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Publication of the U.S. Marxist-Leninist Organization

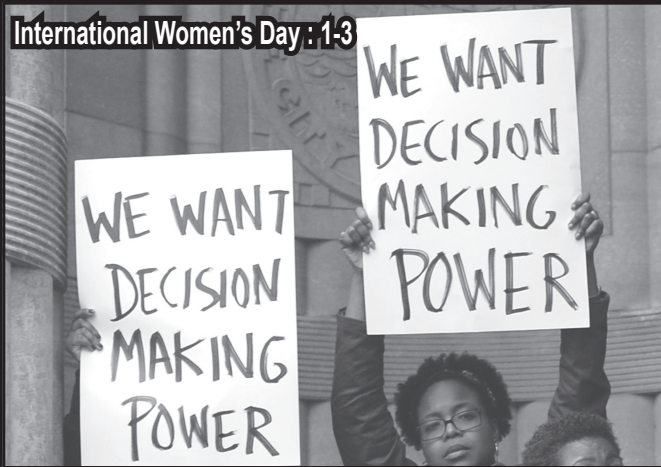
March 6, 2015

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International Women's Day : 1-3



CELEBRATE INTERNATIONAL WOMEN'S DAY

Women in the Forefront of the Battle for Decision Making

Voice of Revolution salutes women across the country and abroad for their contributions to the struggles for their rights and the rights of all. Everywhere, in battles for the rights to education,

healthcare, for immigrant rights, against the violence of war and poverty, women can be seen in the forefront, standing firm. As the majority of teachers and healthcare

International Women's Day • 3

Public Control of Public Schools : 4-15



JOIN THE ORGANIZING

Democracy Demands Public Control of Public Schools

The growing movements defending the equal right to education for all, in various states across the country, are bringing to the fore that democracy demands *Public Control of Public Schools*.

Students, teachers, staff and parents are organizing in various ways to expand their role while opposing attacks on education. Resistance is currently focused on two fronts.

Public Control of Public Schools • 4

Police Impunity is a Crime : 16-25



JUSTICE DEPARTMENT REPORT ON
FERGUSON NO SOLUTION

Police Impunity is a Crime, Not Something to Negotiate

The Justice Department (DoJ) announced March 4 that it will not prosecute Darren Wilson, the policeman who killed unarmed African American teenager Michael Brown in Ferguson. This follows decisions by

the local prosecutor not to indict Wilson. At the same time the DoJ issued a report providing clear evidence of systemic racism by the Ferguson police department. Evidently, there is

Police Impunity a Crime • 16

TIME FOR A DEMOCRACY WHERE WE DECIDE!

March edition of **Voice of Revolution**

Editorials & Statements

- *Women in the Forefront of the Battle for Decision Making*..... 1
- *Democracy Demands Public Control of Public Schools* 1
- *Police Impunity is a Crime, Not Something to Negotiate* 1

Public Control of Public Schools

- *State Receivership Is No Solution!*..... 5
- *Lawrence Receivership Example and Issues of Decision Making* 6
- *All School Officials Must Demonstrate Their Concerns*
About the Governor’s Proposals 8
- *Overwhelming Support for Elected Chicago School Board*..... 9
- *Newark Student Union Organizes Sit-In for Public Control*
at Superintendent’s Office 10
- *One Thousand High School Students Walk Out and Refuse PARCC Test ...* 11
- *A Guide for Defending Rights When Refusing State Tests*..... 12
- *Chicago Schools Calling on Parents and Students to Refuse PARCC Test* 12
- *Why a CPS Mom and Educator is Refusing the Test for Her Kids*..... 13
- *Long Island Teacher Refuses To Administer Common Core Tests,*
Urges Others To Join Her 14

Police Impunity is a Crime

- *Justice Department Refuses to Charge Wilson, While Saying Ferguson*
Police Department has a “Pattern of Discriminatory Behavior” 17
- *Eight Revelations in the Justice Department’s Ferguson Report*..... 17
- *Ferguson Is America and President Obama Must Be Held Accountable..* 19
- *Chicago’s Homan Square “Black Site” Police Facility*..... 20
- *Protests at Homan Square Demand it Be Shut Down and*
Those Responsible Held Accountable 20
- *Condemn Mayor Emanuel’s Secret Police Interrogation Site* 21
- *Letter to Chicago Mayor Condemning Police Torture at Homan Square* . 23
- *Why Does the FBI Have to Manufacture Its Own Plots*
If Terrorism and ISIS Are Such Grave Threats?..... 24

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www.usmlo.org • office@usmlo.org • 716-602-8077
3942 N. Central Ave, Chicago, IL 60634

I • International Women's Day

workers, and two thirds of minimum wage workers, they are currently contending with major attacks on their working and living conditions.

Every effort is being made by government officials to exclude women from having their say and playing their role in the struggle for change that favors the people. This can be seen in education, where state takeovers and executive dictate are being used to block the collective of teachers and the public as a whole from having a say in the decisions that impact their lives. It can be seen in a refusal to put the minimum wage at a level consistent with a U.S. standard of living — \$15 an hour. It can be seen in the lack of work-place safety provided, lack of maternity leave, lack of day care. And in the on-going assault on the youth, including police killings and brutality, which impact mothers and young girls as well as young men.

Far from submitting, women are playing leading roles in building the organized resistance needed. They are undaunted by the brutal attacks on them and by the rotten social conditions where they are considered “fair game” for all sorts of degradation and crimes. Young women especially are organizing against rape and sexual assaults, refusing to be silenced by the laws, officials and dominant culture that says women are to blame for such attacks. No! And No means No!

On college campuses, in the workplace and elsewhere, women are standing up to say enough with these rotten conditions. And they are not content to stop there. They are also being pro-active, organizing *for* what is needed, for a society

fit for human beings. As its been put in the early struggles of women in the U.S. that gave rise to International Women's Day, it is a fight for bread and roses, for decent working conditions and a society where all can flourish.

Today this fight for roses is a battle for a democracy of our own making, where we decide. In the organizing work going forward to defend the right to education and the right of the public to govern, this fight is expressed in the call, *Our Schools, We Decide!* It is expressed in the work to block government efforts to eliminate the role of the public in governance and instead to bring yet more women into the battle. It is expressed in the special care women are giving to strengthen the fighting unity of all for rights and to recognize every step forward as a precious accomplishment.

As women across the country come forward to celebrate their many contributions and look to the future, it is this fight for decision making that serves to unify the fighting forces and open the path to a society fit for human beings. It is a fight of today, a fight to elaborate and build the new — new schools, new institutions, new organizations of our own making, where we decide! As the content of bread and roses brings out, it is important, but not enough, to oppose the attacks on our rights. It is necessary to elaborate our own alternatives, on the front of education, on the front of governance, and bring these changes into being, step by step. This too is where women can be found in the forefront, insistently demanding, *Our Rights, We Decide!*



I • Public Control of Public Schools

One is the effort to oppose and block efforts at state takeover in various forms. The second is refusing the state standardized tests, which are, or will be soon, the PARCC test (Partnership for Assessment of College and Career Readiness). Both fronts of resistance are evident in Buffalo, Chicago, Newark, Philadelphia, Albuquerque and elsewhere. Also, both are part of increasing the role of the public in governance.

PARCC is a non-elected private body not accountable to the public but having major influence, through its imposed Common Core testing regime, on students, teachers, parents and whole school districts. It is another form for eliminating public governance and putting our public institutions in private hands for private benefit. Thus refusing the tests contributes to the movements for *Public Control of Public Schools*.

In Buffalo, New York, for example, there has been broad resistance to attacks on the equal right to education. Through various means, such as rallies, forums, speak-outs at school board meetings and widespread distribution of materials, the public has united and is pursuing its demand, *Our Schools, We Decide!* Far from responding to the public will that is calling for enhancing and expanding the role of students, parents, teachers and staff in matters of education, New York Governor Cuomo is calling for state receivership. This would entail the Governor appointing a single individual, accountable to him alone, to decide all matters of education for a given school district, with Buffalo at the top of the list.

This plan, like those elsewhere, is making clear that the only answer state executives have to the problems of public education is to be more anti-democratic and anti-public. While the public is organizing to raise the quality of public education and demand the equal right to education for all, state executives are acting to block public participation and essentially put an appointed dictator in charge. We say NO! Democracy means fighting for and implementing the demand, *Our Schools, We Decide!*

In Chicago, where mayoral control has been put in place and the school board is an appointed one, the public also made clear its demand to increase its role in governance. A referendum demanding public elections for the school board secured 87% of the vote. In Newark, where schools were taken over by the state with an appointed superintendent, students organized a sit-in to demand public control and removal of the appointed superintendent.

Similarly, the Refuse the Tests efforts, in states such as New York, Illinois, New Mexico and elsewhere across the country, are uniting all in demanding a public education and assessments that serve the public. Everywhere, students, teachers and parents are rejecting PARCC and similar state Common-Core based tests that are narrowing curriculum and imposing “script” style teaching to the test. The tests themselves are a form of child abuse, including publicly posting arbitrary test scores that wrongly label young children as failures. These anti-public and anti-education tests are rightly being rejected and refused all across the country.

Advancing the fight for public control, against state control in



whatever form is critical to defending the equal right to education for all. Every effort will be made by state officials to divert from this central issue and divide those resisting in various ways, such as refusing the tests or opposing receivership. *Voice of Revolution* urges all those in action to stick with the key demand and fight to implement it: *Our Schools, We Decide!*

And, for the public to continue to raise and expand its role, the work for curriculum and schools of our own design is also important. Such efforts have developed as part of the struggle to block the closing of public schools and put in place redesign plans. It is also integral to the “Refuse the Tests” efforts, where students and teachers are taking their stand against the wrecking of education. They are demanding the curriculum and assessments and teaching conditions that are necessary to prepare youth to solve social problems and change the world.

State and local officials are now making every effort to block further development on education of our own making. Democracy demands the opposite. It demands that the content of *Our Schools, We Decide!* include elaborating and striving to implement our plans for our schools, their content and governance. It demands refusing to submit to efforts to divert the public and instead strengthening and broadening the united actions demanding that *We Decide!*

NEW YORK GOVERNOR CUOMO'S EFFORT TO BLOCK PUBLIC CONTROL

State Receivership Is No Solution

New York Governor Cuomo has called for the use of state receivership over entire school districts in the state. This is similar to laws imposed in Massachusetts, Michigan and Pennsylvania. Some form of state takeover and receivership is becoming a main means to block growing resistance to this wrecking of public education and further eliminate the public from governance of public schools.

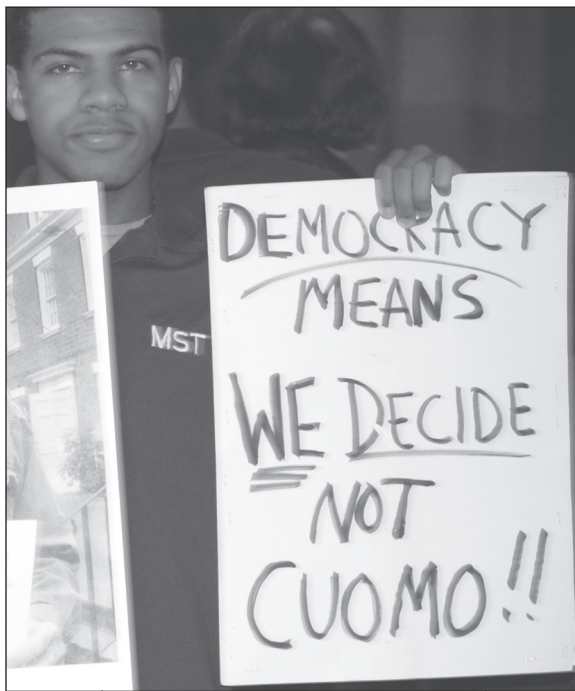
For New York, Cuomo has named Buffalo as a main, and perhaps the first target for such receivership. This is in part directed at the firm and growing stand of the public in Buffalo against such attacks and for *Public Control of Public Schools!*

In his state of the state presentation, Cuomo put it this way: "When a school fails for three years, a non-profit, another school district, or a turnaround expert must take over the school. That entity will have the authority to: Overhaul the curriculum; Override agreements to terminate under-performing staff; Provide salary incentives to recruit high-performing educators; Obtain priority over Pre-K, extended learning time, community schools, Early College High Schools, and other State grant programs." The large majority of Buffalo schools would already qualify for such takeover.

On February 12, Cuomo's office called on the New York State Board of Regents, which oversees public education, to investigate the "Massachusetts receivership model," with the Lawrence Public Schools as the main example. This model gives complete control to a single appointed individual to decide all matters not just generally in the district but for each school separately. The receiver decides budget, curriculum, length of day and school year, hiring and firing of principals, teachers and all staff, salaries, merit pay, discipline, whether to close schools or turn buildings over to charters, etc. The appointee can decide to work with teachers or not, and has power to act with impunity, showing favoritism to some while punishing others, individuals and schools alike. All decisions rest in the hands of a single individual *not* accountable to parents, students, teachers and staff in the specific school district, but only to Governor Cuomo.

An Attack on the Public's United Stand: Our Schools, We Decide!

Receivership is a means to directly attack the broad resistance and united stand that has developed in Buffalo: *Our Schools,*



We Decide! The public as a whole and its demand for decision making is to have no place. Collective action by the public, such as that seen at recent school board meetings, is to have no place or be greatly restricted. A receiver could decide to have no public meetings. Or, like the Control Board, only have 3-4 meetings a year where the public can speak but the board or receiver would not be obligated to answer or in any way submit to the will of the public.

A main aim in general, using the Lawrence Public Schools example, is to eliminate independent *collective* action, by teachers and students. Collective action defending collective rights is the basis for affirming individual rights. Blocking it harms both collectives and individuals. Instead of united, district-wide ac-

tions, teachers and principals are to limit their concerns to their individual school and join the receiver in competing against their fellow teachers and schools for financial and other rewards the receiver alone chooses to give out.

The recent struggle in Buffalo has made clear that common united action for rights of collectives, including the public as a whole, is what is most needed today. Fighting together for the equal right to education for all demands cooperation and working together for the public interest.

Public Control of Public Schools is what will move education forward, in Buffalo and elsewhere. Expanding and enhancing the role of the public in decision making will move education forward. Receivership serves to do the opposite. It is designed to eliminate decision making by the public, eliminate independent, united collective actions for rights and basically eliminate our schools as public institutions.

Receivership Imposes Common Core Regime

The Massachusetts model is also one based on implementing the Common Core and its testing and evaluation regime. Common Core and its testing regime is the weapon that has paved the way for the broad attacks on public education across the country and opened the way for state takeovers and receivership. It has been used to impose a testing regime considered child abuse by parents, students and teachers alike. It has imposed a narrow curriculum and non-thinking manner for reading material that teaches students only to do and think what they are told and forces teachers to make sure their students follow such orders.

The “scoring” for the test is arbitrary and designed to impose “failure.” The “cut” score, or “failing” point is decided after the tests have been graded. In New York it was designed by the state — which they admitted — to ensure 70 percent of students “failed.” And when students supposedly fail, so do teachers and schools.

The entire mechanism is anti-education and anti-public. Yet under the Lawrence receiver — the model for NY — all schools must submit to it, base their lessons and tests on it and submit to the Common-Core based state standardize test as the only measure for “improvement” and “failure.” These will now be the PARCC tests, being imposed in many states, like New York and Illinois. (PARCC is the Partnership for Academic Readiness for College and Career, a multi-state, appointed body, not accountable to the public.)

More than 60,000 students and parents refused the state tests in New York last year and many thousands more will do the same this year. Already students in Santa Fe and Albuquerque have walked out and refused the PARCC tests while those in Chicago are preparing to as well. Putting a receiver in place is a means to block this growing and widespread refusal and provide a way to immediately punish any who refuse— students, teachers and parents alike— something that is not possible at present.

Beware “Teacher Leader Teams”

In reviewing the plans of the current receiver in Lawrence, Massachusetts, it is notable that a main method used is that of “advisory” boards. In the Lawrence case this includes a “Teacher Leader Cabinet” to advise the appointed receiver. And there are “Teacher Leader Teams” at each school to work with the principals for plans for each individual school.

As the receiver in Lawrence has made clear, such teams do not decide things. They are encouraged to follow what the receiver says and if not, he will directly intervene to “turn things around” as he sees fit: “We’ve asked every school to sets its own hours and calendar for the year, create its own plan for developing common core-aligned curricula, and design its own professional

development for educators...Now this doesn’t mean that any proposal will fly. We maintain strong recommendations that schools choose strategies we have seen work well...Now, to be clear, there are times where I will intervene centrally if a school is not headed in the right direction...” No doubt the receiver also has final decision making as to who is and is not a “teacher leader.” (August 2014 Letter to District Faculty).

Teachers and principals may advise, but it is the receiver only who decides. The model is similar to that used by major monopolies, like General Motors, to involve workers in “advising” how better to compete. Such models came into being at a time of broad resistance among autoworkers, just as they are now to be used during a time of broad resistance among teachers.

It was a method introduced to block the independent collective actions of workers in their own self-interests and instead involve them in advancing the interests of General Motors in its global competition. Today, for the school-based model, the Lawrence example takes into account what is needed, and being demanded — for teachers, staff, students and parents themselves to be decision makers. However, it then corrupts this just demand, first by allowing an “advisory” role, instead of a deciding one. And second, by instilling individual competition among teachers and schools, rather than collective action for the rights of all. Again, there is not space for students and parents to join in deciding and in fostering united collective action in the interests of the public as a whole. The district becomes disintegrated into a bunch of competing individual schools, which is part of the effort to eliminate the basis for common, collective action.

Collective actions for rights are the necessity in today’s world. These are modern times that call for modern solutions. This means a democracy of our making that centers on decision making by the people themselves. This is the requirement of the times, this is what the Buffalo experience is demonstrating and it is the direction needed. Receivers, like czars and kings, are all relics of the past with no place in the present. To Cuomo and all others striving to block the people from power, we repeat: *Our Schools, We Decide!*

CUOMO’S MASSACHUSETTS EXAMPLE

Lawrence Receivership Example and Issues of Decision Making

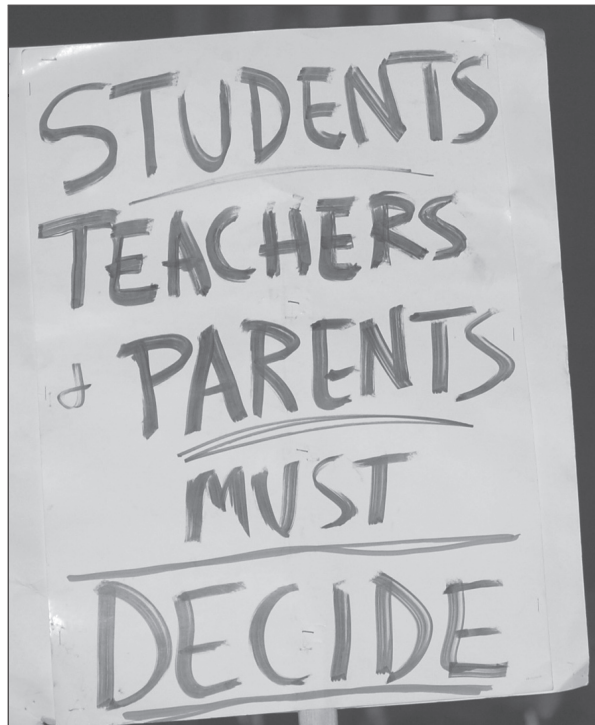
Below we reprint excerpts from a letter by Jeffrey C. Riley, the state-appointed receiver of the Lawrence School District in Massachusetts. Lawrence is one of the examples New York Governor Cuomo is utilizing as he plans a state takeover of New York State school districts, using receivership. Buffalo is a likely first target. Other states where state takeovers of various kinds have been used to eliminate elected governance and eliminate school districts include Louisiana, Michigan, New Jersey and Pennsylvania. In all cases, school districts are essentially eliminated, replaced by a collection of individual schools, each with its own curriculum, hours, pay scales, etc. and all serving to eliminate the public from governance. Collective action and

common stands by teachers, students and parents are a main target, to be replaced by individual competition, within each school and between them.

Receivership commonly involves the Governor, or state education commissioner, or similar executive appointing a single individual with broad powers to make decisions — dictate to — a school district. Elected governance is eliminated. The receiver’s powers commonly include budget, contracts, hiring and firing, closing schools, handing them to charters, and so forth.

As the Massachusetts education commissioner, who appoints the receivers in that state, has stated, “Under receivership, when the state takes over, we’re no longer bound by the collective

bargaining agreements or the budget and staffing decisions that have operated up until the receivership, so the state had the ability to make changes.” He added, “We have complete control over the budget. Where collective bargaining agreements are an impediment to implementing the turnaround plan, we can implement changes ... and we have control over staffing.” For charters he said, “So a charter operator that’s a receiver for the state has those kinds of autonomies that they would have under a charter law. Where it’s different is they are no longer governed by a non-profit board; they are now working under contract to the state.” The appointed receiver is free to decide about what the charters can do independent of any constraints in existing charter law.



is on a continuum and can vary from year to year. As such, the top-down, one-size-fits-all set of policies traditionally imposed by central offices or union contracts must be made more flexible. Only then can progress be made at each school.

“When I first came to the district, I was focused on three things: 1) opening up “white space” for schools by clearing out former top-down policies; 2) identifying what was working in the district and expanding on it; 3) introducing schools to new practices I had seen work effectively to lift student achievement. These supports include extended time used well, including high quality student enrichment and teacher collaboration time; using student data to drive instruction; and targeted interventions that meet individual students

Lawrence Example

Lawrence, in particular, has a student population of about 14,000. It was the first district put under receivership by Massachusetts state officials. The receiver’s letter is to the Lawrence District Faculty at the start of the 2014 school year.

The partial excerpts from the letter below highlight issues of decision making by the receiver and teacher involvement, as advisors, in implementing the Common Core curriculum and testing regime. As the receiver put it: “Rigorous standards are the first pillar of high-quality teaching and learning.” They are to be “monitored through annual standardized testing.” And referring to his work with his Teacher Leader Cabinet on lessons, they are “Starting (as always!) from the state standards.”

The Lawrence model uses what is called “open architecture” with minimum common standards for the district as a whole and “white spaces,” where each school is given more or less “white space” to work out its plans. It also includes merit pay for teachers and using a stipend instead of regular hourly pay for longer school days. The complete letter can be found at: http://www.lawrence.k12.ma.us/users/0files/flyers/Our_Way_Forward_2.pdf

* * *

Excerpts of Letter to Lawrence Faculty from State Receiver Jeffrey C. Riley

“Open architecture is fundamentally about differentiation. If differentiated instruction allows us to customize teaching to individual students’ needs, open architecture allows us to customize supports to individual schools’ needs. Our model provides broad autonomy for schools that are excelling and more intensive interventions for those schools that are not. Indeed, we recognize that the performance of our schools

where they are, such as acceleration academies.

“We’ve also asked every school to set its own hours and calendar for the year, create its own plan for developing common core-aligned curricula, and design its own professional development for educators. Our new teachers’ contract provides for teacher voice as a key component of this process, where Teacher Leadership Teams at each school work with the principals to set school policies. This is the core of open architecture — each school team designing the program and plan that will accelerate achievement for their students, based on the unique factors at their school.

“Now, this doesn’t mean that any proposal will fly. We maintain strong recommendations that schools choose strategies we have seen work well — whether that be sending students to the Lawrence Public Schools acceleration academies over February and April breaks or an extended day in K-8 schools. However, if principals and school teams want to propose an alternative plan that will deliver better results for students, we support and encourage that. And centrally, we provide schools with advisors who support them in making these decisions and help them look for ways to learn from one another about what is working.

“Where we are now is a district where schools set their own course. And I need each of you to be active participants moving your school forward in the coming years.

“Now, to be clear, there are times where I will intervene centrally if a school is not headed in the right direction and I do not see a clear plan in place to reverse course. When I arrived in Lawrence there were a few schools where drastic action was needed to improve student performance. And I cannot rule out that this could happen again, particularly with schools that fall to Level 4 status. In these cases, we’ve turned to innovative

school models like the Oliver Partnership School, which is run in collaboration with the local and national AFT, or non-profit management organizations like Unlocking Potential or The Community Group. [...]

“Open architecture is what unites us as a district, while still recognizing that each school is unique. It sets up a common model of ground rules for all schools in the district, but allows both the district and the schools to take a differentiated approach to setting each school’s program,” (end excerpt).

Lawrence uses the same federally-based “high” and “low” designations for their schools, using annual state tests to determine student “improvement” and school “standings.” Like in New York, the state tests have been widely opposed in Massachusetts by parents and teachers as arbitrary, anti-education, and not a tool for measuring student or teacher development.

In Lawrence the receiver has established a “career ladder” with merit, or incentive pay. Such pay is known to greatly increase competition among teachers, not collaboration, and use of favoritism and punishment by the individual granting the pay, in this case the appointed receiver. It is also not clear on what basis, other than state test scores, a teacher is considered “advanced” or “master” or a “leader.” What is clear is that the appointed receiver decides. In his letter he brings out:

“I use a very basic tool to think about our teachers’ readiness

to do the tough work of creating rigorous, engaging lessons — a diagram called the “will/skill matrix.” Ask yourself, where do you fall in this chart? [The chart has four quadrants, “low skill/low will,” “low skill/high will,” “high skill/low will,” and “high skill/high will,” BF Ed. Note]

“This is an oft-used tool within teaching and other professions and is widely cited. I believe that when looking at both skill and will, the vast majority of our teachers today — over 95% — are great, good or working hard to improve.

“Teachers in each of these quadrants need different types of support. We need to grow educators with high will/low skill — those who are just starting in their careers and need to be developed. We need to re-enlist those with high skill but low will — talented experienced teachers who may have lost some of the zeal that attracted them to teaching. And we need to make sure we recognize, retain, and reward our best teachers — those with high skill and high will. To do this, we’ve created a career ladder with Advanced and Master roles, where great teachers can share their talents with others and earn up to \$85,000. We’ve formed a Teacher Leader Cabinet, where teachers advise me on district strategy. And we have the Sontag Prize, where top teachers receive an award, professional development at Harvard, and a significant stipend to teach struggling students over school vacations.”

All School Officials Must Demonstrate Their Concerns About the Governor’s Proposals

Judie Byndas, Retired Teacher

I have read with interest the many letters to the editor and editorials on concerns of teachers and parents about the governor’s outlook on public schools. I am pleased but also sorry to say that the New York State Retired Teachers Association recognizes these concerns as real and of drastic importance. It is time that active educators, retired teachers, administrators, school boards and superintendents unite to show exactly how concerned we are.

Active educators have additional stress with pressures on their performance reviews tied to standardized tests, no freedom to stray from scripted texts for “teachable moments,” little time or training for the Common Core, and dealing with flawed and misleading test questions. Good school administrators are retiring before they planned to with the excessive amount of paperwork that comes with increased evaluations. School boards and superintendents must put off budget planning as the governor has tied tentative school funding to other education reforms (?) that he wants. Retired teachers understand these problems and support all these groups as they have been under scrutiny and will continue to be in different circumstances.

Parents and superintendents have encouraged students to opt out of these standardized tests. Several educators, recognized as state Teachers of the Year, have expressed their concerns in

city newspapers.

A decade ago, exams known as Regents and curriculum were designed by active educators, not by a British corporation [Pearson]. Retired teachers recall that Regents exams measured student and teacher progress quite well and, yes, students a decade ago gained entrance to good colleges and diverse careers. They were also able to participate in athletics, music and art, even home economics in high school and recess in elementary schools.

The governor would like to see an increase in teacher failures and more charter schools. With legislative support, we will again see decreases in public school funding and elimination of more teaching staff. When will the governor and legislators address the poverty, hunger, dangerous neighborhoods, volatile households and inadequate supplies that students are facing when they come to school? Some students are natural test-takers and are not fazed by exams. Others may study and study and fall apart on the first question. What about students with special needs? What ever happened to learning styles?

People concerned about plans for public education, unite! I believe education for all is in this state’s constitution.

Judie Byndas of Waterloo is president of the New York State Retired Teachers Association.

Overwhelming Support for Elected Chicago School Board

A non-binding referendum calling for removing Chicago's appointed school board and replacing it with an elected one was on the ballot in Chicago's recent elections. Voters in 37 wards (districts) had the chance to support organizing efforts demanding elected governance, with the referendum a step in that direction. People voted overwhelmingly — 87% — in favor of an elected board. Currently, the Mayor controls public education and he appoints the school board. They are accountable to the Mayor, not the public.

Organizations active in defending the right to education, such as Raise Your Hand for Illinois Public Education and Communities Organized for Democracy in Education, put forward important reasons for supporting elected governance. While recognizing that more is needed to secure Public Control of Public Schools, the various groups see the referendum as a means to block the current attacks on public governance and the right to education more generally. Among the reasons given were:

- **No taxation without representation.** The appointed board levies property taxes; no elected official, not even the mayor, can veto the decision. The mayor is checked by the aldermen and the governor is checked by the legislators, but no elected official checks the unelected school board.

- **Chicago's neighborhoods need representation.** The appointed board has weakened neighborhood schools over the past 4 years. Millions have been cut from district school budgets and 54 neighborhood schools have been closed or phased-out since 2012. Neighborhood high schools have lost 12% and 10% of their budgets over the past two years under this administration.

- **CPS's privatization policies** — school closings, turn-arounds and charters — do NOT improve education. They have been devastating to all children, especially those in African-American and Latino communities.

- **The appointed board system is racially discriminatory.** More than 1/3 of Hispanic students in Illinois and almost 1/2 of African-American students attend public school in a district without an elected school board (36% and 44%, respectively). Nearly half (47%) of the state's African-American residents cannot elect their school board, but only 13.3% of white residents cannot. The lack of an elected board disproportionately disenfranchises voters of color.

- **Parent voices are stifled.** The appointed board's pro-privatization agenda has cut district schools over parent protests while Chicago Public Schools (CPS) opened 21,251 seats over the past three years, mostly in privately-run charter, contract and alternative schools that lack elected local school councils. The school operators are not subject to open-meeting

or freedom of information laws. Privatization has extended to the custodial contract leaving our schools across Chicago much dirtier. Principals in CPS can often be found with mops in hand these days.

- **Class size has increased.** Art, music, recess, Physical Education and after-school activities have been cut, while high-stakes testing eats up more classroom and learning time. It took a historic teacher strike just to hold the line on these losses, but the district is a long way from providing a rich curriculum for all students.

- **Chicago residents are treated unfairly.** No other district in Illinois has an appointed board by law; why should we? 94% of school boards around the country are elected. Of the ten largest school districts in the country, only three, including Chicago, have appointed boards.

- **Financial mismanagement.** Debt service has skyrocketed, no bid-contracts are common, money is lost on toxic interest-rate swaps and risky bonds, and TIF (Tax Increment Finance Districts) reform is ignored. CPS tripled its capital budget in 2013 to \$363.7 million to help pay for upgrades to buildings. Only 52% of kids ended up in "welcoming" schools according to the Chicago Tribune. Operating costs for closings equaled \$263 million according to a report by the Chicago Educational Facilities Task force.

- **End rubber stamp voting.** The appointed board rarely debates any policy resolution and votes are nearly all unanimous. The appointees ask few or often no questions of CPS officials even on major policy changes.

- **Evidenced-based policies have been ignored.** This Board has not addressed reforms that actually have been shown to work such as reducing class size. From our research, 34.5% of students in K-2 are in classrooms at or above 29 students. The board upholds high-stakes testing policies that rank, sort and punish schools instead of supporting them. There is less time for professional development for teachers under the new 7-hour day, and mandates for a broader curriculum have mainly been unfunded.

- **CPS blames teachers, parents, and students** for the problems THEY have created. School closures, class size, expansion of charters, uneven distribution of resources and the expansion of more and more standardized testing are all CPS board policies that are imposed with no input from students, parents or communities.

- **Rampant conflicts of interest.** These include board members having ownership in companies that are profiting off our schools and the ethics policy for the appointed board is more lax than that of elected school boards or Local School Councils.

FOUR-DAY ACTION DEMANDS ANDERSON'S RESIGNATION

Newark Student Union Organizes Sit-In for Public Control at Superintendent's Office

For four days, the Newark Student Union organized a sit in at the offices of state-appointed Superintendent Cami Anderson. The high school students took over the office the night of a School Board meeting, where they had spoken and raised their concerns that Anderson should not be given another year in office. Instead, Newark schools should be controlled by the people of Newark.

The students, some from the city's vaunted Science Park High School, left the board meeting as a group and then organized their sit-in in Anderson's office, demanding that she resign immediately. They gave as one reason, among others, her failure for a year to attend board meetings, including the one the students had just left. Anderson is paid \$300,000 a year, but does not consider board meetings of any significance.

Anderson's attorney, present in the building when the sit-in started, came and threatened the students with arrest for trespassing on private property. She said this to public school students, in a public building of New Jersey's largest public school system.

The students demanded to speak with Anderson and she refused. She did not even come to her office. She also sent threatening letters to the parents of the students, who all stood with their children and their demand for public control of the schools. Officials also blocked food and blankets for the students, donated by the community. As has become customary with such actions, people ordered pizza for the students, a local restaurant also provided food and clergy stepped in to be sure it was delivered to the students.

Superintendent Anderson refused to speak with the students or even appear at her office for three days. The students were not idle. They organized to discuss the problems in their schools and set-up a live feed on youtube to keep all concerned informed about developments. Support came in from across the country, as many students face the common problems of unequal education and undemocratic governance of their public schools.

For example, at the same time Newark students were engaged in their second night in Anderson's office, the state appointed School Reform Commission (SRC) that controls Philadelphia public schools was having citizens arrested for protesting the SRC decision to expand charter schools.

Newark was one of the first cities to face state takeover, two decades ago, and Philadelphia followed not long after. These state takeovers have not served to raise the quality of public education or make it more equal in either city. Rather, conditions for teaching and learning have become worse for students and teachers in both cities.

The issue of public control, expressed in various ways all across the country, is coming to the fore. The sit-in spread that discussion and raised the importance of those directly involved in the public schools — teachers, staff, students, parents, the public in general — having control over them. They discussed questions like “What gives the state or federal government the right to come in and take



over public schools?” and “What about our rights?” They also opposed the upcoming state standardized tests as invalid and unjust.

As the sit-in continued, the teachers union discussed holding a strike if the students were forcibly removed. Various organizations rallied outside the building expressing their support. Mayor Ras Baraka, who also supports parents refusing the state testing regime, joined the students in calling for Anderson's resignation.

The Newark Student Union has also exposed some of the money-making going on by corporate school reformers, really deformers of public education. As one example, five years ago, Newark Schools received a \$100 million gift from Facebook's Mark Zuckerberg to “turn around” the district. The project is called One Newark. The person in control is Anderson.

However, instead of raising the quality of the schools, she has been responsible for closing or relocating schools, opening new charter schools and displacing staff. And no improvement to district services has occurred.

Where is the money going? That is not known entirely, but at least part of it has been Anderson's spending of \$37 million on consulting fees to prominent school deformers.

On the fourth day Anderson finally showed herself and spoke with the students. Students considered having the meeting a positive step, as Anderson refuses to speak with students and the community more generally. The students issued the following statement: “After 65 hours of occupation, we, the Newark Student Union, met with the state-appointed Superintendent of the Newark Public Schools, Cami Anderson, in regards to her lack of communication with the students, parents, and the broader community of Newark, New Jersey. Due to her continued inability to have an open and constructive dialogue with us, she has inevitably created a deep mistrust against the administration and its policies. At this point, the students remain committed to the demand that she resign immediately.” They then left the office while affirming they will continue their fight for public control.

NEW MEXICO

One Thousand High School Students Walk Out and Refuse PARCC Test



About one thousand high school students in New Mexico walked out of class and demonstrated over two days, March 2 and 3, refusing the PARCC standardized test. Albuquerque had the largest actions, with more than 300 students from one school joining hundreds of others from nearly every high school in the city. The protests continued throughout the day March 2 with one of the largest drawing several hundred from South Valley Academy and Rio Grande High School to a united action at Atrisco Heritage Academy on Albuquerque's west side. Teachers at some schools also joined the actions, with early morning pickets at their schools. Teachers and students together demanded, "Say No to PARCC!"

Students from other cities, including Rio Rancho, Las Cruces, Carlsbad and Hot Springs also walked out and refused the PARCC. About 700 students statewide refused the tests while remaining in school, as another means to encourage resistance. These actions follow those of students in Santa Fe, where hundreds walked out in February to refuse the PARCC test.

Hundreds of students again walked out March 3, condemning the PARCC test as unfair and harmful to education. Students in Albuquerque marched down a major street, slowing traffic for four miles, to again unite with other students for a joint rally at one of the schools. This occurred despite threats from school officials that students would face criminal charges if they marched to other schools and would get a zero on the PARCC test and all other schoolwork that day. Students were not intimidated, and instead again refused the test and stood up for their rights.

PARCC, the Partnership for Assessment of Readiness for College and Career, is a non-elected body, not accountable to the public, which is striving to impose its privately owned and corporate-developed tests on states across the country. These include New York, Illinois and New Mexico. The state's education boards will use the tests to "grade" students, teachers and

schools. And as has already been shown, will arbitrarily "score" the tests so the majority fails. This "failure" opens the way for state takeovers and privatizing governance of public schools. For students in New Mexico, the PARCC test is 50% of their grade and it is necessary to pass it to graduate. This requirement is a means to force students to take the test — which students answered with their walkout.

The PARCC test does not "encompass the learning styles of many different students and that leaves people out," said one protester. He said the negative impact of PARCC on classroom learning is such that if the Common Core curriculum, "script" teaching style and dull and narrow PARCC tests continue, many students will simply stop going to school. Another raised the concern that the English Language Arts test does not include creative writing and literature as part of the content. Forcing teachers to teach to the test will eliminate the "interesting dynamic between teachers and students." Explaining opposition to the test, a student said, "The test is taking away students' opportunities to learn in their optimal manner and it is taking away teachers' opportunity to teach how they teach best." A sophomore brought out, "Analyzing these stories and writing essays on why this one line was important to this third subplot in a three-page story has nothing to do with what we are going to be doing in the real world." Others brought out that students are more than just a grade or test score and that it is unfair for the PARCC test to determine if students graduate. Students also expressed support for their teachers in various ways. As one put it, "Our teachers always tell us use our voices, so why not use it here," against the PARCC test.

The walkouts bring to the fore that students have a vital role to play in refusing the tests and strengthening resistance by teachers and parents. No doubt as PARCC is imposed in more school districts, more walkouts and student organizing will take place.

Visit our website: usmlo.org

A Guide for Defending Rights When Refusing State Tests

Ceresta Smith, United Opt-Out Co-Founder

During the process of opting your child out of testing, you will probably meet with the following comments by administrators and district officials. It is important that you ask that any of the following statements be put in writing on stationery with the school or the district's letterhead. I have listed the comments with the responses you may need to complete the process of opting your child out of standardized testing:

You will cause the school to be deemed failing, and it will be under sanction or closed down.

To date no school has been closed for parents opting their children out of testing; they have been closed for parents opting their children in.

Your child has to stay home during the testing window.

I am a taxpayer, and you do not have the authority to bar my child from accessing this public good of which I contribute in the form of tax payment. I will call the police if you attempt to bar my child from entering the building.

Your child has to report to the test site.

Having my child report to the test site only to sit and stare into space for hours at a time is tantamount to solitary confinement. If you attempt to force my child to do so, I will report you to the child abuse authorities. If anyone places their hands on my child after he/she has respectfully declined to report to

a test site, he/she has been instructed to call the police and file charges.

Your child will not graduate without the test.

As the parent, I have legal rights to the final say when it comes to my child's education. My preference is the use of the PLAN or ACT test to prove my child's proficiency in math and reading, as they are voluntary and allow me to receive a copy of my child's actual test for review.

Your child will be retained.

The goal here is to demonstrate proficiency, and as a parent I have the legal right to request the use of a portfolio or alternative assessment to demonstrate my child's ability. Upon review, together we will decide if that is necessary.

Your child will be placed in remedial classes.

The goal here is to demonstrate proficiency, and as a parent I have the legal right to request the use of a portfolio or alternative assessment to demonstrate, my child's ability. I will be the one to decide along with your expertise if remediation is necessary.

We cannot supply alternative activities for your child during testing.

It is my child's right as a public school student to receive instruction daily, and if you do not do so, I will file a discrimination report with the district and consult an attorney.

Chicago Schools Calling on Parents and Students to Refuse PARCC Test

The Parent Teacher Organization for two Chicago schools are organizing to have 100 percent of their 3-8 graders refuse to take the state standardized test. Illinois is imposing the PARCC test, which was not developed by educators, teachers cannot discuss questions or answers and their relevance to educating their students and students and parents do not get results. PARCC, Partnership for Assessment of Readiness for College and Career, is a private, non-profit organization that is not accountable to the public. It is being used to remove the public from governance, including through its testing and teacher evaluation regime. Refusing the testing is one part of growing movements in many states to demand public control of public schools and fight for teachers, parents and students together to decide, not unelected boards, or receivers, or state executives.

The Chicago Public Schools (CPS) have been threatened by the state and forced to use the PARCC test. The state used the blackmail of threatening to withhold \$1.4 billion if the PARCC test was not given to all 3-8th graders and some high schools. In rejection of this unjust action that comes despite broad opposition to PARCC by parents, students and teachers, Blaine Elementary School and Nettelhorst Elementary School are taking matters into their own hands. A third school, Decatur Classical Elementary School, may

also refuse the PARCC test.

Blaine's Parent Teacher Association is aiming to have all of its students in third through eighth grade refuse the test so "our students can get back 10 hours of vital classroom instruction." The group is encouraging parents to download the forms on their web site to inform their children's teachers.

Blaine's principal Troy LaRaviere voiced no objections in an email he sent to the school's parents Tuesday night.

"I am writing to make it clear that the Blaine administration fully supports the PTA's effort to maximize Blaine students' instructional time," LaRaviere wrote. "Students whose parents opt them out will receive a full day of instruction. Teachers are developing plans that will provide enriched learning experiences for non-testing students during the testing window. I want to clearly state that whether you opt-out or not, Blaine's administration and teachers will respect and support your wishes for your child."

Last year, CPS refusals on the Illinois State Achievement Test (ISAT) exam skyrocketed over years past, accounting for 2,054 of the state's 2,198 students who did not take that test, compared with just 99 total in 2013.

Nettelhorst's principal Cindy Wulbert wrote on her school's web

site, “Opt-out procedures are similar to past years. A letter from a parent or guardian must be written to administrators. Please include your email address so we may contact you. The district requires a conversation between parents or guardians prior to opting out. Please include the name of your child and room number. I have extended the deadline for opt-out letters to March 12. Students who do not take the test must bring self-directed activities such as reading or

other quiet activities.”

Nettelhorst’s Local School Council voted two weeks ago to allow parents to write and notify the school that their children would refuse PARCC.

In addition, various parent groups are distributing stickers to parents and students, reading, “I refuse the PARCC. Thank you for understanding.”

Why a CPS Mom and Educator is Refusing the Test for Her Kids

Cecily Relucio Hensler, Raise Your Hand for Illinois Public Education

As an educator committed to the struggle for education justice, I grapple with the contradiction of also being a parent who plays into the game of the two-tiered education system. My two daughters attend a school with a high performance rating, and they benefit daily from the autonomy that comes along with that standing. The school is also well-resourced, and therefore can respond to the needs and challenges that arise.

Our school is not subject to the harsh penalties faced by principals, teachers, and parents in under-resourced schools, located in communities already subject to unjust public policies and practices that reinforce racial and economic inequality. My family and I believe that our privilege comes with a responsibility to combat these inequities, and opting out from standardized testing is one way in which we can participate in the larger struggle against corporate-driven, market-based educational reform agendas. As an educator, I know that standardized testing does not prepare my children to achieve academically. Student-centered curriculum, instruction, and assessment does, and the inordinate amount of time spent on standardized testing is robbing our children of those opportunities. Our school leaders and teachers have been supportive of families that exercise our right to opt-out. Not being subjected to fear-based, compliance-oriented tactics (such as “sit-and-stare,” or letters home convincing us that our children have to take the tests) is yet another privilege that we have. This has made our decision to opt-out much easier.

Having been a CPS classroom teacher before No Child Left Behind was in full effect, it’s frightening to see how dramatically the educational landscape has shifted in a relatively short period of time. In my work over the last ten years as a teacher educator and professional developer, I see the tremendous pressures placed upon school leaders, teachers, and students, and how the overemphasis and misuse of standardized testing has distorted the vision and practice of teaching and learning. Social studies and science have been pushed aside in order to focus on tested subjects. Students and teachers are being reduced to numbers. High-stakes standardized testing dominates almost every conversation about teaching and learning — especially in schools that operate under extremely challenging, and frankly, inhumane, conditions. Before NCLB, standardized test data was considered just one of several measures of the quality of education of our young people. The punitive rhetoric of high-stakes accountability has seeped its way into the public consciousness, and we are being conditioned to

view high-stakes standardized testing as the best or only way to measure “effectiveness.”

I think it’s time for us to move beyond the common sense rhetoric, and to ask a different set of questions. Who is really driving, and benefiting from, the policy agendas of No Child Left Behind and Race to the Top? Why are billions of public tax dollars being funneled into the hands of private investors? What are the research findings on the efficacy and impact of the policies and practices of NCLB and RtT? What are the trade-offs and (un)intended consequences — who and what is being harmed by these policies and their ripple effects? Have competition-based educational reforms moved us toward or away from an educational system centered on the belief that education is a human right for all children, not a privilege reserved for those with the most access and resources?

While I believe that a mass opting-out movement is needed to raise awareness and send a powerful message to the Department of Education, policymakers, and civic leaders, I also understand the complexity involved in these decisions, and that opting-out is not a strategy for everyone. There are so many ways to get involved in the movement against high-stakes standardized testing and to advocate for a well-rounded education for all children. Listen to what our children, teachers, and school leaders are saying about the on-the-ground impact of high-stakes standardized testing. Provide teachers with the resources they need to support over-tested, stressed-out students. Ask administrators and district leaders about standardized test data and how it is being used.

Get informed about the limitations of the PARCC exams. Learn about research-based, proven assessment practices that are the alternative to standardized testing. Pay close attention to what is happening with the upcoming reauthorization of NCLB and voice your concerns to your legislators. Support — by donating your time and/or resources — local and national organizations such as Raise Your Hand, More Than a Score, FairTest, and United Opt Out National.

I urge parents to get and stay engaged in advocating for our own children, for the well-being of school communities, and for community-based public education. Another system is possible, and collectively we can all contribute to building it.

(Cecily Relucio Hensler is the co-director of the Chicago Grassroots Curriculum Taskforce. Her children attend a Chicago Public School, and she is a former CPS teacher.)

Long Island Teacher Refuses To Administer Common Core Tests, Urges Others To Join Her

Jaime Franchi, Long Island Press

Beth Dimino, an eighth-grade science teacher in the Comsewogue School District and president of the Port Jefferson Station Teachers Association, will be the first Long Island teacher to “opt-out” of administering mandated state standardized tests this April.

An outspoken opponent of the Obama administration’s controversial Common Core education reforms — new academic standards in mathematics and English language arts/literacy (ELA) rolled out nationwide last year that have sparked protests among countless students, parents and teachers across Long Island and the country — Dimino was just one of several local school officials, elected officials, parents, and nonprofit leaders who railed against the program at a rally last March at Comsewogue High School attended by hundreds of “Opt-Out” supporters.

More than 20,000 Long Island (LI) school children refused to take the state tests last April. No teacher, however, has gone so far as Dimino to publicly voice his/her intention to refuse to even proctor the exams. She tells the Press her unprecedented decision is simply a matter of conscience, and spelled out as much in a recent letter to Comsewogue Superintendent Dr. Joe Rella, who’s also gone on record as a staunch Common Core dissident.

“I find myself at a point in the progress of education reform in which clear acts of conscience will be necessary to preserve the integrity of public education,” she writes. “I can no longer implement policies that seek to transform the broad promises of public education into a narrow obsession with the ranking and sorting of children.

“I will not distort curriculum in order to encourage students to comply with bubble test thinking,” continues her letter. “I can no longer, in good conscience, push aside months of instruction to compete in a state-wide ritual of meaningless and academically bankrupt test preparation. I have seen clearly how these reforms undermine teachers’ love for their



profession and undermine students’ intrinsic love of learning.”

Dimino hopes other local educators will follow her lead and oppose subjecting their students to the tests by refusing to administer them.

“The next logical step has to be the movement of conscientious objectors,” she tells the Press. “I believe, and I said this to [New York

State Education Commissioner John] King and [state Board of Regents Chancellor Merryl] Tisch and [state] Senator [John] Flanagan at the Three Village Rally [in November 2013], that this is child abuse. I believe that it is child abuse. I believe that giving these tests to my students makes me culpable in the abuse of children and I can no longer do that.”

Dr. Rella supports and respects her decision.

“I have known Beth for over 20 years,” he says. “This was not something she has done lightly. There was a lot of soul searching that went on and she said to me, as a matter of conscience, she cannot participate. She cannot proctor this test. And I support that.”

Dimino and Rella harbor a host of reasons why they are so opposed to Common Core, ranging from what they deem as a lack of focus and an erroneous substitution for actual hands-on, in-the-classroom, traditional teaching, to myriad issues with the actual exams themselves, which utilize problem-solving and reason-centric approaches to not only answering but understanding subject material questions.

“These tests are meaningless,” Dimino blasts. “They do not show us anything that a test is supposed to show us. Tests are supposed to show us how children are doing, how proficient children are in the work we’re teaching them. So then we can either modify our pedagogy and review it and do it again because the children didn’t get it, or understand that the children got it and move on to the next piece of the puzzle, which is teaching that particular piece of curriculum. These tests do not inform on that level at all.”

A major gripe of Dimino and other Common Core critics

is that teachers are not part of crafting the test, not permitted to view the whole test and not even privy to tests' answers. Additionally, she laments, instructors are not allowed to discuss the test among peers and do not get students' scores until the next school year.

"So the children aren't actually in third grade when they get the results of the test," she explains. "The parents don't get the test until the fourth grade, so the children have either been promoted or held back, but in fact, that third-grade test was not used in any way to help that third grader."

Rella agrees, listing as one of his main critiques about Common Core that the passing score for the tests are actually set months after the tests are given.

In 2013, the first year students took the exams, for example, the state education department predicted a 70-percent failure rate, which came to fruition when results eventually came back that August. Similarly, last year's pass rate was predicted to be 35 percent.

"At this rate, with the success rate going up 5 percent per year, it will be 10 years before these children will know success," he blasts. "They will go through their entire education experience as failures."

Rella thus believes these tests are "designed to make children fail [and] are unconscionable." [...]

The Dimino Effect

Dimino, by refusing to administer the upcoming Common Core

tests, is effectively risking her job for what she believes, and implores others to do the same. She believes there are many other teachers out there that may feel the same way but are prevented from acting for fear of jeopardizing their positions. And because of those mixed signals, many parents are confused about whether or not opting out of the tests is the best option for their children.

To help clarify this, she's also putting forth a proposal before the New York State United Teachers Federation (NYSUT) asking that all teachers who have school age children refuse to let them take the exams.

This resolution, which Dimino co-authored, passed her union unanimously, she says, and will be brought to the NYSUT general assembly meeting in April, and aims to coordinate local teachers unions across the state in opting their children out of the tests in solidarity.

Jeanette Deutermann, the mastermind behind the 17,000-plus member anti-Common Core Long Island Opt-Out Movement, who helped contribute to the more than 60,000 students refusing the tests in New York state last year, sees teachers refusing to administrate the tests as the next logical step in their mission to end them.

"This is the natural progression of our fight against high-stakes testing that is depleting public school resources, hijacking our children's classrooms, and turning the love of learning into fear and punishment," she says. "Parents of Long Island Opt Out and New York State Allies for Public Education stand behind any educator in the position to take this courageous action on behalf of our children."



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I • Police Impunity a Crime



to be no connection between this systemic racism and Wilson's claim that he feared for his life when confronted by an unarmed African American teenager.

When it comes to police killings, federal charges require Justice Department prosecutors to prove that the individual policeman knowingly and deliberately violated the constitutionally protected civil rights of the person killed or brutalized during the shootings or beatings. This commonly means proving "unreasonable" use of force and that the person killed was targeted on a racist basis.

The DoJ refers to this as a "high bar" for prosecuting and uses that as the excuse to permit police brutality and killings of African Americans, Latinos and youth generally all across the country. More youth have been killed by police since the August 2014 killing of Brown, including an unarmed 12 year old and a 19 year old, killed in his home in Madison March 6.

As these many killings indicate, the youth and national minorities experience the very low bar for police to justify use of force. Wilson, and police generally, merely have to say they feared for their lives. No One is to question that this fear is part of the racist and militarist culture promoted, where simply being a Black male means you are a threat.

Wilson, armed to the teeth and protected, including having a police car and back up on the way, fired 12 times at an unarmed teenager standing a good distance away from him. He clearly had other options. He is not required to use them. He is not required to face trial, as anyone else who shot and killed an unarmed person would be. Indeed, firing 12 times would likely be seen as malicious intent and thus first-degree murder. But unlike civilians, police do not have to prove the threat was real. Rather they just

need to have a "reasonable" fear.

It is this unjust double standard and widespread and documented racism of the state, from the top down, that people are demanding be addressed. It is reflected in the stand, Black Lives Matter and on-going protests in Ferguson and across the country. It is a crime that the DoJ continues to sanction such impunity and state racism. The DoJ needs to be held as accountable as the police departments and the individuals doing the shooting.

These killings are part and parcel of the military culture spread among local police, by the DoJ and Pentagon. This includes the military pre-emptive shoot-to-kill approach, branding youth as enemies. Can it be an accident that President Obama labels all male youth 15-35 as "combatants," and police see African American and Latino youth as a "threat" to their lives?!

The DoJ report on Ferguson brought out that in 88 percent of the cases where Ferguson police actually documented a use of force, it was used against African-Americans. All examples of police dog bites involved African Americans. The report shows that minor traffic infractions were used to criminalize, fine and jail African Americans. From 2011 to 2013, for instance, African-Americans accounted for 95 percent of individuals charged with a "manner of walking in roadway" offense and 94 percent of all "failure to comply" charges.

In response to this systemic racism, the DoJ will now negotiate with the Ferguson police department to "improve" the situation. The recommendations, as always, include better training and supervision and "improving tactics" for handling situations. Such a DoJ negotiated "understanding" already exists in Cleveland, where twelve-year-old unarmed Tamir Rice was killed by police within two seconds of their arriving on the scene. One exists in Los Angeles as well, which did not stop the March 1 killing of an African American man.

The racist militarist culture and treatment of national minorities and youth as criminals and a threat cannot be negotiated away. The problem is one of state-organized racism and state sanctioned impunity to kill, brutalize and torture unarmed civilians. The role of the DoJ and Pentagon is criminal and they are the ones, first and foremost to be held accountable. This can be seen not only in refusal to prosecute police killings, but refusal to take immediate action in the face of clear evidence of torture and detention without charges by police in Chicago at the Homan black site (see page 20).

As demonstrations and actions of various kinds continue, defending the rights of all while targeting the federal government and police agencies at all levels for their crimes is the way forward.

Justice Department Refuses to Charge Wilson, While Saying Ferguson Police Department has a “Pattern of Discriminatory Behavior”

As expected by people across the country with long experience with Justice Department investigations, Attorney General Eric Holder announced that there will be no indictment of Darren Wilson, the policeman who killed unarmed teenager Michael Brown in Ferguson. According to Holder, “The facts do not support the filing of criminal charges against Officer Darren Wilson in this case,” Holder said. “Michael Brown’s death, while a tragedy, did not involve prosecutable conduct on behalf of Officer Wilson.”

According to the report Wilson’s claim that Brown “appeared to pose a threat,” was valid. It also states “There is no credible evidence that Wilson willfully shot Brown as he was attempting to surrender or was otherwise not posing a threat.” Federal investigators, like the local prosecutor, discounted as unreliable eyewitness statements that Brown was not a threat at the time he was killed.

Evidently, being an unarmed young man standing more than 130 feet away (more than 40 yards, as documented by experts) is still a threat to an armed, trained policeman with backup on the way. Even if the false distance given by police, of 35 feet is used, it is certainly enough distance for Wilson to have not used force at all. Instead, the DoJ report essentially states Wilson’s version of events, including his “reasonable fear for his life,” was valid. And his confrontation with Brown and firing 12 times in the space of 2 minutes, was not unreasonable use of force.

Holder also announced that the DoJ investigation of the Ferguson police department showed a “pattern of discriminatory behavior.” Numerous facts and examples are given, showing the systemic racist character of the police department.

From 2012 to 2014, 93 percent of the people arrested were black. In 88 percent of the cases where Ferguson police documented a use of force, it was used against African-Americans. Ferguson police overwhelmingly charged African-Americans with petty offenses, with fines of hundreds of dollars used to secure 20 percent of the town’s budget (see article below for more).

It is significant that Holder has also said he is prepared to dismantle the Ferguson police department. This is an indication that the findings of the report are going to be used not to eliminate state-organized racism and violence, but rather as justification for federal takeover of local police. As the federal government moves to bring local and state police under federal control, reports of the kind issued about Ferguson provide justification for such take over. Already, through various means like FBI Joint Terrorism Task Forces, joint federal/local immigration enforcement, and joint police live-exercises at demonstrations, like those against NATO and the G-20, the federal government is integrating local, county and state police under its command. State takeover is no solution. It serves only to further militarize policing and eliminate the public, especially at the local level, from governance.

Eight Revelations in the Justice Department’s Ferguson Report

Luke Brinker, Salon.com

The Justice Department released its full report on the Ferguson Police Department on March 4, seven months after Officer Darren Wilson shot and killed unarmed African American teen Michael Brown — an event which galvanized demonstrators against racial bias in policing and triggered the Justice Department’s probe. Though a grand jury decided not to indict Wilson and the Justice Department opted not to bring federal civil rights charges in the case, the department’s report makes clear that Wilson was part of a local law enforcement system tainted by racial bias, abuses of citizens’ constitutional rights, excessive use of force, and an over-reliance on fines and fees to generate revenue. [...]

Below, Salon looks at eight of the most revolting revelations in the report.

1. Over-reliance on fines and fees for revenue — and pressure to generate more

For years, Ferguson has relied heavily on law enforcement fines and fees to keep city operations running, with the

percentage of city revenues generated by such fees gradually increasing over time. In 2011, fines and fees collected by the municipal court accounted for \$1.38 million of the city’s \$11.07 million in general fund revenue, rising to \$2.46 million by 2013. Last year, the city budgeted for the court to collect \$2.63 million in revenue.

After sales taxes, traffic fines constitute Ferguson’s second-largest source of revenue. City officials made no secret of their desire to generate more revenue from stops and other law enforcement-imposed penalties, increasing the budgeting for court-generated revenue and stepping up pressure to impose tough penalties. In April 2014, for instance, the finance director of Ferguson wrote city officials to recommend an “I-270 traffic enforcement initiative” in order to “fill the revenue pipeline.”

The fees can be financially punishing for the city’s many poor residents, many of whom can’t afford to pay the burdensome penalties assessed on them — including \$302 for a manner of walking violation, \$427 for disturbing the peace, and \$777 for

resisting arrest.

2. Disproportionate targeting of African Americans

While black people account for 67 percent of the population in Ferguson, they comprise 85 percent of vehicle stops, 90 percent of citations, and 93 percent of arrests. Despite disproportionate targeting of African Americans for searches, the report found, police were actually more likely to find contraband on white people.

3. Baselessly accusing an African American man of pedophilia

In one summer 2012 case, an officer approached a 32-year-old black man cooling off in his car, on the grounds that his windows were more darkly tinted than city regulations allowed. But “[w]ithout cause,” the report states, the officer went on to accuse the man of being a pedophile; the officer would not allow the man to use his cell phone, subjected the man to a pat-down, and demanded that he be allowed to search the car. The man refused the latter request, prompting the officer to point his gun at him and arrest him.

The case fit a larger pattern of police conducting searches without probable cause, in violation of the Fourth Amendment.

4. Arresting people for exercising their First Amendment rights

Despite federal court rulings that recording police activity is constitutionally protected under the First Amendment, an officer wrestled a 16-year-old African American boy for his cell phone after the teen recorded the officer’s traffic stop of his mother; more officers later arrived and arrested the boy, his mother, and his brother.

In another case, a man was arrested for failure to comply after attempting to record his traffic stop; the man had been pulled over on a tail light violation. Once the man was booked into jail, the officer told a jail official that the man was arrested because he “watches CNBC too much about his rights.”

5. Tasing a woman for not removing her bracelets

The report exposes widespread excessive use of electronic control weapons (ECWs) like tasers. In a 2010 case, a lieutenant used such a weapon in “drive-stun mode” against a Ferguson City Jail inmate who did not remove her bracelets after being asked to do so; the woman never posed any physical threat, the Justice inquiry states.



The case illustrated a larger problem plaguing the law enforcement system, where officers and their supervisors “seem to believe that any level of resistance justifies any level of force,” the report says.

6. Using canines to bite non-violent civilians

Officers deployed canines against low-level, nonviolent offenders, including minors, according to the report. In December 2011, officers allowed a canine to bite an unarmed 14-year-old African American who was waiting at an abandoned property for his friends. Officers justified the arrest by stating that the boy had committed a burglary — if anything, the boy had only trespassed, Justice finds — and asserting that the boy was hiding from officers and was warned that the dog would bite him if he continued to do so. The youth says he never hid from officers and did not hear any such warnings.

7. Deploying violent force against the mentally impaired

While court rulings hold that an individual’s mental impairments

must factor into use-of-force decisions, officers used violent force against mentally impaired people in a number of cases. In a notorious 2011 case, officers shot and killed a man who was running nude through Ferguson and pounding cars while proclaiming that he was Jesus; the man was schizophrenic.

Two years later, officers approached a “suspicious” man spotted running in public pushing around a shopping cart. The man, who was intellectually disabled, pulled away when officers patted him down. In response, “[t]he officers drive-stunned him in the side of the neck.”

8. Racist emails

Officials sent numerous racist emails over the years, the probe finds. An email written shortly after Barack Obama’s 2008 election to the presidency said that he would not last long in the Oval Office because “what black man holds a steady job for four years.” Another email depicted the president as a chimpanzee, while others took digs at Michelle Obama and stereotyped racial minorities as shiftless welfare recipients.

“[E]ach of these email exchanges involved supervisors of FPD’s patrol and court operations,” the report states. “The racial animus and stereotypes expressed by these supervisors suggest that they are unlikely to hold an officer accountable for discriminatory conduct or to take any steps to discourage the development or perpetuation of racial stereotypes among officers.”

Ferguson Is America and President Obama Must Be Held Accountable

ColorOfChange.org

Today, March 4, the Department of Justice (DoJ) failed to indict Officer Darren Wilson for racially profiling and brutally killing Michael Brown.[1] While the DoJ found Ferguson and St. Louis police guilty of widespread abuse, racial profiling, and brutal misconduct, it is not enough.

Darren Wilson should have been indicted and made to see a day in court for his brutal action. After all, a young man was killed for being Black. The DoJ's failure to do so highlights deep-seated structural problems that must be fixed in order to keep our families safe.[2] And the reality is Ferguson is America and President Obama must be held accountable. He must do everything in his power — more than speeches and commissions — to stop unjust killings by police, increase police accountability, and expand community control over policing nationwide. Tragic and unjust police killings of Black and brown people are happening almost every week nationwide.

After Ferguson Police Officer Darren Wilson brutally killed Michael Brown, the ColorOfChange community and our allies delivered more than 950,000 signatures to the White House demanding a federal indictment of Officer Wilson and a complete overhaul of the Ferguson and St. Louis police departments.[3] Michael Brown's death shook the nation — and for Black folks it was all too familiar pain. Law enforcement kill Black Americans at nearly the same rate as Jim Crow lynchings.[4] And when they do not kill us, police disproportionately stop, ticket, arrest, and incarcerate Black folks at gravely inhumane rates.[5]

Michael Brown was killed by the same corruption and vile racism that makes the St. Louis area one of the most hostile areas for Black Missourians. From 2011- 2013, Black people were only 67% of Ferguson residents, but 86% of police stops, 92% of searches by police, and 95% of those arrested for improper "manner of walking on the road." [6] Even though white residents were the most likely to be found with contraband.[7] There is a new lawsuit that shines a glaring light on St. Louis' "debtors jails," where poor Black folks are excessively ticketed for minor offenses, arrested, and unjustly imprisoned if they cannot afford bail.[8]

The media and political leaders are expecting our growing movement to simply fade away. Join us in proving them wrong by increasing pressure on President Obama to fulfill his responsibility to help end discriminatory police violence.

There is no doubt we are at a different place as a nation than we were 6 months ago. The DoJ's findings on the racial discrimination and abuse of St. Louis and Ferguson law enforcement is a direct result of the growing new civil rights movement led by Black folks nationwide who are risking life and liberty to secure an end to discriminatory policing. Black resistance is power. And across the country, people of all colors are rising up to create a country where Black lives are valued, police treat all communities with respect, and militarized policing is not funded over education and social services. [...]

In just the past 5 weeks, at least 5 people have been killed or gravely injured by police:

1/26/15 — Jessie Hernandez, 17-years-old, fatally shot 18 times by Denver police while sitting in a car.[9]

2/4/2015 — Yvette Henderson, 38-years-old, mother of two, fatally shot 7 times by Emeryville police.[10]

2/6/2015 — Sureshbhai Patel, 57-years-old, Indian grandfather, partially paralyzed by Madison police after a neighbor mistook him for a "skinny black man." [11]

2/10/15 — Antonio Zambrano-Montes, 35-years-old, fatally shot 12 times by Pasco police with his hands in the air.[12]

3/1/15 — Africa, a man living on Skid Row in Los Angeles was fatally shot at least 5 times by Los Angeles police

Join us in leveraging the injustice of today's DoJ decision to secure further structural changes to policing nationwide.

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Chicago's Homan Square "Black Site" Police Facility

A recent series of articles in Britain's *The Guardian* detailed abuses at the Homan Square facility in Chicago, the site of special police units and interrogations. While torture and police brutality are common in Chicago and elsewhere, operations at Homan Square were often done in secret. Detention without charges is common. Holding people for hours and days, handcuffed in painful positions, then releasing them without charges is also common. The majority of those targeted are African Americans and Latinos, as well as political activists.

Among the examples highlighted was that of anti-NATO protesters. In May 2012, protestors from across the country gathered in Chicago to oppose the NATO summit and stand against U.S. wars. Twelve individuals were arrested. Instead of being taken to a police precinct, they were taken to Homan Square. One of those arrested told how, instead of being charged and getting his right to call a lawyer, he was photographed for a "biometrics database" and taken to a cage, where he was handcuffed to a bench.

He was never read his Miranda rights before being interrogated in what was mainly a fishing expedition to target other protesters. He spent 17 hours handcuffed and shackled in a windowless cage before his lawyer was able to locate him. Another protestor arrested that same night said an officer told her she was going to, "Get a tour in hell at Homan," before she, too, would be handcuffed and shackled for 18 hours. It would be several hours before both of them were driven to an actual precinct where they were officially booked and released.

Chicago attorneys report clients being beaten in the facility. One attorney only found her client after he was admitted to a

hospital with a head injury. A 15-year-old was held for more than 12 hours until his attorney, who was never allowed to see him, showed up at the facility. Defendants are routinely taken there without any record of a transfer. It is not until their arrival at a separate police precinct that they are allowed to speak with attorneys. Lawyers spend hours searching, being told there is no record of their clients, sometimes only finding them after they are released from Homan with no explanation. There is a report of at least one person who died in the facility with no one knowing he had ever been taken there until after he was dead.

There have been demonstrations demanding Homan Square be shut down. Since the series of articles appeared, calls for an investigation have increased. The ACLU and the NAACP have said they are doing their own investigations and plan on taking action. Amnesty International published a letter to Mayor Rahm Emanuel demanding an open and impartial investigation. They note that many of the complaints are in violation of international laws concerning issues of torture, ill-treatment and forced disappearance.

We Charge Genocide, a "grassroots, inter-generational effort to center the voices and experiences of the young people most targeted by police violence in Chicago," is demanding reparations for all those tortured and abused. They have provided evidence and examples of the torture and abuse that occurred for years under former Commander Jon Burge from 1972-1991. They are adding the crimes at Hogan and stepping up their efforts to secure justice and reparations for all those tortured and abused by Chicago police.

Protests at Homan Square Demand it Be Shut Down and Those Responsible Held Accountable

Activists from various organizations in Chicago are demanding a thorough investigation into the crimes committed by police at Homan Square, where there is substantial evidence of torture, "disappearing" people for 12-24 hours, and holding them without charges or access to lawyers. On March 1 hundreds gathered outside Homan, chanting slogans such as "Shut Down Homan Square" and "Indict, convict, send the torturers to jail."

Later, dozens of protesters marched through nearby streets calling on people to come forward to report police abuse and violations of rights. Organizers are making an effort to gather evidence and plan actions to demand accountability.

Together protesters affirmed that the torture, detention without charges and police brutality will not stand. Among those targeted were protesters at the Chicago NATO summit in 2012 and African Americans.

Protesters demanded that anyone arrested in Chicago be "booked immediately upon arrest and given access to a phone with which they can call an attorney." They also demanded that

posters informing people of their rights and providing the 800 number for free legal aid be placed at all Chicago Police Department facilities. Addressing the need for the public to be informed and officials to be held accountable, they also demanded "a special meeting be called within 10 days." It would "allow the public to ask questions of supervising CPD officers about what happens inside Homan Square and other facilities."

Another rally March 5 called to "Shut the Torture House Down."

Organizers brought out, "We are outraged by the existence of the notorious Homan Square facility, where Chicago police illegally hold civilians, torture, intimidate and deny them their rights! We clearly understand that the Homan Square facility would not exist without the complicity and protection of Mayor Emanuel and Anita Alvarez, Illinois Cook County District Attorney. We demand Homan be shut down now!

"We cannot emphasize enough that this warehouse of police terror is not the only site where police violence and denial of due

process take place. This is ‘business as usual’ in every Chicago Police Station, where it is predominantly members of African American and Latino communities who are tortured, abused, who never get access to a phone or legal representation.”

Their demands to Mayor Rahm Emanuel included:

1. Close down Homan Square Warehouse immediately
2. Fire Chicago Police Superintendent, Gary McCarthy
2. Pass the Torture Reparations Ordinance
3. Order the permanent display in ALL Chicago Police Stations, accessible to ALL detainees upon arrest, the services and 1-800-LAW-REP4 for First Defense Legal Aid, who offer free legal representation 24/7.

4) Issue an apology to the people of Chicago and all those who have been abused and tortured by CPD and for allowing Homan Square Police Warehouse to be used as a Chicago police torture chamber.

5) The immediate resignation of Illinois State Cook County District Anita Alvarez. The new U.S. Attorney General Loretta Lynch must immediately launch a full scale federal civil rights investigation of the Homan facility, and of the Chicago Alliance’s



2014 complaint to her predecessor, Eric Holder, that documented murder, torture, abuse by Chicago/Chicagoland police officers.

Condemn Mayor Emanuel’s Secret Police Interrogation Site

Flint Taylor, In These Times

What is the purpose of taking people off the books to interrogate them at Homan Square? And who, among the thousands that may be taken into custody by the Chicago police on a given week, are brought there?

Guardian investigative reporter Spencer Ackerman has sparked a firestorm with a series of reports exposing a “secret” site, in the heart of Chicago’s predominantly African-American West Side, at which police have conducted off-the-books interrogations for more than 15 years.

Ackerman reports that black and brown suspects and witnesses, as well as white activists, have been taken by police to the abandoned Sears and Roebuck complex, known as Homan Square, and subjected to abuse. The victims describe, variously, being denied contact with lawyers or family for up to three days, being shackled hand and foot, and being subjected to starvation, sweltering heat, sensory deprivation and beatings. On at least one occasion, a detainee — John Hubbard, 44 — died in an interview room. (After the *Guardian* article appeared, Cook County said the death was due to heroin intoxication.)

The initial *Guardian* exposé prompted calls for an investigation from two former high-level Justice Department officials, William Yeomans and Sam Bagenstos, and several progressive Chicago politicians (including one, Luis Gutierrez, who has been a conspicuous supporter of Chicago Mayor Rahm Emanuel). The city attempted to give the growing scandal the back of the hand: Emanuel stated that the allegations were “not true. We follow the rules.” The police department issued a statement claiming that the site was not secret, that

lawyers had access to their clients (the lawyers disagree) and that the charges of brutality were “offensive.” The local press, beaten on the story—by a British paper no less — and having lost many of its award-winning investigative journalists years ago, turned to the *Chicago Sun-Times*’ veteran police reporter, Frank Main, who has long embedded with the Chicago Police Department (CPD), to attack the *Guardian* reports. Main said that he had been to Homan Square 20 to 30 times to be shown drugs seized in raids. This, however, exhibits only the strange hidden-in-plain-sight nature of Homan Square: Press and lawyers were sometimes allowed in, but the interrogations and brutality were never reported. Nonetheless, a local NPR reporter, relying on Main’s assertion and doggedly focusing on the *Guardian*’s use of the term “black site” to draw a parallel with the CIA’s secret interrogation sites in the Middle East, attempted to dismiss the reports as “exaggerated.”

The *Guardian* countered with yet another story, which detailed four more cases of secret physical abuse in “kennel-like” cells at Homan Square. The young African-American men describe being grilled about guns and gangs for days. This time, the alleged practices included handcuffing both wrists in a way that, according to the victim, felt like being “crucified,” and stomping on another victim’s groin.

A Textbook Definition of Torture

So how should we view Homan Square? The U.N. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which has been adopted, with reservations,

ORGANIZED RESISTANCE IS THE SOLUTION

by the United States, defines torture as follows:

“Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person, information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or

suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”

Given this, the emerging evidence of abuses at Homan Square once again places the question of systemic, racially and politically motivated torture squarely at the doorstep of the political powers that be in Chicago.

The similarities to the Burge torture era of the 1970s and 1980s are hard to miss. While the coercive tactics that have so far been documented at Homan Square are not as extreme as those practiced by then-Police Commander Jon Burge and his men (which included electric shock, simulating suffocation with a bag and mock-executions), they still intentionally inflict “severe pain or suffering, whether physical or mental” as forbidden by the CAT.

During the Burge era, lawyers and family members would call the police looking for an African-American client or loved one who had been taken into custody, only to be told that he or she was not there. When the person was finally located, Burge and his confederates had finished their torture and abuse, and in most cases, obtained a confession. Similar to Homan Square, numerous black men, including Darrell Cannon, Michael Tillman, and Alonzo Smith, were taken offsite to remote locations or to the basement of the police station to be interrogated under torture. And, as in Homan, at least one person died under highly suspicious circumstances on Burge’s watch.

Homan Square itself has a direct tie to other brutal chapters of Chicago police history: The site is geographically located in the notorious Fillmore Police District, near the former Area 4 detective headquarters. In the 1980s and 1990s, a team of well-known Area 4 detectives interrogated suspects with a viciousness that was second only to that of Burge and his men. Decades earlier, in the 1960s, Fillmore District Officer James “Gloves” Davis, and his partner, Nedrick Miller, patrolled the streets with a brutality so extreme that they are remembered by residents to this day. Davis has another claim to infamy: When the Chicago police were enlisted by Cook County State’s Attorney Edward Hanrahan and F.B.I. Director J. Edgar Hoover’s Cointelpro program to execute the deadly West



Side raid on the apartment of Black Panther leaders Fred Hampton and Mark Clark, Davis was one of the leaders of the raid, and bullets from his carbine were found in the bodies of both of the slain leaders.

More to unearth?

The first case of Burge related torture came to light in 1982, but it was more than two decades before the larger scope of his unit’s systemic torture on the South and West Sides of Chicago —120 victims

and still counting — was unearthed. So it is little wonder that the stories emerging from the sprawling brick edifice chill those who have experienced similar terrorizing brutality at the hands of the Chicago police. At a rally in front of Emanuel’s City Hall on March 2, torture victim Darrell Cannon linked Homan Square to Burge’s racist torture, paraphrasing Martin Luther King Jr.: “Justice denied to one is justice denied to all.” Angry young activists of color at the rally suggested that the revelations to date are just the tip of an iceberg and described everyday occurrences of brutal interrogations in their communities.

Since the *Guardian* stories hit, lawyers have come forward and complained that holding clients incommunicado is a citywide problem. That it is, without doubt, and it is much too early to call the story “exaggerated” or to conclude that there has been transparency with regard to what goes on in those kennel-like cells. One veteran and well-respected African American activist, Prexy Nesbitt, who has lived in the shadow of that complex of buildings and tasted the lawlessness of the Fillmore cops back in the day, has asserted, with a straight face, that Homan Square is “where the bodies are buried.” Unfortunately, in Chicago that statement can be taken literally, as well as figuratively.

On the Saturday after the first Homan Square article broke, a group of hardy protesters, led by Black Lives Matter, gathered before the fortified entrance of the main building. A spokesperson posed questions to the silent row of police guards: “How many people are you holding there?” “What are you doing to them?”

Those questions deserve answers, along with many others. Foremost among them: Given Chicago lawyers’ reports that officers feel free to practice these kinds of abuses throughout the city, what is the purpose of taking people off the books to interrogate them at Homan Square? And who, among the thousands that may be taken into custody by the Chicago police on a given week, are brought there?

The CPD is not telling. But an answer may be pieced together from what the police, the embedded reporter and the *Guardian*’s exposé have so far revealed. Here is what we know:

First, the CPD's undercover operations and intelligence and anti-gang units are based at Homan Square. Second, selected political activists are brought there, along with youth of color. The former are questioned about "terrorist" and other political activities, and the latter are grilled about gang activities, drugs and guns. Third, detainees are secreted away from their lawyers and families for as long as possible, sometimes days. Fourth, in many instances they are not charged with a crime. Fifth, one of Homan Square's main functions is, by the CPD's own admission, to "disrupt" gang activity, in a chilling echo of how the FBI's Cointelpro program characterized an illegal set of tactics, which were also practiced by the CPD's notorious Red Squad and Gang Intelligence Unit to trample on the rights of political activists and people of color in the 1960s and 1970s.

Letter to Chicago Mayor Condemning Police Torture at Homan Square

Amnesty International, USA

Amnesty International is deeply concerned by the recent report in the *Guardian* regarding alleged Chicago police practices at a facility known as Homan Square, including allegations of beatings and disappearances of people detained there.

Among many disturbing allegations in the *Guardian* article is the claim that, unlike the standard practice when someone is detained at a police precinct, individuals taken to Homan Square are not formally processed whereby a public, searchable record regarding witnesses, suspects or others who end up inside the facility appear in any database indicating their location.

It is further alleged that lawyers and relatives have no method to determine their clients' and family members' whereabouts and that those lawyers who have attempted to gain access to Homan Square are most often turned away, even as their clients remain in custody inside. These allegations are shocking, and, if proven valid, would be in clear violation of international law and standards on the treatment of those under any form of detention.

International law strictly prohibits the use of torture or ill-treatment and enforced disappearances. In order to help prevent such violations from ever occurring, international standards require that once a person is detained, there shall be duly recorded and communicated to the detained person, or his counsel:

- (a) The reasons for the arrest;
- (b) The time of the arrest and the taking of the arrested person to a place of custody as well as that of the arrested person's first appearance before a judicial or other authority;
- (c) The identity of the law enforcement officials concerned;
- (d) Precise information concerning the place of custody.

International law further obligates governments to investigate allegations of human rights violations; disclose the truth about violations; prosecute those responsible; and ensure remedy for victims, including reparations, truth and justice. The report on the Homan Square facility comes as the City of Chicago continues to fall far short in meeting its obligations under international human rights law to ensure accountability and remedy for torture and ill-treatment

All of this indicates that Homan Square houses a centralized police intelligence gathering and disruption operation — secret, lawless, and out of control. Since the tactics at least sometimes include human rights violations forbidden by the United Nations Convention Against Torture, it seems depressingly appropriate to liken Homan Square to Burge's House of Screams, to Guantánamo Bay, and yes, to the CIA's secret black sites.

How, if at all, will the Obama Justice Department respond? [...] With regard to the Justice Department, local activists remember all too well that Barack Obama, when a state senator, steered a wide berth around the Burge torture issue. That, coupled with his staunch support for his former chief of staff in the mayoral primary, makes the chances of a meaningful federal investigation, at least in the short term, next to zero. [...]

by Chicago Police operating under the direction of former Commander Jon Burge from 1972-1991.

As the Mayor of Chicago, you have a responsibility under U.S. and international law to ensure that human rights violations are not committed within the city and that, when human rights violations do occur, victims' rights to truth, accountability, justice and reparations are fulfilled.

We therefore urge you to:

- Open an independent and impartial investigation into the allegations made about human rights violations at the Homan Square facility and make the results public.
- Allow Amnesty International and other independent human and civil rights organizations and monitors full, unrestricted access to the Homan Square facility.
- Meet with Amnesty International to discuss additional steps the City of Chicago should take to prevent and end human rights violations, ensure accountability and bring Chicago Police practices in to full conformity with international standards.

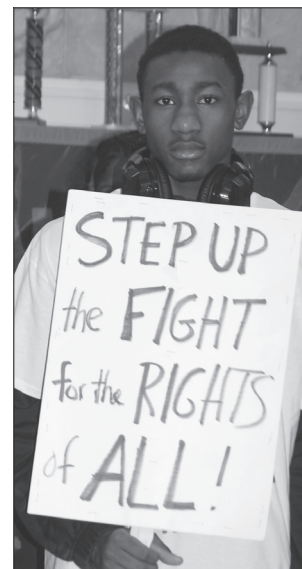
We also take this opportunity to reiterate our call that you publicly support the proposed Chicago City Council Ordinance providing Reparations for the Chicago Police Torture Survivors, including full rehabilitation, restitution, compensation and apology.

We look forward to hearing from you as soon as possible about providing full access to the Homan Facility. Please contact me at (212) 633 - 4205 or shawkins@aiusa.org.

Sincerely,

Steven W. Hawkins

Executive Director, Amnesty International USA



Why Does the FBI Have to Manufacture Its Own Plots If Terrorism and ISIS Are Such Grave Threats?

Glenn Greenwald, Intercept

The FBI and major media outlets on February 25 trumpeted the agency's latest counterterrorism triumph: the arrest of three Brooklyn men, ages 19 to 30, on charges of conspiring to travel to Syria to fight for ISIS. As my colleague Murtaza Hussain ably documents, "it appears that none of the three men was in any condition to travel or support the Islamic State, without help from the FBI informant." One of the frightening terrorist villains told the FBI informant that, beyond having no money, he had encountered a significant problem in following through on the FBI's plot: his mom had taken away his passport. Noting the bizarre and unhinged ranting of one of the suspects, Hussain noted on Twitter that this case "sounds like another victory for the FBI over the mentally ill."

In this regard, this latest arrest appears to be quite similar to the overwhelming majority of terrorism arrests the FBI has proudly touted over the last decade. As my colleague Andrew Fishman and I wrote last month — after the FBI manipulated a 20-year-old loner who lived with his parents into allegedly agreeing to join an FBI-created plot to attack the Capitol — these cases follow a very clear pattern:

The known facts from this latest case seem to fit well within

a now-familiar FBI pattern whereby the agency does not disrupt planned domestic terror attacks but rather creates them, then publicly praises itself for stopping its own plots.

First, they target a Muslim: not due to any evidence of intent or capability to engage in terrorism, but rather for the "radical" political views he expresses. In most cases, the Muslim targeted by the FBI is a very young (late teens, early 20s), adrift, unemployed loner who has shown no signs of mastering basic life functions, let alone carrying out a serious terror attack, and has no known involvement with actual terrorist groups.

They then find another Muslim who is highly motivated to help disrupt a "terror plot": either because they are being paid substantial sums of money by the FBI or because (as appears to be the case here) they are charged with some unrelated crime and are desperate to please the FBI in exchange for leniency (or both). The FBI then gives the informant a detailed attack plan, and sometimes even the money and other instruments to carry it out, and the informant then shares all of that with the target. Typically, the informant also induces, lures, cajoles, and persuades the target to agree to carry out the FBI-designed plot. In some instances where the target refuses to go along, they



have their informant offer huge cash inducements to the impoverished target.

Once they finally get the target to agree, the FBI swoops in at the last minute, arrests the target, issues a press release praising themselves for disrupting a dangerous attack (which it conceived of, funded, and recruited the operatives for), and the DoJ (Justice Department) and federal judges send their target to prison for years or even decades (where they are kept in special Guantánamo-like units). Subservient U.S. courts uphold the charges by applying such a broad and permissive interpretation of “entrapment” that it could almost never be successfully invoked.

Once again, we should all pause for a moment to thank the brave men and women of the FBI for saving us from their own terror plots.

One can, if one really wishes, debate whether the FBI should be engaging in such behavior. For reasons I and many others have repeatedly argued, these cases are unjust in the extreme: a form of pre-emptive prosecution where vulnerable individuals are targeted and manipulated not for any criminal acts they have committed but rather for the bad political views they have expressed. They end up sending young people to prison for decades for “crimes” which even their sentencing judges acknowledge they never would have seriously considered, let alone committed, in the absence of FBI trickery. It is hard to imagine anyone thinking this is a justifiable tactic, but I am certain there are people who believe that. Let us leave that question to the side for the moment in favor of a different issue.

We are constantly bombarded with dire warnings about the grave threat of homegrown terrorists, “lone wolf” extremists and ISIS. So intensified are these official warnings that *The New York Times* earlier this month cited anonymous U.S. intelligence officials who warn of the growing ISIS threat and announce “the prospect of a new global war on terror.”

But how serious of a threat can all of this be, at least domestically, if the FBI continually has to resort to manufacturing its own plots by trolling the Internet in search of young drifters and/or the mentally ill whom they target, recruit and then manipulate into joining? Does that not, by itself, demonstrate how over-hyped and insubstantial this “threat” actually is? Should not there be actual plots, ones that are created and fueled without the help of the FBI, that the agency should devote its massive resources to stopping?

This FBI tactic would be akin to having the Drug Enforcement Agency (DEA) constantly warn of the severe threat posed by drug addiction while it simultaneously uses pushers on its payroll to deliberately get people hooked on drugs so that they can arrest the addicts they have created and thus justify their own warnings and budgets (and that kind of threat-creation,



just by the way, is not all that far off from what the other federal law enforcement agencies, like the FBI, are actually doing). As we noted the last time we wrote about this, the Justice Department is aggressively pressuring U.S. allies to employ these same entrapment tactics in order to create their own terrorists, who can then be paraded around as proof of the grave threat.

Threats that are real, and substantial, do not need to be manufactured and concocted. Indeed, as the blogger Digby, citing Juan Cole, recently showed, run-of-the-mill “lone wolf” gun violence is so much of a greater threat to Americans than “domestic terror” by every statistical metric that it is almost impossible to overstate the disparity.

In that regard, it is not difficult to understand why “domestic terror” and “homegrown extremism” are things the FBI is desperately determined to create. But this FBI terror-plot concoction should, by itself, suffice to demonstrate how wildly exaggerated this threat actually is.

UPDATE: The ACLU of Massachusetts’s Kade Crockford notes this extraordinarily revealing quote from former FBI assistant director Thomas Fuentes, as he defends one of the worst FBI terror “sting” operations of all (the Cromitie prosecution we describe at length here (<https://firstlook.org/theintercept/2015/01/16/latest-fbi-boast-disrupting-terror-u-s-plot-deserves-scrutiny-skepticism/>))):

“If you’re submitting budget proposals for a law enforcement agency, for an intelligence agency, you’re not going to submit the proposal that ‘We won the war on terror and everything’s great, cuz the first thing that’s gonna happen is your budget’s gonna be cut in half. You know, it’s my opposite of Jesse Jackson’s ‘Keep Hope Alive’ — it’s ‘Keep Fear Alive.’ Keep it alive.”

That is the FBI’s terrorism strategy — keep fear alive — and it drives everything they do.