

New Adventures in Criminalizing Dissent

Feds Target Tortuga House & Midwest Activists

Shlomo Brooklyn

The federal government's continuing campaign to prosecute eco-saboteurs as terrorists has not stopped it from also trying to imprison other radicals on outlandish charges. In particular, it continues to expand its powers to criminalize what has in the past been legal activism.

A recent target is the anarchist New York City household Tortuga, a uniquely long-standing anarchist residence in the city, and definitely the only one in Jackson Heights, Queens, proudly flying a red-and-black flag in front!

The numerous people who live there have been politically active for decades. One of the better-known projects to come out of the house was the Curious George Brigades' book, *Anarchy in the Age of Dinosaurs*.

The current saga began on September 24 when two Tortuga residents, Michael Wallschlaege and Elliot Madison, were arrested in a Pittsburgh hotel room during protests against the G20 summit being held in that city. As part of the protest communications team, they were using Twitter to relay publicly available police scanner information to activists on the street. For doing this, they were charged with "hindering apprehension or prosecution, criminal use of a communication facility and possession of instruments of crime."

As many commentators pointed out, when Iranian activists in June used Twitter to organize opposition demonstrations, the US State Department intervened so that Twitter delayed its scheduled maintenance and stayed online. But when US activists did the same in Pittsburgh, they were arrested. One of them was released after posting an almost-unheard-of \$30,000 cash bond.

On October 1, back in New York, Tortuga house residents were awakened by a federal Joint Terrorism Task Force team using a battering ram to smash down their front door at 6 am. Agents proceeded to kick in each (unlocked) bedroom door and searched its contents. As helicopters circled overhead, the house members sat in handcuffs while agents ransacked their home. Numerous items were seized from all house members—not just from Wallschlaege and Madison.

Agents didn't just take every single cell phone, data backup, and computer, they also seized stuffed animals and a needlepoint of Lenin made by the grandmother of one of the residents! (We can only assume it was the latter that caused the trotskyist Spartacist League newspaper to express solidarity with Tortuga over the raids.) The seven house members went to court to have their items returned, but the judge refused.

On November 3, the charges against Wallschlaege and Madison were suddenly dropped. According to their support blog, the prosecution said pursuing the charges, "would be unwise" after consulting other law enforcement agencies, and because of other pending investigations.

The house raid was conducted on the basis of an obscure federal anti-rioting law (18 U.S.C. §2101). One of the few times this law has been used was in the Chicago 7 case, following the 1968 Democratic National Convention.

As of our press time, no charges are pending against Tortuga residents, but as the grand jury seeking to indict house members is still convened, it is perhaps only a matter of time before the government pursues more ridiculous charges against these activists.

For more information or to contribute to their defense fund, see: friendsofourtuga.wordpress.com

Also of note is the imprisonment of Carrie Feldman and Scott DeMuth, both of Minneapolis and affiliated with the prison support group EWOK! (Earth Warriors are Okay!). Subpoenaed by a 2009 Iowa grand jury investigating a 2004 Animal Liberation Front action, Feldman and DeMuth appeared on October 15 and November 17; both refused to testify and were jailed for contempt. Feldman is still in jail as of press time, but the state released Demuth, only to charge him days later under the Animal Enterprise Terrorism Act.

DeMuth, a sociology student, says that one of the reasons he refused to testify is that information he possesses is part of university-based research, and that professional ethics prohibit him from revealing his sources. He has attracted support from a number of academics.

In some ways, his situation is even more egregious than many of the other Green Scare cases. In most of them, the State has turned sabotage into "terrorism." But with DeMuth, the State is charging him with terrorism for refusing to become a snitch!

For updates and to donate, see: davenportgrandjury.wordpress.com



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