

RNC Update

Judge rules trumped up charges from 2008 Republican convention can proceed

Fifth Estate Collective

2010

The RNC 8 are preparing for trial following hearings to dismiss felony charges against them stemming from planned demonstrations at the 2008 Republican National Convention (RNC). The eight activists were preemptively arrested before the convention in St. Paul, Minnesota, some in raids by heavily armed SWAT teams. While the State dismissed terrorism counts last year, the defendants still face charges of conspiracy to riot with a dangerous weapon and conspiracy to commit criminal damage to property.

In the May and June hearings, the defendants scored a small victory when the presiding judge granted a probable cause hearing to determine if the State has a solid enough case to proceed.

Key prosecution witnesses took the stand including Ramsey County Sheriff's investigators, Tony Samec and Jay Maher. Maher testified to crossing the country taking photos of RNC Welcoming Committee members as they attended meetings. His investigation even extended beyond the RNC, visiting the 2009 Pittsburgh G20 to photograph activists for an unknown "training" program.

These charges are an effort to equate publicly stated plans to blockade traffic and disrupt the RNC as being the same as acts of terrorism. "This both trivializes real violence and attempts to place the stated political views of the Defendants on trial," said Bruce Nestor, President of the Minnesota Chapter of the National Lawyers Guild. "The charges represent an abuse of the criminal justice system and seek to intimidate any person organizing large scale public demonstrations potentially involving civil disobedience," he said.

The State's investigation began in 2007 following the RNC Welcoming Committee's release of a satirical video "We're Getting Ready" (available on line at rnc08report.org/archive/403.shtml). After the trial date of October 25 was set this spring, the RNC 8 released another video spoof: "We're Getting Ready for Court" (also online at rnc8.org).

The State bases its prosecution in part on the "threats" in the original trailer such as a molotov cocktail being thrown into a barbecue grill. Several of the cops testified at the hearing to considering the video, played in open court, to be completely serious.

Searches conducted during the raids and arrests failed to turn up any physical evidence to support the allegations of organized attacks stated in the warrants. Although claiming probable cause to believe that gunpowder, acids, and assembled incendiary devices would be found, no such items were seized by police. As a result, police claim that the seizure of common household items such as glass bottles, charcoal lighter, nails, a rusty machete, and two hatchets, supported the allegations of the confidential informants that attacks were being planned.

Two of the paid police informants, Marilyn Hedstrom (aka "Norma Jean Johnson") and Christopher Dugger were subpoenaed to testify. These undercover agents attended RNC Welcoming Committee meetings and events for a year, but could not remember specific plans made by any defendant to commit property damage or riot with a dangerous weapon. Their most frequent response was, "I don't recall." The State won a few motions during the hearings. They were able to keep their paid FBI informant, Andrew Darst (aka "Panda") off the stand for the probable

cause hearing. Although Darst is still on the federal payroll, making \$1,500 every month, the government prevented the RNC defense from locating him to serve a subpoena.

The judge ruled that people detained and searched in the politically-motivated Convergence Center raid, from where many of the protests were launched, could not expect to be free of unreasonable searches and seizures, because they were in a place open to the public. The judge also denied motions to suppress evidence from the preemptive house raids. It seems like the judge needs a copy of the U.S. Constitution on his bench.

The RNC 8 continues to organize for justice and liberation, host community dinners and events, and defend other targets of state repression. They can use your support and donations. Visit **RNC8.org** for more info and to receive announcements. Follow them on twitter @defendthernc8. And, look for them across the country this summer on the Conspiracy Tour: conspiracytour.wordpress.com.

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