-going low-level radiation: "Most people are unaware of the fact that ionizing radiation can cause spontaneous abortions, stillbirths, infant deaths, asthmas, severe allergies, depressed immune systems, leukemia, solid tumors, birth defects, or mental and physical retardation in children." (see *No Immediate Danger*, The Book Publishing Co., Summertown, Tenn. 1985)

Dr. Bertell explains further:

"All existing standards have been based on somatic effects, rather than genetic. The shift will be to genetic. This is the cutting edge. This will force a lower acceptable dose level. As a reference, genetic is much more sensitive than cancers. The gene pool is in danger. Short term goals are pursued, while they do not look at genetics. The system is set up for disaster. It will be irreversible at some point." (Personal communication July 1990)

Dr. Bertell is now researching the genetic damage of radioactivity and its ability to do irreversible damage to the human gene pool. In a privately published paper entitled "Ethics of the Nuclear Option in the 1990's" she reveals that: "There is also evidence that the Dose Tolerance Committee in the 1940's was well aware that genetic damage had been caused by radiation well below the levels recommended as 'permissible' based on cancer induction."

A 1959 article published by the Journal of American Medical Association confirms the early awareness of genetic damage:

"All geneticists agree that there is no threshold for this affect i.e., that even the most minute dose of radiation does damage to the genes. The genetic damaging effects of radiation are cumulative over the years. The result of this genetic damage is to produce deviations from the norm in the offspring of the irradiated individual. They are referred to as mutations and the resultant offspring are referred to as mutants. The mutants are characterized by decreased longevity, increased susceptibility to disease, and decreased fertility. The mutant genes are usually recessive, so that the first generation offspring do not bear the full brunt of the genetic damage. Thus, freaks and monstrosities do not often occur in the first generation." (Dr. George Tievsky, JAMA vol 166, April 5, 1958, p.1668)

Dr. Sternglass explains in the introduction to *Secret Fallout* why the government went ahead given the health and genetic damage of radiation:

"What emerges is that in order for major governments to be able to continue threatening the use of their ever-growing stockpiles of weapons to fight and win nuclear wars rather than merely deter them, they must keep from their own people the severity of the biological damage already done to their children by past nuclear testing and the releases from nuclear reactors near their homes."

Meanwhile, the disinformation machine is firmly in place. Given the increasing need to form public opinion it was no wonder that the Atomic Energy Commission changed their name to the Nuclear Regulatory Commission in 1974, while the Atomic Industrial Forum (AIF), the industry's chief trade organization, doubled the size of its propaganda machine. In a confidential memo to the Board of Directors, dated December 13, 1974, AIF Director Lee Everett outlined a program to influence key decision makers and the media, including a plan for "direct article placement to minimize the filtration factor of the reporters and editors", and the intention to "ghost write" and place positive articles on behalf of respected experts, in order to "stage manage" the news.

This tendency is reinforced with the recent merger of Time, Inc. and Warner Communications, while just 26 corporations now control a majority of the news outlets in the U.S. General Electric, which owns NBC, is a prime promoter of military and nuclear issues while raking in \$16 million per day from the Pentagon.

Ralph Nader, the outspoken advocate of consumer rights, made some clear opinions known back in the seventies (see *The Nuclear Power Gamble*, Syracuse University, 1975): "Of course, the utilities have known of the catastrophic risks to nearby cities from nuclear power plants. They've known of the risks of accidents or natural occurrences like earthquakes. They have privately sweated over the spills of deadly radioactive material, over the long shutdowns, over the near misses, over the little publicized evacuation plans for people who may have to escape a radioactive cloud. Knowing all this, the utilities plunge ahead in their own kind of 'technological Vietnam' - outwardly optimistic, inwardly troubled, but always furtive."

While the Constitution gives Congress the power to provide for the common welfare, there is nothing in the Constitution that indicates that Congress may sacrifice innocent lives in order to

further the ends of business and militarism.

Nuclear energy emerged in a fog of lies in the 1950's. In the 90's the NRC committee of five votes in secret. You may have heard the story about the frog who was put into a pot of cool water on the stove. He didn't notice any change as it gradually grew warmer. At one point the water went from hot to boiling. And then it was too late for the frog to jump out.

The hot water we are in has been heating up since 1950. Due to calculated deception and strategic disinformation, our impression of escalating heat was minimized. The contemptuous, life-threatening BRC policies in the 1990's puts the water just below the boiling point.

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While execution for murder is touted by politicians, the Department of Energy and the Department of Defense, with Government approval and NRC confirmation, based on industry instigation, and over the objection of the few vital citizens who are not zombie-iced with TV and comprehensive under-nutrition and over-toxicity, continue their plans for what could be the death of all humans and the extinction of the human race.

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BURNOUT (Cont. From Page 4)

riots that gutted communities in Detroit, Watts, Los Angeles, Washington, D.C. and St. Louis in the 1960's. Yet, the social consequences of New York's burnout of the 1970's is felt today in the 1990's with higher rent for apartments and ever growing numbers of homeless people.

During the 1989 Mayoral election, candidate Rudolph Giuliani was the only person contesting the office who received the endorsement of the firefighters union. It was during that campaign that the then candidate was asked about the findings of the 1978 Duryea fire task force. As he toured the Nehemiah Houses in the East New York section of Brooklyn he was asked if he would restore cuts in fire service made by previous administrations if he were elected mayor. Giuliani said that one family he had visited complained of reduced fire service in the last 15 years and that he was "committed to making police, fire and, health services major priorities and that they would not be tampered with, or reduced." He added that "if the city needs additional fire service to communities like East New York, under my administration I would see to it that the service would be provided." Yet, Mayor Giuliani has remained steadfast in his position to remove thousands of fire call boxes from city streets.

Dr. Roderick Wallace believes New York's burnout has had more of an effect on city life than higher rents and homelessness. He points to the destruction of social networks, elements that make up a community, as having an equally dramatic effect on the city's quality of life among poor people.

Wallace is hardly alone in trying to raise the issue. The Uniformed Firefighters Association saw the effect of cutbacks in service and the delaying response time. To them this meant the increased loss of buildings and lives in neighborhoods the City had in effect declared "free fire" zones. Wallace also contends that the motive behind the City's "Planned Shrinkage" policy was to disrupt voting blocks in minority neighborhoods. If the mayor has his way, say critics of his current proposal, all of New York City could become a "free fire" zone. Fran Luck, an East Village based community activist says, "Giuliani's plan to replace thousands of these call boxes with just under 2,000 cellular telephones sounds like a plan out of Neptune". Reading from the Fire Commissioner's December 27th memo on the plan, he is calling for "hundreds" of cellular telephones to be placed on bridges and around communities with an additional 800 police cellular telephones throughout the city. Brooklyn City Councilman Lloyd Henry, a quiet critic of the mayor, said that such a plan would be inadequate for a district such as his own. The 45th councilmanic district has few working public telephones on the street and, many of his constituents are poor. Many residents in his district are without private telephones and often depend on neighbors who do have telephones to call for police and fire service.

Regarding cellular phones, a FDNY report of July 14, 1994 concluded unequivocally, "...a cellular call box system is not applicable to a streetbox fire alarm system because of its contribution to increased fire company response time. A major secondary cause for rejection is cost. It is recommended that the Department continue its efforts towards the improvement of an already proven, reliable and superior emergency reporting system...consideration of use of cellular call boxes as fire alarm boxes should be rejected at this time."

For now, the administration's plan to deactivate the fire call box system is on hold. The Fire Commissioner's midnight demolition, set to begin Jan 15th, four days before the city council could even vote on it, was ultimately prevented by an injunction issued Jan.14th in the appellate division of State Supreme Court in Brooklyn by Justice Thomas Sullivan. The Jan 15th *NY Newsday* ran the story with a photo of Safir, looking like a deer caught in the headlights, next to Corp. Counsel Paul Crotty (who *SHADOW* Readers might remember from the Koch attack on the 8th St. squats and who is also the legal counsel vs. the East 13th St. Homesteaders). *Judge Snuffs Box Removal*, read the headline, with Crotty quote in sidebar: "We're not going to remove any on these boxes." The case was filed by Staten Island Borough Pres. Guy Molinari in his capacity as independent citizen. Borough of Man. President Ruth Messinger followed suit, filing her case with the Fire Alarm Dispatchers Union and electricians from Local 3, technicians contracted to maintain the alarm boxes who would lose their jobs should the city lose the boxes. The case has since gone on to State Supreme Court where Justice Walter Schackman (having pronounced a self-described "warm and fuzzy" Howard Safir "obnoxious" Jan. 27th) will be hearing the arguments not only by the two borough presidents, but of Eric Rassi from the Fire and Sanitation Coalition. He and Jackie Bukowski (currently the lawyer representing The East 13th St. Homesteaders Assn.) are busy preparing testimony as "friends of the court" to be filed Feb. 8th, dealing with the extreme and disparate results of past fire service depletion, the violation of Charter mandate involved in planning the irrevocable destruction of 60% of municipal alarm sounding capacity, and the general malfeasance of duty implied by a Fire Commission who with his staff, misinforms public officials and citizens alike in attempting a "preposterous action."

"What they're doing in this city is some kind of panic," remarked Ms. Bukowski. "Giuliani and these guys are really gonna endanger public safety. It makes a very good environmental case..."

It is not clear how hard the City Council will fight the administration to maintain the current call box system. Yet, elected officials from Staten Island borough President Guy Molinari to Manhattan's Ruth Messinger are opposed. Messinger told reporters at a City Hall news conference that Fire Commissioner Safir's statistics to the effect that 93 per cent of all calls from the fire alarm boxes are false "are misleading and inaccurate". Professor Wallace's view is more ominous and alarming: "the day the city removes the first fire box will mark the formal beginning of the second wave of burnout in the City of New York."



ZAPATISTAS (Cont. From Page 6)



ZAPATISTA VILLAGE REPS DISCUSS GOV'T. PEACE PROCESS

an and *campesino* organizations in both Oaxaca and Chiapas, and has participated in cross-country marches in solidarity with the Zapatistas.

Pro-democracy dissident oil workers in Tabasco have for the past year been holding blockades at the gates of the government petrol plants along the Gulf Coast to press their demand for the right to organize trade unions outside the PRI-controlled bureaucracy. They have recently formed an alliance with local *campesinos* and fishermen concerned with the ecological degradation of their lands and waters by the oil installations. More recently, they joined forces with PRD militants to demand the resignation of the PRI's Governor Roberto Madrazo, who they claim was fraudulently elected. PRD activists halted traffic and staged hunger strikes in Villahermosa, Tabasco's state capital. But on January 12, after Zedillo announced a new political pact with the PRD which broached the possibility of new elections for Tabasco under more democratic rules, local *PRDistas* took to the streets of Villahermosa and a pitched brawl with PRD supporters ensued. Bricks flew and cars were overturned.

The street battle in Villahermosa reflected national tensions. Tabasco is the heart of Mexico's oil industry, and both the PRD and hardliners within the PRI have voiced grave concerns about Zedillo's pledge to use Mexico's oil as collateral for Washington's \$40 billion loan guarantees to resuscitate the crippled peso. The state oil monopoly PEMEX is a potent symbol of nationalism, and was therefore overlooked in the wave of privatization of state companies initiated by President Carlos Salinas in preparation for NAFTA. Now Salinas, whose ambition was to head the new World Trade Organization, has been brought up on treason charges by the PRD for sabotaging the Mexican economy. Veracruz oil workers have joined those in Tabasco in strikes and blockades of the PEMEX plant gates, and the new paranoia over PEMEX privatization lends urgency to their demands for workers' control of the industry.

The EZLN have added the anti-PRI struggles in Oaxaca, Tabasco and Veracruz to their lists of demands, and there have been reports that Zapatista troops have penetrated Tabasco territory across Chiapas' northern border. There is speculation that Zedillo's new political accord could also mean new elections for Chiapas—a central Zapatista demand. But the backlash seen on January 12 from the Tabasco *PRDistas* is likely to seem tame in comparison to that from Chiapas' reactionary cattle oligarchy.

Subcomandante Marcos, the Zapatistas' mysterious masked military leader,

charged in a December communique that *Kaibiles*, the elite Guatemalan counter-insurgency troops, had penetrated the Lacandon Selva from across the border with the secret cooperation of the Mexican federal army. The *Kaibiles* had carried out the blood-drenched repression in the Guatemalan Highlands which sent a flood of Indian refugees into the Lacandon Selva in the 1980s. But Marcos concluded that:

"Their presence does not worry us, because the EZLN is not a traditional guerrilla. It controls its territory and considers itself a regular army. I think the federal army realizes that they can't use Guatemalan-style counter-insurgency. Because they know that they confront a regular army. They know that they do not face a guerrilla that operates in the mountains, but a guerrilla that operates everywhere."

Since December 19, no journalist has been able to reach Marcos. But on January 18, this writer contacted Major Moises behind Zapatista lines at Guadalupe Tepeyac in the Lacandon Selva. Moises, along with Marcos and Comandante Tacho of the Indigenous Revolutionary Clandestine Committee, the EZLN's General Command, was part of the Zapatista delegation that met with Interior Minister Esteban Moctezuma three days earlier. Like Marcos, Moises has taken to smoking a pipe; unlike Marcos, he is clearly an Indian—a Tzeltal.

Moises expressed skepticism about the government's good faith in the tentatively renewed peace process. A condition of the meeting with Esteban Moctezuma, for instance, had been withdrawal of federal army troops from the villages they had occupied. Moises pointed out that the government had merely complied with the letter of the agreement—as the army troops withdrew, federal judicial police took their place in Simojovel and other villages.

In Guadalupe Tepeyac, the EZLN is the open authority, and Marcos' analysis is self-evident. But aren't the Highland communities more divided?

"No, it's the same," says Moises. "In the Highland communities there need to be better tactics to carry out the orders the troops receive from the *Comandancia*. But the organization of the EZLN is the same in the Highlands as it is here. It is not a guerrilla, it is a regular army."

"It is a process," Moises continues. "We will follow what the population says. When they say it is time to announce our presence to the municipal authorities, it is done. We don't want to impose our position. We follow what the people want. They are aware of their own situation—the balance of power with the ranchers. They will know the right moment. And then we will be the authority in the Highlands too."

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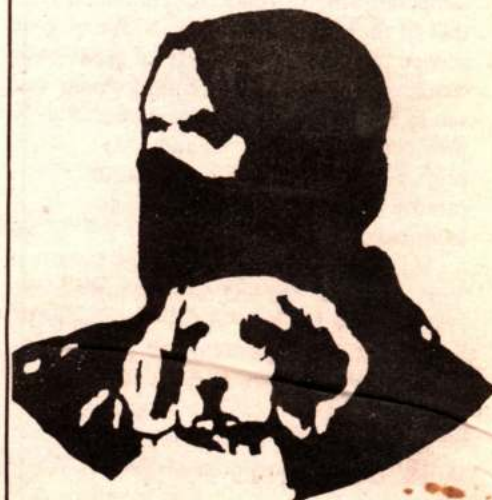
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