



COURAGE TO RESIST

Supporting the troops who refuse to fight!

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Chelsea Manning: Hero New legal team hired for WikiLeaks whistle-blower's military & federal appeals

By Emma Cape. March 17, 2014

The fight to free Army Pvt. Chelsea Manning is far from over. Our priority is now raising money to support a rigorous legal appeals process that will significantly reduce her unjust 35-year sentence. To hire a nationally renowned legal team that is willing to take this fight all the way up to the Supreme Court if necessary, Courage to Resist has just loaned \$50,000 to the Manning Defense Fund. Now we need your continued support to keep this struggle for justice moving forward!

Manning was convicted on July 30, 2013 under the Espionage Act, despite many legal experts considering it outdated and unconstitutionally vague. She was also convicted of several other charges related to releasing classified data. Her final sentence was blasted by Amnesty International, the American Civil Liberties Union (ACLU) and a number of other prominent organizations and individuals because no evidence showed anything other than patriotic motivation on the

part of Manning, or any indication that an enemy had used the information to hurt the United States.

She was imprisoned for over three years before trial, and was subjected to illegal pretrial punishment for her first year of incarceration, when she was held in isolation without access to regular sunlight or exercise. She was also subjected to a biased court martial—the government controlled the defense's access to evidence, the Commander in Chief proclaimed her guilty before trial, and the judge allowed the prosecution to amend their charge sheet after concluding their argument. All of these injustices provide excellent grounds for appeals.

Manning has selected the attorneys Nancy Hollander and Vincent Ward to represent her in the US Army Court of Appeals, federal appeals and potentially even the Supreme Court. They come to this case with a strong understanding of its political importance, and a desire to obtain justice for whistleblowing while



defending America's civil liberties. Prior to law school, Ms. Hollander was an anti-war and civil rights activist. In 2001, she was named one of the country's top 50 women litigators by the National Law Journal. Both she and Mr. Ward became well-known for their work representing prisoners held at the Guantanamo Bay detention camp, while continuing to work on other civil rights cases.

Manning, who came out publicly as transgender in August of 2013 while announcing her desire to live as a woman named "Chelsea," is eager to change her name legally from "Bradley Edward Manning" to "Chelsea Elizabeth Manning." She also wishes to receive Hormone

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War resister, anti-war organizer Sara Beining facing court martial

By Sara Beining. February 4, 2014

After deploying to Iraq in 2006 and spending a year as an analyst in Baghdad, my (now ex) husband and I went AWOL, suffering from PTSD. My ex-husband received an other than honorable discharge after he was apprehended in 2010. I am now facing charges and General Court Martial—the highest level of court martial and the harshest penalties received for going AWOL. I am a mother,

Sara Beining with her four-year-old child "who loves He-Man and Shawna Foster."

a college student, and an organic gardener. I need help raising money for my lawyer to fly in for the pre-trial hearing as well as the trial, as well as funds for purchasing the "dress blues"—Army service uniform—for trial.

As of March 14, we've helped Sara raise nearly \$6,000 via her online fundraising effort (www.gofundme.com/6nv99s). Her attorney is still hoping that a court martial can be avoided. Sara has been an active member of Iraq Veterans Against the War since going AWOL in 2007.

Giving birth behind bars

War resister Kimberly Rivera struggles with privacy and proper care for her family

By Bob Meola and Michael McKee, Courage to Resist. March 10, 2014

It was her maternal instincts that first landed Kimberly Rivera at odds with her role serving in Iraq. Six years later, the army used her most basic human right as an expecting mother to make an example of her to other soldiers.

After returning to the US after five years in Canadian exile with her family (husband Mario and four children), Kimberly, then pregnant with their fifth, was arrested and sentenced to 10 months in the brig. Despite public pressure for leniency, and Amnesty International recognizing her as a Prisoner of Conscience, Kimberly was denied a 45-day early release to give birth and bond with her newborn outside of prison.

Forced to give birth in military custody under a chain of command unwilling to coordinate procedures, Kimberly and her family were subjected to various indignities, ranging from subtle frustrations and discomfort to poor treatment putting both mother and child at risk. As a final insult, Mario was prevented from witnessing his son's actual birth, while Kimberly was separated from her newborn shortly after giving birth.

"I could have been in worse prison facilities, but they didn't follow their own rules at the Miramar brig," says Kimberly. "There was no way I could follow everyone's different and conflicting rules."

Despite the brig's menacing reputation, Kimberly says her main problem was with how inconsistent

her jailers were in following their own SOPs (Standard Operating Procedures) around pregnancies.

By the time Rivera finally got to see these SOPs she was already five months pregnant and still being forced to do strenuous physical work in sweltering summer heat.

"It was extremely hot and sometimes the air conditioner went out for two weeks at a time," she says. "They had me doing difficult chores that got me overheated and were against my medical restrictions—they ignored them. They had me cleaning the dorm area and facilities every day. We had to mop, vacuum, dust, wipe down windows, clean showers. We used cleaning supplies and detergent. I was cleaning every day through my pregnancy."

The Riveras' ordeal only tightened when Kimberly went into labor. "They wouldn't let me in the room to see Kim or the baby," says Mario. "I heard the Staff Sgt. talking to one of the lieutenants and some hospital staff about making me leave the premises and trying to figure out how to give Kim more of a hard time."

"I said I didn't think it was fair that they were making me miss my wife's birth and the first few minutes of my son's life," Mario recalls bluntly.

While Mario argued over approval that had already been granted, things in the delivery room were unraveling. After a particularly strong contraction, scores of nurses rushed into the room and adjusted Kimberly into various positions.

When Mario was finally allowed in to see Kimberly, she was deeply concerned about the disorganization and negligence at play at such a crucial point. Mario was told he would need to vacate the delivery room, regardless of where his wife was in her delivery.

"He tried to calm me down and said he'd get back into the room as soon as he could. He did everything he could to get back—talking to people and having emails and phone calls and faxes sent [to



Kimberly holding baby Matthew a few weeks after being released from prison.

the military and local congressperson]."

Kimberly had been taken to the medical facility around 10:00 am. Shortly before 4:00 pm, nurses ushered out a sergeant and staff sergeant, and Kimberly gave birth to Matthew Rivera, in the company of three nurses—and no doctor.

Mario missed his son's birth thanks to an additional delay where he was forced to return to a security check-point. After the birth, the nurses confided to Mario that the admiral had approved his being present in the delivery room, 24-7 as needed, like any other expecting dad.

"They use any SOP to justify what they do," says Kim, who was sent back to full cleaning duties days after giving birth. "They took away my ability to lie down for two hours a day, a week after I gave birth. That was mean."

Ironically, after denying a slightly early release in order to bond with her newborn, Kimberly was freed due to good behavior and extra work duties only 18 days after giving birth. Her extra work? Crocheting blankets for wounded veterans.

Kim, Mario, and their children are currently experiencing hard times economically. Mario is seeking employment despite his chronic health problems.

"If it was up to my mom, we could stay, but she is disabled and relies on my brothers and there is nothing she can do," says Mario. "We're looking for a place to live. But we have no money to rent a place and I am looking for work. We have nothing to our names but the clothes on our backs."

The Rivera Family Support Fund is hosted by CTR at <http://alturl.com/3r68p>. A longer version of this article is available online at couragetoresist.org.



Army War College says Courage to Resist impedes military recruiting

By Mike McKee, Courage to Resist.
March 17, 2014

A recently circulated academic paper, from a US Army War College research fellow, demonstrates that organizations like Courage to Resist are having a substantive effect on the military's ability to recruit and retain soldiers.

The paper, titled "Civilian Organizational Inhibitors to US Army Recruiting and the Road Ahead," singles out Courage to Resist as a key example of its most formidable opponents that "aim to hinder, deter, or prevent US Army Recruiters from presenting information and providing opportunities to their target market."

Writing in 2010, its author, Lt. Col. Todd Jacobus of the US Army National Guard, outlines the opposition faced by the military's "11,000-strong recruiting force" combing schools, neighborhoods and public areas (including some 3,000 recruiting stations).

"Counter-recruiting groups have many common characteristics, including the perception that they are obliged to inform and educate those who are considering service in our Army," writes Jacobus. "They use techniques and strategies that frequently depict professional military recruiters in an ill-light, disillusion influencers,

and dissuade potential applicants from looking into military service as a viable option ... Some actually do a decent job of providing useful information, decision making tools and counsel."

Courage to Resist is singled out as the representative of independent and unaffiliated organizations nationally that "have a negative affect on potential Soldiers in our formations, and the centers of influence in our schools, communities, and religious institutions."

The War College research goes on to identify ways in which we amplify the voice of veterans and their often emotional testimony; build support for dissatisfied members of the armed forces; and assist those in active service in securing release from the military through legal assistance, publicity and referrals.

"They also provide political, emotional, and material support to all military objectors critical of our government's current policies of empire," writes Jacobus.

The author naturally objects to the depiction of recruiters as "vultures who see potential soldiers as a body, a number" and who "have little or no interest in the individual as a person."



If such public perception doesn't make their job any easier, the harsh realities of first-hand experience in the armed forces certainly aren't helping either. The report notes how interviews with veterans and literature from groups such as Courage to Resist, Veterans for Peace and

Iraq Veterans Against the War highlight the "negative aspects of service in a combat zone," namely being trained to kill, deployment to war, and "the destruction of both friends and innocent people" (their words).

The research expresses concern that Courage to Resist and similar organizations challenge potential soldiers to visit hospitals to see those who suffer from the psychological and bodily effects of military service, and that grassroots groups also highlight the increasing trends of domestic abuse, divorce and suicide in army families, noting bluntly, "Many of the issues raised by these counter-recruiting organizations are based on truths."

Recruiters still have a few cards to play, the report explains. If much of the public stubbornly reflects on all of the above, it might be time to exploit the tragedy of September 11—again.

When confronted with criticism around these highlighted issues—and, especially, the legality of recent wars in Iraq and Afghanistan—recruiters are encouraged to frame their arguments with the worldview that the US has been the victim of terrorist attacks since 1780.

The report concludes with a plea that military recruiters should not, must not, be silenced—a tell-tale sign of which way the tables have turned.

To give the report the last word, we'll quote their own findings that demonstrate how Courage to Resist's messaging is not the opinion of a marginal fringe, but rather, a "school of thought, which is vocalized within the hallways of our high schools, across college campuses, and even around dinner tables in small towns and large cities."

A longer version of this article is available online at couragetoresist.org.

Conscientious Objector Chris Munoz

By Bob Meola,
Courage to Resist.
March 17, 2014

Army
Conscientious
Objector Chris
Munoz told me
that after high
school, he, "worked
full time at a group
home for mentally
disabled kids"

and that after a short time in the Army, "I realized that my conscience wouldn't let me participate in war."

"I was in basic training, at Fort Benning, Georgia, from May 28th to some time in July, 2012. When I was there, it was clear that the Army wasn't for me



when the drill sergeants started telling me stories from down range, from where they had deployed, and one of them said he had to take a child's life. I had worked with kids and realized I could never take a child's life. I hadn't thought about that when I enlisted. I enlisted to provide for my family.

"I could see that it disturbed some of them [who had been deployed]. Some showed emotions when they told their stories. Some didn't show any emotion."

With legal aid provided by Courage to Resist, Chris recently received an honorable discharge from the US Army as a Conscientious Objector. A longer version of this article is available at couragetoresist.org.

Chelsea Manning cont.

Replacement Therapy (HRT), which is recommended by doctors as appropriate treatment for her diagnosed gender dysphoria. Chelsea does not, at this time, wish to undergo any surgeries or to be transferred to a different prison. She reports that she has made friends at Fort Leavenworth, and only wishes to be able to live as herself. In the face of military opposition to Chelsea receiving HRT, the ACLU plans to assist trial attorney David Coombs in advocating for this treatment. To show support for Pvt. Manning's intent to legally change her name to "Chelsea Manning" in the face of military resistance, we are renaming our organization and website to the "Chelsea Manning Support Network," at chelseamanning.org.

The public's desire for government transparency remains in many ways the center of Chelsea's story. She was recently chosen as 2014 winner of the Sam Adams Award for integrity in intelligence, which is given by former CIA intelligence officials.

NSA whistleblower Edward Snowden, who received the award last year, congratulated her at the ceremony by saying, "It is this extraordinary act of public service at an unbelievable personal cost for which we grant this award and our moral sanction to Chelsea Manning." Since Mr. Snowden is also being charged under the Espionage Act, the outcome of Chelsea's legal appeals is likely to affect



Artistic rendition of how Chelsea Manning might appear while undergoing Hormone Replacement Therapy. Artwork by Molly Crabapple.

any US attempts to prosecute him.

While accepting the Sam Adams Award, Chelsea's childhood friend Aaron Kirkhouse explained, "I am now accepting this... for the release of a video and documents that 'sparked a worldwide dialogue about the importance of government accountability for human rights

abuses.' To echo a maxim from Milton and Rose Friedman: A society that puts secrecy—in the sense of state secrecy—ahead of transparency and accountability will end up neither secure nor free."

Additionally, the San Francisco Lesbian Gay Bisexual Transgender Pride Celebration Committee has responded to the efforts of thousands of San Francisco activists by electing Chelsea as an honorary Grand Marshal for the 2014 parade. The annual SF Pride celebration is the largest of its kind in the United States, attracting up to 1.8 million people from around the world. Last year Manning had been elected a Grand Marshal through a different process, but the honor was later revoked by the 2013 board of directors. Thanks to the dedication of our supporters, the 2014 board has decided to redress that controversy.

Also thanks to the generous contributions of our supporters, Chelsea now receives high-quality newspapers on a daily basis. At Chelsea's request, the Support Network has purchased her daily print subscriptions to *The New York Times* and the *Washington Post*. Additionally, since Chelsea plans to enroll in college classes next September to work toward a degree in Pre-Law and Political Science, Support Network staff will be helping to coordinate independent studies with professors who can offer her more personalized curriculum.

There are three primary ways that activists and volunteers can take action to support Chelsea Manning and her struggle



**New Chelsea Manning shirts & buttons now available!
Free shipping on every order!**

for government accountability at this point in time:

- 1) First, if you have not done so, you can sign our petition asking President Obama for a pardon. When you sign the petition we will mail a letter on your behalf to both the White House and the court martial Convening Authority. Our petition can be accessed at privatemanning.org/pardonpetition
- 2) We also encourage you to organize a dinner party, speaking events and/or concert in your home community to help raise money to defend Chelsea. To learn more about organizing an event, please e-mail emma@privatemanning.org
- 3) This summer, LGBT Pride events will be taking place across the country. We encourage you to organize a Chelsea Manning contingent at your local pride celebration. Last year, the Manning group was the largest non-corporate contingent in the San Francisco Pride Parade and gained wide community recognition as a result! Visit privatemanning.org/events to register your contingent and receive materials for use at your event.

Legacy giving

As you are making out your will, please consider a bequest to the "Alliance for Global Justice project Courage to Resist", 484 Lake Park Ave #41, Oakland CA 94610. For more information about bequest language in your estate plans, please give us a call at 510-488-3559.