

Three anti-NATO protesters brought to Chicago court in chains

Patrick Martin
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Three of the five men arrested on frame-up terrorism charges during protests at the NATO summit in Chicago last month appeared in court Monday, but the hearing ended quickly without any evidence being presented or even a reading of the charges. The two other prisoners were to make a similar court appearance Wednesday.

Attorneys for the first three defendants had expected that prosecutors would turn over the evidence against their clients, including police reports, the search warrant that was the basis for the raid on the house where they were staying, and an affidavit. Instead, prosecutors have made only a proffer—a declaration of what they intended to prove—without any indication of the underlying evidence.

The defendants are being held on \$1.5 million bail each, and will not be arraigned until Monday, July 2, when the prosecution will presumably make public the indictment.

The sole purpose of the hearing was evidently to make a public display of the three defendants as dangerous presumed terrorists, by parading them through the courtroom in yellow prison jumpsuits wearing shackles on their hands and legs.

Jared Chase of Keene, New Hampshire, Brent Betterly of Oakland Park, Florida, and Brian Church of Fort Lauderdale, Florida have been held for nearly a month. They were initially reported to face charges of “material support for terrorism, possession of an incendiary device and conspiracy.” The charges are brought by the Cook County state’s attorney under an Illinois state law passed after the terrorist attacks of September 11, 2001.

Although federal agents reportedly participated in the raid that led to the arrests, no federal charges have been brought, a clear indication that the case against the three men is flimsy. A federal terrorism prosecution would take precedence over any state charges, and nearly all terrorism cases in the United States have been brought by federal prosecutors. The current case is the first state-law

terrorism case ever filed in Illinois.

At a press conference Monday after the abortive court hearing, Thomas Durkin, the attorney for Jared Chase, denounced the charges against his client. “When this is over, I’m sure this is not a terrorism case,” he said. “It might not be a case at all. The case stinks. It’s an informant-created case. And we suspect the informants are police officers.”

Michael Deutsch, the attorney for Brian Church, told the press conference that shackling the defendants “branded them as terrorists” and created a “prejudicial atmosphere” that undermined their right to a fair trial.

Speaking with the *World Socialist Web Site* Wednesday, Durkin elaborated on the claim that police infiltrators had introduced the idea of bomb-making and entrapped the defendants. “It’s a stupid case, and I think it’s dangerous,” he said.

“They’ve charged them with conspiring to make Molotov cocktails,” Durkin continued. “There wasn’t a single bomb or Molotov cocktail used by anybody during the week of the protests. How did the Chicago police find the only people among all those demonstrators who wanted to make Molotov cocktails? Whose idea was it?”

At the press conference Monday, one reporter asked the defense attorneys about the shackling of their clients, noting, “We’ve seen murderers and defendants for far more serious crimes who were never shackled.”

Durkin commented at the time, “These defendants are being treated differently than other prisoners. They are treated worse than murderers, and they justify that with the domestic terrorism charges.”

He told the WSWS, “This is part and parcel of the new normal.”

In addition to the shackling, he said, prosecutors refused to engage in the informal lawyer-to-lawyer communication that is usual in the criminal justice system. They stuck to the letter of state legal procedure,

refusing to make public the charges or release any details of the evidence until the actual indictment is unsealed on July 2.

Judge Adam D. Bourgeois Jr. called it “strange” for state’s attorney Anita Alvarez not to release the indictment, and prosecutors declined to explain themselves after the hearing.

At the time of the arrests, Alvarez’s office claimed that Chase, Betterly and Church had made three crude firebombs at the house in Chicago’s Bridgeport neighborhood, for use against the headquarters of the Obama reelection campaign, the home of Mayor Rahm Emanuel, and a police station.

A spokesman for Occupy Chicago, one of the sponsors of the anti-NATO protests, said that what was found in the house was “beer-making supplies, home-brewing kits,” not material to make bombs.

The two other men, Sebastian Senakiewicz and Mark Neiweem, both of Chicago, face separate state criminal charges. Senakiewicz was alleged to have made a false terrorist threat, while Neiweem is accused of solicitation for explosives or incendiary devices.

In each of the cases, the same two informants, likely an undercover policeman and policewoman, held discussions with the defendants and then instigated their arrests on alleged conspiracies that they had created.

All the authorities involved—the Chicago Police Department, run by Mayor Rahm Emanuel, the state’s attorney’s office in Cook County, and the federal agencies that worked with the local police and prosecutors—are run by Democratic Party officials.

Both Emanuel, formerly chief of staff in the Obama White House, and President Obama himself hailed the conduct of the Chicago police in the course of the anti-NATO protests, during which hundreds of demonstrators were assaulted by police and arrested.



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