

the SHADOW

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LAND GRAB AT CITY AUCTION THREATENS COMMUNITY CENTER

By A. Kronstadt + Chris Flash



DEMONSTRATORS OUTSIDE AUCTION AT POLICE PLAZA

Hundreds of bidders and scores of demonstrators attended the auction of city-owned properties at Police Plaza on July 20. Outside, as 300 or so bidders waited on line, a circus atmosphere prevailed. The Bread + Puppet theatre performed a sketch depicting gardens fighting off real estate developers; the Yo! Stop The Mayor Orchestra! sang "What You Do Comes Back To You;" people in costume promenaded with signs; speakers and people handing out leaflets informed bidders of community opposition and warned them of pending legal action over the sale of garden sites and the Charas/El Bohio Community Center on the Lower East Side.

On line with the bidders were well-dressed and disguised protestors. Some were there to make false bids or to interrupt the auction, while others sought to occupy as many seats as possible to prevent bidders from attending the auction.

Inside, as Lower East Side properties were offered for sale, a cop read a warning that anyone disrupting the bidding process would be removed and subject to arrest. Police presence in front of the stage was beefed up.

After a few Lower East Side parcels were sold, shrieks and screams were heard as real estate developers and speculators jumped on chairs to escape the sudden appearance of 10,000 crickets throughout the auditorium. The auctioneer implored the audience to "calm down" as cops and clean up crews got rid of the crickets.

When the auction resumed half an hour later, a vacant lot on East Second Street had to be put up for sale several times after phoney bidders got the price up beyond \$300,000. Some were evicted for making false bids. After a few repeats, the auctioneer demanded that bidders "show cash" and stand in front of the auditorium in order to bid. At that point, more demonstrators made their presence known and were tossed out by cops, some of whom violently shoved and threw them to the ground. Of those removed, only five were arrested. Neighborhood artist and videographer Clayton Patterson was

charged with assault after several cops jumped him when he refused to release his video camera to them.

In the end, all properties were sold, including Charas, which went for \$3.15 million. The Clemente Soto Velez Cultural Center, located at Suffolk + Rivington Streets in a former school building, was removed from the auction list. According to Clemente Soto president Ed Vega, this was because his group chose a "non-confrontational" strategy with the city. By contrast, Charas, which is also in a former school building, has had to fight the city's attempts to sell their building to real estate developers, most recently in 1997. SHADOW sources believe that the decision to put Charas on the auction block was orchestrated by Antonio Pagan, the mayor's Commissioner of Employment and a former City Council member frequently at odds with Charas head Armando Perez. Pagan denied any role in the sale, but said he welcomes it.

The Charas buyer, whose identity was kept secret by the city despite heavy pressure by local politicians, was discovered to be Sing Fina Corp., associated with Singer Financial Corporation. On August 3, Sing Fina assigned its interests to the newly-created 9th + 10th Street Limited Liability Company. All are located at 186 West 80th Street and are headed by small-time developer Gregg Singer.

It is believed that Singer and his entities are either shills for the real buyer of Charas' building, or that they are trying to obtain additional financing or partners who will enable Singer to abide by the restrictive covenant that limits the site to "Community Facility Use" and still make money. Sources have indicated that Singer has plans to lease the property to a "for-profit" nursing home, which would charge large Medicare and Medicaid fees, but still be within the constraints of the use restriction.

But, according to SHADOW sources, Singer's "anchor tenant"—the nursing home—may have pulled out of the deal. Sing Fina has been circulating an adver-

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MUMIA APPEAL DENIED: GOVERNOR MAY SIGN DEATH WARRANT

By Steven Wishnia

(PHILADELPHIA) In America's most politically charged murder case since the 1927 executions of Nicola Sacco and Bartolomeo Vanzetti, the Pennsylvania Supreme Court has denied the appeal of Death Row journalist Mumia Abu-Jamal.

Abu-Jamal, 44, a former radio reporter and Black Panther activist, was convicted of killing police officer Daniel Faulkner in 1981. In a 71-page ruling handed down on October 29, the state's highest court rejected every single contention Abu-Jamal's lawyers made that he was not guilty and did not receive a fair trial. Governor Tom Ridge is expected to sign Abu-Jamal's death warrant as soon as he finishes reviewing the decision, which means Abu-Jamal would be executed within 60 days of the decision, unless he wins a stay from the federal courts.

"It is a Mischief Night gift from a court that has a talent for the macabre," Abu-Jamal said in a statement released from Death Row after the ruling. "Even after this legal legerdemain, I remain innocent."

The high court rejected arguments that Judge Albert Sabo, who handled both Abu-Jamal's 1982 trial and the 1995

hearings on his appeal, was biased against the defense. "Our judges are honorable, fair and competent," the decision said.

The high court also dismissed challenges to the heart of the case against Abu-Jamal, saying that the two witnesses who specifically identified him as the killer—prostitute Cynthia White and cab driver Robert Chobert—had testified credibly, despite defense claims that they had changed their stories under police pressure. White was facing several prostitution charges and Chobert, on probation for arson, was driving with a suspended license, but the court said there was no evidence of a deal.

Abu-Jamal's lawyers had also challenged a hospital security guard's testimony that she had heard him confess in the emergency room, saying, "I shot him. I hope the motherfucker dies," noting that Gary Wakshul, the police officer guarding Abu-Jamal, had initially said Abu-Jamal "made no comments." In 1995, Wakshul testified that he hadn't mentioned the alleged confession because he was too upset, and didn't say anything about it for

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EDITORIALS

WAG THE DICK!

The Politicians' Strategy for Getting Over on Us

By A. Kronstadt

In the midst of Rudy Giuliani's campaign to restore our virginity by banning peep shows and dirty bookstores, we see that news and politics themselves have become pornography. There is no house of worship, day care center, or school that is zoned outside the reach of this governmental smut, nor is there any software to protect the children from this officially sponsored perverse-a-thon. Narrow minded adults hold up their children as human shields in their so called war for decency, but now, in every shopping mall, children are asking "Mommy, mommy, how did that lady get cement on her dress?"

Bad enough in terms of what it says about the political discourse, the political peep show is even worse for what it does not allow to be said. While we the people focus on Bubba and the Bimbo, the government continues to chip away at civil rights and liberties that were won in the days when politics focused on things that concerned people directly. Back when people were putting their bodies on the line, taking to the streets in Mississippi and protesting the Vietnam war, political discussion did not dwell on Kennedy and Johnson's sex life. Only with information in our heads can we be participants in the political process, and with that scandal stuff upstairs we can only be airheads.

The producers of the film *Wag The Dog*, therefore, missed the point. We are not looking at a scenario in which the media creates a war to cover up a presidential peckerdillo but instead at a situation in which the media inflates that peckerdillo to grandiose dimensions--overshadowing war, racism, police brutality, the greenhouse effect, an ongoing housing crisis, and an impending worldwide recession. All

attention is focused upon one boring man's misdeeds and nothing upon the issues which concern us as human beings on a daily basis. This state of illusion is industrially created. Without the information industry, we would never have heard of Monica Lewinsky. She exists in the minds of millions of only because of electronic images that were created by rich white men, for a profit. Without the media to puff him up as the smart yuppie centrist with the liberated wife, Bill Clinton would be nothing but a local death warrant Dixiecrat from Dogpatch.

If the latest scandal teaches us anything, it is that we should be less afraid of the government. The great leaders aren't very smart, and they don't work very hard. Bill Clinton is an idiot. He does nothing in his office but drop his drawers for alienated sex with whom-ever is willing. On top of this, he is a hypocrite who has a rationalization ready for everything. "I didn't inhale." "It was done in an office with our clothes on, so it wasn't sex." "I believe in universal health insurance but it's those damned Republicans," and so forth. So Clinton deserves to be laughed at, and the institution of government should be regarded as the parasitic nuisance that it is. Children are being taught what blow jobs are, on TV, because of an investigation being carried out by Kenneth Starr at taxpayer expense. The Republicans, incidentally, are even worse hypocrites than Clinton. Nobody would know about Clinton's sex life were it not for the Republicans and their underpants-sniffing moral crusade. Hence, the expression, "A Plague on All Their Houses" is more relevant than ever, and the only ones who can distance ourselves from this charade are us Anarchists.

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MIKE "MAD MOPPER" ORELLANA



RUDOLPH GIULIANI'S "QUALITY OF LIFE" POLICE STATE

By Bill Weinberg

Mayor Rudolph Giuliani's "quality of life" campaign means a police state for ordinary New Yorkers outside the new yuppie class. But more and more constituencies in Gotham City are standing up and fighting back.

Giuliani, barred from seeking a third term by term limits, is using New York City as a showcase for his national ambitions. He is no longer playing to his own constituents, but to the white racist suburban voters across the country who he hopes will sweep him to national office on his record of getting a dangerous city full of whining minorities under control. He's trying to make New York like the rest of America--suburbanized, sterile and orderly. As Times Square and other tracts of primo real estate are sold off to Disney, Giuliani, who grew up in suburban Long Island, is squeezing out everything that makes New York unique. He is the suburbs' revenge on the urban center.

Giuliani ran for mayor on a symbolic platform of cracking down on the "squeegee men"--a policy which took a horrible turn this summer as a squeegee man was shot by an off-duty cop whose windshield he tried to clean, ending up critically injured.

Since being elected to a second term, Giuliani has selected targets a little higher up the social ladder, persecuting the city's mostly-immigrant working-class sectors--bicycle messengers, umbrella hawkers (mostly Senegalese), street peddlers and cabbies.

The taxi drivers were the first to fight back. After Giuliani pushed restrictive new regulations through the Taxi & Limousine Commission, making operating a cab prohibitively expensive, they organized a series of protests. The biggest, on May 21, blocked traffic in Manhattan. But Giuliani placed police checkpoints on all the bridges to the island, turning back all cabs with no fare.

Giuliani boasted in the next day's papers: "They know that we broke their strike--destroyed it, really. Nobody showed up today. And that didn't happen just because we allowed business to go on as usual. That happened because we had a plan to stop them from doing it."

He then went on to quote from flyers calling for bringing Manhattan traffic to a standstill and says that if such a document

had been found in the hands of a "terrorist" group, "then everybody would understand that you cannot allow that to happen." This was a typical Giuliani racist allusion, a veiled reference to the fact that many cabbies are immigrants from the Middle East.

Bicyclists have also been the target of a new police crackdown, especially messengers and delivery workers, who are often recent immigrants, speak little English and function in a semi-legal "gray economy." In addition to supporting new legislation which would allow police to confiscate bicycles being ridden on sidewalks, Giuliani has unleashed the police in a harassment campaign. A study in the *New York Times* noted that in the 19th precinct alone, over a three week period, 1,168 summonses were issued to bicyclists, but only 50 to motorists.

Pedestrians haven't been spared the assault either. Shortly after his re-election last year, Giuliani erected pedestrian barricades at every intersection along 49th and 50th Streets, between Fifth and Lexington Avenues, making peds walk out of their way to free the avenues for vehicular traffic. These barriers were opposed in December by Transportation Alternatives activists, who dressed up as cows to drive home the point that pedestrians were being treated like cattle.

The city's street food vendors, also under onerous regulations and who are restricted from certain areas of the city, held a half-day strike protest in May. Curbside book and merchandise vendors are also being relegated to out-of-the-way blocks, forcing many out of business--despite the fact that courts have ruled that book vendors are protected by the First Amendment.

Street artists have also protested their being arrested and having their art confiscated under the new regulations. On May 27, they protested in front of Cooper Union, where the mayor was giving a speech about his support of the arts. In typical fashion, Giuliani employed a preemptive tactic against the demonstrators, using police to totally seal the place off--the closest the protestors could get was a small traffic island across a wide intersec-

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tion from the Cooper Union building.

Street and subway musicians are suffering under the same wave of harassment. Subway musicians have even been harassed for playing in spots where they are legally allowed to under the city's Music Under New York (MUNY) program.

Curbside newsstand operators have protested Giuliani's plans to have all the old stands replaced with new mass-produced ones, to be covered with big-bucks advertising that the operators are responsible for any vandalism against, but wouldn't get a cut of.

While harassment of the homeless has escalated, low-income tenants are also meeting with totalitarian tactics. In January, a tenement on the Lower East Side's Stanton Street was demolished by the city after the summary eviction of the immigrant tenants. They were not even allowed back in to rescue pets or collect personal belongings before a city-contracted wrecking crane destroyed their home before their unbelieving eyes. The tenants deny city claims that their building was in danger of imminent collapse. The previous February, a squatter building on East Fifth Street was similarly destroyed without notice to the evicted inhabitants.

Police brutality survivors and their next-of-kin charge Giuliani with running a city where cops can maim and kill with impunity. Abner Louima, the Haitian immigrant who was tortured and ritually sodomized while in police custody last summer, is only the most prominent of a series of vicious police attacks on blacks across the city. The Louima case is being treated as outrageous only because of the twisted psycho-sexual angle. If the cops had merely beat Abner to death, or gunned him down when they first apprehended him, he wouldn't be a household name in New York—he would have been a brief blurb on the news, if that. Norman Seigel of the New York Civil Liberties Union has stepped down from the special commission Giuliani was forced to form following the Louima incident, charging it with being a toothless propaganda charade.

On October 19, thousands of gay rights demonstrators outside the Plaza Hotel, surprising cops who expected only a few hundred, were set upon by club wielding cops on scooters and horseback when they took to the streets to protest the murder of a gay student in the midwest. The order to attack came directly from Giuliani, pressing the flesh in New Hampshire at the time. Giuliani later said that if the demonstrators had received a police permit ahead of time, they would not have been assaulted and arrested.

Giuliani, meanwhile, dismisses as empty propaganda the recent reports by both

Amnesty International and Human Rights Watch charging the NYPD with systematic human rights abuses. The paramilitary NYPD "anti drug" operations terrorize whole communities, especially in Brooklyn's African American neighborhoods of Bedford-Stuyvesant and East New York.

The last year has seen a wave of no-knock wrong-address raids on black and Latino homes across the city, in which the apartments of unoffending citizens have been ransacked and children menaced at gunpoint. The mayor has refused to apologize for these violations. Giuliani defended the NYPD's record of 10 bogus busts out of 45,000 drug warrants last year. "I think 10 out of 45,000 is a very understandable percentage," he told the press in early March. But records were not kept for warrantless raids—such as that which occurred just two weeks later at another Bronx apartment. Police battered down a door and charged in with guns drawn to confront a grandmother, her daughter and six-year-old grandson watching TV. "I was scared they were going to shoot us," said the youngster, Jaquan Fulton. Police said they misunderstood an informant's directions to the apartment.

Police video cameras have been installed in Washington Square Park for anti-drug surveillance. Smoking a joint outdoors has become nearly impossible in Giuliani's New York. Those busted for toking on the street are no longer given desk-appearance tickets, but are put "through the system," waiting up to 72 hours to see a judge. The legal amount of time that arrestees can be held was recently expanded from 48 hours, due to the system being overloaded with petty "quality-of-life" arrests.

Cultural space in Giuliani's New York is shrinking like a sphincter. Sex retailers and performers are protesting Giuliani's restrictive zoning regulations, which purges them from most of the city. In addition to holding public protests, sex workers and business owners are challenging the regulations before the US Supreme Court on First Amendment grounds.

Salsa musicians on Amsterdam Avenue are up in arms over Giuliani's enforcement of the outdated "cabaret laws," which ban bands with horn sections from business with no "cabaret license." In the East Village, rock'n'roll clubs CBGBs, Continental Divide and Coney Island High were the target of raids by the city's "Social Club Task Force" on June 27. CBGBs, the historic birthplace of punk rock and an established neighborhood institution, was actually closed by police in the raid when management couldn't find a copy of their liquor license.

The Chinatown community was anger-



On Thanksgiving Day 1997, Mayor Giuliani made a highly publicized visit to Joe Tomassi, who receives food deliveries five days a week as an AIDS client of God's Love We Deliver, to bring him a food basket as a public relations stunt.

Five months later, on the night of April 19, Joe Tomassi and a friend were picking up Chinese food. On their way back to Joe's residence a block away, three unmarked police cars suddenly pulled up to the men at 13th Street and Avenue A.

According to Joe, who is disabled and living with AIDS, "two undercover cops ran up to me. One of them grabbed me by the back of the neck. He put me up against the wall, grabbing my arms upward. I said 'please sir, I have no elbow.' He said 'fuck your elbow. Where are the drugs, faggot?' With his gun to my head, he searched me and punched me four times in the back and smacked the back of my head at least five times as he called me a faggot repeatedly. The cop looked through the Chinese food and threw it all on the sidewalk. Then the walkie talkie said, 'you've got the wrong guy.' I asked him, 'any apologies for the mistake you made?' He answered, 'fuck you.' As a result of the attack, I was stiff with pain, my kneecaps were sore and the bruising on my back lasted weeks." Joe's filed complaint with the Civilian Complaint Review Board has since been found to have incorrect details entered and pages of Joe's testimony missing.

ed in January over Giuliani's refusal to accommodate in any form the traditional Chinese New Year celebration on the grounds that fireworks disturb the peace. Community leaders offered to keep the firecrackers confined to certain blocks, but Giuliani wouldn't give an inch. For the first time in Chinatown's history, the traditional celebration was not held.

City employees are facing lay-offs as no-wage "workfare" workers are brought in for many jobs. Hospital workers have repeatedly held protests in Harlem over plans to privatize or close the only hospital in a community where the life expectancy is lower than that of Bangladesh. Giuliani now wants to spend \$600 million to move Yankee Stadium from The Bronx to Upper Manhattan (a move protested by Bronx leaders as racist) at the same time that he threatens to shut down Harlem Hospital in the name of austerity!

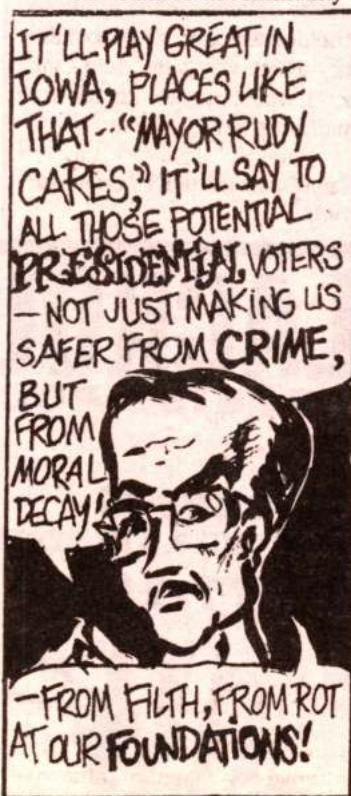
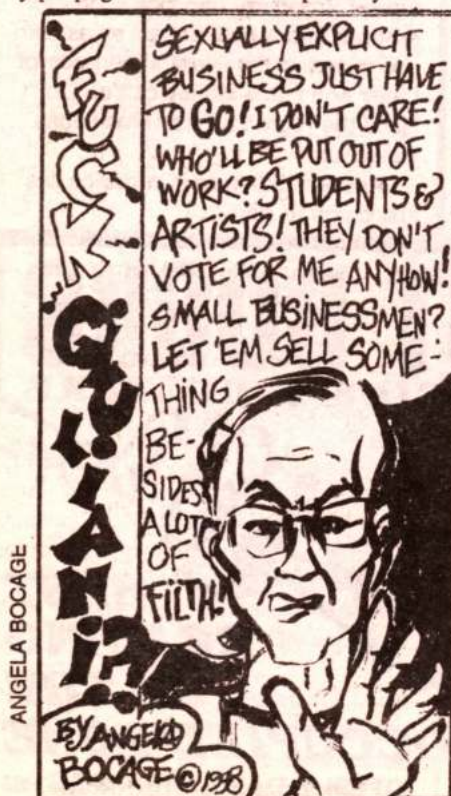
Workfare workers, in turn, protest that the city has refused to recognize their union, on the grounds that they are not really workers.

In April 1995, thousands of students

from the City University of New York (CUNY) protested at City Hall against budget cuts. They were joined by many kids from the city's public high schools, which are overcrowded and in disrepair, with classes even being held in bathrooms. Giuliani, as he slashed the education budget, noted that some of the protestors' signs misspelled his name.

The student struggle continues. In June, surveillance cameras were discovered hidden in smoke detectors in student meeting rooms at City College of New York (CCNY, a part of the CUNY system). Officials said they had been installed to combat burglary, but an affidavit by the college security director, in a suit filed by students, admitted that the cameras were actually aimed at gathering intelligence on planned student protests against budget cuts.

Anger against Mayor Rudolph Giuliani is fast growing in New York City. Whether the various constituencies he is making life hell for will be able to unite in an effective multi-issue coalition remains to be seen.



(MORE OR LESS FROM AN IDEA BY MR. FLASHY)

RECLAIM THE STREETS!!

By Chris Flash

**MAN ATOP TRIPOD IN INTERSECTION OF BROADWAY + ASTOR PLACE**

On October 4, more than 200 people gathered at the Cube in Astor Place. At 2:30, the word went out to take over the intersection of Broadway + Astor Place. Co-ordinated by cell phones, a disabled car stopped traffic at the intersection as the crowd took the street. A mobile sound system moved in. A three story high metal teepee tripod was erected and a man climbed to the top. Music and chaos filled the street as the crowd of youngsters and oldsters, joined by passersby and bystanders, grew to about 500. People in and out of costume danced and bopped to sounds that were simultaneously broadcast on Steal This Radio [pirate radio at 88.7FM--Ed], Food Not Bombs served veggie nuggets, graffitiers tagged streets and newsstands with chalk, jugglers juggled and fire breathers blew flames.

By 3:00, a small army of cops were positioned in front of the crowd at Astor Place, including EMS trucks and scooter cops. Several police warnings were ignored by the revelers, some of whom staged a sit-in and taunted cops. Lt. Wolf was heard by the SHADOW advising other cops, "We'll be better off with mace." Some cops mounted scooters in a wedge formation and revved their engines as if they were going to drive into the crowd, but they failed to scare anyone. At 3:45, cops attempted to divide the crowd. A few people were picked off and arrested. The teepee sitter slid down to the street and was set upon by clumsy cops, one of whom fell on his ass when people blocked the arrest attempt. Thirteen people were arrested, mostly for Disorderly Conduct.

When cops tried to disperse the crowd down Broadway, people took Waverly Place instead, heading for Washington Square Park. Alarmed cops quickly cut off the march with scooters at University Place. By 4:30, most everyone split, leaving bewildered bystanders to wonder why

there were so many cops. Half an hour later, about 100 people rallied outside the ninth precinct on East Fifth Street, demanding to know where those arrested had been taken. Astor Place remained occupied by scores of cops and their vehicles for several hours after the demo was over.

Captain Cangro, being interviewed by a reporter, was perturbed that the demo wasn't approved by the cops beforehand, and that cops had no idea who the organizers or leaders were or what exactly the demonstration was about. He said, "I don't think they're very sincere because they're not willing to take the punishment for their actions. There's no specific issue, no agenda on what's been stated or certain policies."

According to a leaflet received by the SHADOW, "Reclaim The Streets is an international street party protest movement that began in London in 1995 and has since traveled around the world. On May 16, 28 street parties in 19 countries took place simultaneously. Last year, over 20,000 people took over London's Trafalgar Square."

Three weeks later, another Reclaim The Streets demo was declared, again at the Cube, but this time as a simple tea party instead of a rave. Cops, not wanting to get caught with their pants down again, had dozens of police vehicles, including vans, paddy wagons, tow trucks and a mobile command center, mobilized around the Cube. 80-100 cops lined Astor Place, including several plainclothes cops. But there was no crowd of street-takers. Instead, cops looked on in puzzlement as five well dressed people sat at a decorated dining table in front of the Cube, eating peach cobbler, chewing grapes and sipping Earl Grey tea by candlelight as light classical music played on a tape player.

Captain Conroy, the new commanding officer of the ninth precinct, was not

RAVE OUTLAWS LIBERATE BROADWAY

By Steven Wishnia

Rebellion's got a brand-new beat. On Broadway and Astor Place on October 4, hundreds of us defied riot cops to dance to the electronic pulsations of Goa trance. With the power of the pirate radio on, repetitive bleeps, fast-ticking woodblock samples, and palpitating arpeggiators poured out of a small sound system and a dozen boom boxes, stopping traffic for almost two hours. It caught the cops totally by surprise. The Broadway dance party was the first overtly political thing to come out of the rave scene in New York, although drum'n'bass has increasingly been the soundtrack to left-counter cultural partying here over the last year or so. People say rave culture is apolitical, but that misses the point. When partying is outlawed, only outlaws will have fun. When pleasure is forbidden, every indulgence is a political act. This obviously isn't enough to make the walls of Babylon turn to soft smooth flesh, but it gives people something to go on, some hope and a small sense of victory, of community, of ecstasy.

You gotta fight for your right to party was never truer in New York than under the Giuliani regime. It's almost as if you're not allowed to dance in Manhattan unless you're rich. Dancing is supposed to be confined to the authorized clubs, sanctified by the upper-class gossipmongers as the place to be, where it's \$7 for a drink and there's a giant in a suit behind the velvet rope making sure nobody gauche gets in to mingle with the well-scrubbed cell-phone geeks. (Forget that, I've had better times dancing to Cypress Hill on an overcranked boom box in the back room of a squat.) Regular bars get \$1,500 fines if people get caught dancing to the jukebox, and free culture is a threat. Free culture is a threat because in turn-of-the-millennium capitalism, every form of human creativity must be turned into a commodity, corralled, controlled, and channeled into the brand-name property of the multinational entertainment corporations. We need our music to express our emotions and connect with each other, and they want to make sure that the only way we can do that is to buy their product.

That was fatal for hippie culture, as classic rock became the vehicle for

corporate control of the music business and then fodder for commercials aimed at the baby-boomer demographic, and for punk.

When the hard-won punk-rock underground built in the '80s got big enough to be economically viable, the major labels moved in and sucked up almost every last bit for their "alternative" product line. (Most of the punk that survived was so relentlessly purist it was irrelevant to all but the hardest-core insiders, and except for moshing, people haven't danced to punk since 1982.) The need for free culture is especially intense in cities, where virtually all non-park public space is reserved for cars or commerce.

So on October 4, hundreds of us-ravers in quadruple-wide jeans, young punks wearing T-shirts for bands that peaked when they were in diapers, old punks who aren't dead yet, they're just hanging out in the back (to steal Jennifer Blowdryer's line), queer and leftist activists--converged on lower Broadway, amidst the temples of Alternaland-commerce. Cops, caught totally off guard, had nobody there in advance. When they sent in reinforcements, the people faced down emergency-squad trucks, police scooters, a wall of cops in riot gear with guns and clubs and plastic handcuffs and the power of the state--AND THEY DANCED THEIR ASSES OFF AT 146 BEATS PER MINUTE. Wired to the beat, arms in the air, they partied heartily like they just didn't care, doing a sort of highstepping bicycle-dance.

It almost had a '60s flower-in-the-gun-barrel vibe to it, though the chants of "We want to shake our asses" gradually changed to "2-4-6-8, Fuck the Police State" after the cops finally moved in. It was the first demonstration ever for a lot of the younger people there. In a saner world, the cops would have left us alone and knocked off work to go have a beer. But we don't live in a sane world. Yeah, I know music and partying aren't going to change the world by themselves. All the peace and love of the '60s couldn't turn Richard Nixon into a human being or give the military-industrial complex a conscience; Ronald Reagan and his imperial greed warriors didn't shrivel up and die under the sonic attacks of the Dead Kennedys, MDC, and Black Flag. I know. But it shows that we are human, that we reclaim the right to be human and to enjoy and connect with others without selling ourselves out to the global entertainment order. We turned Broadway into free space for an hour and a half, a giant middle finger raised at the Giuliani mentality of Obey and Have Money or You Don't Have the Right to Exist, Much Less Have Fun.

And we didn't do it in malice, we just came to party.

happy about the undersized demo. Seeking out *anyone* he could find who would admit to having knowledge of the tea party demonstration, Conroy asked that a police permit be obtained in the future so that cops could determine who is behind the events. That way, he told the SHADOW, "I wouldn't have to have a small army of cops here."

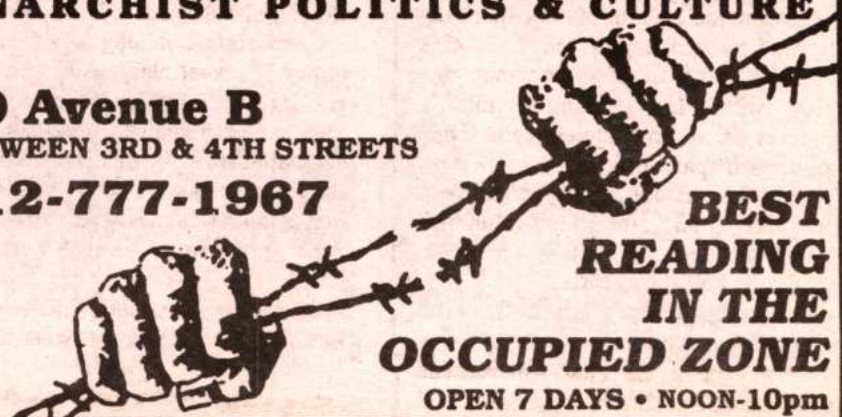
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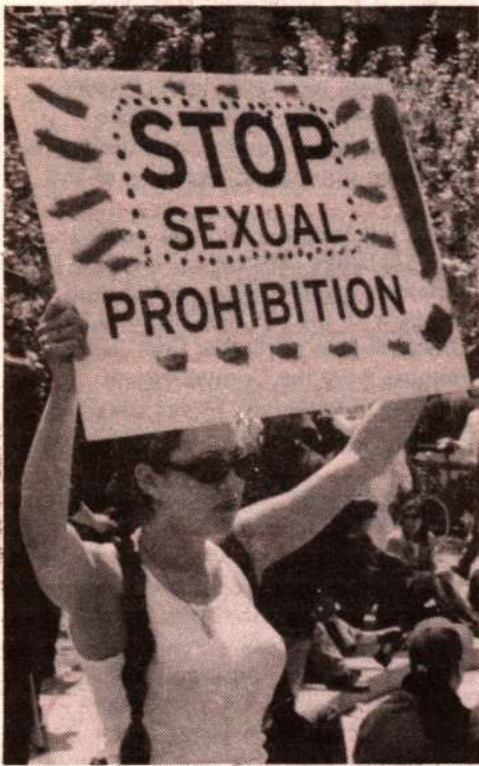
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RUDY SCREWS SEX WORKERS!

Puritanism Breeds Unemployment in Midtown

By Rachel Walsh



CHRIS FLASH

SEX WORKER AT CITY HALL DEMO BY SEX PANIC + FEMINISTS FOR FREE EXPRESSION (4/21)

In July, New York City began enforcing Mayor Giuliani's Adult Business Zoning Laws. Ninety-five percent of adult businesses in all five boroughs are affected by these regulations. Tens of thousands of people are losing their jobs or experiencing a substantial decrease in their livelihood. At the same time, New York City is witnessing a drastic movement backwards in the fight against sexual repression.

The zoning laws say that adult businesses can not be located within 500 feet of a church, school, another adult business, in a residential area, and can not exceed 10,000 square feet of floor area. The only areas where these restrictions do not apply are located on the far outskirts of each borough. These are mostly made up of empty lots with no pre-existing buildings for the more than 150 displaced adult businesses to relocate to.

In order for an adult business to stay in its present location, no more than 40% of material or floor space can be dedicated to pornography or "specified sexual activities." These are: "human genitals in a state of sexual stimulation or arousal; actual or simulated acts of human masturbation, sexual intercourse or sodomy; or fondling or other erotic touching of human genitals, pubic region, buttock, anus or female breast." The adult businesses affected include strip clubs, peep shows, XXX video stores, bars, and performance venues for men and women, straight and queer, and the transgendered.

Already, at least 20 adult businesses have been shut down. Those that have not been closed are trying to remain open and avoid having to relocate by conforming to the city's vague regulations on what goes on inside. Clubs and bars have been decreasing the amount of floor space designated for stripping. Video stores have replaced their stock of pornographic material with "family-oriented" movies. Dancers are wearing clothing and trying not to participate in any behavior that resembles "specified sexual activities." With clubs closing and other adult businesses having to change their activity and stock, business is not the same.

As lawyers for the affected adult businesses have pointed out in court, the zoning laws violate the First Amendment guarantee of freedom of expression. It is the individuals' right to produce, express,

and sell material of a pornographic nature as long as it doesn't put anyone in imminent danger. The city's zoning laws infringe on the rights of adults to purchase and engage in sexual material and activity of their choosing. Before these crafty zoning laws were approved, stripping and lap dancing were legal.

There are many driving forces behind the city's move to eliminate these businesses. Mayor Giuliani gets national fame for "cleaning up the city" by getting rid of porn. Large corporations, like Disney, move in and replace smaller and less "desirable" businesses. It's the same struggle of poor and disenfranchised people being wiped out by those with power and wealth.

Even more troubling than the antics of Giuliani is that many New Yorkers think these laws are good for the city. The disinformation constantly fed to the public has led them to believe that porn is bad, whether they purchase it or work in the industry.

They have no idea how many people are being put out of work. They don't understand that sex workers are mothers with children, students, teachers, artists, and even the girl next door. They don't realize that not only are dancers losing their jobs, but so are bartenders, door people, DJs and cashiers. Worse yet, they are unaware how the attack on adult businesses jeopardizes their own freedoms.

One of the arguments against adult businesses is that these places are bad for "the community," economically and morally. It has been said that these businesses do not represent the community. The truth is that "the community" is exactly who patronizes these businesses, not to mention tourists. An extremely varied cross-section of individuals from every gender, class, race, and profession consumes pornographic material and entertainment. The majority of patrons and workers are usually discreet about their participation in this industry, so very few stand up to represent "the community."

These businesses supply tens of thousands of workers with steady, often lucrative employment. Since the owners, workers and patrons of adult businesses pump large amounts of money into neighboring businesses and the city's overall economy, it is hard to see how adult businesses could be anything but good for the community.

Another argument, made particularly by anti-porn feminists and individuals who actually don't give a shit about women's rights, is that these adult venues harm women. They argue that pornography perpetuates the stereotype that women are subordinate slaves at the mercy of men. Underneath this argument is the assumption that women can't and don't make decisions for themselves and that they aren't the ones in control. This belief is far more detrimental to women than pornography and ignores the positive pornographic images of females, rarely seen in mainstream culture, such as women dominating men, fat women, women of color, and dykes.

Why should valuing a woman as an object of sexual pleasure be seen as degrading? As Feminists, we must not only seek to be as intelligent, assertive, strong, and capable as any man, we must understand that to see ourselves as sexual beings is not a weakness—it's a strength that is part of what defines us.

The only hope left in the legal battle against the city's zoning laws is that the U.S. Supreme Court will hear the case

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SOCIAL CLUB TASK FARCE RAIDS ROCK CLUBS

By Chris Flash

Just before midnight on June 27, the Velvet Mafia was in the middle of an encore set at CBGBs, performing "Girl From Planet Muff," when lead singer Dean Johnson noticed that the audience seemed to double in size. "I had no idea they were police. I thought it was a packed house loving us."

The new "audience" was actually a 30 man raiding party from the mayor's Social Club Task Force. Just nine days earlier, the Task Force raided several bars and clubs on Orchard and Ludlow Streets.

The Task Force was formed in 1990 by then mayor David Dinkins, in response to media outcry over some fatal mishaps and fires that took place in illegal underground social clubs around the city. For a few months, Dinkins' Task Force made a few cursory inspections of party spaces and clubs, but then faded into obscurity.

Under mayor Giuliani, the new and improved paramilitary Social Club Task Force is composed of members of the NYPD, Fire Department, State Liquor Authority, Department of Health, Buildings Department, Department of Consumer Affairs, and other city and state agencies. Their mission? Hit the clubs and find SOMETHING to cite owners for.

After shining flashlights in the faces of people sitting at tables in CBGBs and chasing customers away, Task Force members hung around for a while, seemingly embarrassed over having no real reason to be there, other than harassment. At one point, one of them asked Dean Johnson, "Were all the songs this good? That one's fucking great!"

In the end, the Task Force found nothing, except for a fruit fly. Unwilling to leave empty-handed, they issued citations for CBGB's not having a liquor license displayed and for handling ice without a food handler's certificate.

Also that night, the Task Force hit Continental Divide at St. Mark's Place + Third Ave, and Coney Island High at 15 St. Mark's, where they again frightened patrons with flashlights in their faces, stopped customers from being served, killed the music and denied entry to new customers. Outside Coney Island High, a line of undercover police held up people trying to enter the club.

Jesse Malin, one of four partners who created Coney Island High, told the SHADOW, "You go to a night club to get AWAY from reality. There was no sex, drugs, fruit flies, or dancing—just people trying to get away from things on a Saturday night."

Malin, lead singer of DeGeneration,

told the SHADOW that he grew up on St. Mark's Place, "playing in bands in clubs, watching gentrification creep in." He said that Coney Island High opened 3½ years ago, funded by musicians, artists, and the creative community to create a nightclub as "an alternative to the corporate-style clubs that I always hated in the 1980s." According to Malin, at one point, CIH employed 50-60 artists, musicians, and actors.

Malin said that in the summer of 1997, CIH's "GreenDoor" dance nights and gay disco nights were suddenly stopped by the city. Anyone moving or swaying to live local talent was busted, because CIH has no cabaret license.

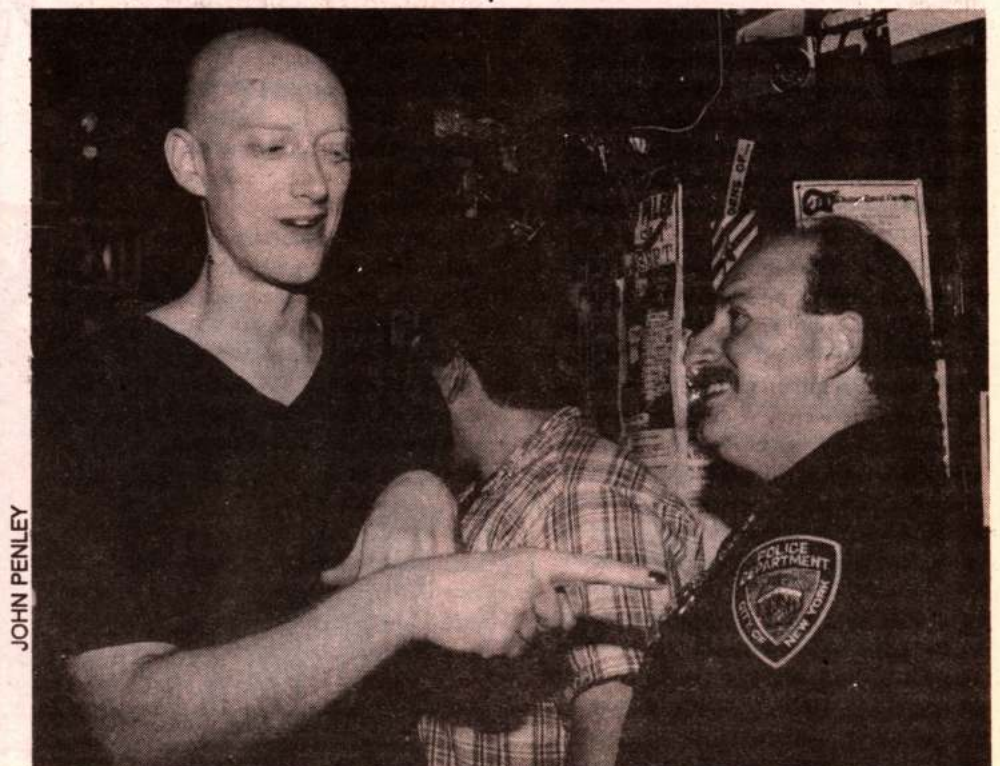
Malin told the SHADOW that CIH has tried, but cannot get a cabaret license. He said that when he investigated, he discovered that St. Mark's Place, between Second + Third Avenues, is zoned as "residential," despite the entire block being lined with businesses, including restaurants and bars. Malin said that the antiquated cabaret laws date back to the Prohibition era, and have not been enforced in New York City for as long as anyone can remember. "Dancing is defined as two or more people moving in an organized fashion," said Malin. Upon receiving a second violation for dancing, a club can be shut down and padlocked. Malin noted that "several clubs just blocks away and in equally or more resided in areas have cabaret licenses, which they were granted many years ago." As a result of the city's dancing raids, CIH posted a "NO DANCING" sign. Customers who see the sign think it is a joke.

Malin said that CIH has still not recovered from having to eliminate dance nights. As a result, he said, the staff had to be cut, and CIH has been barely making enough money to pay rent, payroll and bills.

The Task Force club raids came along with stepped-up police activity stemming from the NYPD's creation of a "model block initiative" for St. Mark's Place in November 1997. Under the initiative, last summer, police set up regular road blocks on St. Mark's, just a few doors away from CIH, shining flashlights into cars and checking licenses and IDs. Several business owners along St. Mark's have complained that these scare tactics have kept customers away.

On top of that, a week before the club raids, an article appeared in the Village Voice, titled "Whiskey, Cocaine and Bar

See CLUB RAIDS On Page 20



JOHN PENLEY

DEAN JOHNSON MEETS NEWEST VELVET MAFIA GROUPIE

THE MILLION YOUTH MARCH:

One Guy's Observation

By Keith Eriksson

There had been lots of angry words exchanged between City Hall and organizers of the Million Youth March in the weeks leading up to the September 5th event. Mayor Rudolph Giuliani made it clear to the City Hall press corps that he was not interested in New York hosting "a hate march." Without mentioning the name of the march's keynote speaker, he called the language coming out of the organizers "extraordinary." Meanwhile, organizers of the march, spokeswoman Erica Ford in particular, called the chief executive "Adolf Giuliani."

The dispute was largely over where the event would be held. Organizers insisted that it would be on Malcolm X Boulevard, also known to Harlem residents as Lenox Avenue. The City's Corporation Council offered two sites: one on Randall's Island and the other, Van Cortlandt Park in the north Bronx. To the march organizers, both sites were out of the question because they both lacked the symbolic importance of holding the event in America's best known black community.

For residents and the leadership inside Harlem itself, there was division over the event. David Patterson, Harlem's State Senator, had held numerous press conferences to discuss the physical condition of Malcolm X Boulevard months before the event was formally announced. Patterson had pointed out in May that Harlemites were dangerously inconvenienced by the massive public works project underway along the boulevard, with the reconfiguration and introduction of left-turning lanes that had shut down half of the street for over a mile. In the first three months of the construction, Patterson pointed out, more than a dozen people had been injured while simply crossing the street. Also, underground, the Metropolitan Transportation Authority had begun a long-anticipated construction project that had would disrupt subway traffic for at least a year. Riders of both the number 2 and number 3 IRT lines would need a schedule to know when they could travel through Harlem.

Mayor Giuliani told reporters and anyone else who would listen that the entire matter was out of his hands and in those of the Police Department and Corporation Counsel. Few believed him. It would come down to a court decision to determine whether the group could hold the march where they had planned. March attorneys, notably Malik Shabazz, believed his group would win the argument in federal court on constitutional grounds. It would come down to just that.

Scores of TV talk shows focused on the coming march, but the rhetoric between City Hall and march organizers continued unabated. Khalid Muhammad, during much of this period, remained silent and out of sight of journalists and other talking heads.

Adding to the atmosphere was a competing event with a similar name in another city. In Atlanta, the Million Youth Movement, backed by such supporters as Jesse Jackson, newly-appointed NAACP chair Julian Bond, and Nation of Islam minister Louis Farrakhan, had planned a four day event that would compete directly with the New York initiative. Complete with a web site and the full support of local officials and black community leaders, the Atlanta event offered round-trip airfare to any youth wanting to attend from anywhere in the US, as well as housing. Both groups played off their competing events, but what was clear, in spite of denials and doublespeak by organizers, was that the Atlanta group clearly distanced itself from events in

New York. Never before in the brief history of the three Million March initiatives had there been competing events of the same nature scheduled on the same day.

Finally, the mayor in New York and his supporters were resigned to losing the overall argument on the freedom of assembly issue. The Federal court had ruled in favor of the organizers, with stipulations. The organizers wanted a 12-hour event, running from 7am to 7pm. The judge limited the event to four hours. It was a partial and, some would say, a hollow victory. The organizers at every news conference and talk show said that the march was on, on their terms, and would be held with or without approval on Malcolm X Boulevard. Days before the event, there was a dramatic and telling public meeting at Barbara Ann Teer's National Black Theatre that featured all of the principal organizers and supporters of the event. What was clear was that there existed a small split among the planners themselves. Erica Ford, who is linked to the Brooklyn-based December 12th Movement, of which activist Sonny Carson is closely allied, spoke of the lack of black leadership among Harlemites. Meanwhile, attorney Malik Shabazz, who is closely allied with the new Black Panther Party and its de facto leader, Khalid Muhammad, spoke of black unity with a nationalist flair. Indeed, many of the participants at the National Black Theatre's "public hearing" were those who leaned towards nationalism.

Publicly, all of Harlem's black political leadership were behind the idea of the march. Off the record, clergymen and established elected officials like Patterson, Assemblyman Keith Wright, newly-elected City Councilman William Perkins, Congressman Charles Rangel, Manhattan Borough President C. Virginia Fields and Manhattan Democratic Party leader Herman "Denny" Farrell, were opposed to the march and to Khalid Muhammad. The Reverend Calvin Butts, who leads the influential Abyssinian Baptist Church, remained silent on the matter, in spite of calling Mayor Giuliani "a racist" earlier in the year.

Although the march was on, there was still concern about what the vindictive mayor would do about the controversial event, having lost his case in federal court. As always, the Giuliani administration never fails to deliver. The event

MYSTERY BREAK-IN AT RADICAL OFFICE

Was It a Government Job?

By A. Kronstadt

In the early afternoon of Sunday, September 6, on Labor Day Weekend, political organizers returning to the West 27th Street office shared by the Brecht Forum and the New York Chapter of the Black Radical Congress noticed that two computers used for record keeping had been stolen. Not taken were a newer model computer, software, a Zip drive, a microwave oven, a Marantz tape recorder valued at \$300, and money in the Brecht Forum's petty cash drawer, as well as the keyboard and monitor which had been unplugged from one of the stolen computers.

The Brecht Forum is a left-wing educational institution which has hosted scores of controversial speakers and events. Executive Director Liz Mestres told the *SHADOW* that the stolen computers contained membership records, and that the intruder probably had a key because the floor of the loft building had been locked by whomever had been there last. Because that particular floor is the headquarters of a host of radical groups ranging from the Committees of Correspondence to the Taxi Workers Alliance and Community Media Services, there were many persons in possession of keys at the time the computers were stolen.

The *SHADOW* asked Sam Anderson, who is a member of the Black Radical Congress as well as Associate Director of the Brecht Forum, whether he believed that there was a political motivation for the thefts from the office. "It may be their way of saying 'we're watching you,'" said Anderson. "The Black Radical Congress had its founding meeting in June with 2,000 Black people attending, including veteran activists and young people. The New York City chapter, which had a series of meetings here in this space, had its database on the hard drive of one of the computers that was stolen. The New York Chapter is the most active chapter of the BRC. The very day of the break-in, we had passed out over 15,000 leaflets at the Million Youth March in Harlem calling Mayor Giuliani a fascist and calling on youth to organize."

The office also houses several other groups that have gotten on Giuliani's bad side over the past year, including the Taxi Workers Alliance and the organization of South Asian youth, which organized a protest against the U.S. bombings in the Sudan and Afghanistan, despite being denied a sound permit by the police department. However, when asked if Giuliani or the New York Police Department might have been involved, Anderson said, "I think it was a collaboration of intelligence groups, not just the NYPD. I also think that it was not necessarily timed with the Million Youth March -- the Labor Day weekend was just a good opportunity."

The activists called the police to investigate the thefts. Instead of detectives responding, they got two foot patrolmen who wrote down a bit of information and told them, "there are break-ins all the time."

would be heavily policed and subway service on the number 2 and 3 lines would be suspended during the time of the march. Organizers had in fact anticipated such maneuvers, but there was little that could be done except to get the show on the road. The day before the event, three news conferences were called. One by the march organizers who said that all systems were go. A second news conference, held in front of Harlem's State Office Building, was called by Rabbi Avi Weissman, who voiced his opposition to any march where Khalid Muhammad was the principal speaker. The third and last news conference was called by Patterson, who voiced caution and advised Harlemites to help police the event and keep calm.

This reporter went to cover the event

and elected to arrive early to get a sense of the scene. Taking the Eastside IRT number 5 subway train to 125th street was simple enough. Emerging from the subway station, one found little police presence as groups of men sold Million Youth March tee-shirts to passersby. Heading west, there was a dramatic increase in cops. A minivan marked "Emergency Police Substation" sat parked on 125th just under the Metro North train station at Park avenue. A group of ten police officers stood on both the north and south corners of 125th Street and Park. Another dozen milled about in between there and Madison Avenue. One could hear the distant sound of helicop-

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On Page 20



MUMIA....

several more months because no one asked him. Judge Sabo found this testimony credible, and the Supreme Court agreed.

The court also discounted all eight witnesses brought in by the defense at the 1995 hearings, including six who hadn't testified at the 1982 trial. Five testified they had seen another man running east on Locust Street, away from the scene of the shooting. Others testified about police manipulation and intimidation of witnesses. The court dismissed them all as either "incredible" or "absolutely incredible."

One witness, Dessie Hightower, testified both times that he saw another man with dreadlocks fleeing the scene--the court noted that Sabo found "that Hightower's demeanor suggested he was not credible."

William Singletary, a gas-station owner, testified that he had seen another man with dreadlocks get out of a Volkswagen, shoot Faulkner and run away, and that police threatened him after his initial statement in 1981. Two police officers disputed his account, and both Sabo and the higher court found Singletary "not credible."

Deborah Kordansky, who lived down the block from the shooting, testified that she saw someone running away after police arrived at the scene. Sabo and the higher court said her testimony was irrelevant.

In one of the most mysterious aspects of the case, an application for a duplicate driver's license belonging to Arnold Howard was found in Officer Faulkner's pocket. Howard, a convicted forger and burglar, testified in 1995 that he had lent the papers to Kenneth "Poppy" Freeman, who worked as a street peddler with Abu-Jamal's brother, William Cook--the driver of the Volkswagen stopped by Faulkner. Howard claimed that police held him for 72 hours after the shooting--police said he was held for only two hours, and that Howard gave them a statement saying that he had lost the application in Cook's car the week before the shooting. Both Sabo and the higher court found Howard "incredible."

William Harmon, a former pimp and convicted drug dealer, said he spoke with Abu-Jamal briefly before the shooting and saw someone run away after the shots. Harmon said he then saw another car pull up, and saw someone get out and shoot Faulkner. The defense found this story dubious, but Judge Sabo called him anyway. The court found his testimony "absolutely incredible." It also dismissed the account of Sharon Smith, who said she had been staying with her family in a nearby hotel, heard the shots, and saw police beating a black man with their sticks and shouting "kill the black mother-fucker." The doctor who treated Abu-Jamal testified at the 1982 trial that the defendant's injuries--cuts and bruises on his face and neck--were not consistent with being hit with sticks.

The court also rejected testimony by two former prostitutes, which was crucial to defense attempts to impeach Cynthia White's credibility. One, Pamela Jenkins, had said that police tried to force her to testify, even though she wasn't at the scene, and that White, the prosecution's key witness, told her police had threatened her life. The court held this irrelevant, because Jenkins hadn't testified against Abu-Jamal or said that White's testimony was false.

The other, Veronica Jones, testified in her initial statement to police in December 1981 that she had seen two men "jogging" away from the scene. In 1995, she testified that in January 1982, police told her she, like White, could work the

PIG JUSTICE

By A. Kronstadt

A particularly interesting facet of the Pennsylvania Supreme Court's rejection of Mumia Abu-Jamal's appeal was the convoluted opinion written by Justice Ronald Castille in denial of Mumia's motion requesting that Castille recuse, or disqualify himself. Mumia's motion for recusal was filed on the grounds that Castille served as the District Attorney of Philadelphia during critical phases of Mumia's case, and that Castille was endorsed for election to the Supreme Court by the Fraternal Order of Police (FOP), a national cop organization that has played an activist role in demanding that Mumia be executed for his alleged role in the murder of Philly police officer Daniel Faulkner.

Castille claimed that because he "...did not personally prosecute or otherwise participate in appellant's trial or direct appeal..." that his objectivity in judging Mumia's appeal was not compromised, even though his signature had appeared on every counter-motion by the Philadelphia DA's office to motions filed by Mumia's defense between 1986 and 1989, when Castille served as Philly's District Attorney. Since joining the high court in 1994, Castille has routinely ruled on cases stemming from his tenure as district attorney.

Even more telling was Castille's response to the contention that being endorsed by the FOP represented a conflict of interest, in that the FOP has sent delegations of cops and relatives of cops to each of Mumia's hearings to demand that he be executed. Castille wrote "...I note that the same FOP which endorsed me during earlier electoral processes also endorsed Mr. Chief Justice John P. Flaherty, Mr. Justice Ralph Cappy, Mr. Justice Russell M. Nigro, and Madame Justice Sandra Schultz Newman. If the FOP's endorsement constituted a basis for recusal, practically the entire court would be required to decline participation in this appeal."

Albert Sabo, the judge who presided over the irregularity-ridden trial and pronounced the death sentence of Mumia, is a proud member of the FOP. As far as the cops, prosecution, and judiciary go, the case of Mumia Abu-Jamal has been one big episode of "All In the Family."

streets unmolested if she testified against Abu-Jamal. In the 1982 trial, Jones did not identify Abu-Jamal as the killer, but did not mention the two men she had seen. The court rejected her on the grounds that this meant she had lied at the 1982 trial, that she hadn't actually seen the shooting, and that she admitted she was high on marijuana when she gave the initial statement to police.

On November 4, Abu-Jamal's lawyers filed a petition asking the Pennsylvania Supreme Court to re-examine its finding that Judge Sabo had given a fair hearing. If that fails, they will appeal to the federal courts.

That process will be complicated by the 1996 Anti-Terrorism Act, which severely limits prisoners' appeals to federal courts in death-penalty cases. Under the Act, federal courts cannot independently review the evidence and the trial record--they can only overturn a death sentence if they judge it unreasonable. "You cannot simply argue that they were wrong," says Dan Williams, one of Abu-Jamal's lawyers. "Given the evidence in the case, you have to argue they were irrational. It's a very difficult thing to prove."

On November 7, at a demonstration in Philadelphia protesting the ruling against Abu-Jamal, Leonard Weinglass, another

KIDS STICK IT TO KATHIE LEE

By Jack Dawkins

On October 3, about two hundred demonstrators, many of them teenagers, gathered in front of Kathie Lee Gifford's studios on Columbus Avenue to protest the appalling conditions that workers continue to endure making Kathie Lee Gifford's brand of clothing and handbags. According to the National Labor Committee, which organized the event, young women in China making Kathie Lee Gifford handbags for the Wal-Mart corporation are paid \$3.44 with no benefits for a seventy hour work week. The women are housed in crowded dirty dormitories, fifteen to a room, and fed a thin rice gruel. In Guatemala, 13-year-olds work 13-hour shifts, seven days a week, sewing Wal-Mart clothing for 31 cents an hour.

"We're calling on Kathie Lee Gifford and the Wal-Mart Corporation to do the right thing and treat their workers like human beings and not slaves," said Charlie Kernaghan, Director of the National Labor Committee. "This campaign

is about transparency in the global economy, about throwing open the locked factory gates, tearing down the barbed wire, and removing the armed guards. It is about letting in the light of day, so it is harder to abuse children and operate sweatshops."

Michelle Mayer, a sixteen-year-old from Fort Lee, N.J., agreed. "I find it frightening and beyond belief that someone who herself has children, and supposedly cares about humanity, could stand by and let the slave-like treatment of these hard working people continue."

"It's really disgusting," added Rebecca Jorgenson, 17, "that a corporation that is so rich continues to treat working people like slaves. I don't know how they sleep at night."

[If you would like to fight to end child labor and sweatshop conditions, please call the National Labor Committee at 212-242-3002]



JACK DAWKINS

attorney on the case, said that the defense would challenge the constitutionality of the Anti-Terrorism Act's death penalty provisions as part of the appeal. Weinglass told Mumia supporters that he had asked the Pennsylvania Supreme Court to reconsider its denial of a new trial. He said that if Governor Ridge signs a death warrant, he will take the case to federal court, which he said has overturned 35 percent of the death warrants it has considered.

The October 29 decision set off protests all around the globe, with emergency rallies in San Francisco and at New York's Grand Central Station drawing over 1,000 people each on October 31. In the days following the decision, thousands of people have demonstrated in cities across the US, and in other countries, including Italy, Norway, Brazil, South Africa and Canada.

"The Governor is well aware of the vigor of Abu-Jamal's supporters," says Ridge spokesman Tim Reeves. "He was found guilty and sentenced to death, and every court has affirmed the propriety of the case."

If Abu-Jamal is executed, it would take place at the Rockview state prison, in Centre County between Interstate 80

and the Penn State University campus. The state of Pennsylvania uses lethal injection to execute prisoners.

[JOIN THE CAMPAIGN TO FREE MUMIA ABU-JAMAL! For more information, contact: International Concerned Family and Friends of Mumia Abu-Jamal, PO Box 19709, Philadelphia, PA 19143. Tel: 215-476-8812 or 215-476-9405. Fax: 215-476-7551. E-mail: mumia@aol.com Internet: http://www.mumia.org]



(212) 631-1181

FREE SPEECH vs THE FCC: STEAL THIS RADIO FIGHTS BACK!!

By Chris Flash

Members of Steal This Radio (STR), an unlicensed pirate radio station on the Lower East Side [at 88.7FM--Ed], switched on their radio transmitter at a press conference at noon on April 15 at the statue of George Washington at Wall + Nassau Streets to announce that a group known as Free Speech, composed of members and listeners of Steal This Radio, had just filed a lawsuit against the Federal Communications Commission (FCC) for violating their First Amendment constitutional rights.

STR began in November 1995 with mobile Friday night broadcast parties. By 1996, STR had upgraded to twenty watts and expanded its programming, gaining more diversity in the process. STR broadcasts seven days a week, from 5:00pm past midnight, presenting anarchist news and events, music, interviews, talk shows, and several hours of Spanish-language programming.

On March 5, FCC agent Judah Mansbach visited the neighborhood from where Steal This Radio was then broadcasting and threatened a raid if the station was not "brought into code," meaning broadcasting no more than 200 feet. Mansbach claimed that he was responding to a signal interference complaint made by Hofstra University's radio station, WRHU. When WRHU was later contacted by STR to verify Mansbach's claim, station manager Bruce Avery said that no formal complaint had been made on behalf of the station, nor was he aware of any signal interference. Avery added that the Lower East Side is not part of WRHU's "primary or secondary signal contour."

Veteran pirate radio DJ and station builder Randi Steele told the SHADOW that she has had run-ins with Mansbach before. She said that Mansbach, a civil engineer with the FCC's New York Field Operations Bureau, came out of retirement just to find pirate radio stations. Mansbach was one of the FCC agents who joined in the orgy of destruction and dismantling of the famous pirate radio

ship Sarah anchored in international waters off the coast of Long Island in July of 1987. "He's been doing this since 1963," Steele said. At the time of Mansbach's STR search in March, the SHADOW saw a "sniffer" on the front seat of his car, used to track radio signals.

The FCC's attempt to shut down Steal This Radio is part of a nationwide crack-down on micropower radio in an effort to silence community groups accessing the airwaves for non-commercial cultural, social and civic purposes. In recent months, the FCC has stepped up its attack on unlicensed stations across the country. Even so, more than 1,000 micro-broadcasters are currently on the air nationwide.

At the April 15 press conference, speeches addressed to the crowd were broadcast through a mobile transmitter set up at the base of the statue. With the announcement of the lawsuit by Free Speech, STR immediately resumed broadcasting and has been uninterrupted ever since. In solidarity with the micro-broadcasting movement, STR joined Radio Free Allston in Massachusetts and 87X in Florida in returning to the airwaves on the same day.

STR DJ Chrome said: "Corporate consolidation trends in media have greatly narrowed the scope of what kind of news and music is available on the FM dial. As ever more New Yorkers become frustrated with this corporate homogenization, the need for community radio stations which reflect the diversity and culture of our neighborhoods increases. This is about civil rights, about a growing movement to challenge the injustice of the federal government. The case is clear. This is about Free Speech versus the FCC."

[STR can receive mail c/o BlackOut Books, 50 Avenue B, New York, NY 10009. To get Radio Free Berkeley's newsletter and parts catalog to do your own micro-broadcasting, call 510-464-3041 or write to them at 1442A Walnut Avenue, #406, Berkeley, CA 94710. You can call the FCC at: 888-CALL-FCC]



BROOKLYN PIRATE RADIO ROCKS!!

WJMZ ON THE AIR

By the Buddha Princess

WJMZ (89.3FM) in Williamsburg, Brooklyn, is the one of the new kids on the block in the pirate radio station scene and we plan to breed like bunnies because as we all know, there is power in numbers. WJMZ is a reformation of what was once Radiac 103.7. Radiac was started more than a year ago by a local Williamsburger seeking an arena for her creative energies, as outlets for artistic expression had dried up here in the Burger. She did something about it, choosing free radio as her battleground, and quickly had many recruits in the fight for a forum for freedom of expression. I signed up immediately, knowing in my soul that my freedom needed expressing! (Which reminds me of the time I wrestled with this woman on top of a car roof while 2 supportive men sang Madonna's "Express Yourself" to us, but that is another story, back to this one...)

After running a pirate radio station in her three room apartment with boys & girls running in and out, day and night, along with all the technical personnel needed just to keep the damn thing up and running, our station mistress grew tired and a space was volunteered! Yeah! But alas, it was a short lived "Yeah!" As soon as technical difficulties were ironed out, we were up for a single night at our new space before we were booted out. Yes, the FCC visited--we were not only "warned" by the FCC, but also asked to leave the space we were loaned because the people working in the station, on this not-so-glorious day of our temporary ruin, behaved in an extremely irresponsible manner. That left us without a home and there was a rift in the ranks. A ranking rift, into which a clean fresh breeze is at last blowing. What exactly happened when the FCC showed up?

They came with a van, there were two men, they looked official, and when they knocked on the door, the people manning the station opened it. They were told to stop broadcasting or the equipment would be seized. Then the door was slammed in the FCC men's faces and they went away. We moved out and ceased operations, but only temporarily. I never had the opportunity to do my show in the new space. The station was down until this year.

That brings us up to WJMZ 89.3. YOO HOO! New Bat Station. New Bat Location. We've been up and running for almost 2 months now. We are having a great time--at least I am. We are on the air two nights, Sunday & Monday, from 6pm on. We have a variety of shows--there is a little of this and a whole lot more. Recent highlights have included live broadcasts with throat singers, on location taped broadcasts of the "Reclaim the Streets" event, french performance artists playing the kazoo, actual tribal ceremonies & music only heard here, odd movie soundtracks (while we watch the movie), strange audio casts on Tuesday afternoons or Friday mornings--anything from neighbors arguing over beer prices to the sound of the telephone ringing, live MCs and political commentary.

Looking toward the future, we will be establishing a programming committee and we'll be working towards making the station more representative of the Williamsburg/Greenpoint community. I would like to see Polish, Hasidic and Hispanic youth have shows on our station. We need to do outreach. Now that we're more stable I think this is a possibility.

We also need to increase our listenership through promotion. All in time. Hopefully, this article will help that and a little tape, wheatpaste (I think we can still

FREE103POINT9

By DJ Dizzy

Free103point9 began microcasting in Williamsburg, Brooklyn, on March 1, 1997, at a party with Soundlab's DJ Singe and I-Sound dropping science in a large loft space near the second L stop. That set the mobile station's agenda: drop a bomb, then bug out to the next party. Since then, the 40-watt station has moved around, with ecstatic jazz greats such as Other Dimensions in Music or the Organic Trio in Park Slope, a bunch of noisy turntablists on top of the Williamsburg Bridge, or a block party on Williamsburg's Southside with the Bindlestiff Cirkus. Free103point9 focuses mostly on unusual audio collage performances, trying to expand the concept of radio while hosting an ongoing end of the century party.

It's not all fun and games, of course, as neighborhood activists have reclaimed the 103.9-FM frequency to rail against proposed garbage-transfer stations in Williamsburg, and the gentrification and rent hikes there. But the mobile microcasting means the content is really up to the current host, and free103point9 attempts to let everyone in the neighborhood in on the fun.

So local wordsmiths such as Daisy DeCapite from "The Curse" zine and Pakistani poet Ashraf Mian from the neighborhood's cheapest copy shop trade the mic with Spin scribe Simon Reynolds or jazz pianist Matthew Shipp. Over Labor Day weekend, 103.9 deejays performed over 103.9 hours, Jerry Lewis-style, everything from the new wave sounds of Neon France to Mr. E's radio-made "The Spider Inside Me" film.

So free103point9 is a random community resource taking political action through parties. That randomness, of course, makes it more difficult for listeners to determine when free103point9's signal can be heard, but copious flyering of neighborhood telephone poles, and mass e-mailings keeps as many free radio fans informed as possible. If you'd like to host a microcast, spin at a party, get notified of microcasts, or otherwise get involved in neighborhood radio, then here's where to turn on the dial: free103point9@hotmail.com or 302 Bedford Ave., Box #261, Brooklyn, NY 11211.

get away with this in Brooklyn) & paper with ink. We plan on a fund raiser soon, which will be announced in the SHADOW. We are looking for a permanent space to house the station in 1999. We want to expand our hours and days on the air so we can open up more slots for new people. Free rf engineering advice is always welcome.

Our mission goes something like this... We have a couple of options... We could do it the righteous grassroots media way: talk about decentralizing of communities by not being able to self determine their media, or talk about reacting to the homogenization of music and news and the need to step over the giant by sneaking under their leg. We could say that we are responding to the over corporatization of our cultural experiences by eliminating capitalist goals and creating nonprofit cultural outlets...or or or we are here to increase the possibility of the surreal--to expand the cultural forum of our neighborhood--to give an ephemeral center to exchange ideas, both political and artistic, freely amongst people brought together by a common geography, but I think we have to note our role in the micro-broadcasting and grassroots media movement, which is: we are just another

Continued On Next Page

LAND GRAB....

tisement (inadvertently sent to an advocacy group friendly to Charas) offering space in the "School Building" to "health-care facilities, clinics, physician groups, organizations in the helping field, and the arts." Perez was pleased to see the ad because it seems to indicate that Singer lacks tenants and will therefore have trouble getting financing. "They have put down a \$600,000 down payment, and they will default if they don't come up with the balance of \$2.5 million, and without anchor tenants already in place, no bank is going to loan a little company like Sing Fina that kind of money," Perez told the SHADOW. Perez also congratulates local activists for the disappearance of Singer's tenant--"they thought that the activism was all going to chill out after a month or so, but in the months following the auction, all kinds of groups have formed that are fighting to save Charas, and this is an embarrassment to anybody who might have been thinking of moving in."

One ad hoc group that has formed is Artist Strike for Charas/El Bohio, which, on October 14, peacefully disrupted the shooting of Robert De Niro's film "Flawless" on 13th Street and Ave. A, a few blocks from the community center, to protest the planned eviction. The group dropped confetti, brightly covered pieces of mylar, and eggshells packed with difficult to remove "glitter" onto crucial parts of the set, and also activated portable security alarms while filming was attempted. Though officials of the production company deny that the disruption was significant, protesters saw De Niro leave the set almost immediately after the protest began.

SLIPPERY BUYER SHOWS HIS FACE

On October 22, fifty activists crowded the sidewalk outside Charas to await the arrival of Gregg Singer, who wanted a "walk-through" of Charas' building with bankers from whom he was attempting to borrow cash. Chanting "Get Out of Our Neighborhood," as a brass band--one of the many musical groups that rehearses at Charas--played "We Shall Not Be Moved," protesters watched as the bankers, city bureaucrats and developers worked up the nerve to walk through the unfriendly crowd. None would tell reporters which one of them was Gregg Singer.

Singer and his entourage toured the building unmolested, except for the dozens of placards stuck to the walls denouncing "Greedy Gregg Singer," which had been placed there in his honor. On the roof, Singer and his group discussed their intention to add a couple of new floors to the five story school building,



CHRIS FLASH

COPS CLEAR CRICKETS FROM AUCTION FLOOR

although they were vague about what they would do inside the building.

Perez told the SHADOW, "The plan to add extra floors gives us a new angle to fight from, because something like that has to go through both Community Board Three and the City Council, and a majority support us in both places. We have meetings planned with environmental and housing lawyers, and we're going to take it to New York's highest court."

Perez added, "The excuse for auctioning the building was that the city needed money, but do you know what all these lawyers are costing the city in fees? Eventually, they may realize that it'll be easier to just sell the building to us so we can keep doing our work. Before they put the building on the auction block, they were offering to let us have it for \$365,000, which we know we could raise."

It is unknown what effect running the gauntlet of protestors had on the bankers' willingness to loan Singer money, but it was certainly not a routine part of negotiating a mortgage. Susan Howard, one of the protest organizers, told the SHADOW, "We hope this will make financiers realize that this is a bad investment."

Meanwhile, Charas continues its operations, with full bookings of rehearsal and exhibition space, and activities ranging from collection of supplies for Puerto Rican and Dominican hurricane relief to daily meetings of Alcoholics Anonymous. Charas' lease now runs only from month to month, and the Department of Citywide Administrative Services (DCAS) could issue an eviction notice at any time.

Those who wish to call the parties involved with the attempted takeover and destruction of Charas/El Bohio can call: Sing Fina Corp. (Gregg Singer, owner) at 212-873-5500; R.E.L.D. Development Corp. (Singer's contractor) at 212-679-2920. For more info on actions to save Charas, call the Lower East Side Collective at 212-774-4192.

LANDLORD MOVES ON SQUAT

By Chris Flash

Early on the morning of August 21, cops drilled the front door lock of Dos Blockos, a squat located at 713-15 East Ninth Street. Gingerly making their way through the building in order to avoid detection, cops, along with city marshalls, taped two eviction notices on the doors of each resident, demanding that they vacate the building in ten days.

In the early 1980s, the building was a squat known as Eastern Front, mostly occupied by skinheads. The building burned in 1984, killing two residents. In the late 1980s, notorious real estate developer and speculator Harry Skydell took over 713-15 and the vacant lot next door. After an almost complete renovation of the building, Skydell eventually went to prison for various crimes, and American Savings Bank foreclosed on his holdings. After years of sitting idle, the building came full circle when squatters moved into 713-15 in the summer of 1993. The name "Dos Blockos" was derived from the presence of two squats on that block. According to Dos Blockos resident "Bear," the building is occupied by more than 50 people, including families, artists, workers and students.

In January of 1994, Dos Blockos was visited by members of the city's Department of Housing Preservation and Development (HPD). The men from HPD threatened building residents with an eviction "to be immediately followed up," but nothing happened.

Subsequently, American Savings got caught up in the Savings and Loan scandal of the early 1990s, and they, like many other financial institutions, were taken over by the Resolution Trust Corporation (RTC), which had the job of disposing of assets of the insolvent banks. Residents of Dos Blockos tried to negotiate with the bank and then the RTC, with an eye toward purchasing Dos Blockos, but it was to no avail. The RTC's operations were ultimately taken over by the Federal Deposit Insurance Corporation (FDIC).

Dos Blockos resident Jerry the Peddler told the SHADOW that Dos

Blockos and the adjacent lot at 717 was sold by the FDIC in 1996 to "East 9 LLC." He said that the owner sat on it until last summer as they attempted to sell it. Unable to unload the building, the owner decided to keep it and evict the squatters.

A month after cops first put eviction notices on doors without knocking, they returned and did the same thing, this time taping thick piles of paperwork to each door with court dates to respond.

McGuire told the SHADOW that there is now a motion by the owner for summary judgement in order to avoid a trial or hearing that could take months. She said that her defense is improper service of the eviction notices. Dos Blockos must put in papers as to why their claim is valid, and provide statements from each resident as to why service was improper on each of them.

McGuire said that if the judge hearing the motion agrees with the claim of improper service, there will be a hearing. If the judge doesn't agree, she said, "then it's all over." Dos Blockos could still request a factual hearing, but even so, it would only be buying time.

The building owner offered to allow Dos Blockos residents six months to vacate, but, as Bear told the SHADOW, "we chose not to deal with sleazy landlords and to show that it's not so easy to evict squatters from buildings." Bear said that Dos Blockos made their decision in order to benefit other squatters.

Jerry the Peddler, tending the large garden he and his neighbors created next door at 717 East Ninth Street, told the SHADOW that they had just gotten five new trees in (4 apple and 1 pear). The pear tree was planted the day the SHADOW interviewed him for this story.

[Concerned readers who want to help or make a donation to aid in the defense of Dos Blockos can send contributions to Colleen McGuire at: 305 Broadway, #402, New York, NY 10007. Phone: 212-571-4080. Fax: 212-571-4079]

PIRATE RADIO....

group of pro active people organizing to create a forum of expression and fuck things up. "...us meeting here is the first defiant victory"--the whig in a serious meeting of cultural leaders. AHHHHH build it and it will happen. Or Stroke it and it will grow and get warm and moist, thus producing the perfect breeding ground for viruses and bacteria of creativity...

That brings us to my show, the Buddha Princess! I am still working on becoming adept with the mixing board, turntables, CD player, and tape player. Keeping everything organized, remembering to turn on the mic when I talk and off when I'm chatting to people in the room, keeping the level balanced, etc... Once I'm a little more comfortable with this technology, I have some secret plans for your airwave experience. I am also putting out a request for erotic poetry and short stories by WOMEN. I want to read them on my show and possibly post them on a future free Web site. Be sure to say how you want to be credited (pseudonym or real name) and give a contact name and number so I can get it touch with you if I need to. I also would welcome any input from local bands, artists, announcements of any sort for the airwaves. Drop off or mail tapes, records, whatever you have. We'll be sharing them on the station for airwave play. We don't need any more of that major label bullshit either.

Sony, that means remove us from your mailing list, now.

Watch, listen for a station to be popping up or hopping up in your nabe soon, or better yet, start one yourself. Get on the internet and do a search for "free radio." Seek and you shall find, daughters and sons of the universe!

[Tune in and Turn on to the Buddha Princess: Mondays, 11pm-Midnight on WJMJ, 89.3FM. You can email WJMJ at: <wjmj@usa.net>, or call: 718-391-8889, or write: William JM Zorn c/o De Jesus, 243 South 4th St, Box 321, Brooklyn, NY 11211. WJMJ's drop off location is at: Main Drag Music on Bedford Ave (between North 6th & 7th Streets) in Williamsburg, Brooklyn]

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GIULIANI TARGETS PAIN IN HIS ASS!!

By Chris Flash

"We're gonna cut you off 'cause you're a liar and you are also harassing people in my office, because you're sick...you're a sick pervert...and it has nothing to do with the First Amendment..."

"...really a strange, weird little creep who calls up...we've had the police deal with it, but they say there's nothing they can do about it...he's got some kind of mental illness, but it isn't serious enough to have him incarcerated. I mean really unbelievable...and Chris, if you're listening, you really are a creep."

(Mayor Giuliani speaking to and about Chris Brodeur live on his radio show)



When multimedia artist Christopher Brodeur came to New York City in 1990, he had no idea he would become a political enemy of the mayor and be targeted for multiple arrests on the mayor's orders.

Over the next four years, Brodeur became a seasoned crime victim, experiencing assaults, money rip-offs, and having 11 bicycles stolen. By the time Rudolph Giuliani was elected mayor of New York City in 1994, Brodeur told the SHADOW, "I had to do something about it."

In 1994, Brodeur called Giuliani's radio talk show three times as a victim of crime. Brodeur said that Giuliani, who bills himself as the crime fighting mayor, tried to avoid answering when Brodeur asked what Giuliani planned to do about bike thefts and several other problems. Giuliani's staff asked Brodeur to call them, claiming they would help him. When he did, Brodeur said, he was referred to the mayor's press aide Kim Serafin, but nothing was done to help him. Brodeur told the SHADOW, "Seeing no results on such a simple matter and having Kim's number with the instruction to 'call if you have any questions,' I did just that."

For the next two years, Brodeur regularly called Giuliani's press office and radio show, mostly challenging Giuliani's claims that crime was down and confronting the mayor with "tough questions" about police corruption, the waste of millions of tax dollars, and the hypocrisy of the anti-welfare mayor living in a mansion rent-free, that made Giuliani "blow his stack." To circumvent Giuliani's telephone screeners and question Giuliani directly on the air, Brodeur often had to pretend to be someone else or get friends to call for him.

In January 1996, in response to Brodeur's many calls, Giuliani sent two detectives from his Intelligence Division to Brodeur's home to arrest him for aggravated harassment. Released on a desk appearance ticket, Brodeur immediately went home and called the Mayor's office to complain about the violation of his First Amendment rights and the waste of taxpayer money by using two detectives to bully him. The next day, Giuliani sent the detectives to arrest Brodeur again, for a second charge of aggravated harassment. Both cases subsequently failed in court, since, Brodeur told the SHADOW, Giuliani's press aide Serafin did not sign the corroborating affidavit. Two days in jail and five court appearances later, both charges were dismissed. Brodeur, undeterred,

continued making calls to Giuliani's radio show and press office, challenging the mayor's hype about fighting crime.

In October 1996, Giuliani sent two more detectives to Brodeur's home to pressure him into going with them for a "voluntary" psychiatric examination. They also called the Secret Service to question Brodeur about an article he had written on free speech, rhetorically titled "I Am Going To Kill The President." Both the psychiatrists and the Secret Service found Brodeur to be no threat of any kind, and he was released.

Meanwhile, Brodeur was filing a federal civil rights lawsuit against the Mayor's office and the NYPD. And Brodeur continued to call the Mayor's office with questions and complaints.

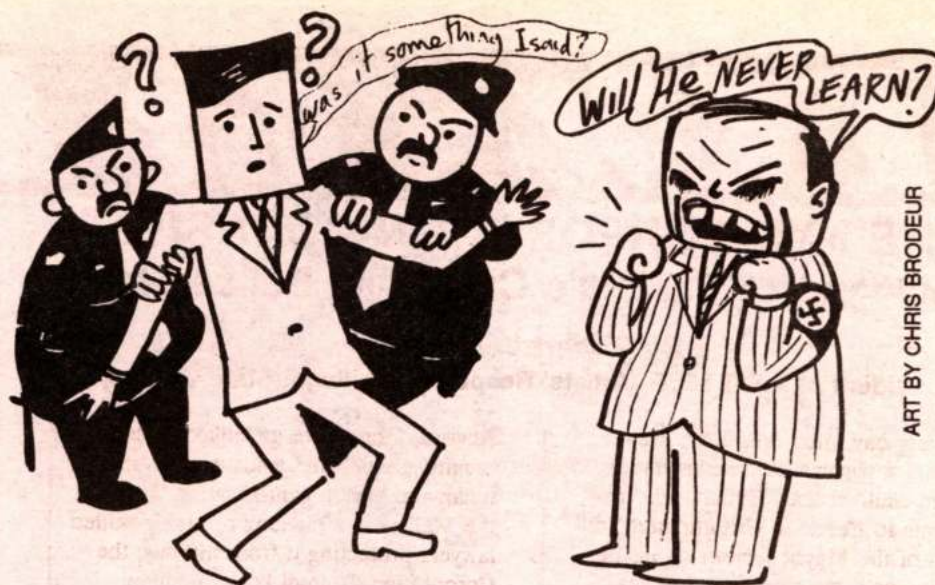
On March 5, 1997, the same Intelligence Division officers who had arrested Brodeur in 1996, accompanied by two other detectives, arrested Brodeur at home for aggravated harassment, based on a complaint filed by Giuliani's press secretary, Colleen Roche.

This time, Brodeur says, assistant district attorney Seth Berman requested a \$10,000 bail, despite Brodeur's having never missed a court date, having no prior criminal record, having three jobs and residing in the same place for five years. Berman also asked for a psychiatric examination, even though he passed the examination they'd given him in October. With no legal justification, Judge Moore sent Brodeur to jail for a court-ordered mental exam. Brodeur saw eight different psychiatrists, all of whom determined that he was neither dangerous nor mentally ill. After eleven days on Rikers Island, Brodeur had to post a \$2,000 bail set by Judge Levitt in order to be released. At a later press conference, Giuliani complained that Brodeur's \$2,000 bail was "dangerously low."

Brodeur told the SHADOW that this harsh treatment by the judges was due to intervention by Giuliani. Brodeur points out that judges in criminal court are appointed and reappointed by the mayor, so they must do his bidding in order to keep their seats. Brodeur also believes that the arrest was Giuliani's response to the civil rights suit he filed against Giuliani and the City in 1996. He said, "Their arrest complaint centers around phone calls made between May and August 1996. So why did they wait eight months, until March 5 [1997], to bust me?"

After his March 1997 arrest, Brodeur again called Giuliani's radio show, when his 13th bike was stolen. Giuliani showed his concern by berating Brodeur on the air, calling him a "very sick man," and a "pathological person who needs psychiatric help," among other things.

By June 1997, as Giuliani ran for reelection to a second term as mayor, Brodeur decided to declare his own candidacy for mayor as "John Doe." Holding a mock press conference with his performance art pals on the steps of City Hall with a paper bag over his head and a Giuliani pinata stuffed with phony money, Brodeur was arrested by Intelligence Division detectives who pulled the bag off and compared Brodeur's face with a photo they had. Brodeur was arrested for violating a court



ART BY CHRIS BRODEUR

order of protection barring him from going near the mayor's press office. A new order of protection was issued, forbidding him from contacting anyone in any way at City Hall, from going to the City Council (which meets in City Hall), or from having any contact with Giuliani or his press office either by mail or by phone.

As Brodeur spent the next 28 hours in jail, his Lower East Side apartment was trashed by police detectives who obtained a search warrant that claimed they were looking for copies of the order of protection issued against Brodeur, even though the court and the mayor's office already had copies of the order when they were issued. Apparently, the police were looking for something they could use against Brodeur. Brodeur told the SHADOW that the order of protection violates his First Amendment rights, but no judges will overturn the order because they fear losing their jobs.

Despite the miserable conditions he endured each time he has gone through the arrest process and "bullpen therapy," Brodeur said that many cops and corrections officers he came in contact with whenever he was arrested expressed their mutual dislike for Giuliani. Brodeur told the SHADOW, "Even the detectives [arresting Brodeur] said 'we think he's an asshole, but we have a job to do.'" Brodeur said that as he went through arrest procedures, the reason for his arrests would get around and he would be treated like a hero, by cops and prisoners alike. He added that several correction officers even offered to get Brodeur a gun, asking him to kill the mayor.

In June 1998, while still awaiting trial, Brodeur called the Mayor's office after having another bike vandalized, again asking for help as a crime victim. This resulted in a visit from four Intelligence Division detectives who attempted, but failed, to arrest Brodeur, who refused to go with them, since they had no warrant. Instead, they arrested Brodeur when he appeared at a court date two weeks later. He was hit with a new charge of aggravated harassment and violating an order of protection.

Rather than continue to be victimized by Giuliani's actions and police repression against him, Brodeur decided to take the offensive by filing three lawsuits against Giuliani in 1996, 1997 and earlier this year. Two of the suits concern civil rights abuses by Giuliani and

his administration against Brodeur. These include violations of Brodeur's rights under the First Amendment (freedom of speech and expression; freedom of assembly; redress of grievances), Fourth Amendment (improper search of his home), Fifth Amendment (right to due process before being jailed) and Eighth Amendment (unreasonable bail; the unusual punishment of spending eleven days in Rikers before bail would even be allowed). The third lawsuit deals with slanderous statements made by Giuliani on television and radio (Giuliani called Brodeur "sick and dangerous" after nine psychiatrists had said he was neither.)

Brodeur, who admits to calling Giuliani and his press office about 200 times, insists that he is no threat to anyone. Brodeur told the SHADOW that he makes the calls because "as a taxpayer, I have a right to complain about the government. Giuliani forgets that he works for us and I try to hold him accountable. His radio show is especially disgusting because he screens out any caller who doesn't worship him, so listeners only hear how great he is. I could always get past the screener and embarrass him, so he's tried to shut me up, and he's succeeded temporarily, because the order of protection has prohibited me from calling his radio show for twenty months."

Brodeur currently faces two counts of aggravated harassment for criticizing Giuliani, and two counts of violating the order of protection for holding his press conference at City Hall and calling Giuliani's press office, for which he will be going to trial in November. Brodeur said he will never accept a plea bargain (although none was offered this time around) and has insisted on his right to a trial.

About his upcoming trial, Brodeur promises a circus, even hoping to subpoena Giuliani as a witness. "The trial will be a farce. Even several judges have questioned the D.A.'s wisdom in prosecuting such a flaccid case. They don't have a prayer of winning and nobody loses in court as much as Rudy Giuliani. He's probably lost more First Amendment battles than every other politician in America combined! And then when the order of protection is dismissed, I'll be calling him with a lot of questions. And then he'll send his dicks to arrest me again and we'll go through this nonsense until the scumbag leaves in 2002," Brodeur told the SHADOW.

[Giuliani's radio show is on WABC, 770AM, Friday mornings, 10:00-11:00 am. The call-in number is: 1-800-848-9222. Anyone can call, but since they don't let critical questions go through, you could use a fake question to get on the air. The number of Giuliani's press office is: 212-788-0075 and 788-9600. For info on the upcoming trial, Chris Brodeur can be reached at: 212-387-8637]



DOWN BY LAW

THE NYC CORPORATION COUNSEL: Lawyers for Giuliani's Corporate Police State

By Robert Lederman

President of A.R.T.I.S.T. (Artists' Response To Illegal State Tactics)

Every day, more and more New Yorkers recognize the serious threat Mayor Giuliani and "Giuliani-ism" represents to freedom. Unfortunately, criticism of the Mayor focuses on his personality, as if his repressive policies were simply the result of a psychological trait. What few New Yorkers grasp is the key role an obscure City agency plays in carrying out the Giuliani agenda. If not for the efforts of the Corporation Counsel, Giuliani's violations of our rights would be impossible.

Giuliani commands an army of 38,000 heavily-armed police (the world's largest police force), but it is the Corporation Counsel's 600+ lawyers quietly working behind the scenes that are his elite troops. To earn their tax-funded salaries, Giuliani's lawyers defend the Mayor against thousands of legitimate civil rights lawsuits filed each year by victims of his ever-evolving police state.

Civil rights lawsuits filed against the Mayor are about much more than getting money. If plaintiffs win these cases, not only do they receive compensation for damages, but the City can be forced to change its illegal policies. Keeping judges from stopping Giuliani's daily human rights violations of Federal, State and New York City law is what the Corporation Counsel is all about.

When Giuliani orders the NYPD or other City agencies to prevent lawful demonstrations, arrest innocent people, spy on political activists, close legitimate businesses, target racial minorities, sell public property to corporations, privatize parks, close public hospitals in minority areas, arrest homeless people, block access to City Hall, cut essential social programs, confiscate property without due process, put defendants through the system for non-criminal infractions of obscure laws or force handicapped mothers into workfare, it is the Corporation Counsel that faithfully defends these highlights of Giuliani-ism in Federal and State Court.

Every time a racist cop brutalizes a minority teenager and gets away with it, you are seeing the result of the efforts of the NYC Corporation Counsel. When understaffed City hospitals cause someone's death due to Giuliani's budget cuts, you are seeing the efforts of the Corporation Counsel. When law abiding demonstrators are arrested to censor their anti-Giuliani speech, you are seeing the efforts of the Corporation Counsel. When innocent people are strip-searched, brutalized, held for days in the Tombs and then dragged through months of meaningless court appearances, you are seeing the efforts of the Corporation Counsel.

It was the Corporation Counsel that sued *New York Magazine* in an absurd attempt to censor a mildly satirical bus ad that annoyed the Mayor. It was the Corporation Counsel that spent millions of tax dollars evicting adult businesses from Midtown Manhattan so that Giuliani-connected real estate developers could seize their buildings to make way for the "Disney-fication" of Times Square. It's the Corporation Counsel that protects the Giuliani Administration when it violates open meeting laws at CUNY or before the Taxi and Limousine Commission, cuts funding to Legal Aid, creates an illegal Charter

Revision Committee or bulldozes community gardens and evicts low-income tenants to hasten gentrification. Just as the Mafia has a phalanx of highly skilled lawyers protecting it from the law, the Corporation Counsel keeps Giuliani from being held accountable for his many crimes.

To defend such unconstitutional policies, the Corporation Counsel submits false evidence to judges and obscures the facts in each case. The agency is set up to frustrate any attempt to seek legal recourse when one is victimized by the Mayor or his henchmen. If a plaintiff sues Giuliani and wins, the Corporation Counsel appeals to the highest court possible, regardless of the merits of the case. This is done to exhaust the plaintiffs, who are usually poor and can neither economically nor emotionally survive the process. Many lawsuits against the City disappear as plaintiffs and attorneys give up when faced with years of meaningless appeals and legal maneuvers, the sole purpose of which is to wear them down.

It is useful to examine a well-publicized and fully documented case as an illustration of exactly how the Corporation Counsel does its dirty work. When Giuliani took office in 1994, the police began a massive campaign to arrest street artists. This was done at the request of Manhattan's five largest Business Improvement Districts (or BIDs). These privatization interests see First Amendment protected activities on public sidewalks as quality of life crimes interfering with the absolute control of public and private space that is their goal.

From 1994 to 1997, hundreds of street artists were arrested. Their art was illegally confiscated or destroyed, and the artists were charged with unlicensed vending. Unfortunately for the Mayor, there is a legal problem with this, as with many of his actions. The Federal and New York State Constitutional guarantees of free speech, which the US Supreme Court and NYC officials had already determined cover art, meant that artists, like book vendors, did not need a license to sell fine art on public property. Internal memos from the Corporation Counsel and the Manhattan District Attorney's offices dated 1994 make it clear that the City knew these were illegal arrests and had officially determined from the beginning of the policy to never prosecute them. As a result, despite more than 700 artist arrests, not one case has ever been brought to trial.

Nevertheless, the Corporation Counsel strenuously fought the 1994 First Amendment Federal lawsuit brought by artists against the City, all the way to the US Supreme Court, before Giuliani decisively lost in 1997. In the course of the lawsuit, the Corporation Counsel's office lied to all of the judges about basic facts concerning artist arrests. They spent millions of tax dollars on a policy they knew was illegal and would be ruled unconstitutional in Federal Court.

Since Giuliani lost the artist case, the Corporation Counsel's office has unceasingly continued its efforts to eliminate street artists. From 1997 to the present,

they have illegally helped the BIDs write a new vending ordinance in order to get around the legal "obstacle" of First Amendment rights. They've advised the Parks Department to violate the Federal Court's ruling that requiring a permit or license for artists and creating a permit for artists in city parks was unconstitutional. Almost two years after they lost the street artist case, the Corporation Counsel has not compensated artists for the thousands of works of fine art illegally confiscated and destroyed by the City or for the false arrests of the artists. Under the legal guidance of the Corporation Counsel, street artists continue to be arrested. False arrests of the most outspoken artist/plaintiffs have dramatically increased since they won the lawsuit.

In March 1998, artists filed a second lawsuit focusing on the blatant 14th Amendment Equal Protection violations inherent in creating a Parks artist permit while allowing books and newspapers to be sold without a Parks permit. Again, the Corporation Counsel lied to a Federal judge, claiming that the City did not allow book vendors to sell within 350 feet of any City park and that police arrested book vendors who did not have a permit. Book and newspaper vendors sell near NYC parks in hundreds of locations without police interference. There is no book or newspaper vendor permit, nor could there legally be. Since 1982, book vendors have been exempted by City law from needing any license or permit.

Without the efforts of the Corporation Counsel, these artist arrests would have been impossible. Multiply this one example a thousand times and you'll understand how crucial the Corporation Counsel is to fulfilling the repressive social goals of Giuliani-ism.

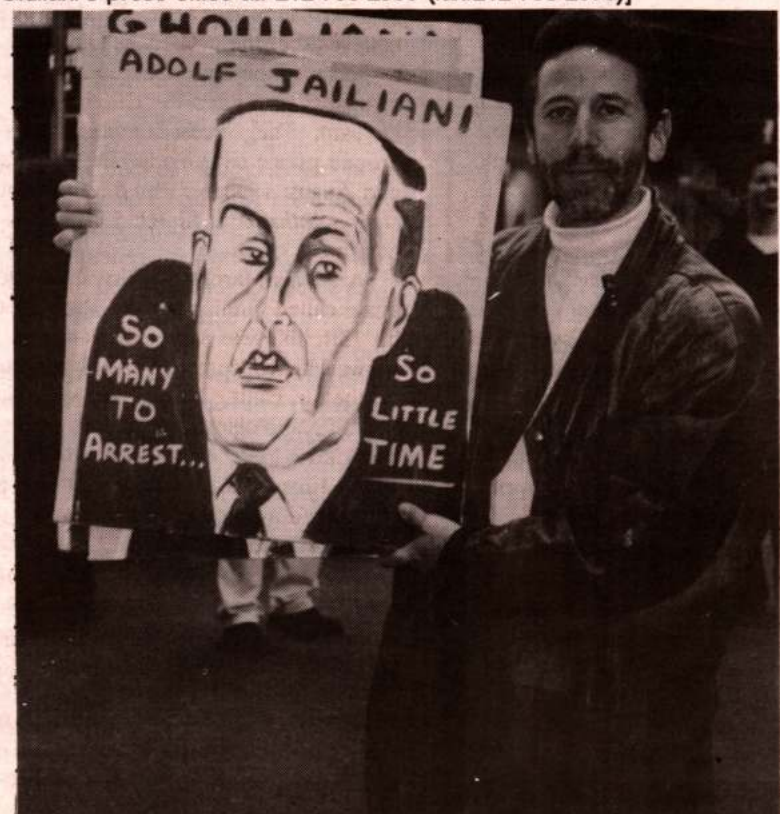
Federal and State judges presiding in New York City courts are fully aware of the routine contempt for law exhibited by the Corporation Counsel. Under Giuliani, the discovery process, in which the City is legally required to turn over

every piece of evidence applicable to a lawsuit, has become a cruel farce. Recently, 2nd circuit Federal Judge John S. Martin ruled that the City had shown "utter disregard and apparent disdain" for his orders in a civil rights suit and ordered the city to pay \$19,800 in sanctions. The judge wrote that he had seen a pattern in such cases in which City officials treated court orders with contempt. [See "Judge Fines City \$19,800 for Ignoring Orders" (*NY Times*, Sept. 30, 1998--Ed)]. Getting any documents from the City takes years of hearings, subpoenas and expense, all calculated to bankrupt all but the best-funded plaintiffs and frustrate their lawsuits. Most incriminating documents are never turned over by the City at all.

While Giuliani's repressive policies deceptively masquerading as a "quality of life" quest may seem relatively benign if compared to a police state like Nazi Germany, there are instructive parallels between the early reign of Hitler and Giuliani's agenda. When Hitler was elected German Chancellor in 1933, he ordered repressive new laws aimed at eliminating "undesirables" and "protecting public safety." "Restrictions on personal liberty, on the right of free expression, including freedom of the press; on the rights of assembly and association; warrants for house searches; orders for confiscations, as well as restrictions on property, are also permissible beyond the legal limits otherwise prescribed" [from Adolph Hitler's "Decree For The Protection of the People and the State," 1933]. Hitler's 1937 Civil Service Law called for the dismissal of all officials, including judges, for political unreliability. "The law and the will of the Fuhrer are one." Corporate interests fully supported Hitler's actions and actually sponsored many of them. Initially, many Germans were as delighted with the results as some New Yorkers are with Giuliani's "accomplishments." Eventually, the contempt for law, human rights and freedom that were characteristic of Hitler's laws, made the Holocaust possible.

If we sincerely want to eliminate crime and improve the quality of life for every New Yorker, two things above all others must be done. Investigate the Corporation Counsel and Impeach Rudolph Giuliani.

[Comments? Contact Robert Lederman, President of A.R.T.I.S.T. (Artists' Response To Illegal State Tactics) at: 718-369-2111, or via E-mail: ARTISTpres@aol.com. For further research, see *Bery et al v. City of New York*; *Lederman et al v. City of New York*; *Lederman et al v. Giuliani*. For extensive material on this issue through the internet, go to: <<http://www.openair.org/alerts/artist/nyc.html>>. You can convey your feelings directly to the NYC Corporation Counsel's Michael D. Hess at: 212-788-0303 and Mayor Giuliani's press office at: 212-788-2958 (fax:212-788-2975)]



CHRIS FLASH

ROBERT LEDERMAN AT RECLAIM THE STREETS DEMO (10/4)

KOP-WATCH

Well, here we are again! Maybe the NYPD isn't cooking their books after all....Maybe crime really is down!! How else could the boys in blue justify all the traffic jam causing roadblocks they set up this past summer? On the way back into NYC last July, we encountered no less than three police roadblocks. After an hour of inching along at each blockade, we, like everyone else, were merely waved along by kops. They've kept up these ridiculous random roadblocks on the Lower East Side too, especially on Houston and on St. Marx Place. These charades do nothing to stop or catch criminals, but with their crime statistics "officially" down, 38,000 kops have to do something, don't they?

Another sure indicator that "crime" must be down is the active prowling by the "Anti-Graffiti Squad." A SHADOW Kop-Watcher was arrested by these plainclothes kops in August for putting up a "Giuliani Is A Jerk" sticker on a wall. The kops told him that they agreed with him and liked what he was doing--apparently, they're pissed at the mayor because he didn't give them a raise this year--but they arrested him and put him through the system for several days anyway!! Rudy musta been proud!!

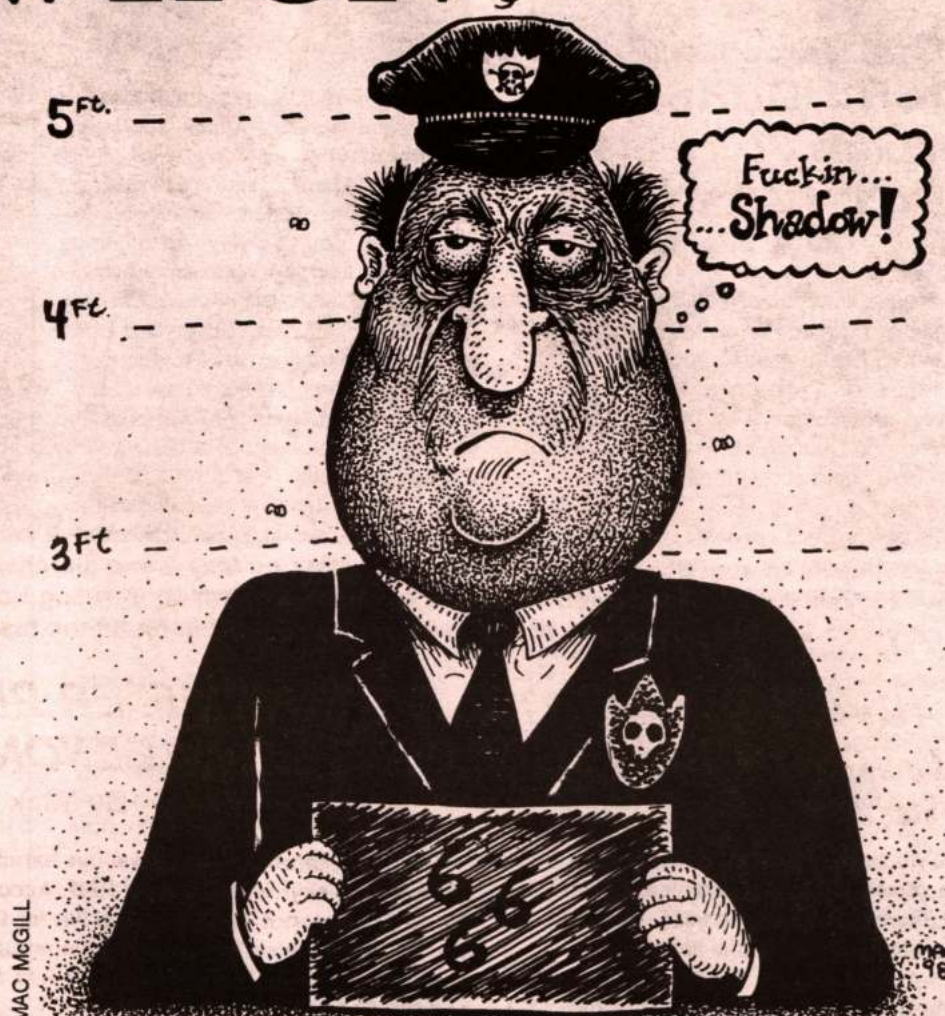
On October 20, police detective Fredrick Jesselli, 47, of the 122nd Precinct in Staten Island, killed his wife, Monica, by shooting her four times, then shot himself fatally. Monica Jesselli was also a police officer.

On September 25, officer Patrick Fitzgerald shot and killed his estranged wife, Leanne, and their two children, ages 4 and 7. Fitzgerald then calmly called 911 and shot himself fatally in the head. Over the past two years, Ms. Fitzgerald had been reporting threats and harassment by her ex-husband to the precinct where he worked, but she was ignored. Fitzgerald had told fellow cops that his wife was mentally unstable.

On September 1, police officials and representatives of the Civilian Complaint Review Board acknowledged that 87 complaints of misconduct involving 108 cops had been "substantiated" by the CCRB, but were not passed on to police officials. These officials would have been required to investigate and punish officers found guilty, but since these cases were all adjudicated by the CCRB between 1993 and 1995, the 18-month statute of limitations has now expired and the cops are off the hook. Although NYPD investigators themselves uncovered this problem and reported it to the CCRB at the end of last year, the public was informed only on the day that CCRB chairman Mel Barkan stepped down from his post.

In the early hours of August 20, cops shot Watson Chin Young, a legally blind 65-year-old Staten Island resident, after he allegedly brandished a machete at a group of cops who had broken down the door of his home at 1:00 am. The cops were investigating an anonymous tip of bombs in his son's apartment upstairs, but no bombs were found. Mr. Young, who was wounded but not killed, said that he assumed the cops were burglars.

On August 12, former officer Benjamin Rodriguez was sentenced to a year's probation plus community service and received a \$2,000 fine for third degree sexual abuse of a woman whom he had arrested. The abuse took place at the 79th Precinct station house, where the cop had brought the woman after her arrest for disorderly conduct, a charge that



was later dropped.

On July 30, detective John Wrynn, who had been named by top organized crime figures as the man who had tipped them off about narcotics investigations in Harlem and the Bronx, was allowed to resign from the police force in lieu of facing departmental charges.

On June 14, off-duty officer Michael Meyer shot and seriously wounded Antoine Reid, a squeegee man who attempted to wash Meyer's windshield as the cop's car was stopped in traffic after leaving a baseball game at Yankee Stadium. Reid lost his spleen and suffered liver damage in the shooting, which occurred in front of the 6-year old son of the woman with whom the cop was driving, as well as a family in the car behind Meyer's. Meyer had been transferred earlier this year to the NYPD's Building Maintenance section due to a high number of complaints to the Civilian Complaint Review Board. In 1995, Meyer was accused of beating David Moy so badly during an arrest that Moy was hospitalized for a month. Meyer was reported to have told the first cop who arrived on the scene, "You'll have to help me with this one."

On June 2, officer Heriberto Luciano was suspended from the Police Department after being formally charged by the Bronx District Attorney with repeatedly abusing his stepdaughter, from the time she was six years old until she was twelve.

On May 27, narcotics detective Michael Ferrante was arrested in Westchester County for attempted murder after slashing his estranged girlfriend with a knife, and then driving his car into hers in an attempt to make the wounds look like an accident.

On May 12, Sandra Soto filed a \$20 million lawsuit against the city in connection with a police raid at her Brooklyn apartment on June 5, 1997. Cops, armed with a no-knock search warrant obtained on the testimony of an anonymous informant, broke down Soto's door with a battering ram in search of "heroin and handguns." The police found no guns or drugs,

only Ms. Soto and her two children, ages 1 and 6. The warrant authorized the cops to raid "Apartment 2M" at Ms. Soto's address, with a gray door. When cops arrived on the second floor, they found only apartments 2L and 2R, both of which had red doors. They decided to raid apartment 2L. Police officials maintained that they were "confident that the officers had raided the right apartment."

On May 5, Rev. William G. Kalaidjian, a catholic chaplain with the NYPD, retired from the police force under fire after giving a speech in which he referred to Bronx Assistant District Attorney Thomas Hickey as a "faggot" during a speech he gave at an award ceremony. An award was being presented to Sgt. Thomas Kennedy, who had been acquitted on charges of assaulting a handcuffed larceny suspect by throwing him face-down into the pavement. ADA Hickey had prosecuted the case against Kennedy. A few weeks later, Kalaidjian commented on the shooting of squeegee man Anton Reid by off-duty officer Michael Meyer by saying, "how would you like it if somebody squeegeed your car?"

On May 1, police used a battering ram to break down the door of a Brooklyn apartment occupied by retired baker Basil Shorter and his family. Cops threw a stun grenade into the vestibule and handcuffed everyone inside, including a mentally retarded 18-year old girl whom they dragged out of a shower and refused a sanitary napkin. Although the cops had a search warrant obtained via the testimony of a "confidential informant," nothing illegal was found, and police admitted they had the wrong apartment. The Shorter family is filing a lawsuit against the city.

On March 24, officer Thomas Pappas admitted to sending out hundreds of racist and anti-Semitic leaflets to charitable organizations that had solicited contributions from him. The 47-year old cop, a 16-year veteran of the force, is being allowed to retire with his pension.

On March 18, a battering ram was used by cops to break down the door of the Bronx apartment occupied by the Fulton family. Cops barged in with guns

drawn, only to find a grandmother watching television with her daughter and six-year-old granddaughter. Cops realized they had the wrong apartment when the undercover officer who had told them that he was about to buy drugs in "the furthest apartment at the left," which the raiding party misinterpreted as "the first apartment on the left," radioed them and said he had just purchased the crack cocaine in another apartment. The Fulton family is suing the city.

Officer Francisco Rodriguez, who had been convicted in departmental proceedings of physical abuse for kicking teenager Edward Dominguez in the testicles during a traffic stop so hard that one of them had to be surgically removed, was acquitted of criminal charges stemming from the incident at a non-jury trial on March 10. The departmental penalties that the cop faces are now limited to loss of 30 days pay and a year's probation. After Rodriguez kicked Dominguez, he and sergeant Henry Pelay kept Dominguez in the police station for hours.

On March 4, a Queens grand jury refused to indict Deputy Federal Marshal William Cannon for the November 1997 shooting of Andre Burgess, a Queens teenager. Cannon was on a stakeout along with an INS agent, trying to arrest a federal fugitive on a drug warrant, when they saw Burgess walking down the street with a metallic looking object. It was only after Cannon shot the black teenager in the leg that the Feds discovered Burgess' "weapon" was a Three Musketeers candy bar.

On March 2, officer Willis Stough pleaded guilty to evidence tampering and resigned from the force in exchange for three years probation. Stough admitting to having an acquaintance shoot him through the lung in an effort to retire on disability.

Wang Jian, a man who lit a string of firecrackers on the steps of City Hall on February 9 as a protest against Mayor Giuliani's ban on fireworks at Chinese New Years celebrations, was accused by officer Anselmo Santonia, testifying under oath, of throwing the firecrackers into a crowd of people. However, a videotape and still photographs made by Wang's friends to document the protest showed Wang standing alone on the deserted steps, surrounded by smoke from the firecrackers. Santoni testified in a deposition at the DA's office that not only had the firecrackers exploded "in the middle of a crowd," but that people had stampeded in a confused manner to get away from the carnage.

Traffic agent Howard Neely has filed a notice of claim against two police officers he said assaulted him and falsely arrested him on charges of disorderly conduct after he ticketed their illegally parked private cars on April 20 near the Midtown North precinct house. Neely maintains that after the cops accosted him while he was writing tickets, he tried to radio his supervisor, but was thrown up against a patrol car by the cops and arrested for disorderly conduct and resisting arrest.

If you have anything to share with Kop-Watch (reports, tips, photos, undercover kop car license plate numbers, etc), please send it to: The SHADOW, P.O. Box 20298, New York, NY 10009, Attention: Kop-Watch

THE SHADOW NEVER SLEEPS!!



EDDIE WILLIAMS

Despite attempts by Mayor Giuliani to stop them, pot paraders got together on May 2 and marched down Broadway to Battery Park, where they enjoyed music and endured police harassment. A recent court ruling now prevents Giuliani from interfering with next year's Pot Parade. Meet in Washington Square Park at noon on the first Saturday in May!!

MEDICAL MARIJUANA ADVOCATES SHIFT GEARS IN CALIFORNIA

By A. Kronstadt

Ever since the May 22 California State Police raid on the Cannabis Buyers Club effectively shut down the public distribution of marijuana for medical use in San Francisco, activists favoring legalizing the use of marijuana as medicine have adopted a legislative agenda. SHADOW readers will recall that in 1996, California voters by an 80% margin approved Proposition 215, a referendum legalizing the use of marijuana with a doctor's prescription, as well as cultivation of the marijuana plant for purposes of filling such a prescription. From 1992 until the raid in May of 1998, the Cannabis Buyers Club ran a distribution center out of three stories of a loft building on San Francisco's Market Street where thousands of persons with medical prescriptions were supplied with pot for a wide variety of ailments, ranging from nausea brought about by AIDS and chemotherapy to glaucoma, Crohn's disease, and amyotrophic lateral sclerosis.

Though the club was left alone for years by San Francisco authorities, on May 22, state cops, acting on the authorization of California Attorney General Dan Lundgren, raided the club, seized pot and patient records and later made several arrests. Since then, clandestine buyers clubs have continued to supply pot to persons with physicians' recommendations, but these are a far cry from the Cannabis Buyers Club wide open operation at 1444 Market Street, which sold hash oil, brownies, marijuana candy, and several different grades of the weed, to be taken home or eaten or smoked on the premises in a wholesome atmosphere where a whole floor was reserved for non-tobacco smokers. The new underground clubs are more or less tolerated by the San Francisco police under the administration of Mayor Willie Brown and liberal District Attorney Terrence Hallinan, but as marijuana rights activist John Entwhistle told the SHADOW: "We don't want to be tolerated. We want to be legal."

Entwhistle is a co-author of Proposition 215 and a spokesperson for California Compassionate Use, an organization advocating the legal use of marijuana in medicine. Entwhistle's primary work has been in the legal cultivation of pot at a farm in Lake County in Northern California, where the 9-foot pot plants benefit from rich volcanic soil.

Entwhistle told the SHADOW that although the Cannabis Buyers Club was closed under provisions of California law outlawing sales or distribution of

marijuana, the cultivation of pot for medical purposes is clearly legal under the terms of Proposition 215. Although marijuana cultivation is prohibited under Federal Law, there has been little effort on the part of the DEA or the Justice Department to interfere with the activities at the farm. "We turn ourselves in to the DEA before every harvest," said Entwhistle, describing the game of cat and mouse in which the staff of the farm inform the feds each year of the legality, under California law, of what they are doing.

Entwhistle spoke of the two-pronged strategy for legalizing medical marijuana on a California-wide level and on a Federal level -- a struggle which has often led "compassionate use" activists in contradictory directions. In California, the focus has been on inserting a medical exception into Article 11360 of the California penal code, which criminalizes the sale of marijuana. Although Proposition 215 clearly legalizes the use of pot with a doctor's recommendation, not necessarily even a formal prescription, and makes cultivation for distribution to patients with such recommendation legal, Article 11360 prohibits all marijuana sales.

According to Entwhistle, advocates for the medical use of pot will "go to Sacramento this December and January when the laws are being written and carry the issue of changing the law on sale right to the governor's desk." Activists are counting on the election of Democrat Gray Davis as governor, who is running against none other than Attorney General Dan Lundgren, Republican archconservative in the Reagan mold and nemesis of the Cannabis Buyers Club. In a recent debate, Lundgren accused Davis of not being a "real supporter of the death penalty." Anxious to re-establish his law and order credentials, the Democrat responded that California needed to be made "more like Singapore." When asked whether Davis' reference to the hard-line Asian nation was inauspicious for those counting on him to support the effort to legalize medical marijuana, Entwhistle referred to California's love-hate relationship with law enforcement. "Don't listen to Gray Davis. Nobody remembers what he says or does. That's why they call him 'Gray.' If it's him or Dan Lundgren, the choice is obvious. He has a career of doing very little in

POT PUFFER PERSECUTION: GOING BEYOND THE LAW

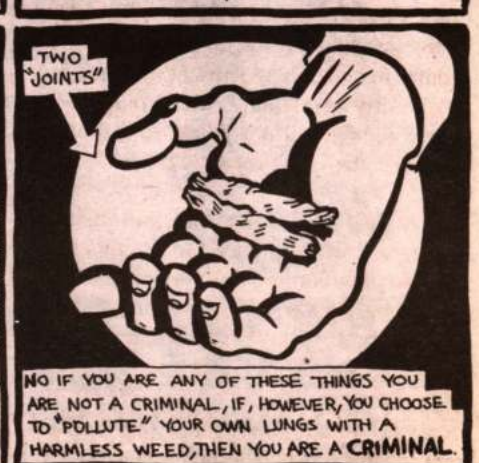
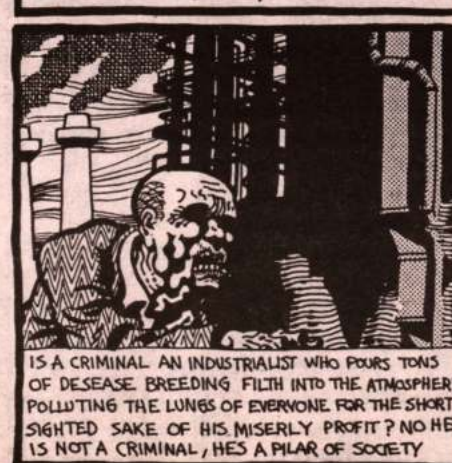
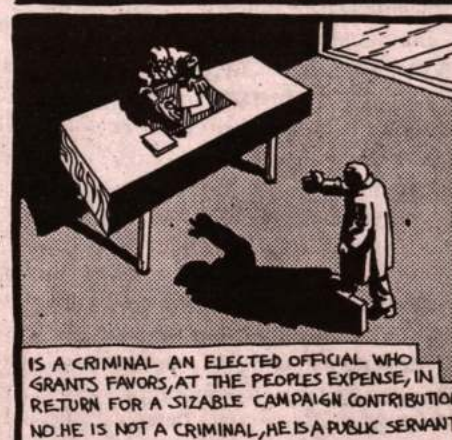
By Mick Davis

Under Dictator Giuliani's war on harmless pleasures, New York City marijuana arrests have skyrocketed since 1992. According to the November 9 issue of the *Park Slope Courier*, pot busts in Brooklyn for the first half of 1998 as compared to 1992 are up 3,500 percent. Alot? Not compared to Staten Island, with a 6,000% increase in the same time period. Manhattan has seen a 2,500% increase, Queens 1,500%, and the Bronx 1,300%.

The many thousands of New Yorkers that use marijuana recreationally with no harm to themselves or others, or medicinally with benefit, contend this is a destructive waste of police resources better used to fight real crime. But it is really worse than that—it is a crime in itself. It appears that most marijuana arrests where the violator is taken in and "run through the system" are in fact ILLEGAL arrests, violating state law.

This law, the 1977 Marijuana Reform Act, decriminalized the possession of less than 7/8 ounce (25 grams) of pot. Such offenses are violations, like a parking ticket, not a misdemeanor warranting arrest. But not only are people being arrested and held in cells overnight or longer for such possession, they are being entrapped by such tactics as undercover cops selling pot to them.

Norman Siegel, where are you? Does this not warrant ACLU action?



Continued On Page 22

EVENTS • LISTINGS • WHAT'S HAPPENING

THROUGH DECEMBER 6: SONGS FOR AHAB'S DAUGHTER: New paintings by Lower East Side artist Charles Schick on the theme of obsession and the artist's impression of Melville's Moby Dick. Bullet Space, 292 E. 3rd St. (Between C & D). Gallery Hours: Saturday & Sunday 2-5 P.M. Free. Info: 212-505-8312.

THROUGH JANUARY 2: THE CHOICE: Exhibition of unknown and emerging artists exploring the politics of choice. Exit Art, 548 Broadway. Free. Info: 212-966-7745.

NOVEMBER 27-DECEMBER 4: INTERNATIONAL YOUTHPEACE WEEK: Celebration of local initiatives by youth activists against war toys, the death penalty, child labor, etc. Sponsored by the War Resisters League. Info and events: 212-228-0450.

DECEMBER 4: WE'RE ALL DEVO:
Film sponsored by Blackout Books at
Dumba, 57 Jay St., Brooklyn. 8pm. Info:
212-726-2686.

DECEMBER 5: RADICAL WALKING TOUR OF WALL ST.-BATTERY PARK: Radical historian Bruce Kayton's 3 hour tour of sites of FALN/Puerto Rican Independence, Rockefellers + deaths of 33 workers, Trinity Churchj, Whitehall induction center, Slave revolt, J.P.Morgan bombing, Upton Sinclair, and more. Meet 1:00pm at Bowling Green Park. \$10.00. Info: 718-492-0069.

DECEMBER 8: ANNUAL CHAOS DAY
LECTURE: Talk by Peter Lamborn Wilson. Sponsored by Libertarian Book Club. At Brecht Forum, 122 W.27th St. 10th Floor. 7:30pm. Info: 212-979-8353. Contribution requested.

DECEMBER 9: TRANSPORTATION ALTERNATIVES THIRD ANNUAL HOLIDAY PARTY: Refreshments, raffle, good conversation, valet bike parking. Puffin Room, 435 Broome St., 6-9:00pm. Info: 212-629-3311.

DECEMBER 11: SPARKS FLY: A night of poetry music, dance, and art by women. A benefit for women political prisoners and prisoners of war. Brookdale Center, 425 E.25th St. 7pm. \$10 donation (more if you can, less if you can't). Info: 212-772-4261.

DECEMBER 13: AMNESTY INTERNATIONAL DISCUSSION on 50th anniversary of Universal Declaration of Human Rights. Puffin Cultural Forum, 20 E. Oakdene Ave., Teaneck NJ. 2pm. Free. Info: 201-836-8923.

DECEMBER 18-20: ALLEN GINSBERG IN "A POET ON THE LOWER EAST SIDE": Docu-diary on the poetry of Ginsberg. Anthology Film Archives, 32 Second Ave. 7:00 + 9:00pm. \$8.00. 212-505-5110.

DECEMBER 19: SCENES FROM ALLEN'S LAST 3 DAYS ON EARTH AS A SPIRIT: Video record of Buddhist wake ceremony at Allen Ginsberg's apartment during his last 3 days. Directed by Jonas Mekas. Anthology Film Archives, 32 Second Ave. 7:00 + 9:00pm. \$8.00. 212-505-5110.

JANUARY 1, 1999: ZAPATISTA! Film sponsored by Blackout Books at Dumba, 57 Jay St., Brooklyn. 8pm. Info: 212-726-2686.

CONTINUOUS LIVE POULTRY DEMO:
Once a month at 159 Grand Street in
Chinatown. Protest against horrors of live
poultry market. Dates to be announced.
Info: 212-367-6566

LATE NITE LIVE JAZZ SESSIONS
(The best known secret on the Lower East Side): University of the Streets, 130 E.7th St. (2nd Fl.) Saturdays, 9:00pm-3:30am. Info: 212-254-9300

SATURDAYS + SUNDAYS: FOOD NOT BOMBS: Serves food in Tompkins Sq. Park 3:00-4:00pm, rain or shine. Volunteers needed to help cook and serve food. Cooking begins 10:30am at ABC No Rio, 156 Rivington St. Info: 212-254-3697.

SUNDAYS: JAM SESSION: Interesting musical guests, followed by jam with contemporary folk musician Stephan Smith. Bring your instruments. 7:00pm. The Living Room, Stanton & Allen Streets. Free.

SUNDAYS: OUR UNORGANIZED READING: Open mike for performers, speakers. No list, no time limit, no bullshit. ABC No Rio, 156 Rivington St. 3:00pm. \$2.00 donation. Info: 212-674-3585.

MONDAYS: ANTI-HOOTINANY: Open mike for performance and/or spoken word, hosted by Lach. Anything goes. 7:30pm for 8:00pm start. Sidewalk Café, 6th St. + Ave A. Free, except for one drink minimum.

TUESDAYS: WETLANDS ECO-SALOON MEETINGS: Rainforest action, human rights defense, animal rights, etc. 7:00pm. Wetlands, 161 Hudson St. Info: 212-966-5244

WEDNESDAYS: PROTEST ANIMAL EXPERIMENTATION by New York University. Weekly protest sponsored by In Defense of Animals. 12:00-2:00pm. Meet in front of Bobst Library, 70 Washington Sq. South. Info: 212-462-3068.

FIRST SUNDAY EVERY MONTH: DR. DUCKY DOOLITTLE'S SHOP OF ZINE HORRORS: Part of Verbal Abuse Reading Series with super-erotic Ducky Doolittle. Mother, 875 Washington St. (duckydoolittle@otmail.com)

**FIRST THURSDAY EVERY MONTH:
CRITICAL MASS RIDE FOR SKATERS
+ CYCLISTS:** Meet at the Cube in Astor
Place at 7:00pm sharp for a funky ride
through the village on your non-polluting
means of transportation. Sponsored by
Time's Up. Info: 212-802-8222. (Web site:
www.panix.com/~timesup)

LAST FRIDAY EVERY MONTH: CRITICAL MASS MOONLIGHT RIDE FOR SKATERS + CYCLISTS: Meet at Columbus Circle at 10:00pm. Info: Time's Up: 212-802-8222.

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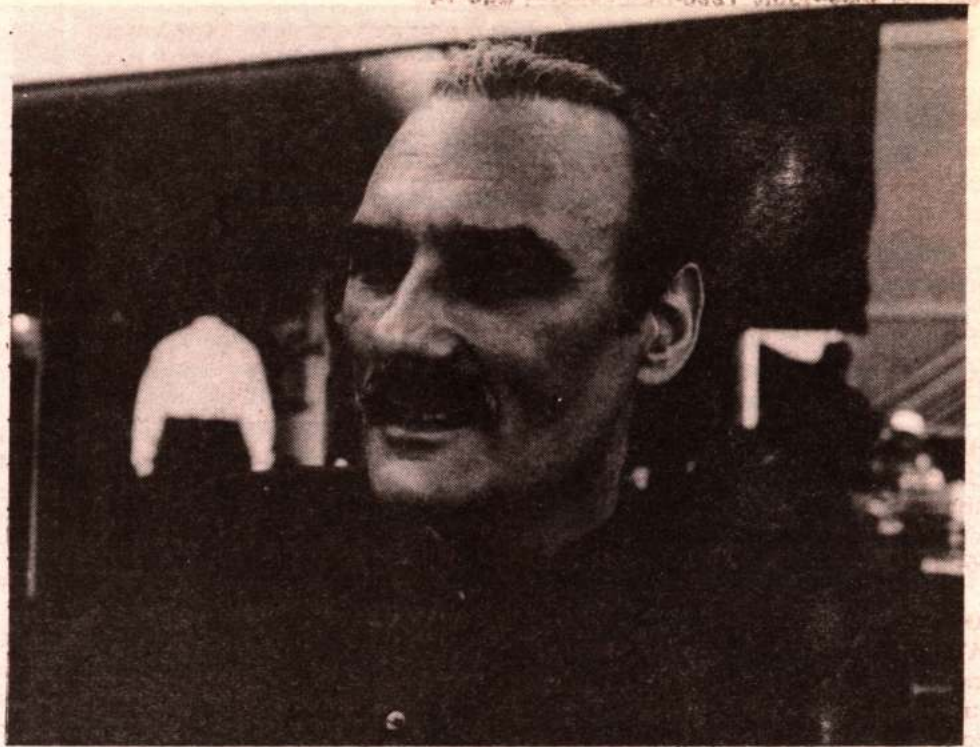
INTERVIEW

MICHAEL LEVINE: *The DEA's Exiled Dissident* Interview By Bill Weinberg

Michael Levine is a veteran of 25 years of undercover work with four federal agencies on three continents. He is now the Drug Enforcement Administration's most prominent and outspoken critic. From the Golden Triangle to the Andes, he claims his efforts to snare the dope trade's biggest bosses were sabotaged by the DEA "suits"--and CIA pressure. The story of his operations against the Bolivian coke mafia is detailed in his books *Deep Cover* (Delacorte, 1990) and *The Big White Lie* (Thunders Mouth Press, 1993). His newest book, *Triangle of Death* (Dell 1996), co-authored with his wife Laura Kavanau, is a thriller based on his real-life experiences.

Levine also hosts the weekly "Expert Witness" radio show on New York City's listener-supported WBAI (99.5FM) on Tuesdays at 7:00pm.

Levine was last interviewed by the SHADOW in 1992 (Issue #22). This interview with SHADOW reporter Bill Weinberg took place on July 28, 1998.



MARIA ANGUERA DE SOJO

SHADOW: So why is an ex-DEA agent doing talk radio?

MICHAEL LEVINE: Because we're seeing the complete abdication of the media from any role whatsoever as a watchdog. My sources informed me that the Venezuelan National Guard smuggled something like twenty tons of coke into the US while under CIA protection. So we're talking about a third of the US consumption being supplied by CIA assets. Now, you listen to Senator DeConcini saying "We would hope that they wouldn't do it again..." You're talking about the worst kind of treason, and you hear a senator in the Oversight Committee say he would hope they wouldn't do it again--what you're hearing is the complete surrender of any oversight. And I'm talking as someone who used to put people in jail over this stuff. I'm talking as a professional, and expert.

I was the senior US law enforcement officer in the Southern Cone [Chile, Argentina and Uruguay--Ed.], and you can't imagine a greater betrayal of the trust of the American people than what I observed. And that is the support by CIA and their assets of the take-over of Bolivia by the drug dealers and escaped Nazis.

SHADOW: The "Cocaine Coup" of 1980, which turned the South American drug trade into a major industry...

LEVINE: Right. I mean, this went on right under our noses. It happened right under the nose of the media. *Newsweek* wrote an article that was so far off base on the Bolivian revolution that I did what was probably one of the dumbest things of my life. I had ten years to go in my career, and I wrote a letter to them on Embassy letterhead stating, "you missed the whole story, the story was the CIA betrayed us..."

SHADOW: Why was it a mistake?

LEVINE: Because they never called me, and I was put under investigation. And, lo and behold, who seized that something was really wrong with the Bolivia coverage? *High Times'* Dean Latimer. I'm gonna paraphrase his article [August 1981--Ed.] He said, "the government did this incredible, giant sting operation, and they don't want any credit for it. Something is wrong."

SHADOW: And that was a reference to...

LEVINE: The Roberto Suarez case which I--well, I hate to say I was the mastermind. I was more like the boob, because it was being sabotaged all around me. And *High Times* was actually the only member of the media that was on the right track. I should have written to *High Times* instead of *Newsweek*! It would've got out!

SHADOW: Let's start at the beginning. How did you become a DEA agent?

LEVINE: I got into federal law enforcement for kicks, to live out a fantasy. A guy stuck a gun in my stomach when I was in the military police and pulled the trigger over a three-dollar hat. I was amazingly lucky. There were many times in my life where, if it weren't for very, very dumb luck, I should've been killed. And this was the first, at 19 years of age in 1959. I was on the Plattsburgh Air Force Base boxing team, I thought I was indestructible. We were both wrestlers, and in a dumb argument over a hat--in a heart-beat he had his gun in my gut and pulled the trigger. And it misfired. The gun fired every time after that.

The event inspired a profound change in me. It brought home how whimsical life is--you're in the wrong place at the wrong time and you're dead. So I was in a rush to live. I wanted to live this fantasy life. And I was a very poor kid, so how do you live out that kind of life? The notion that I could become this James Bond type of undercover agent was what I aimed for.

I was very good at undercover. I could speak fluent street Spanish. I knew the streets. I was a bad kid, I had been arrested twice before I was sixteen. I couldn't believe I was getting paid to hang out in the Bronx like when I was a kid. First, I was with IRS intelligence, in '65. I was in the gambling unit, and I was one of the few guys who could go down in the street and get *bolita*.

SHADOW: *Bolita*?

LEVINE: *Bolita* is Spanish numbers. They didn't have anyone else who could do it. So I was back in the Bronx, betting *bolita*. I found that I could literally pass as anything. It was like a game to me. But it was a meaningless game, it was just a lot of thrills. And then I found out that my brother David was a heroin addict.

Suddenly, the whole thing seemed to come home to me. My brother was around 22, and he had been an addict since he was 15 and nobody knew it. And I believed all the rhetoric, you know? I believed everything the presidents were saying. At that time Lyndon Johnson was already talking about the "scourge of drugs," but the guy who really declared the War on Drugs was Richard Nixon. I believed all the rhetoric of the New York politicians that the drug dealer was the worst and the lowest. And I decided I was saved for a reason, and that was to get into narcotics enforcement.

The Federal Bureau of Narcotics had only 250 men, and you just couldn't get the job. So I started doing drug cases even though I was an IRS undercover agent. The next job I got was

with the Bureau of Alcohol, Tobacco and Firearms. There was a law that any crime committed while carrying a firearm was a felony, so I went out and I bought guns and dope. I lived with motorcycle gangs in Buffalo for months, resulting in a seizure of 4,000 sticks of dynamite with blasting caps. I was buying drugs off the Tuscarora Reservation up there, where they were making LSD--"black acid." They fronted me huge quantities to sell, and I busted them.

SHADOW: So you were with the DEA from the inception of the agency...

LEVINE: Yeah. I wanted to get into big drug smuggling cases. I felt I had the ability. Bad guys just *trusted* me. Mafia guys--they *believed* me. Nobody ever thought I was the man. Nobody. From motorcycle gangs to mafia hoods to corrupt DEA agents. They accepted me as a bad guy.

As a BATF agent I had some really harrowing experiences where I literally defied the odds. I should have been killed. There's so much we don't understand about life. It always seemed to me that there is some sort of design, you know? I don't wanna sound like a kook, but my experience of life has been that way. I'm alive for some reason that I haven't figured out yet, and in all likelihood never will figure out. But at that time it seemed clear to me that I should get into narcotics enforcement.

So in '70, I transferred into the hard narcotics smuggling unit of Customs. You went to work with your passport, \$500 in your pocket--which was a lot of money back then--and what they call a GTR, a government travel request, which meant you could walk up to any airline and they'll give you a ticket to anywhere in the world. And you never knew where you were gonna end up. Every day you went to work, you didn't know. This was the fulfillment of my fantasies. It was also a total soul-burning existence. You didn't do anything else. The expression "I am an agent" became reality for me, as opposed to something I do for a living. I had *become* this undercover creature. And that was my first run-in with the CIA.

It was *US v. Liang-Sae Tiw, et al.* It began with a July 4, 1971 arrest of John Edward Davidson at JFK airport for heroin smuggling. He flipped at the airport and became my informer. He had made seven trips from Bangkok, Thailand, carrying three kilos of heroin each time. Pure heroin. At this time, the biggest drug seizure was the French Connection, so we're talking major, major stuff. We made a con-

trolled delivery of the three kilos of heroin to John's trailer in the middle of a swamp near Gainesville, Florida. We arrested the people involved in the pick-up, and one had on him a list of numbers all over the country. They were cutting the heroin and distributing it nationwide. Davidson sent a message back to his connection Liang-Sae Tiw in Bangkok. The note said, "I'm gonna send my partner because things are hot."

When I got there, I hung out with these guys for weeks and weeks. They loved me, they wanted to take me up to their factory in Chiang Mai. But the case started coming apart. I was made to look very bad because I wasn't getting operational funds--I'm this mafia guy and I'm lying like hell and they're getting ready to kill me. So I started really screaming to my superiors, and I was brought into the American embassy at midnight. The boss of Customs there was a guy named Joe Jenkins, and I meet him and a bald guy in guayabera shirt, and the guy just tells me, "You're not going to Chiang Mai." And I ask why. He says, "We lost somebody up there." I said, "I don't mean to sound crazy, but I never got into this business because I wanted to live a long life. These guys are producing hundreds of kilos; we don't have anything bigger." The guy sees that he's dealing with some sort of fanatic, which is really what I was. He says, "Look, our country has other priorities." That was the first time I heard this. When we left, Jenkins turns to me and says [sotto voce], "That guy is CIA."

So I followed orders. My orders were to order one kilo of heroin, bust the guy I was dealing with, and close the case. I was given a special Treasury Department award. I got both the smuggler and the financiers and went overseas and got the source. But I didn't go to Chiang Mai and get the suppliers. I later learned that the people who I had been stopped from penetrating were the source of heroin for the case in which they were smuggling heroin in the dead bodies of GIs.

SHADOW: Who do you think they were protecting in Chiang Mai?

LEVINE: Well, I think it's pretty well documented now that the CIA's Air America was involved in drug smuggling during the Vietnam War. Chiang Mai was the headquarters for all these tribes that were trafficking. It was one of their central distribution points. At the time, I didn't know any of this. Years later, I was transferred to the DEA's Special Operation Office and

Continued On Page 18

THE FOREIGN INTELLIGENCE SURVEILLANCE ACT AND AMERICA'S SECRET COURT!

By Paul DeRienzo and Joan Moossy

Imagine a secret court made up of anonymous judges chosen by the Chief Justice of the Supreme Court and empowered to grant wiretaps, approve break-ins, tap psychiatrist's offices and bug homes—all without probable cause. The hearings are conducted in secret without notification of the proposed target and without due process, since the subject of the investigation cannot challenge the evidence or answer the charges brought against them.

Such a secret court does in fact exist. It was created in 1978 under a law known as the Foreign Intelligence Surveillance Act (FISA), that was designed to limit the abuses of authority made legion under the administrations of President Richard Nixon and FBI director J. Edgar Hoover.

However, according to many legal experts, FISA may in fact facilitate civil rights violations against Americans. Even conservatives, like Yale law school professor Robert Bork, who said that FISA would "not be the first regulatory scheme that turned out to benefit the regulated rather than the public," are troubled by this legislation.

The roots of FISA lie in the upheavals in the 1960s and '70s. During that time, countless citizens were drawn into a plethora of political activism, from the civil-rights movement to anti-war demonstrations. Rebellions rocked cities and college campuses as people began to seriously question their government as the bloody, unpopular Vietnam war raged on. The federal government moved quickly to staunch the tide of rebellion and social change through a program of dirty tricks and unprecedented violations of personal rights and privacy, often justified as necessary for national security.

As public outrage toward government abuses grew, Congress was forced to investigate, through a committee headed by Senator Frank Church of Idaho. The Church Committee found that the nation's intelligence agencies had ignored and violated the Constitution. The FBI was responsible for the infamous COINTELPRO counter-intelligence program that targeted those forces that Hoover believed were politically dangerous, such as the Black Panther Party, the American Indian Movement, and a host of popular political leaders, including the Reverend Martin Luther King Jr. and Malcolm X.

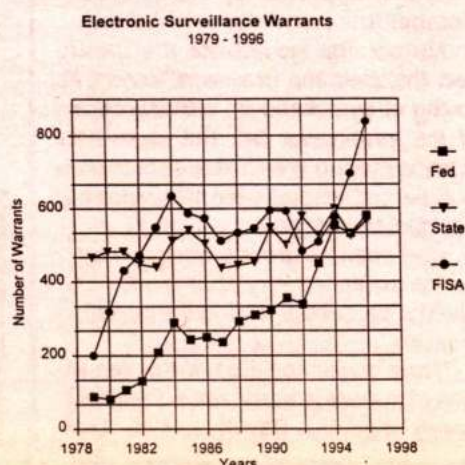
Until the Church Committee report, freewheeling conduct by intelligence agencies under the purview of the executive branch had been considered part of the president's "inherent authority," a concept popularized under President Nixon's term of "executive privilege." One of the main issues was the separation of federal domestic law enforcement and counter-intelligence activities. Electronic surveillance in criminal investigations requires a warrant under Title III of the Omnibus Crime Control Act of 1968 and the Fourth Amendment of the US Constitution. The purpose of FISA was to create a warrant procedure in counter-intelligence surveillance to allegedly right the wrongs of the Nixon years. Warrantless national security surveillance is illegal if its basis is the furtherance of a criminal investigation.

When FISA was enacted, Senator Edward Kennedy, chair of the House-Senate FISA conference committee, predicted that domestic targets of the Act might number about 100 each year. In the 20 years since FISA, the court has not turned down any of the government's approximately 10,000 surveillance requests. According to a Department of Justice of-

ficial who conducted an internal review of FISA, "So many FISAs were being conducted with so few attorneys that the review process to prevent factual and legal errors was virtually nonexistent."

Using FISA, the FBI has investigated over 1,330 progressive domestic political and religious groups due to their solidarity with the Committee in Support of the People of El Salvador (CISPES). According to Herman Schwartz, writing in *The Nation*, "The enactment of FISA has not eliminated the incentive to use intelligence gathering authority improperly to obtain evidence for criminal prosecutions."

After the exposure of FBI spying against CISPES in the 1980s, pressure for reform began to build. In 1995, Attorney General Janet Reno issued new guidelines setting rules for the conduct of FBI agents in counter-intelligence operations using electronic surveillance. But the new



guidelines also expanded FISA to permit physical searches based on the same minimal level of suspicion used to permit electronic surveillance. The 1995 extension of FISA now allows, for the first time in US history, actual searches of citizens and legal residences outside of the Fourth Amendment.

The Department of Justice's internal report spreads the alarm that "Under the Clinton administration, the nation's two systems for wiretapping - [Title III] for criminal cases, [FISA] for intelligence gathering - [have] become freight trains running at full throttle down parallel tracks."

Despite the collapse of the Soviet Union and the Eastern European communist bloc in 1991, FISA wiretap and search authorizations have increased dramatically from 484 in 1992 to 839 in 1996, while Title III criminal wiretaps have increased at a slower rate, from 340 in 1992 to 581 four years later. Currently, more FISA wiretaps are approved each year than are criminal wiretap warrants.

Although the stated goal of FISA is to protect the rights of citizens while allowing counterintelligence probes under the president's authority to conduct foreign policy, the catch is that the law allows the fruits of FISA searches and wiretaps to be introduced as evidence in criminal prosecutions.

THE SQUILLACOTE-STAND CASE

In February 1998, Kurt Stand, Theresa Squillacote, and James Clark were indicted under FISA for allegedly conspiring to commit espionage for the former German Democratic Republic, the Soviet Union, the Russian Federation, and the Republic of South Africa. The three have known one another since the early 1970s, when they were members of student organizations at the University of Wisconsin-Milwaukee.

Stand, 43, North American representative of the International Union of Food

Workers, along with Squillacote, 40, his wife of 20 years and a former procurement lawyer for the Pentagon, were charged with attempted espionage and obtaining national defense information to be used to the injury of the United States. Squillacote was also charged with violating an oath regarding the handling of classified material, upon her January 1997 resignation from the Pentagon.

The FBI doesn't say how it came to believe that Squillacote and Stand worked for East Germany. The government's affidavit is deliberately unclear about the source of this information. Under FISA, the FBI is permitted to hide its sources from the defendants and provide the information only to the secret FISA court.

In 1996, the FBI began a 24-hour surveillance of Stand, Squillacote and Clark, which lasted for nearly two years. The surveillance intruded into all aspects of their lives, including their family, health, relationships, finances and professional work. Most seriously, the surveillance targeted direct conversations with Squillacote's psychiatrist and included a hidden microphone in her bedroom recording conversations with her husband. The FBI also prepared a psychological profile of Squillacote, identifying what they perceived to be her vulnerabilities.

In one of three secret searches of the Squillacote-Stand residence, the FBI found a 1995 letter from Squillacote to South African Defense Minister and Communist Party leader Ronnie Kasrills. That stolen letter became the basis of the government's sting operation. Later, an FBI agent posing as an official of the Mandela government approached Squillacote, requesting information. The documents Squillacote removed from the Pentagon and turned over to the undercover FBI agent are the only actual documents involved in the entire case. No documents are alleged to have been turned over to a foreign power.

The FBI also forged a letter from the South African government with Kasrills' signature, requesting meetings with Squillacote. The letter said that the South African government needed Squillacote's assistance in the United States, and eventually, a series of meetings were set up between Squillacote and the phony South African.

When the arrests were made in October 1997, the FBI originally announced that the sting had been carried out with the cooperation of South Africa. The South African government protested and demanded an apology, which was personally extended by FBI director Louis Freeh. Kasrills offered to attend the trial and testify on Squillacote's behalf.

THE TRIAL

Squillacote and Stand were imprisoned without bail and the case was set for trial before United States District Judge Claude Hilton in the Eastern District of Virginia, the so-called "rocket docket," where conservative judges and juries are famous for making short work of defendants in speedy trials. Supporters of Squillacote and Stand maintain that the government went "venue-shopping" and the arrests were made in Alexandria, Virginia, in order to avoid a liberal Washington, DC jury. Several jury members have ties to national security interests, which is unavoidable in that jurisdiction.

Judge Hilton refused to suppress evidence collected during a six-day search of Squillacote and Stand's residence. Hilton also ruled that extensive wiretaps of their conversations were legally authorized, and he rejected a bid for a "taint hearing," after defense lawyers argued that FBI agents used wiretaps to collect information protected by psychotherapist and marital privileges.

The Squillacote-Stand trial began on October 9. James Clark, a former civilian Army employee who had pleaded guilty

months earlier, testified for the prosecution about Squillacote and Stand's alleged relationship with their East German handler. Clark said that he passed secret documents to the same man in the 1970s and '80s, but that neither Squillacote nor Stand told him that they gave the East German classified information.

Defense attorneys pointed out that prior to the FBI's 1996 sting operation against Stand and Squillacote, 200 agents had uncovered nothing of a criminal nature in Squillacote or Stand's behavior, despite taping their every phone call, bugging their home, and searching through their home and trash. Aside from what Squillacote had passed to the FBI agent who entrapped her, there was no evidence of any classified documents being passed on to foreign agents.

Defense lawyers further maintained that the Feds had launched a sting operation against Terry Squillacote because they deemed her to be vulnerable as a result of their Behavioral Analysis Program (BAP) Team Report and played on her vulnerabilities, coercing her into breaking the law.

Squillacote's attorney Lawrence Robbins questioned FBI agent Douglas Gregory, who had represented himself as a representative of the South African government in the "false flag" sting operation against Squillacote. Gregory revealed that the FBI had extensively researched Squillacote's family history of depression and suicide and her dependence on psychiatric drugs, including the antidepressant Zoloft. Gregory admitted that even though Squillacote apparently did not regard the letter from Kasrills as an invitation to become a spy for South Africa, it was he who put the idea into her head, and that he had carefully cultivated the espionage relationship, timing his moves on the basis of Squillacote's mood swings. Although the possibility that the sting operation might result in Squillacote's suicide was discussed and confirmed, FBI agents decided to go through with the operation.

In spite of the strong evidence that entrapment had occurred, Squillacote and Stand were convicted on October 23 of conspiring to commit espionage, attempting espionage and illegally obtaining national defense documents. Squillacote was also convicted of making false statements to the federal government. Squillacote and Stand could be sentenced to life in prison.

In a post Cold War world where the tensions between former great powers has been replaced by a multiplicity of struggles throughout the developing world, many more Americans will likely become involved in the affairs of countries at odds with US foreign and economic policy and may find themselves under attack under FISA. According to a 1978 editorial in *The New Republic*, "The vagueness of the requirement under FISA that the target of surveillance be a foreign power or agent of a foreign power invites abuses... conceivably, it could include any American with commercial, educational or personal relationship with a foreign person or organization."

[For more information on this case, contact the Friends of Kurt Stand and Theresa Squillacote at 212-209-2955. Contributions for their children can sent to: Stand Children Family Trust at Crestar Bank, Hillandale Office, 1700 Elton Road, Silver Spring, MD 20903, Account #20935-7355. Cards and letters can be mailed to Terry Squillacote or Kurt Stand at: Alexandria Detention Center, 2001 Mill Road, Alexandria, VA 22314]

PUT YOUR AD IN THE SHADOW!!

SUBVERSIVE ELECTRONICS

INTERNET PRIVATIZATION: OPEN COMPETITION OR MONOPOLY CONTROL?

By Chris Flash

*Will Users have a voice in determining
the future of the Internet?*

WHAT'S IN A NAME? Well, when it comes to Internet Domain Names, more than meets the eye -- such as Free Speech, Public Access and Privacy. All of which you are about to lose if you don't act quickly and get involved! At the heart of the Internet is a computer known as a Root.Server which carries a simple text file known as "ROOT.ZONE". The ROOT.ZONE file is a directory list of all of the so-called "Toplevel Domains" (TLDs) that you see in web addresses, such as ".com" ".org" ".net" ".edu" and country listings such as ".in" for India or ".ca" for Canada. If a TLD is not listed in the ROOT.ZONE file, it will not be found on the global internet. A TLD listing consists of a simple text entry.

At present, there is one private corporation, Network Solutions, Inc. (NSI) whom you may know as "InterNIC," which holds the US Government-mandated monopoly on Domain Names and currently controls entries into the ROOT.ZONE file. There is another entity known as IANA (Internet Assigned Numbers Authority) which sounds like a big organization, but in fact has been one man, Jon Postel, who has a contract with the US Department of Defense (DoD). Postel took his marching orders from the DoD and NSI allegedly took its marching orders from Postel (although never was a formal agreement between NSI and Postel's IANA!) up until Dr. Postel's sudden and untimely death on October 16, 1998.

NSI has attempted to use the "deniability factor" of its role of adding new TLD entries into the ROOT.ZONE file by pointing to IANA as the ultimate authority. This claim has been challenged in Court by a small, independent company called NAME.SPACE (pgMedia, Inc) which filed an Antitrust suit against NSI in Federal Court over NSI's refusal to add new TLDs to the root. [See SHADOW #40 for more on Name.Space--Ed.] As a result, IANA disavowed any authority to tell NSI how to conduct its business, prompting NSI to seek refuge under cover of its contract, known as the "Cooperative Agreement," with the National Science Foundation (NSF). NSF is a government-funded agency.

Before NSI's contract with the US Government was due to expire, the contract was silently handed off in September by NSF to the National Telecommunications Infrastructure Agency (NTIA), a part of the US Department of Commerce. NTIA then renewed the existing contract with NSI for two more years. Paul Garrin, founder of NAME.SPACE, believes that the contract transfer was NTIA's attempt to immunize Network Solutions (NSI) from lawsuits and to circumvent the current pending litigation against NSI by NAME.SPACE (pgMedia, Inc).

The NSF is also a defendant in the antitrust suit. For two years, there has been a heated debate over the future of the Internet Domain Name System -- over issues of adding new TLDs such as ".art" ".media" ".sex" and countless others -- and about privatization, ownership and management of the TLD



Chris Pizzello

Jonathan B. Postel

namespace. Most of the debate has centered on the issues of trademark and private, exclusive ownership of Toplevel Domains, and whether or not any new ones should be created and how many there will be. There is no technical reason why a TLD must be limited to the existing style of ".com" ".org" ".net" ".edu" or ".uk" and there is technically no limit to the number of possible TLDs. The issue is purely political, not technical.

The US Government Department of Commerce's NTIA, headed by White House Advisor Ira Magaziner (also known for the failed Health Care Plan), issued a Policy Statement in June 1998, advising the transition of the management and administration of the root of the Internet to a Non-Profit Corporation made up of a board of "stakeholders" that "represent the various interests involved in the Internet". That policy statement by the NTIA has become known as the "White Paper." A series of supposedly "open" meetings was hastily arranged in Reston, Virginia, Geneva, Switzerland, and Singapore, under the heading IFWP (for the International Forum on the White Paper) to manufacture consensus between the stakeholders on the formation of the new non-profit "IANA, Inc."

According to Paul Garrin, "The tone of the meetings was a rush to manufacture consensus with the appearance of openness, bolstered by a well-orchestrated public relations campaign. The agenda was pre-ordained and the votes were stacked by the vested interests who could afford to attend the workshops in Virginia, Switzerland and Singapore. Conspicuously absent from these events were YOU -- THE USERS OF THE INTERNET! After all, you are probably totally confused by the acronym soup and the convoluted meanderings of committees and organizations who play on the ignorance of the public in order to railroad their

US LAWMAKERS SNEAK THROUGH CONTROVERSIAL WIRETAP LAW

By Aaron Pressman

WASHINGTON (Reuters) - Without debate or notice, U.S. lawmakers approved a proposal long sought by the FBI that would dramatically expand wiretapping authority -- an idea Congress openly rejected many years ago.

The provision, allowing law enforcement agencies more easily to tap any telephone used by or near a target individual instead of getting authorization to tap specific phones, was added to the Intelligence Authorization Conference report during a closed door meeting and filed with the House and Senate on October 5.

The conference report was easily adopted by the House two days later, despite an objection to the wiretapping provision from Georgia Republican Bob Barr, was approved by the Senate on October 8.

Neither the House nor the Senate had included the provision, known as roving wiretap authority, in their versions of the Intelligence bill. But lawmakers drafting the conference report, essentially a reconciliation of the two versions, decided to include it.

Civil liberties groups were outraged by the expanded wiretapping authority and the process of adding the provision in secret.

"Roving wiretaps are a major expansion of current government surveillance power," said Alan Davidson, staff coun-

sel at the Center for Democracy and Technology in Washington. "To take a controversial provision that affects the fundamental constitutional liberties of the people and pass it behind closed doors shows a shocking disregard for our democratic process."

Under current rules, law enforcement agencies seeking roving wiretap authority from a judge must prove that an individual is switching telephones specifically for the purpose of evading a surveillance. The standard has been difficult to meet and kept the number of roving wiretaps approved to a minimum, a telephone industry official said.

Without roving authority, police must get permission from a judge for each telephone line to be tapped. Under the approved change, the police would need show only that an individual's "actions could have the effect of thwarting interception from a specific facility." The change removed the need to consider the target's motive in using different telephones.



agenda into a fait accompli before the public is even aware that there are vital issues that concern them being decided without their oversight! A potentially INVISIBLE COUP D'ETAT IN CYBERSPACE!"

Meanwhile, behind closed doors, Jon Postel, (aka IANA), along with his attorney Joe Sims of the law firm Jones and Day, unilaterally incorporated the "ICANN" (Internet Corporation of Assigned Names and Numbers) as the non-profit entity to assume "legal authority" over the control and management of the root. This questionable and apparently arrogant move to form ICANN was met with harsh criticism by others who had believed and participated in the IFWP process.

On October 15, Congressman Tom Bliley of Virginia sent a letter of inquiry to US Secretary of Commerce William Daley requesting documents regarding the behind the scenes relationship between NTIA, IANA and Jon Postel, and in order to determine under what authority the Department of Commerce was transferring DNS management from NSF to the newly-created non-profit ICANN (Internet Corporation of Assigned Names and Numbers).

The following day, after undergoing

an operation on his artificial heart valve, Jon Postel died.

WHAT YOU CAN DO: It's not yet too late to get involved, but time is running out! A special DNS.FORUM is being held where you, the USERS OF THE INTERNET will have a voice in the future of the Internet.

The goal of the Forum is to create a constituency of independent Internet users who will have a say in the future governance and management of the Internet. This is your chance to get involved in shaping the future of global communications before it is totally consumed by the large corporate interests who seek to take control in their own interests at the expense of your Free Speech, Privacy and Public Access.

You can start now by subscribing to the DNS.FORUM by sending mail to: <majorodomo@lists.xs2.net> with the line "subscribe dns.forum" (without the "") in the body of the message. Then, cast your VOTE for the new Generic Toplevel Domains (gTLDs) at:

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INTERVIEW

was put on the desk tracking these different tribal factions in the Golden Triangle, and got a much broader picture of what was going on. But at the time, all I knew was I was stopped from getting the biggest heroin bust ever.

The DEA was formed in 1973, and I was inducted from the smuggling unit of Customs. The next time I ran into the CIA directly was when I got transferred to South America. And that's when I really flipped out and risked myself.

SHADOW: Meanwhile, your brother killed himself.

LEVINE: Yeah, in '77. I was stationed in New York at that point. The day he killed himself, I was teaching an undercover class to the Brooklyn DA's office. My brother left a note to his family and friends saying, "I can't stand the drugs anymore." He was 34, and he'd been a heroin addict since he was 16. He was on and off methadone six, seven different times. He lived with me and my wife and kids at a time when I thought he was on methadone, and when I found out he wasn't, I said, "You have to go" because I didn't want my children to watch him die. And I actually never saw him again alive. It destroyed us. But it doubled or trebled in me the drive of, you know, "I'm gonna get these motherfuckers..."

SHADOW: In South America, you targeted Roberto Suarez, Bolivia's reigning "King of Cocaine."

LEVINE: Oh yeah, he loved me. We only spoke on the phone, but he was calling me "commandante," which was his title. There's a method—if you wanna get to the big guy, you have to get to the little guy. So the guy I seduced was Marcelo Ibanez, who had been the Minister of Agriculture. He was a wonderful guy. I liked Marcelo Ibanez a lot more than I ever liked most of the people who ran DEA. I had permission to give him drugs, get him women. He didn't touch drugs and he didn't want women. He was loyal to his wife. He felt he was doing a service to Bolivia. He said, "We feed the people."

My case was the original case against Roberto Suarez. He was busted years later, but my case was sabotaged. There was virtual war going on within the DEA. My boss, the head of South American operations, comes to Miami where our fictitious mafia was set up in a house. We claimed we had

all this money, and we didn't have a nickel. It was all done on acting. CIA gives away more money to any liar who shows up than we spent on that whole operation. CIA gives away zillions to drug dealers. We had \$2,500 to run the whole operation, and we spent it fast. So my boss says, "More people want to see this case fail than want to see it succeed." So there was a schism. The members of this undercover team were working against DEA headquarters, who wanted to kill the case.

I had to go through a libel reading to approve my book, *The Big White Lie*. In the libel reading I showed a DEA report, *Operation Hun: A Chronology*. In it is one paragraph that says we had enough to indict the Bolivian government and CIA stopped us because it would jeopardize their ongoing programs. They call them "another agency," which is the standard euphemism.

The Suarez case ends with a contract put on my life. I pay \$9 million to José Gasser and Alfredo "Cutuchi" Gutierrez in a Miami bank vault while our plane flies into the jungles of Bolivia and picks up their 900 pounds of coca paste, which was the biggest seizure in history then. I passed myself off as a half-Sicilian-half-Puerto Rican mafia don, "Miguel Luis Garcia," and they ate it up, they loved me. I didn't even go to Bolivia—I had just done a dozen cases in Bolivia and every Bolivian drug dealer knew me. So I set up all my meetings with the Bolivians in Buenos Aires and then went to Miami to make the payment. I had set it all up with Roberto Suarez personally on the phone. He sent his right-hand man Gutierrez. We counted out \$9 million in cash. It's easy. Hundred-dollar bills in packets of 10,000, eight big vault boxes, just loaded. He picks at random from each and counts the bundles. It took two hours, and we had an incredible conversation. He had bought 18 planes that year for his organization. He had legitimate business interests under which he could declare the money to Customs to get it out. So much for money laundering!

So we busted them, but they were released immediately. Gasser had all his charges dropped by Michael Sullivan, US prosecutor in Miami. Gutierrez was released on bail, went back to Bolivia, and put a contract out on me. I had a confrontation with Sullivan. He called the case unwinnable. I said, "We

have so much less against so many Americans sitting in prison than we have against Gasser." We could indict the whole Bolivian government, which was then supplying, according to the Medellín Cartel, 99% of the world's cocaine. It was bullshit. I started calling it the "Obstruction of Justice Department."

SHADOW: And you smelled CIA pressure again.

LEVINE: In 1982, the CIA signed an agreement with the Justice Department saying Central Intelligence didn't have to report on drug trafficking. That agreement was testified to by CIA Inspector General Frederick Hitz before our Congress in response to Gary Webb's *Dark Alliance* series. A total betrayal of the American people. But this all happened in '78, '79, '80, '81. So they were obstructing justice before they even had the agreement.

A 22-year old junkie I busted in the Liang-Sae Tiw case, John Clements, who just took a dope dealer to a meeting—he's serving 30 years in prison. And the big guys were protected. So all this started slamming away at me. I couldn't sleep nights. The man you see in front of you was being born then.

Operation Hun ends with me under investigation, I'm force-transferred out of Argentina, there's an attempt on my life at my home in Buenos Aires by the same people who were working for CIA. Argentine murderers. Mass murderers. Serial killers. They qualify under any definition.

SHADOW: The ones responsible for the "disappeared"...

LEVINE: Yeah. I can't tell you how badly I hated these guys. But I was a survivor, I was no dope.

SHADOW: So who went to prison as a result of Operation Hun?

LEVINE: The main one was "Papo" Mejia, one of the most prolific murderers to ever come out of Colombia. He headed up his own organization within the Medellín Cartel. When I was in South America, everyone talked about this very beautiful woman, Sonia Atala, a legendary beauty and Bolivia's Queen of Cocaine. She was selling more cocaine than any living human being. She had Nazi storm troopers literally assigned to her command. Do you understand? She could order people dead anywhere. Her husband testified in court that she was the one who opened up America for cocaine. When the Bolivian revolution comes about in 1980, she is in full power.

By 1982, I am totally immobilized by investigations and attempts on my life. They falsely accused me of everything you could imagine—black marketing televisions and radios, which half the embassy was, but I wasn't. They couldn't prove anything, but they just kept the investigations going, and used it as an excuse to take me out of Argentina. I'm brought into DEA headquarters and made Special Operations Officer, designing long-range sting operations. I'm being followed, my phone's being tapped. The next thing that happens, I'm asked if I want to do a deep-cover assignment. At that point, I would have made a deal with the Devil just to get out of DEA headquarters. I said "What is it?" He says, "This woman Sonia Atala. We want you to live with her."

She flipped. She became an informer. She got so powerful that the Bolivian "Minister of Cocaine," [Roberto Suarez's cousin] Luis Arce-Gomez got crazed and tried to shut her down. After she had passed on two million up front from Papo Mejia, her suppliers

refused to deliver. Papo, who had an army of hired killers, said "You're responsible. Either you pay me or I kill your whole family." She had four kids, her husband was a race-car driver who was being groomed to be president of Bolivia. So now both the Colombians and the Bolivians want to kill her. So she goes to DEA. They bring me in to be her undercover partner.

We lived together in Tucson, Arizona, posing as boyfriend and girlfriend. We were negotiating the repayment with Papo Mejia. We were gonna start making payments—and target every Colombian and Bolivian drug dealer that we dealt with. I was building a really good case against Roberto Suarez, Arce-Gomez, Klaus Barbie, all of 'em.

We received visitors and our house was rigged with video. But the government started picking and choosing who they were gonna indict. We had a Miami Cuban on camera talking about committing twelve murders. We did a dope deal on camera. He wasn't touched.

But we did get Papo. He's doing 35 years. Sonia won. She really won. She's back in Bolivia, she had all her property returned to her.

SHADOW: What do you mean she had "Nazi stormtroopers" at her command?

LEVINE: Paramilitaries from Italy, Germany and elsewhere in Europe who had been trained by [escaped Gestapo officer known as "The Butcher of Lyon"] Klaus Barbie worked for her. They were assigned to her. Her house in Santa Cruz was called the "torture house." That's where they would bring people and torture them—it had thick walls and all this equipment...

SHADOW: And you lived with this woman in Tucson?

LEVINE: Yeah. She was dealing drugs at the same time. She sold to two undercover DEA agents in Texas and got caught, and they had to un-arrest her. That's in the book. Name, date, place and time.

SHADOW: Did you have sex with her?

LEVINE: No. I had to be prepared to take a polygraph at any time. I saw it done. DEA was only a few weeks old when they sealed off the whole New York office one day—100 agents and detectives—and said, "everybody's taking a polygraph." And anyone who had a notion that they had any constitutional rights whatsoever was disbanded of that notion immediately.

SHADOW: So do you think Arce-Gomez was protected by the CIA?

LEVINE: I know the people right around him were—the top-level drug dealers who manipulated him, CIA assets in the Bolivian government. I cannot mention their names—it would put me in direct violation of a federal law against naming CIA agents.

SHADOW: Operation Trifecta was your next attempt to shut down the Bolivian mafia.

LEVINE: Right. That's *Deep Cover*. We targeted *La Corporación*—the organization that was born as a result of the revolution. We also targeted their Panama money-laundering center, and practically the entire Mexican government up to the incoming Carlos Salinas administration. And once again, we found that the Justice Department was doing everything possible to kill the case—including Attorney General

Continued On Next Page



MARIA ANGUERA DE SOJO

Edwin Meese himself telephoning the attorney general of Mexico and warning him of an ongoing undercover case!

SHADOW: Once again, why?

LEVINE: Well, that time it was NAFTA. Incoming President Salinas was telling our politicians he was gonna deliver NAFTA as law in Mexico. At the same time, his people were telling me, "Luis Miguel Garcia," half-Sicilian mafia chief, that when Salinas is in, Mexico's wide open.

SHADOW: And it turned out to be...

LEVINE: Exactly! And that's on video. I guess the problem Meese had was that if the American people knew this--no NAFTA.

SHADOW: You did bust Colonel Jorge Carranza, son of the founder of the modern Mexican state...

LEVINE: Right, son of Venustiano Carranza, the George Washington of Mexico! He sat in uniform and told me I could have the whole Mexican government. On camera.

SHADOW: Where are they all today?

LEVINE: They're all free. Carranza won on appeal. I wrote a memo on how the government had just done everything it could to destroy the case. If we had gone through with the deal, which would have cost the US government \$5 million for 1,000 kilos of coke, my next meeting would have been, according to the Mexicans, with the secretary of defense of Mexico! My next meeting in Bolivia would have been with all the ruling bosses of *La Corporación*.

SHADOW: So why didn't it happen?

LEVINE: You have to ask them. I went on [PBS news show] *MacNeill-Lehrer*, and the acting head of DEA, Terry Burke, who was ex-CIA, refused to address my charges on the air. *MacNeill-Lehrer* asked him--"the DEA called him one of their best agents in *The New York Times*, and now you say we shouldn't believe him. Why?" And Terry Burke said, "Well, he's involved in a commercial enterprise," probably a reference to my book contract.

They say, "Levine is someone who has spent years slipping in and out of identities, he's a premier con-man." Now, they *trained* me to do that!

SHADOW: Today Arce-Gomez and Roberto Suarez are both in prison.

LEVINE: Yeah, Arce-Gomez here and Roberto Suarez in Bolivia--if you can call it a prison! He lives a life of luxury. He's an icon. They say, "He feeds the Bolivian people." And it's true.

Who are the heroes in *this* country? Smith & Wesson, Boeing. The biggest business that we have is the export of armaments. Can you imagine if every country where their children are being killed by American guns and bullets, if their Supreme Court ruled that their agents can come here and arrest gun-dealers? I don't see the difference in the logic. I really don't.

SHADOW: So even before the contra war in Nicaragua, the CIA was protecting the South American cartels?

LEVINE: I was trying to figure it out. I couldn't understand how José Gasser could walk out of a bank in Miami with \$9 million in drug money, and the US attorney just drops all charges. Well, I found out that his father Erwin Gasser was one of the founders of the World Anti-Communist League. He was CIA-connected going back to the early '60s.

To do my first sting operation in Bolivia, which *Penthouse* magazine

called the greatest sting ever done, we needed the help of the Bolivian government. And at the time, in '80, it was Lidia Gueiler. She had a liberal government, and she was truly anti-drug dealer influence, and she helped us bring off this sting operation. So the drug dealers went to their CIA connections and sold them on the idea that Lidia Gueiler was a leftist. So the US government supported this revolution--by sending in Argentines, providing secret funds, everything.

Drug dealers are notorious capitalists. They're *always* anti-Communist! [Laughs]

The bottom line of the whole thing was--and I wrote it in a DEA report--we had to make up our minds. I knew beyond any doubt that a choice had been made--the same choice I was confronted with in Southeast Asia ten years before.

I left DEA New Years eve, 1989-90, with 25 years federal service.

SHADOW: And took your story to the American people. Your first fictional book is out now, *Triangle of Death*. But many of the characters are clearly recognizable as real-life figures from your earlier books.

LEVINE: It's not really fictional. The "Triangle of Death" is a real name. It was named by a US prosecutor. It was the organization that was begun by escaped Gestapo agent Auguste Ricord, in real life. He was sentenced to death *in absentia* by France. He was a French collaborator in the Vichy government who became a member of the Gestapo. He killed all kinds of people. The world accepts to kill Jews is okay--but here's a guy who killed French freedom fighters! So France wanted to chop his fucking head off. With the help of CIA, he escaped and set up operations in Paraguay.

This organization deals in drugs worldwide, but it also deals in murder. Murders carried out for covert agencies. One of the murders we documented when I was part of the conspiracy investigation into Auguste Ricord was that of Medhi Ben Barka. He was an Islamic revolutionary who was killed for the king of Morocco. An odd combination of bedfellows arranged the assassination--the Mossad [Israel's secret police--Ed.], the French secret service and CIA. Who does the murder? The Triangle of Death.

SHADOW: So the Mossad was working with Nazis?

LEVINE: Absolutely. It's in the book.

SHADOW: Why the "Triangle of Death?"

LEVINE: I was there when it was named. As you put together a conspiracy case, you put pins in a map, coded by color to represent murders, money movements, drug shipments. And the map began to form a big rough triangle over three continents--Europe, South America and the United States.

It was Frenchmen, Corsicans, Italians, Germans and South Americans. [Nazi mad scientist Joseph] Mengele was involved in this organization. Klaus Barbie was involved. One member of the Triangle of Death, Lucien Sarti, was rumored to be the hitman in the [John F.] Kennedy case.

You want proof of the power of this organization? Our Customs investigation started with the Eagle Cheese Company of New York, who were recipients of Triangle of Death heroin. Italian mafia, the Carlos Zippo case. Then there was Benny One-Eye, the huge Cuban heroin dealer--he was also a recipient of their drugs. It was massive--indictments all around the world. But the one guy we couldn't get

was Auguste Ricord. Paraguay would not give Ricord up until Nixon threatened invasion. Then [dictator Alfredo] Stroessner gave him up. We got him. He's 66 years old. The first thing we did was offer him to France. They didn't want him! They said "You got him, you keep him!" You can't make this stuff up!

We convicted him. He was sentenced to prison. He didn't serve more than two years before he was quietly released. He went back to Paraguay and died a free man.

SHADOW: If all this documented, what's the point of fictionalizing it?

LEVINE: Nobody reads nonfiction. People believe Tom Clancy is real. You laugh. That Tom Clancy movie *Clear and Present Danger* is one of the reasons we wrote *Triangle of Death*. I saw people in the theater crying. I was almost screaming, "It's a lie! It's propaganda!" But people believe these images. So we decided to make a thriller with the *real* image of CIA--which I know now they're more afraid of than all the nonfiction in the world!

SHADOW: But to state the obvious, fiction can always be dismissed as *fiction*!

LEVINE: You get it out, and it becomes popular, and all of a sudden you have a whole other thing going on. It sinks into a subliminal level of the American psyche, which has to happen. The American people think, on some level, we need these super-sleuths, these evil guys that can do anything, and we'll pay them \$100 billion a year, which is the documented intelligence budget. And the fact is, they're a bunch of criminal, corrupt doofuses.

So in *Triangle of Death* we tied together a lot of real incidents that people should know. The torture-death of the DEA agent is based on Kiki Camarena. He was also based on Sante Bario. I worked undercover with Sante Bario--I was pretty close with him. I knew him back when he was living undercover with the [New Orleans crime boss] Carlos Marcello organization. He was killed when he bit into a poisoned peanut-butter sandwich in a Mexican jail.

SHADOW: Did you see *The X-Files*?

LEVINE: Yeah, I did.

SHADOW: They take this legitimate stuff about the martial law powers of the Federal Emergency Management Agency, which most Americans don't know about, and mix it up with all this hokum about space aliens. So they delegitimize it.

LEVINE: Yeah, they did. I was furious about it.

SHADOW: Well, don't you fear *Triangle of Death* may be doing the same thing by mixing up reality with fiction, like this drug the "White Queen," which causes an instant orgasm...

LEVINE: That *does* exist! White Queen is a real drug. It's difficult to manufacture, but the DEA has seen it. It is a preparation of cocaine which is as close to instantly addictive as possible, and I believe it was designed to be a weapon by CIA assets in the Triangle of Death. Like when they sent hundreds of Stinger missiles to the Mujahedeen, the unthinking CIA never imagined it could come back to us. Informers in Argentina told me it existed, but a DEA officer later told me some of it had actually hit the streets in the US...

SHADOW: So you think White Queen may be the next drug wave to hit America?

LEVINE: It could be.

SHADOW: Great. You've said that the publisher got the ISBN number wrong on *Triangle of Death*. Do you really think there's a conspiracy behind that?

LEVINE: I don't say anything more than I can prove. Go into a library and check *Books In Print*, the national registry of all books, and you'll see it is the only book that has a different ISBN number. The one in *Books In Print* is the one that all stores use to re-order. Laura and I called 90 stores across the country and found that the book had been on reorder for ten months in a business where shelf-life is one month. They effectively made the book impossible to reorder. There were 3,000 witnesses when I spoke at Marin County Civic Auditorium, and the book didn't show up! That's how we first found out about it. Last October, a letter from a vice president of Dell Publishing said they didn't know where the mistake started. So I don't know... My wife and I to this day say it *could* be a mistake...

SHADOW: Then there was the time you mysteriously went off the air on WBAI...

LEVINE: Seven minutes off the air. I was talking about CIA Inspector General Hitz' statement that I taped off C-SPAN. As someone who has put lots of people in jail for conspiracy, I said he was admitting to acts of felony conspiracy by the CIA. He said, for instance, the CIA did try to get confiscated drug money back in the Frogman case in California, but the attorney who did it doesn't remember why. I said, if you told that to an American jury, they'd laugh and convict you. Only the American Congress would accept that. And--boom, off the air! The signal went down for seven minutes!

Am I a conspiracy theorist? I was trained by the government to put people in jail for conspiracy. It is much easier to send somebody to jail on a conspiracy violation than on a substantive charge. I've found that everyone in media, from *The New York Times* on down, who uses the term "conspiracy theorist"--none of them understand the law of conspiracy. I've cornered them on it, and none of 'em do. These are "drug experts" in mainstream media. They make "conspiracy theorist" a denigrating term. Yes I *am*--the government *trained* me to be a conspiracy theorist!

SHADOW: Your son Keith was a New York City cop killed in the line of duty.

LEVINE: December 28, 1991. He tried to stop a robbery. The man who killed my son was a crack addict who had killed two other men and been convicted twice, and was out on the street. My son was off-duty, he saw an armed robbery on 57th Street and intervened. Cops are never really off-duty, that's why they always carry guns.

SHADOW: Tell us about your own anti-drug strategy, Fight Back. [As detailed in Levine's book *Fight Back: How To Take Your Neighborhood, Schools and Family Back From The Drug Dealer* (Dell 1992)--Ed.]

LEVINE: Fight Back was a plan which was reviewed by the Swedish Carnegie Institute as the only plan that ever made sense to come out of America. You team communities and police so they're working together in a partnership. The police do what the community wants. They say, "We know there's seven dealers here, we want to get rid

Continued On Page 22

MILLION YOUTH MARCH....

ters hovering overhead as the number of police grew in size the further one walked west. At Fifth Avenue, groups of ten policemen stood on each corner of the intersection, with cop cars growing in sizeable numbers along the way. At Lenox Avenue/Malcolm X Boulevard, heavy iron gates used by police to separate crowds stretched from east to west across 125th street. While vehicular traffic was allowed to pass through, those planning to walk had to take either Fifth Avenue or Adam Clayton Powell Boulevard down, and then could choose which cross street by which to enter the rally area. I saw Eric Williams from WLIB interviewing people who were caught up in the confusion. Some were residents of the area who had to show personal ID to get past. It was a scene right out of Apartheid South Africa, to this observer. While other reporters, clearly wearing their NYPD-issued reporter credentials around their necks could be seen conducting interviews on nearby sidewalks, Williams was not allowed past the gates. I saw him jump into a gypsy cab and, incredibly, made it through. I was not so lucky. I had to back track to Fifth Avenue rather than simply walk south from here. I chose Adam Clayton Powell instead. At 119th Street, I was greeted by two clearly angry police officers who stopped everyone from freely moving. I showed them my press pass and was allowed to go. Helmeted police on horses, about ten of them, occupied 119th Street, and they gave everyone allowed through the close lookover. With two helicopters hovering overhead and the unusually heavy police presence on the ground, the feeling of being hemmed-in was suffocating. Most people were in a festive mood, but the press was cordoned off in a controlled area near the front and left of the stage.

For much of the day, scores of police,

mostly those in the light powder blue blazers marked "community affairs" were visible and kept order; other cops, notably those working under the DCPI (Deputy Commissioner of Public Information), were largely invisible. It was impossible to get information about the actual crowd size, arrests if any, and complaints or injuries. It was a day filled with great contrasts--ranging from rhetoric about "white devils" to advocacy for buying black to support for additional youth initiatives and black unity. Some of the rhetoric was, indeed, ugly. The clock ticked away the few hours that the ten thousand or so would be there for what was billed as a historic event. Few were allowed to leave to for food, drinks or relief. It was a hot but not particularly humid day, with few clouds in the sky. Norman Siegal, the executive director of the New York Civil Liberties Union, talked of possible legal action following the event, in large part because of the restrictions on free movement. In the main, it was a peaceful day, but soon Khalid Muhammad would take the stage. In the meantime, in a scene borrowed from Nation of Islam sponsored events, large plastic garbage bins were passed around to collect money from the participants to help pay for the stage, electricity and permits. Reporters were held, like caged animals, in an area that faced the stage directly. Many of the complaints from the press was the lack of a mult box, into which electronic reporters plug their microphone cords in order to get a direct feed from a staging area. There was no such thing that day. Either you had a boom microphone, or you were out of luck. Seeing a number of photographers posted on one fire escape, I decided to join them for a better view. It was the apartment of a longtime Harlem resident who was charging some of the press a couple of dollars for access. I

dropped him a five spot.

It was getting to the critical cut-off point when Malik Muhammad entered the stage. It was 3:55 pm, according to my watch, and I could see cops in the rear of the stage beginning to don their helmets. Malik began a long introduction of the featured speaker, Khalid Muhammad, which concluded at approximately 3:57. With the words "We don't give a damn about the mayor's cut-off time, I now introduce to you the most feared man in America, your brother, my brother, the Honorable Khalid Muhammad!" Shabazz had set the tone. Those "Community Affairs" cops began to file out of the march area in double file, towards the rear or south end of the stage. I sat in the third story window, overlooking the scene, with a clear view of both the rear and front of the stage. Khalid attacked the entire Harlem leadership, Rangel, Butts, and Patterson in particular, as "do nothing, boot-licking negroes." As Khalid told the crowd to defend themselves against police aggression and to "grab a gun, they carry at least two" and to "take one of those barriers holding you in and throw it to defend yourself," a police helicopter buzzed by at a speed of roughly 50 miles per hour and at a height lower than four stories! It scared the shit out of me--at the same time, with the community affairs cops cleared out, the helmeted cops moved forcefully to shut down the event. Pushing and shoving began, with those heavy steel barriers now airborne, striking the officers. Streams of gas could be seen flowing out of canisters the cops were discharging. Reporters and others, also in the rear of the stage near this action, could be seen heaving from inhaling the fumes. Bottles and bricks were being thrown. It was a scene that was largely invisible to those facing the stage in the front.

By this time, Khalid had stopped speaking while the crowd was cheering him on. He looked to his right, then left and, in a scene that could only be described as dark humor, was hustled off the stage, accompanied by Malik Shabazz, who carried one of those large plastic containers filled with dollar bills off to a waiting car at 119th Street. More bricks and bottles flew through the air at the cops, who suddenly stopped. Two more

waves of helmeted cops remained behind, about fifty across from one end of Malcolm X Boulevard to the other. The first wave stood fast as plainclothes cops moved in.

Those in the front of the stage moved away as the scuffle now moved to the front. More debris flew as one cop could be seen punching at two men in the rear. It was all over in about five minutes. The people attending the rally began to leave slowly.

Police later announced they would be screening a video of the day's events at police headquarters; it didn't happen that day. The police showed their doctored video four days later. It did not show the helicopter buzzing past. It did not show how the police aggressively moved in. It ran only two minutes and had a rather odd edit, going from the rear of the stage to the front where one man could be seen tossing a chair in the direction of the police. He could be seen changing his shirt and disappearing into the crowd.

Police Commissioner Howard Safir told reporters that they delayed the screening of the tape on the advice of city attorneys who wanted to build a case. The man in the video was later identified as James Washington and was arrested two days later in Brooklyn, during the West Indian-American Day Carnival. Organizers of the march later told reporters that police used extraordinary tactics to arrest Washington, shutting down entire blocks and cordoning off buildings in order to arrest him. They didn't find Washington until one day later when he turned himself in.

Lawsuits and the continuing war of words is still the order of the day in the aftermath of the march. The march didn't attract one million participants, but did stir great controversy inside Gotham City. Whether it will galvanize millions of youth across the country to take political action remains to be seen. Certainly the plight of America's black and brown young people is severe, and the so-called boom on Wall Street has made no impact on their overall quality of life. Issues of police brutality, Driving While Black, crummy schools, drug abuse, economic opportunity, AIDS and other STDs have had a disproportional impact on young people of color, with no end in sight.

SEX WORKERS....

and declare the laws unconstitutional. If you are interested in hearing about and joining organizing efforts currently in progress, call the NYC Erotic Dancer's Hot-line at 212-561-1798. The line was set up specifically in response to the city's crackdown on sex clubs. The line can also be used to report and hear information on closings of clubs, and also to share info and resources with other workers. You can also contact mayor Giuliani and let him know what you think of his efforts to sterilize this city.

The more sexually repressed our society is, the more there is to fear. There should be more spaces to participate in safe sexual activity. There should be more adult venues to work in, which are safer than the streets, and more opportunities for people to create such events as women-on-women and transgender lap dancing nights. There should be more opportunities for people to own and work in these businesses. There should be more pornography and ways to get off, not less.

So get your ass out there and get active.

[Rachel Walsh is a 27 year old sex worker, activist, musician, and case worker, living and working in Brooklyn]

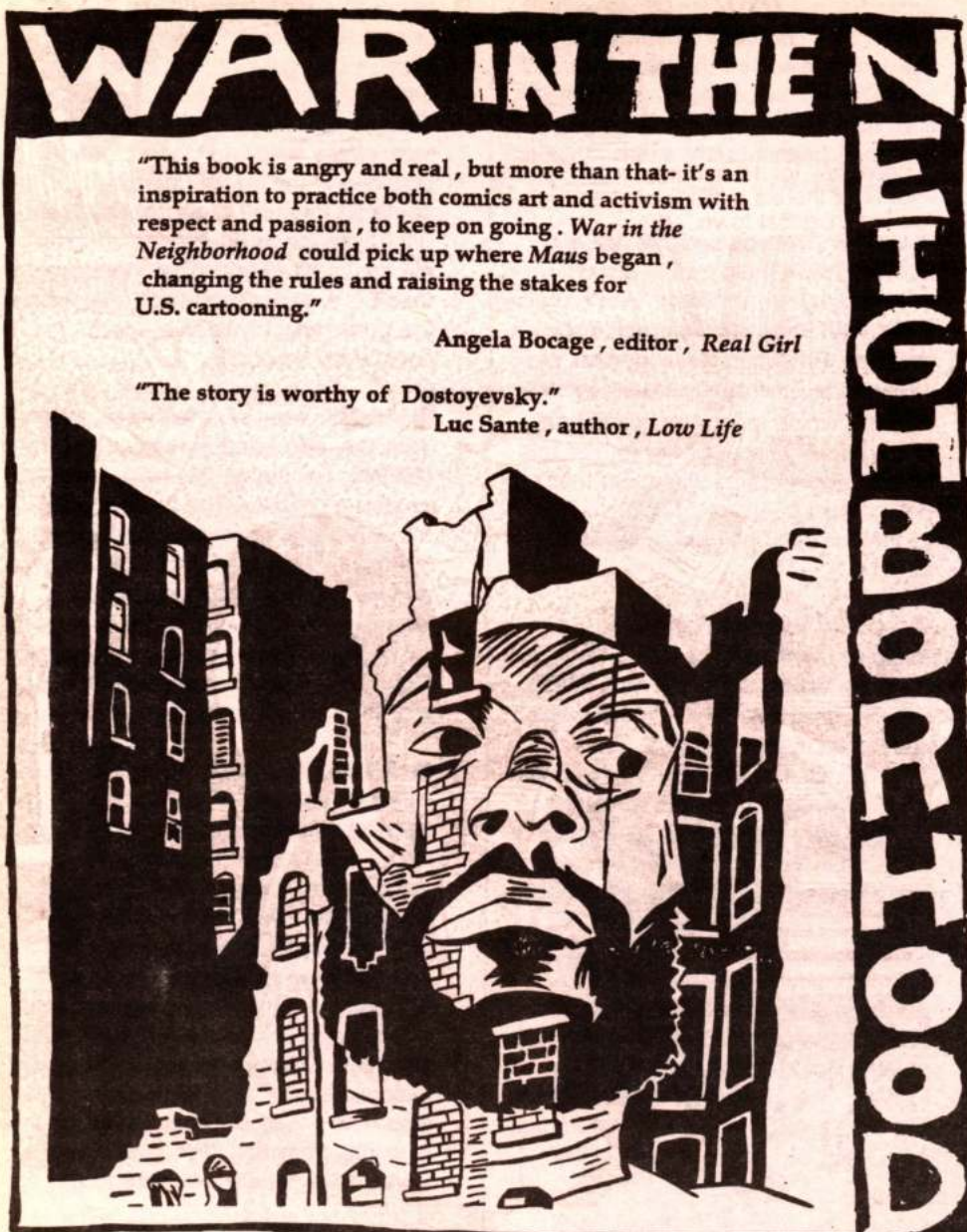
CLUB RAIDS....

Sex." The front cover was illustrated with a clay depiction of people passed out in their own vomit in front of Coney Island High. The article's phoney premise that clubs like CIH and CBGBs are havens of drugs and sex only added fuel to the city's war on New York nightlife, especially on the Lower East Side.

Malin told the SHADOW that he has spent \$2,000 a week on Village Voice ads since CIH opened in 1995, and is outraged that the Voice chose to run the distorted article depicting Coney Island High as the center of whiskey, sex and coke. Since the Voice article, Malin said, "there has been a police car parked in front of CIH every night."

Aside from harassment against clubs on the Lower East Side, SHADOW sources say it is well known that the NYPD regularly demands pay-offs from owners of bars and clubs. The Coop, a club located on Bowery, between Fifth and Sixth Streets, was extorted by 9th precinct cops who threatened to otherwise shut it down. After about a year of paying them off, The Coop's owner refused to continue. Soon after, cops arrested patrons of the club on three occasions, all for alleged drug-related offenses. After the third bust, cops were able to close the club down. The Coop subsequently went out of business.

Dean Johnson told the SHADOW: "I'm glad I don't own a nightclub--what a pain in the ass!"



THE GRAPHIC NOVEL BY SETH TOBOCMAN
COMING OUT SOON

Ghost Town Blues

written by: Steve Wishnla Art by: Mac McGill

I'm sitting in a club waiting to go on.

Got a shot of Jack Daniels and a battered bass case by my side.
I feel like I've done this a thousand times.
The first taste of liquor shoots dopamine all through my brain.
The world is a better place.

There's a Puerto Rican folk-rock type on stage with a guild acoustic electric.
I'm digging the neon green whirls and swirls, beer signs.
There's a red "No Dancing" sign.

Like who the fuck would want to ban dancing?

Who would send armed agents backed by the full might and power of the state to clamp down on a few rockin' barflies getting off their stools to shake-shake-shake their booty?

Only a sick, twisted pervert would care about people dancing.

That perverted control freak wants to outlaw every desire except greed.

It's like the 1950's, when chaperones at high school dances would stick sawed-off rulers between the stomachs of offending couples to make sure they stayed seven inches apart.

I wonder what they were thinking about when they decided on seven inches.

I remember when the park was free. They used to have free shows there almost every weekend. Once this squatter who used to be in the Young Lords comes up to me and goes...

It's like the 1950's, when you had to get a license to work clubs, and they banned Charlie Parker, Lenny Bruce and Billie Holliday for drug use.

Hey Man, you want to play with a Latin band?

Yeah, but I don't know Latin Music.

You know 'Oye Como Va'?

They raided all the places I used to play, drink and chase women.

CBGB, the Green Door, the Lakeside

I went home, got my guitar, and jammed out in the bandshell for 15 minutes. It was great. They destroyed the bandshell years ago. Now there's millions of tourists here every weekend and it feels like a fuckin' ghost town.

"Cause the wicked carried us away-captivity require from us a song.
How can we sing King Alpha song In a strange land."

MARIJUANA....

politics and if the bill got as far as him, he'd sign it." As of mid-September, Davis had a twelve-point lead over Lungren in the polls.

A different front on which the fight for medical marijuana is being fought is on the Federal level, where the battlefield is more administrative than legislative. Quietly, and in the absence of overt attempts by the Justice Department to interfere, the move is on to "re-schedule" marijuana from a Schedule One drug, the most serious category which pot presently shares with heroin, cocaine, LSD, psilocybin mushrooms, and other drugs that are considered to have no medical use and production of which are prohibited, to a Schedule Two drug.

Schedule Two drugs, like Valium and Prozac, are federally regulated, but may be administered by a physician legally and consequently can be manufactured by pharmaceutical companies possessing a license. "With a prescription you'd be able to buy pot at Walgreens, but you could still go to jail for growing it yourself," Entwistle told the SHADOW, apparently favoring the Proposition 215 approach of legalizing cultivation. "If you made Vitamin C Schedule 2, you'd have a scurvy epidemic because of all the details. Chemotherapy patients might need an eighth of an ounce a day to keep their appetites up, and the only way people of modest means could afford this would be to grow it themselves." The DEA has dropped opposition to rescheduling pot, and the FDA will have to agree before this could happen.

"We are not going to have another Cannabis Buyers Club where pot is openly sold because we have to maintain our identity as not selling pot for the time being," Entwistle told the SHADOW. Asked about the approach now being taken in Oakland where the City Council, under the administration of newly-elected Mayor (and former California Governor) Jerry Brown, has unanimously voted to make officials of the Cannabis Buyers Club officers of the City, like executives of the Motor Vehicle Bureau, thereby officially challenging California Attorney General Lungren to come into direct conflict with the local government if he tries to shut down the sale of medical marijuana, Entwistle said: "It's good, but as long as the state law doesn't change, it [Oakland's policy] gives one group of people a monopoly."

Entwistle described the difficulty in getting medical marijuana legalized in terms of the newness of the issue and the rate at which information flows. "People understand about the effects of chemotherapy and glaucoma, but they haven't heard about the other developments in the application of marijuana -- in Crohn's disease, Lou Gehrig's disease, and alcoholism." He cogently summed up the reason for stressing medical marijuana over the legalization of marijuana for recreational and strictly personal use: "The Netherlands has a tradition of tolerance because they've been turned off to authoritarian solutions. They recognize Nazism for what it is. There, marijuana is illegal, but tolerated. Here, things have to be legal or illegal. You can have tolerance one day, and the next day the government will come down on you. The only chance we have for legalization, right now, is with medical marijuana."

Dennis Peron, another author of Proposition 215 and one of those still

INTERVIEW....

of 'em 'cause our kids can't go out on the street." You don't go after the dealers, it's a waste of time. You set up an ambush on the buyers as they come out and get them. Do you put 'em in jail? No. If the buyers are, as most are, white guys with jobs, you make them understand that they're doing the equivalent of buying Nazi war bonds. "You are going into a community and fueling what keeps these kids being shot, you are buying the bullets!" You warn them first, "you come into this neighborhood, the community is going to videotape you buying drugs, we're gonna seize your car and fine the absolute crap out of you."

Now, if you are an addict, and you have a history of violence, you've killed people and you are buying hard drugs --you get prosecuted. You're off the street. That's what jails are for, violent people. If you're just a drug addict--mandatory treatment. I wouldn't put casual users or hardcore drug addicts who are not violent in jail. So you will see the jail population drop by 90 percent.

That's the plan. It makes sense. Instead of having guys like Will Foster in jail, who's serving 97 years for 70 marijuana plants, or John Clements, serving 30 years because he took a drug dealer to a meeting--you'd have the guy who killed my son in jail.

facing charges of selling pot after the closing of the Cannabis Buyers Club, quoted Ho Chi Minh: "You pull back when your enemy is strong, and fight again another day." Looking forward to the demise of Dan Lungren's reign in Sacramento, he predicted "In the end, democracy will prevail."

SHADOW: Where did you make your formal offer to the Costa Rican government to kidnap Ollie North?

LEVINE: It was published in Penn State's *Journal of Law and Social Justice*. *The Washington Post* said "no way!" But I was given to understand that tens of thousands of copies were circulated around Virginia during his senate run.

Our Supreme Court has ruled in the *US v. Machain* decision, which stemmed from the Kiki Camarena case, that it is okay for our agents to go into other countries and kidnap people who have violated our laws. Well, Oscar Arias, the Nobel-prize winning president of Costa Rica, banned Oliver North, Lewis Tams the US ambassador and Joe Fernandez the CIA station chief from entering Costa Rica for conspiracy to traffic drugs through his country to our country! He banned them for life. The lynchpin of the organization, John Hull, was indicted and he tried to extradite him to stand trial and we wouldn't give him up! Well my logic was, being that the US has ruled kidnapping legal, and I've done kidnapping for the DEA, I'd be happy to do it for Costa Rica!

I was just trying to make a point. I'm a guy who spent most of my adult life on the inside, going from somebody who really believed that the ends justify the means to somebody who learned that that's the worst thing we can believe in, that that kind of thinking will destroy our freedoms.

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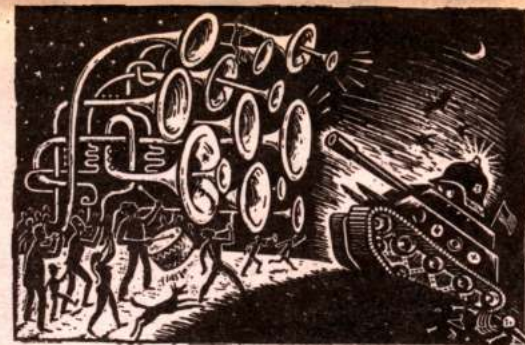
BY FLY



BY SETH TOBOCMAN
(Double-sided: Artwork and lettering on back.
"But Only Eats The Leftovers")



BY SABRINA JONES



BY ERIC DROOKER



BY LAWRENCE VAN ABBEMA
(Stock Exchange burning in background)



BY MAC MCGILL

YOU DONT HAVE TO
FUCK PEOPLE OVER



BY SETH TOBOCMAN



BY MAC MCGILL
(Artwork portrays the MIDDLE PASSAGE)

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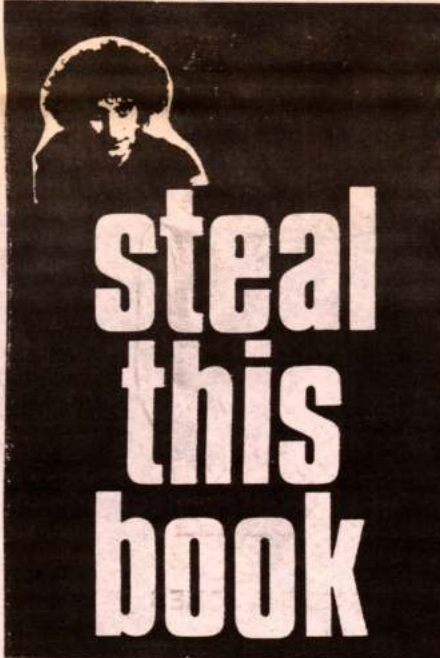
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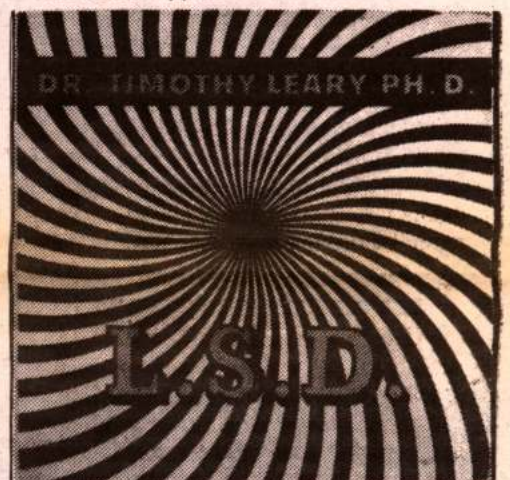
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