

Sinclair Denied Bond

David Gaynes

1970

No one was surprised when White Panther Party Chairman, John Sinclair was denied an appeal bond April 2nd in Federal District Court. The same mechanism that has worked for years to put John where he is today (in Marquette Prison on a 9-1/2 to 10 year dope rap) is not about to reverse its efforts in the interest of something as trivial as justice.

We went down to the Federal Building to be with John. He was not even allowed to be present at his own appeal. When his attorney, Chuck Ravitz, asked "Where is my client?", Federal Judge Frederick Kease made it very clear that he did not know, or if he did, that he didn't give a rat's ass.

The hearing began on that note and held it. In fact, the way Judge Kease handled the entire proceedings was stupefying—he didn't even know the bullshit rules that dress a typical shafting in the reassuring cloak of order.

After it was clear that John was not going to be present (he had been transferred back to Marquette/Siberia) Judge Kease saw fit to start the hearing.

"Mr. Ravitz, you may begin," he intoned. Ravitz said he would be more than happy to, but wasn't it normal procedure in such matters for the prosecuting attorney, Mr. Mahoney, to begin? Suddenly, the judge remembered!!

"Yes, I believe you're right," he said.

Assistant Federal prosecutor Mahoney based his arguments on the premises that have been used against John all along—that he is a repeated offender, that he is a danger to the community, and now, that he has a Federal felony case pending.

Quite obviously, he is a "repeated offender" because the state has the power to define what is a crime and what is not. That he is a danger to the community is once again an example of the power of definition that Huey Newton has told us about. As far as the pending felony case, it's pure bullshit.

As Ravitz pointed out, known underworld characters Gus Colocasides and Vito Giacalone were both granted speedy appeal bonds when they had as many as six pending felonies. Of course, they also owned the judges, but about all a lawyer in Ravitz's position can do is further expose the depravity of the court.

Ravitz argued the case beautifully, refuting every reason that was given for John's continuing imprisonment.

The real question is, what is the difference between an unfair hearing and no hearing? An unfair trial and none at all? Fascism under the guise of democracy or fascism under the banner of fascism?

The answer—not enough to keep you out of jail if that's where the state wants you to be.

We learned that as Judge Kease launched into his closing remarks and final decision after hearing the arguments presented by Ravitz and Mahoney. After a false start (Kease muttered for a few minutes... "I sound like that gal on TV..." he said) he fulfilled his duty as best he could. That duty was obviously the duty to sound reasonable while handing down a decision that has no basis in reason at all. He did this by



commenting on how proud he would be to let John out of jail, how he was sometimes awed by the power that a judge can wield, and how one had to be careful when ruling over another human being's life.

LET HIM ROT! he concluded.

At this point "pandemonium broke loose in the courtroom" as the novels used to say. Led by White Panther Skip Taube, John's brothers and sisters filled the courtroom with their angry cries for justice. The Federal marshals (who were already flipped out to see the courtroom packed with the people they had been warned against) started turning colors and boiling in their bowels. It was just too much!

In spite of the unseasonal snow that covered the sidewalks, the gallery flooded into the street to demonstrate their unceasing desire to set their brother free. We braved the cold for as long as we could, and went home to carry on with our work.

The legal means to free John Sinclair are all but exhausted. There may or may not be another appeal hearing this May.

Our real hope rests on two immediate things. Of greatest importance is the need for people to fight their cases when they are busted. Laws create crimes. The only way to change the laws is to fight them, which means that people have got to stop copping pleas to "lesser crimes." John is fighting this case, sitting in jail, for all of us, and we can help him help us by following his example.

His lawyers have prepared a huge legal brief in conjunction with his case that is considered the most exhaustive and comprehensive of its kind. It is available to all those who are willing to fight their case instead of recognizing the legitimacy of the unspeakably jive laws that are hanging US up.

The other level that we have to deal with is an educational level—educating people that aren't hip to the sacraments, people like Governor Milliken and the state legislators. People like the milkman and the postman and even (maybe in a zillion years) the policeman.

April 30th, the day before pig law day, the White Panther Party is sponsoring an action in the state capital. We will converge on Lansing to talk to the lawmakers and give them educational material in an effort to stop the cultural genocide they are waging on the people.

A good turnout is important—a good time is guaranteed! Come high and expect to get higher!!

FREE ALL POLITICAL PRISONERS

DON'T FORGET J-DAY



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