

Attorney Steven Donziger detained for five days in a Bronx halfway house

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Human rights and environmental activist attorney Steven Donziger was released on Tuesday after being detained for five days in a halfway house in the Bronx without notice or warning.

Donziger was already serving the remainder of a six-month sentence for contempt of court at home under a pandemic-era early release program. The first portion of the vindictive sentence was served by Donziger at the Federal Corrections Institution in Danbury, Connecticut.

The lawyer was only allowed to leave the halfway house this week after his attorneys and Amnesty International organized a campaign to demand that US federal prison authorities release him.

On February 9, Donziger received a phone call at 7:30 a.m. and was told by law enforcement authorities to report to the halfway house and to bring clothes. Donziger left his apartment and reported to the halfway house, only to be detained for the first 36 hours without any explanation.

In an interview with Status Coup News before Donziger was released, his lawyer Ronald Kuby said the activist attorney “was told he was being confined there for an indeterminate period of time.” Kuby explained that people in a halfway house are normally those who are transitioning from long prison terms to less secure facilities. They usually stay in these facilities for six months and, “they can come and go. They go outside, get air. They can go to work and the like. They just have to report back.”

Kuby explained, “Steven was and is being held in lockdown at the halfway house. He cannot leave, he cannot go for a stroll. He doesn’t have any of the privileges that other people in the halfway house have right now.”

He went on to explain that, apparently, the day before

Donziger had his ankle monitor removed on February 3, he was on a lower floor in his apartment building, and this “triggered an alert and then, at some level at the bureau of prisons, we don’t know what it was, it triggered an incident report.” Donziger was formally charged with being noncompliant with the condition of his release from prison and home confinement.

Kuby also said the noncompliance could be resolved by the authorities releasing Donziger with a warning or by sending him back to prison. He explained that prison authorities would normally make a phone call and tell the person in the home release program to remain inside their apartment.

Instead, federal prison officials chose to arbitrarily hold Donziger in a room with boarded up windows without any explanation as to how long he was going to be there. Kuby said Donziger has been “fully compliant with the terms of his release in every respect,” but that, “as with all things Donziger, there is nothing normal about anything in this case.”

Kuby then said it is possible that federal authorities were retaliating against Donziger after seeing his Twitter post on February 4 regarding the removal of his ankle bracelet. Donziger had posted, “The ankle bracelet has been hacked off and I’m heading home! This black claw was both a real and symbolic taking by @Chevron of my freedom and peace of mind for 913 days. Outrageous in extreme.”

Donziger’s halfway house experience is the latest in a long series of attacks on him by the US justice system and the oil industry. He has been targeted and his democratic rights have been repeatedly violated because of his steadfast defense of farmers and indigenous people in the Amazon rain forest, which culminated in 2011 when he won a \$9.5 billion judgment against Chevron in the Ecuadorean courts.

A Harvard Law School graduate, Steven Donziger became involved in a class action lawsuit against Texaco (later Chevron) in 1993 for dumping toxic waste into a 1,700-square mile area of the Ecuadorean Amazon region near its border with Colombia, beginning in 1964. After nearly two decades of delaying tactics and aggressive legal maneuvers by Chevron corporate lawyers, the class action lawsuit representing 30,000 people—including five Amazonian tribes—whose lives were permanently impacted by the poisoning of their environment, was awarded a favorable ruling by the Ecuadorean Supreme Court.

The victory turned out to be the first phase of the fight against Chevron and the rest of the oil industry, as the corporation retaliated with a legal offensive in the US courts and the international court of arbitration at The Hague to have the judgment vacated. The campaign included an elaborate series of countercharges directed at Donziger—including claims of criminal activity such as racketeering, wire fraud, money laundering, obstruction of justice, bribery, coercion, witness tampering and extortion—aimed at discrediting the case against the oil monopoly.

In 2014, the US District Court for the Southern District of New York ruled that the judgment against Chevron was invalid—based on the testimony of a corrupt former Ecuadorean judge who claimed that the litigants had bribed the judges who ruled against the oil corporation—and that Donziger had to pay the \$800,000 in damages. Donziger appealed the ruling.

The campaign against the activist attorney resulted in his being disbarred in the state of New York last year for “egregious professional misconduct.” Meanwhile, during the appeals process, Donziger was charged and found guilty of contempt of court for refusing to turn over his computer and other electronic devices to the Manhattan court that has been directly collaborating with Chevron all along.

Donziger posted a video statement after he arrived back home on Tuesday from his harrowing five-day detention in the halfway house. “I was really worried that they were going to try to put me in prison,” he said. “They finally told me what the problem was which was that they violated me because I had been in my building, in my apartment building, but not in my apartment for a couple of hours for a meeting.

“Frankly, this is nonsense. And while I respect the

procedures and the conditions of my very unjust and I would say illegal confinement, this was highly unusual, and I strongly suspect Chevron and its lawyers are behind it.” Donziger thanked “the thousands of people around the world who stood behind me and demanded I be returned home, which finally happened today.”

He then added, “This is an example of how Chevron still wants to still disrupt my human rights work and to attack me as a way to avoid paying the judgment to the indigenous peoples in Ecuador, who the company has poisoned by deliberately dumping 16 billion gallons of toxic waste in the Amazon.”

There is no doubt that Donziger’s refusal to bow to the joint assault by the global oil industry and the US and international courts on his rights is a primary reason that these corporate interests are aggressively seeking to punish him. The decades-long fight waged by Donziger against the oil monopolies on behalf of the farmers and indigenous people of Ecuador must be supported by the international working class as part of the struggle against the entire capitalist system.



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