

FUCK
OFF
THE
FUCKERS

FREE JERRY KOCH

DON'T TALK

x



JERRY RESISTS

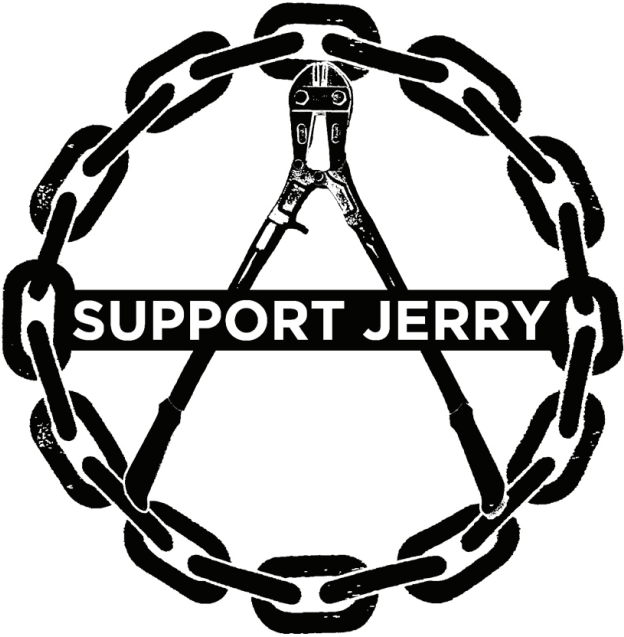
Gerald “Jerry” Koch, a New York City anarchist and legal activist, has been subpoenaed for the second time to a federal grand jury investigating the same event. In 2009, Jerry was subpoenaed for the first time and refused to testify. Today, as in 2009, the grand jury is being used to conduct a witch-hunt against anarchists and political radicals. **In refusing to testify, Jerry risks being held in contempt of court and faces incarceration in a federal prison for the duration of the grand jury, which could be up to 18 months.**

Under the guise of an exploratory legal investigation, the grand jury is a secretive tool of repression that aims to intimidate and punish those who refuse to collaborate with the State. There is a long history of grand juries being used whenever the State focuses on a new “enemy”: they were used in the 1950s during the “Red Scare,” in the 1960s against the Black Panthers, and more recently against environmental and animal rights groups in what became known as the “Green Scare.” This grand jury, like the ongoing targeting of anarchists in the Pacific Northwest, is part of a new, escalating wave of repression against anarchists nationwide, who are being persecuted specifically for their political beliefs and practices.

It is no coincidence that the government would try to silence Jerry, as he has been an effective and tireless legal advocate for anarchists, Occupy Wall Street protesters, and others expressing political dissent. Jerry was the person everyone could count on to be waiting for them outside of jail, to support them in the courtroom, and to help with their legal defense. Although Jerry knew he would be in the crosshairs of the State for providing much needed legal support to hundreds of political activists, no one expected that the state would retaliate with a second subpoena. It is clear that the State's goal is not just to pressure Jerry into informing on the radical community, but to take away someone who is an integral part of our community—someone who makes us all stronger.

By refusing to collaborate with the grand jury once again, Jerry demonstrates his great personal integrity, commitment, and support for the radical community. It is now our turn to stand by Jerry and show him the support and solidarity he deserves. It is time to send a message that, no matter how many times they come after us, we, like Jerry, will refuse to cooperate and to bargain for our freedom at the expense of our friends' liberty.

—The Support Jerry Committee



Jerry's Statement

April 26, 2013

My name is Gerald Koch and I have been subpoenaed to a federal grand jury based in the Southern District of New York regarding the 2008 Times Square Military Recruitment Center bombing. This is my second subpoena concerning this matter; I was also subpoenaed in June of 2009. I refused to testify at that time based on the assertion of my First, Fourth, Fifth, and Sixth Amendment rights, as I will be doing again for the duration of this grand jury. During the first grand jury, the government informed my lawyers that it was believed that I was at a bar in 2008 or 2009 where a patron indicated knowledge of who had committed the bombing. When I was first subpoenaed to the grand jury in 2009 I had no recollection of any such incident—a fact that I expressed publically. Now, almost 4 years later, I still do not recall the alleged situation.

Given that I publically made clear that I had no knowledge of this alleged event in 2009, the fact that I am being subpoenaed once again suggests that the FBI does not actually believe that I possess any information about the 2008 bombing, but rather that they are engaged in a 'fishing expedition' to gain information concerning my personal beliefs and political associations.

Over the past few decades, the FBI has demonstrated a consistent pattern of harassment and illegal surveillance of anarchists and other radicals not only here in New York, but also across the country. Throughout this time, federal grand juries (incredibly secretive proceedings that do not permit one's lawyers to be present) have played a significant role; a federal grand jury is authorized to ask questions about anything and anyone, and often the declared intention is simply a mask to disguise the actual goal of acquiring information for use in other politically motivated cases. It is my belief that these two federal grand juries—despite the pretense of investigation into the 2008 bombing—are actually being used to gain information about my friends, loved ones, and activists for whom I have done legal support. By declining to testify, I refuse to be coerced into participating in a political witch-hunt that eerily recalls those of the McCarthy era Red Scare.

I again assert that I have no knowledge of who is responsible for the 2008 Times Square Military Recruitment Center bombing, and I will once again refuse to testify to the federal grand jury in ethical resistance to participation in a fruitless exercise of fear-mongering and government intimidation. My decision to stay silent in defense of individual agency will most likely result in incarceration for a period up to 18 months. I accept this recompense, understanding that in doing so I will reinforce a tradition of defending individual rights in the face of state repression.

Grand Jury Resister Jerry Koch Imprisoned

May 21, 2013

Jerry was taken into custody of US marshals today at 4:18 PM. Throughout his hearing, he did not answer any questions; he remained silent the entire time.

Over a hundred people showed in support of Jerry. The court room was packed, and he knew as he was taken by the marshals that we support and love him. The crowd yelled out their support for him as he was escorted out of the room.

Jerry asked that we release this statement to his supporters after his incarceration:

By the time you read this, I will be in the custody of the United States government for continuing my refusal to cooperate with a federal grand jury. This is the right thing to do.

I continue to believe that the government is using this federal grand jury in an abusive manner to force me to divulge information about my political associations and social networks.

If we mean what we say when we talk about radical politics, then we do not participate in witch hunts, inquisitions, or the assembly of black lists. As an individual, I will not lend legitimacy to government brutality and intimidation; I will not be used. As an anarchist, I will summon the courage to be stronger than the forces of the State's all-too-real repression; I will not break.

Your show of truly powerful support has done nothing but strengthen my resolve in refusing to cooperate. We must not let ourselves be isolated by the government's heavy-handed tactics. We must not give the state that last inch it tries to break in every one of us.

With Love, with Dignity, in Solidarity

Jerry Koch

A Statement of Solidarity with Jerry Koch Following His Imprisonment, and a Message to Our Fellow Militants in New York

May 23, 2013

In the last two weeks we have watched as the State has shamelessly taken our comrade Jerry Koch away from his family, loved ones, and political allies. Jerry has chosen to resist the grand jury not only out of principle and an assertion of his rights, but also to protect the radical milieu from further harassment and repression by the FBI.

Just as these pigs raided the home of our comrades at Tortuga House in 2009; showed up at the homes of a number of known New York radicals before May Day of last year; entrapped anarchists such as the Cleveland 4 and NATO 3; and recently arranged for the extradition of five U.S. anarchists to Canada on vandalism charges from the anti-G20 protests in Toronto in 2010, Jerry's detention serves as a reminder that our ideas and practices will always be regarded as a threat to the order of this world, and such harsh reprisals the consequence of our being.

Jerry has demonstrated perfectly how to deal with this repression in his tireless work doing jail and legal support. When any one of us is in jail, we make sure they get out, waiting until they do, raising bail money if necessary. Any time in a cage is too much time, and freeing our locked-up comrades must always be a top priority.

When the State comes for us, to find us, to talk to us, we slam the door, we insist on whatever meager rights might apply, and we don't say a word more than is absolutely necessary.

How often we have relied on Jerry himself for support in this work, for advice, for information, for contacts, for help, for his commitment. Now it is Jerry that needs us.

“Security Culture” and our forms of struggle and survival

The astronomical “counter-terrorism” budget in the United States, and New York in particular, has ensured a perpetually deep well of State resources that attempts to monitor, police, and control all corners of society, including of course the lives of radicals, activists, journalists, and people of color.

As a result, our open discussions of our hopes, desires, politics, tactics, and even our jokes now put us at risk. We wrote in March of Sebastian Senakiewicz, arrested before the May 2012 NATO summit in Chicago and charged with “falsely making a terrorist threat.” He was accused of telling someone who was an undercover police officer or informant that he had explosives. Police raided and searched his home and found nothing. He is now in a boot camp and will be deported to his native Poland for joking that he had a bomb hidden in one of his

Harry Potter books. Another anti-G20 militant from Ontario found their name in a police report after humorously saying “Kill Whitey” in a meeting.

“Security Culture” means:

Not bragging about any potentially illegal activity, ours or others’.

Not inquiring or reporting who did or claimed to do what, not letting our or others’ seemingly idle curiosities do the work of the police for them.

It means taking what we think, what we say, and what we do as seriously as the State apparently does, taking seriously both the potentials and consequences of our thoughts, words, and actions. This is what Jerry and others are doing by not cooperating with this or any other federal grand jury, by not saying a word to our enemy.

With whom do we share our lives, our trust, our intimacy, our survival, our struggles, with whom do we communicate what we think it means to live and fight together, to protect each other? With whom do we organize against this world? This is what we mean by “security culture.”

Keeping Jerry and all prisoners in our hearts

Although Jerry’s imprisonment hits close to home, let us not ignore or forget the millions of others locked away in prisons worldwide. In the United States alone there are over 2 million people currently locked up, which is both the highest incarceration rate and total prison population of any nation in the world. If you include those on probation or parole in the U.S., the number is closer to 7 million, almost the equivalent of the entire New York City population caught up in our prison system. Since 2002 the United States has operated a concentration camp at Guantanamo Bay with over 500 inmates, many now on hunger strike, and the single largest prison in the world remains New York City’s own Rikers Island, which currently holds 14,000 inmates in cages. As we write these words, Jerry is at Brooklyn’s Metropolitan Detention Center, now the largest federal prison in the country, along with almost 3,000 people.

The crisis in capitalism has meant not just decreases in employment, wages, benefits, and services, but an increase in apparatuses to police and prisons to repress a rising surplus population doomed to live outside of any possibility of financial stability and improvement. Prisons are a boom business in the U.S. The poor, recent immigrants, and workers engaged in labor only prohibited when convenient (drug dealing, prostitution, etc.) are the targets to fill these new gulags, which are 40% Black and 20% Latino/a, numbers far too disproportionate to ignore. We might think of such tactics as a kind of security wager against the insurrection to come, against our capacity to collectively overcome ongoing economic and social oblivion.

For this reason, every prisoner is political, and we demand nothing less than the abolition of all prisons, along with the bourgeois judicial system which maintains them. If anyone wonders why Jerry and others will not cooperate with the federal government, this is why.

Moving forward

Many of us are familiar with supporting prisoners, some of us have even been to prison, but for most of us, watching Jerry led away after the monstrous Judge Keenan's snarling condemnation was vastly more moving than merely hearing the details of a case.

So let us be moved. Let us support Jerry in any and all ways. Donate to his commissary, write him, send him books, distribute leaflets about him and the other grand juries, wheatpaste posters, drop banners, make noise, march, rebel, organize, survive.

Let's continue the struggles of Jerry and all militants by BEING the movement, the real movement, to abolish this world, this sick system that has torn away our brave friend from us.

—AFFECT

WRITE TO JERRY

Gerald Koch #68631-054
MCC New York
Metropolitan Correctional Center
150 Park Row
New York, NY 10007

Jerry is in immediate need of letters, cards, and photographs. He was initially held in solitary confinement in an unsuccessful attempt to break his spirit; he could be thrown back in at any time without warning. He needs our support and our strength as a community.

When someone hears their name called by a prison guard during mail call, it can be a powerful reminder that people on the outside care about them. It also sends a message to guards and other inmates that this person has support and hasn't been forgotten. It helps give Jerry the strength and resolve to resist the power of the state.

Prisoners, even those like Jerry who haven't been convicted of any crime, must pay for their own paper, pen, envelopes and postage. If you can, please go to the donation page at <http://jerryresists.net> and drop a few dollars for his commissary. You cannot send money, stamps, or envelopes directly to Jerry.

If you don't really know Jerry but still want to show your support, there are a number of things that you can write about. Start with a little background about yourself and how you heard about his case. The letter doesn't need to be long; even a short note like, "I support you, Jerry. Keep strong," sends a powerful message. If you want to carry on an ongoing correspondence, let him know.

Jerry is also participating in the Inside/Out program, a radical prisoner book club, in which one reads a book of a prisoner's choosing and then writes to them about it. You can buy the books from our online store at <http://jerryresists.net/products-page>, or just borrow them from your local library. Jerry's picked these three books:

- Franz Kafka—*The Complete Stories*
- Friedrich Nietzsche—*Beyond Good and Evil*
- Yevgeny Zamyatin—*We*

Find out more about the Inside/Out program at <http://jerryresists.net/insideout>.

Books are an important part of surviving prison. You can help make Jerry's and other prisoners' lives more bearable by sending them a book. All books sent to Jerry will eventually make their way to the prison library (so you are doing a double good deed). All books must come from the publisher directly. Books must also be paperback. You can order most books new from the publisher through Amazon.com.

Some companies like AK Press and Combustion Books have political prisoner discounts.

Please remember that it might take some time for Jerry's letters to reach you. All of his letters must be screened first and he might have to wait to buy postage or envelopes. You don't have to wait to hear from Jerry to write him again.

Jerry loves fiction, particularly fantasy novels and series. He's also a big fan of graphic novels and loves history. Check <http://jerryresists.net> for a wish list.

LETTER WRITING GUIDELINES

- Use pencil or non-gel pen in black or blue ink. Don't use markers, crayons, or colored pencils.
- No staples or glitter.
- No torn-out pages of newspapers or magazines. You may print or photocopy articles and write your letter on the other side, however.
- You can include photographs, but Jerry is limited to having 25 in his possession at any one time, so check with the support committee first.
- Include your return address inside the letter as well as on the envelope, as Jerry may receive your letter without the envelope. Number each page of your letter so he knows whether he's received all of it.
- Don't discuss Jerry's case.
- Political prisoners aren't looking for adoration. They're comrades in the same movements that you're in.
- Assume that law enforcement will see your letter.

WE DO NOT BOW
WE WILL NOT BEND
WE WILL NOT BE BROKEN

SUPPORT
JERRY KOCH
JERRYRESISTS.NET

