

# Brush Fires

"It does not require a majority to prevail, but rather an irate, tireless minority keen to set brush fires in people's minds." – Samuel Adams, Father of the American Revolution.

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## **"No Brownie Points For Good Behavior"**

Earlier this year I received reports from several Ohio prisons of black dominated parole hearing panels marauding through the state prison system giving paroles to every non-White prisoner who had a hearing while denying parole to every White prisoner interviewed. After we generated numerous "free world" complaints the Ohio Parole Board went through the motions to appear to cease this blatant anti-White discrimination, only to more recently and defiantly resume discriminating against White prisoners in parole release decisions.

Discrimination against White female prisoners is even worse than discrimination against White male prisoners. Disparities have grown so bad that in May *Cleveland Plain Dealer* was prompted to run a feature report, "Ohio's Unique Trend: More White Women in Prison." Pulling figures from the website of the Ohio Dept of Rehabilitation & Correction (DORC) I was able to verify that 60% of Ohio's female prisoners are White, 39% black and 1% hispanic or other. It should be noted that an overwhelming majority of those coming into the state prison system, male and female, continues to be black. Adding its own "pc" spins to DORC distortions, the reporter blamed everything but the true cause. I responded by sending out over the Internet commentary which revealed that the real reason was persistent anti-White discrimination in parole decisions. Attached was a reprint of "White Ohio Prisoners Serve Longer Sentences," originally published in the former *Jubilee*, which included statistical evidence that White prisoners receive a disproportionately lower rate, and black prisoners a disproportionately higher rate, of parole releases. For those without Internet access, a copy may be obtained for \$1 or its equivalent in postage stamps or postage paid embossed #10 size envelopes.

After a few recent court victories by "old law" prisoners victimized by Ohio's dual disparate sentencing system, DORC's old scams to keep "old law" prisoners imprisoned far past the time they should have been released doesn't seem to sell so well anymore. Rather than do the right thing and release prisoners long overdue, DORC instead has decided to try a new scam. All of a sudden DORC has discovered "victims." The latest DORC spin is to use "victims" as excuses to ignore original sentences and to continue to hold "old law" prisoners hostage as its money makers and its rationale to continue to keep an otherwise un-needed Parole Board in business. On DORC's website a spinmeister (aka spokesman) for its "office of victim services" whines, "It seems victims are once again facing parole hearings as a result of lawsuits." Many Eurofolk "old law" prisoners are scheduled for what are supposed to be *meaningful* parole hearings *only* because of successful suits. One stated purpose of this "victim services" is to "petition the Parole Bd for full board hearings," and it admits that it is contacting every "victim," "victim's family" or "victim representative" it can come up with to incite them to appear at these full board hearings to speak against parole for (especially White) "old law" prisoners.

On June 29 fellow LibRA official Beverly Seymour and I personally witnessed how this scam works. We attended a full board hearing as "inmate representatives" on behalf of a White

female prisoner who was denied parole because she is White but who was granted a parole only after outside protests. Before she was released her parole was rescinded when "victim services" petitioned for a full board review. This wasn't the first time I appeared as an "inmate representative" but it was the first time I witnessed the Parole Board deny people from speaking who came on behalf of a prisoner and severely limit the amount of time allowed for the tiny few it did permit to speak. A retired prison chaplain, who had never previously spoken on behalf of any prisoner, attempted to relate the prisoner's excellent institution record, but was rudely interrupted by hearing chairman Peter Davis with a belligerent, *"There are no brownie points for good behavior! We expect all of our inmates to be model prisoners! We do not reward inmates for doing what we expect them to do!"*

"Victim services" had managed to round up quite a lynch posse which was still outnumbered by those appearing on behalf of the prisoner. An "affirmative action" DORC employee, the "victim services" representative was easy to spot amidst the "victim's family" crowd. Standing out like a fly in a bowl of oatmeal, she made no attempt to conceal her coaching for theatrical effect. On cue, one "victim spokesman" told a previously unspoken lie. Those appearing on behalf of the prisoner were refused the due process right to rebut the fabricated "new information."

We noticed that all but two of those on the Parole Board are black. We are receiving reports of other prisoners being subjected to similar treatment. So far, all of them have been White. We have not heard of this being done to a single black prisoner. (Does anyone in Ohio reading this know of any?)

We will be looking into possible funding sources for a civil rights action to challenge Ohio's anti-White discrimination in parole release decisions to file on behalf of "old law" prisoners who are LibRA members or affiliated with Druids of Danu

## **Order Prisoner Gary Yarbrough Assaulted By Guards**

Order prisoner and LibRA member Gary Yarbrough has spent much of the past 14 years in "the hole" and made to endure other forms of harassment and retaliation, including numerous "diesel therapy" transfers. He was transferred to USP Atlanta, in which he was confined in that prison's "Special Housing Unit" (SHU), not because he has been a disciplinary problem but in retaliation for being a political prisoner and Order POW.

On Feb 5, 2005, Yarbrough was removed from his cell, handcuffed, shackled and chained, to be taken to another cell. The cell was a double bunked former one man cell USP Atlanta calls a four man cell by making two men sleep on the floor. The cell was full of hostile non-Whites. After refusing to be housed in this cell, Yarbrough was placed in a holding cell. The shackles, handcuffs and chain were not removed. Guards then stormed into the cell and viciously beat Yarbrough. Yarbrough required hospitalization and his injuries may be permanent.

Only after outside pressure, Yarbrough was transferred to USP Marion. For those without Internet access, a hard copy of a more detailed report I sent out may be obtained for \$1.00 or its rough equivalent in postage stamps or postage paid embossed # 10 envelopes.

This isn't the first time one of our political prisoners has been

subjected to retaliation, but this was the most vicious act of abuse to which any of our political prisoners or POW's have been victimized. We don't have to let the assortment of "affirmative action" and race traitor goons employed as guards or as their prisoncrat overseers get away with what they did to Gary Yarbrough, nor should we. In my capacity as a paralegal I'm working with an attorney with the intention of preparing and filing a civil rights suit on Yarbrough's behalf. We will have to meet the costs of litigation ourselves, and your help is needed.

#### Four Helpful Federal Appellate Decisions

In *Prison Legal News v Lehman*, 397 F3d 692 (9<sup>th</sup> Cir 2005), the 9<sup>th</sup> Circuit ruled unconstitutional a Washington DOC rule which prohibited that state's prisoners from receiving publications sent by bulk mail. Washington DOC thought police knew that just about every periodical with circulation of any size is not going to send its publications by first class just to placate them, and this was but another ruse to mask censorship by selectively enforcing this unreasonable rule.

The 10<sup>th</sup> Circuit ruled unconstitutional a Kansas DOC rule that prohibited that state's prisoners from receiving books or publications unless they were ordered with prior approval of prisoncrat thought police and paid for with a KDOC issued money order which took money from a prisoner's prison controlled account. The Kansas system also imposed a limit on how much a prisoner was allowed to spend in ordering books or other publications. This rule, thrown out by *Jacklovitch v Simmons*, 392 F3d 420 (10<sup>th</sup> Cir 2005), was but another censorship ploy prison thought police used to prevent prisoners from receiving publications upon which they wished to impose a blanket ban.

Pennsylvania DOC really overstepped its bounds with a rule thrown out by the 3<sup>rd</sup> Circuit in *Bank v Beard*, 399 F3d 134 (3<sup>rd</sup> Cir 2005). Prisoners deemed "high security" in that state's prison system were prohibited from receiving any mail unless it was what Pennsylvania prisoncrats considered "religious" or "legal" mail. Because many prisoners are labeled "STG" based upon religious affiliation or belief by prisoncrat thought police who apparently view themselves as latter-day wanna-be grand inquisitors enforcing state orthodoxy, with tangential raises in custody levels, it may be safely assumed that much religious mail was not delivered as "religious mail" under this policy.

Many of us are familiar with the practice of many prison employees to do nothing about (or some times encourage) non-Whites who assault Eurofolk prisoners. The 7<sup>th</sup> Circuit, in *Brown v Budz*, 398 F3d 904 (7<sup>th</sup> Cir 2005), in reviewing appeals of a case filed by an Illinois White prisoner who had been beaten by a black with a known history of assaulting White prisoners because they're White, held that prison employees are as obligated to protect White prisoners as they are non-White prisoners.

#### Warning

LibRA members, especially those in prison, need to be warned about yet another traitor/informant wanting to be allowed a come back, who has already caused some prisoners to get into serious trouble. Greg Withrow, of Oroville, California, had been a pro-Eurofolk activist for awhile in the 80's. Then he flipped, married a mestizo and went to work for Mo Dees' SPLC. After testifying against pro-Eurofolk activists and leaders, Withrow went on the TV talk show circuit as part of a SPLC traveling "anti-racist" freak show. I recall watching his performance on two such programs. Then he disappeared for awhile, only to resurface amidst minor media fanfare allegedly repudiating his earlier betrayal of pro-Eurofolk kinsmen. Media disinformation?

Unlike the few other traitors/informants trying a come back, Withrow seems to be contacting prisoners and has even tried writing to a few of the Order prisoners. Letters and literature he

sends to prisoners contain wild inflammatory violent rhetoric and have been allowed in even when responsible and legitimate pro-Eurofolk mail was not. He evidently is also in contact with prison thought police. I received reports that, because of Withrow's antics, some federal prisoners were put in the "hole," confined in SHU and barely avoided getting new charges.

Over the years I became aware of a few incidents of someone pretending to be into prison reform or otherwise interested in helping prisoners but who were actually working as informants for prisoncrat officials. SPLC snitch Withrow seems to be the first to target specifically pro-Eurofolk prisoners. Whether CI, Asatru/Odinist or some other Eurofaith, no one who is legitimate will intentionally send mail or literature advocating violence or illegal acts. In fact, they all will try to convince you to refrain from illegal acts and discourage you from being involved in prison gangs or their activities. If there are any reading this who may be misled by the occasional prison reform book or article, SPLC's agenda is not prison reform but race treason. They are among those who feel White prisoners merit none of the outside support they occasionally give to non-White prisoners when it furthers their own agenda. SPLC along with their ADL counterparts work with prisoncrat thought police to not only deprive you of your rights to receive literature or the free exercise of your religion or to be free from anti-White discrimination, it pressures them to coerce you into mandatory brainwashing programs.

#### Updates

In our last edition we reported our victory in which the US Supreme Court upheld the constitutionality of the Religious Land Use & Institutionalized Persons Act (RLUIPA), in *Cutter v Wilkinson*. At the time no case citations had been assigned. We now have case citations. 125 S.Ct 2113, 161 LE2d 1020 and 2005 USLexis 4346. As of this writing, the case is still on remand in the 6<sup>th</sup> Circuit. Both the 6<sup>th</sup> and the Supreme Court had declined to address spending and commerce clause issues and based their decision solely upon the establishment clause. Rather than allow the three suits combined to be remanded to the district court, the Ohio Attorney General's office moved to allow it--again--to raise objections to the constitutionality of RLUIPA based upon the spending and commerce clauses. The 6<sup>th</sup> made short work of this. Arguments were heard on Sept 10. On Sept 13 the court unanimously ruled that RLUIPA did not violate the spending clause. The state is expected to petition the Supreme Court to allow it to appeal this decision. A federal reporter citation has yet to be assigned to this latest decision. Those without Internet access may obtain a copy for \$1.00 or its rough equivalent in postage stamps or postage paid embossed #10 envelopes.

Operations of the America First Party of Ohio had been on hold pending negotiations to merge various third parties. Having grown tired of no progress in uniting those duplicating each others efforts, AFPOH officials have resumed party building. I was asked to address the AFPOH state convention held north of Columbus on July 9, specifically the atrocities of Abu Gharib and its impact upon America's growing gulag system. I was able to show that this perception was backwards, and that it was routine abuses in America's prisons which spawned Abu Gharib. I then began to lead into the next topic and announced that a major project for which LibRA is preparing is to launch a serious call for the complete restoration of all rights to ex-felons. Before I could even begin to explain the proposal I was surprised to be interrupted by applause which grew increasingly more enthusiastic. At the conclusion of the convention I was elected chairman of the AFPOH state platform committee.

John W Gerhardt  
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