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Refusal to Testify

Carrie Feldman

October 15, 2009

Today I had my first appearance before the federal grand jury in Davenport, Iowa. I was represented by a federal public defender (although he could not be present in the grand jury with me). After reading a brief statement expressing that I would not testify, I was released with a subpoena to reappear before the grand jury again on the 17th of November at 9:00 A.M. It is likely that at this time I will be held in contempt of court for continuing to remain silent, and could face jail time up to the length of the grand jury (it convenes for 12 months total, which leaves 11 remaining after my November appearance). We are still looking into legal questions regarding how long they could hold me.

Although the prosecutor has still not been forthcoming as to what they are investigating me for, I now feel confident in assuming that they are looking into an ALF action that occurred at the University of Iowa in 2004. Many different signs, including a question from one of the jurors, have indicated this.

Some info about federal grand juries in Iowa:

The federal grand jury in Iowa has sessions for two days at a time, once a month. They are convened for 12 months at a time. There is always a grand jury going on and they hear a variety of

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Retrieved July 27, 2012 from breakallchains.blogspot.com

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cases – they are not convened for any specific thing. They are secret, and even the public defenders working on those cases are kept very much in the dark. The current grand jury convened on October 14th.

Here's the statement I read to the grand jury:

First of all, I would like to state, unequivocally and most certainly for the record, that I have no intention of testifying before this grand jury. Based on information from the prosecutor indicating that I may be a target of this investigation, I am invoking my Fifth Amendment right against self-incrimination. But beyond that, I am refusing to cooperate based on a sincere belief that to do so would run counter to my deeply held convictions and values.

Grand juries were originally created to prevent arbitrary indictments, but are now used as a tool of the prosecution to gather information. Grand juries undercut basic rights supposedly granted in the Constitution by denying access to counsel and coercing testimony. They are now, and have been for some time, used to investigate and intimidate those who would express dissent.

This is only effective when we are complicit, when we are frightened, when we are divided. Today my voice may waver, as I stand alone in this room. But I know I speak with the voice of every one of my friends, loved ones, and comrades when I say this: We will not be intimidated. We will not cooperate. I have nothing more to say to you.

Thanks to everyone for how much support I've gotten already. It means so much to me to know you have my back.

If you want to stay updated on my case, visit supportcarrie.wordpress.com

And remember – stay safe, stay strong, and fuck grand juries!