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The FBI Can Go Fuck Itself

A History of the State Terror Organization and An
Analysis of Its Political Repression of Me, Based on
Its Own Declassified Documents

Sean Swain

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11/09/2022

Retrieved on 5/30/2024 from:

<seanswain.noblogs.org/2022/11/the-fbi-can-go-fk-itself>

Prepared For: The Labadie Collection, University of
Michigan To Accompany the 223 Disclosed Pages of My FBI
File For Posting, Dissemination, and Publication

theanarchistlibrary.org

11/09/2022

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The continued existence of the FBI is a crime in itself. This state terror organization should be abolished, dismantled, erased permanently from the face of the earth in the name of intellectual freedom and integrity.

In the meantime, in the interests of public disclosure, the FBI needs to be pressured to release the 3,800-plus files about me that it is currently concealing, files for which they are apparently too ashamed of their own crimes to let the world see.

For now, the pages they have declassified and released, accompanying this summary, provide a limited glimpse into the matters that the FBI did not have the good sense to be too ashamed to conceal. Perhaps, for now, that is enough for us to measure the distance between the world as it is... and the world as it should be.

The FBI can go fuck itself.

Two months later, within weeks of each other, two prisoners would die on Suicide Row. They clearly did not have outside supporters to flood the prison with calls of concern.

V. CONCLUSION.

The FBI began as an ideologically-driven, repressive hate machine; it perfected its illegal state terror methods during the previous generation, and it continues its illegal state terror today. It operates as a tool for right-wing extremist suppression.

As borne out by my experience, and supported by its own declassified files, the FBI, in this case, used a non-crime as justification to aggressively pursue an anarchist prisoner clearly unconnected to the non-crime they were ostensibly investigating. The FBI then expanded their investigation into the anarchist ideology and perfectly law-abiding citizens who thoughtfully hold that ideology— despite the fact that anarchism or anarchists were in no way relevant to the matters that the FBI claimed to be investigating in the first place. And when this state terror organization could not connect anarchists to a non-crime, it responded with a decade of retribution and endless investigation designed to “disrupt, misdirect, discredit, or otherwise neutralize” its list of hand-picked, ideological enemies—including me.

During a time when the FBI amassed a veritable warehouse of over 4,000 pages of unactionable files on me, dedicating untold human and economic resources to their misadventure, the FBI was simultaneously allowing Larry Nasser to get away with serial-raping the U.S. Women’s Olympic Gymnastic Team through their inaction... and allowing the right-wing extremist coup attempt on the U.S. Capital on January 6, 2021. Continuing to terrorize someone whose vision of the future is better than their own was more important to the FBI than preventing unspeakable crimes.

INTRODUCTION.

I have been through a lot. For more than a decade now, the Federal Bureau of Investigation has waged a state terror program designed to drive down me to suicide in order to permanently silence me and, in the process, amassed over four thousand pages of files on me, less than three hundred pages of which they are willing to disclose to the public— and most of those are highly redacted.

When you see what the FBI disclosed, and when you begin to contemplate the implications even in what they disclosed, it really makes you wonder just how mind-numbingly disturbing the 3,800-plus pages they won’t disclose really must be.

Initially, I intended to just turn over a copy of my FBI file for inclusion in the Labadie Collection, an archive at the University of Michigan. I didn’t intend to provide any context or narrative explanation of the pages— and then I began leafing through them again. I began seeing the pattern of what those pages revealed.

So, I set out to provide a kind of narrative guide for context to the FBI file. But even as I began working through that, I realized that it was far more important to position my experience within a longer, historical perspective about the FBI and what it does— not just to me, but, potentially, to all of us. It became important to me to shift the focus away from myself and onto the FBI, the character and nature of this state terror organization with seemingly unlimited power and budgets.

I think my own experience is quite revealing. But I think my experience is indicative of a lot of others’ experiences.

What follows is an historical background on the beginnings of the FBI and its evolution as a state terror organization, which then serves as the context for a presentation of my experience as a target of its political repression, and an analysis of the FBI's own declassified documentation that reveals the true nature of what the FBI is and what it really did.

And still does.

As long as such a state terror organization exists, none of us are free.

Sean Swain
Ohio State Penitentiary
October 18, 2022

field Correctional, Warden Terry Tibbals, the ODRC, the Ohio State Patrol, the Department of Public Safety, and ODRC Director Gary Mohr.

Seven months later, the FBI would implicate me in a bomb threat, though I was held in a cell at the supermax prison in Youngstown and had no way to communicate a bomb threat to anyone:

Sean SWAIN (SWAIN) DOB 09/12/1969) is an inmate incarcerated at ODRC's Ohio State Prison (OSP) in Youngstown, Ohio. SWAIN is affiliated with a group known as the "Army of the 12 Monkeys". The "Army of the 12 Monkeys" claimed responsibility for a recent bomb threat in Columbus, OH. SWAIN has a website which is "seanswain.com" [sic], and he is scheduled for release on 09/01/2016. SWAIN has ties to Erie County, Ohio.

FBI Memorandum, September 27, 2013.

Even as late as 2020, the FBI was communicating to Virginia prison officials after having engineered my illegal rendition to that state. See almost-completely redacted FBI emails, August 24, 2020, through October 20, 2020.

-only I have been subjected to a decade of hyper-vigilant state terror. Two of the other three prisoners have been released and the third is scheduled for release shortly... while I write this from a cell at Ohio's super-max after scoring out on my security instrument as a Level 1 (minimum) Security prisoner. It would appear that the disparate treatment is only attributable to the FBI's and ODRC's right-wing extremist hatred for self-identifying anarchists.

Logical & Reasonable Investigation

CRA performed the following logical and reasonable investigative steps during the course of the captioned full investigation:

Interviews of Swain, [redacted] On September 27, 2012, joint terrorism task force (JTTF) task force officer (TFO) [redacted] interviewed SWAIN, [redacted] at MANCI. None of the three interviews resulted in information that addressed the alleged cyber nexus to the captioned investigation. In TFO [redacted] professional opinion, SWAIN, [redacted] were all involved with “The Army of the 12 Monkeys” and one or more of them were involved in (and had knowledge of) sending letters to Ohio legislators.

[large block redacted]

Leads

No open leads remain in this investigation.

Evidence

Due to the joint nature of the captioned full investigation, all evidence seized during the course of the investigation was retained either by OSP or by investigators at MANCI.

FBI Memorandum, March 11, 2013.

The investigation had ended, but the torture had not¹⁸. A month after the end of the investigation, the FBI was still providing “threat briefings” to Ohio prison officials and to other branches of Ohio government, designed to characterize me, in particular, as a dangerous terrorist¹⁹. See multiple FBI Memoranda dated April 1, 2013, related to threat briefings for Mans-

¹⁸ For my account of the domestic torture program that the FBI was working in conjunction with Ohio prison authorities, check out my book, “Opposing Torture”, available from Little Black Cart and LBCbooks.com.

¹⁹ While a total of 4 prisoners were designated as members of the 12 Monkeys– Leslie Dillon, James Dzelajlija, myself, and later Shawn Marshall

I. INCEPTION OF THE FBI

The Federal Bureau of Investigation is not mentioned in the United States Constitution. It was not formed by George Washington or Thomas Jefferson at the beginnings of this country. In fact, the United States continued for the vast majority of its existence quite easily without the FBI. The agency did not come into existence until the twentieth century.

What was initially called simply the Bureau of Investigation was established by Congress in 1906 under Attorney General Charles S. Bonaparte.¹ By 1910, Congress had passed several pieces of legislation to expand the BOI’s jurisdiction, to include breaking up interstate prostitution rackets– and, naturally, the agency’s funding steadily increased². In 1916, with World War I underway, the BOI became central to enforcing the newly-passed Neutrality Act, as well as investigating acts of sabotage on U.S. soil³.

When the U.S. entered the war directly in 1917, President Woodrow Wilson signed into law the Espionage Act which, among other things, made it illegal to publicly speak out in opposition to the war.⁴ The following year, when Socialist Party presidential candidate Eugene V. Debs was arrested and eventually sent to prison for ten years for opposing the war in a public speech⁵, Wilson signed into law the Alien and Sedition Act

¹ Churchill, Ward and Vander Wall, Jim, *Agents of Repression...*, Black Classic Press, 2022. p. 17.

² *Id.*, at P. 18

³ *Id.*

⁴ *Id.*

⁵ *Id.*, at p. 19.

designed to “exclude and expel from the United States aliens who are members of the anarchist classes.”⁶ Thus, the U.S. undertook to waging a war of political repression against a specific ideology, against beliefs, outlawing anarchism and stripping those who identified as anarchists of personhood.

The Department of Justice and its BOI immediately used this legislation as justification to target the anarcho-syndicalist union, The Industrial Workers of the World, arresting 165 of their leaders and putting over 100 of them on trial⁷. All were found guilty; IWW President Big Bill Haywood and 14 others were sentenced to 20 years in prison for being anarchists⁸. Anarchists Emma Goldman and Alexander Berkman were each sentenced to 10 years for opposing the draft and were deported as undesirable aliens⁹.

In June 1919, bombs went off in 8 cities across the country, including a blast at the home of Attorney General A. Mitchell Palmer¹⁰. None of the bombers were ever identified but, conveniently, at each scene, anarchist leaflets were left scattered about the ruins, making it possible for the BOI to blame anarchists for the bombings¹¹.

In the “Palmer Raids” that followed, as the Attorney General took out his own personal vendetta against an entire political philosophy he believed responsible for blowing up his house, 6,000 radicals were targeted and 4,000 of those were arrested¹². One of those rounded up was an anarchist named Andrea Salsedo, held 8 weeks in the New York Bureau office and cut off even from his family and legal counsel– until his life-

⁶ Id., at p. 18.

⁷ Id., at p. 19.

⁸ Id.

⁹ Id., at pp. 19–20.

¹⁰ Id., at p. 21.

¹¹ Id.

¹² Id., at p. 22.

days, writer would release that information along with primers on how to make certain types of explosives.

Ultimately, eight (8) state legislators received letters from “The Army of the 12 Monkeys”. All letters were postmarked on September 20, 2012 out of Columbus, Ohio with a return address of their personal secretary/assistant having an address of the Vern Riffe State Office Tower, 77 South High Street, 12th Floor, Columbus, Ohio).

Shortly after the opening of the captioned investigation, CRA determined that the letters had likely been authored at Mansfield Correctional Institution (MANCI), Mansfield, Ohio by one or more MANCI inmates. CRA ultimately determined that the members of “The Army of the 12 Monkeys” were:

Monkey #4: MANCI inmate SEAN SWAIN, inmate number A243205;

[block redacted]

CRA never positively identified [redacted] during the course of the captioned investigation.

CRA believes with medium confidence that [redacted] REDBIRD PRISON ABOLITION, an anarchist group headquartered in Columbus, Ohio, was [redacted] CRA believes with high confidence that [redacted] was involved in the distribution of letters to Ohio legislators and personally distributed the letters from Columbus, Ohio.

Given the nature of the correspondence from SWAIN, [redacted] CRA believes with high confidence that one or more members of REDBIRD [redacted] the posting of radicalization materials related to “The Army of the 12 Monkeys” online.

Given the nature of the investigation, CRA coordinated the captioned investigation with OSP out of their headquarters in Columbus, Ohio.

matching someone else... and after debunking the address list that prison officials attributed to me as not being the source of lawmakers' home addresses... and after the realization that lawmakers' home addresses were public information in brochures in the Statehouse lobby (and the 12 Monkeys committed no crime when threatening to make public information public)... the FBI still wrote:

Redbird appears to be sympathizers for prisoners who believe to be wrongfully imprisoned. Swain is someone they are posting content on their website for. It is unknown the nature of their relationship but due to their post about him and the letters being mailed out of Columbus it is believed they may have facilitated the mailing of the letters.

[Rest redacted...]

FBI Memorandum, February 7, 2013.

They still pursued obviously-unconnected anarchists for a non-crime.

Closing the Investigation.

On March 11, 2013, the FBI officially pulled up its tent stakes and packed up its tent, writing:

On 9/21/2012, Columbus Resident Agency (CRA) received a notice from Ohio State Patrol (OSP) that a state representative had received a letter from "The Army of the 12 Monkeys". In that letter, the author claimed that the group Anonymous had stolen certain personal identifying information from Ohio state computer systems. If their demands were not met within 60

less body was found crushed on the sidewalk below¹³. Bureau agents claimed he killed himself, diving from the fourteenth floor window¹⁴.

Assuming the Bureau agents to be telling the truth, the precursor to the FBI was already engaging in state terror to drive its political targets to suicide; and assuming they were lying, they were already assassinating political targets and staging the murders as suicides.

Two well-known anarchists who protested the outrage of Salsedo's death were Italian immigrants Niccola Sacco and Bartolomeo Vanzetti, both promptly silenced by murder charges related to crimes they very possibly did not commit, and executed in 1927¹⁵.

Thus, in a consistent pattern, the agency that would become the FBI under J. Edgar Hoover, from its very inception, understood its mission as one to silence dissent and to target anyone of the anarchist political ideology. While this mission would expand under COINTELPRO to include non-anarchists, the FBI never departed from its repression of anarchists.

¹³ Id., at pp. 22–23.

¹⁴ Id.

¹⁵ Id.

II. THE COINTELPRO ERA

In 1971, a group of activists calling themselves the Citizens' Committee to Investigate the FBI broke into a small field office and stole all of the files there¹. Their looting uncovered thousands of documents revealing a systematic FBI effort known as COINTELPRO (Counter-Intelligence Program). COINTELPRO was a secret, agency-wide program to suppress political dissent through wiretapping, infiltration, and media manipulation employed to discredit, destabilize, and demoralize political dissenters². The FBI sought to "enhance the paranoia endemic in these circles" and "get the point across that there is an FBI agent behind every mailbox"³.

Ideological targets of the FBI included Martin Luther King, Jr.; the Southern Christian Leadership Conference; the Student Nonviolent Coordinating Committee; the Black Panther Party for Self Defense; the American Indian Movement; Women's Strike for Peace; the Communist Party, USA; and the Nation of Islam⁴. Targets also included the Socialist Workers Party; Puerto Rican Independence activists; leftist student activists; and radical professors⁵.

Some of the secret activities conducted by the FBI included infiltration of groups by posing as members; getting a socialist

¹ Jalon, Allen M., *Break-In to End All Break-Ins*, L.A. Times, March 8, 2006.

² Id.

³ Id.

⁴ Churchill, Ward and Vander Wall, Jim, *The COINTELPRO Papers...*, p. 111.

⁵ Chomsky, Noam. "Introduction," *COINTELPRO: The FBI's Secret War on Political Freedom*, pp. 6-7. (14)

CRA further identified several residents of Columbus, Ohio (Collectively identifying themselves as REDBIRD PRISON ABOLITION) as possible collaborators in the distribution of the above-referenced letters...

FBI Memorandum, January 9, 2013.

The following day, the FBI even went so far as to surveil their home, noting in a highly-redacted memorandum that Redbird members' home "...was located in a largely residential neighborhood..." (FBI Memorandum, January 10, 2013).

Even into February 2013, after acknowledging that the vast amount of materials were found in someone else's cell¹⁷ and he signed a sworn statement that he was the leader of the 12 Monkeys... and after returning my typewriter... and after DNA

¹⁷ The FBI acknowledged Dillon's possession of the 12 Monkey documents in a report so highly-redacted as to make it nearly incomprehensible. Note, if the name of the prisoner was "Sean Swain," it would not be redacted because "Sean Swain" is the subject who requested the disclosure of the documents:

%%%

On 9/28/2012, writer reviewed the documents recovered from the cell of inmate [redacted] at MANSFIELD CORRECTIONAL INSTITUTION, Mansfield, Ohio and provided to SA [redacted] Cleveland Division, on 9/21/2012. The following is a summary of noteworthy portions of the documents based on a review of those documents.

The bulk of the materials recovered from [redacted] cell were propaganda materials related to the ARMY OF THE 12 MONKEYS.

The materials contained an approximately 24 page workout guide. On the first page of the guide, there was the following handwritten note (attributed to [redacted])

[Block redaction]

Another document (attributed to [redacted]) further identified the author of the above materials as having

[block redaction]

Writer's note: Another document was an article

[block redaction]

The materials also included an article titled

[block redaction]

%%%

FBI Memorandum, October 1, 2012.

writings by “Sean Swain” as “12 Monkey material,” and all “12 Monkey material” to be writings by “Sean Swain,” and therefore anything sent by me to Redbird could be equated with “documents” and “messages” related to “the Army of the 12 Monkeys.”

But to look at this another way, consider if this were true. If this were true, then there would be two websites, seanswain.org and redbirdprisonabolition.org publicly espousing 12 Monkey materials... while the originators of those materials, according to the FBI, were attempting to get away with fomenting a prison riot and sending threatening letters to lawmakers.

People who foment prison riots and threaten lawmakers advertise their crimes online before doing them?

The irrationality of all of this notwithstanding, the FBI began aggressively pursuing Ben Turk and the other members of Redbird Prison Abolition just as the FBI had always pursued its political enemies. On October 11, 2012, a memorandum was authored to memorialize a photo of Ben Turk (FBI Memorandum, October 11, 2012).

FBI agents coordinated with the Columbus Police Department to investigate “Columbus, OH area anarchists.” See, FBI Memorandum, November 9, 2012. They tracked activity on both seanswain.org and redbirdprisonabolition.org. See, FBI Memorandum, December 19, 2012. More than 3 months into the investigation, with nothing connecting the 12 Monkeys to me or, by extension, to Redbird, the FBI wrote:

On September 24, 2012, Cincinnati Division — Columbus Resident Agency (CRA) opened the captioned full investigation based on information that several Ohio state legislators had received threatening letters from “The Army of the 12 Monkeys” and bearing postmarks from Columbus, Ohio.

During the course of the investigation, CRA identified three inmates at Mansfield Correctional Institution (MANCI), Mansfield, Ohio as possible authors of the above-referenced letters.

professor terminated; disseminating a fraudulent underground newspaper; sending anonymous letters to a preacher’s wife accusing the preacher of an extra-marital affair; soliciting funds for assassination of political leaders in anonymous letters; convincing property owners not to sell to activists; framing activists as CIA agents; and using press contacts to deliberately mislead the public with planted propaganda that saturated the media⁶. In this way, the FBI’s secret and illegal plots to “expose, disrupt, misdirect, discredit, or otherwise neutralize activities” of lawful civil rights groups carried over to all of the organizations in the U.S. that the FBI and its right-wing extremist leadership opposed ideologically. In other words, for the vast majority of Americans subjected to COINTELPRO illegalities by the FBI, their only “crimes” were holding philosophically or politically divergent views from the FBI itself.

The FBI was also involved in political assassination. The FBI paid an informant a payment of “considerable value” to pose as bodyguard for Black Panther Fred Hampton and to transmit the floor plan of Hampton’s apartment to police⁷. Using that floor plan, police assassinated Hampton in his bed⁸. Hampton’s family would later receive a \$1.85 million civil settlement against local and federal officials for their roles in Hampton’s

⁶ Churchill and Vander Wall, *supra*. See, U.S. Gov’t Office Memorandum from LV Boardman to AH Belmont, CP, USA, p. 40; U.S. Gov’t Memorandum from FBI Director to SAC Phoenix, p. 55; U.S. Gov’t Memorandum from FBI Director to SAC New York, p. 58; Memorandum from FBI Director to SAC Albany, p. 92; Memorandum from SAC St. Louis to FBI Director, pp. 112–13; Memorandum from FBI on Blackboard Underground Newspaper, p. 116; FBI Report on Potential Land Sale, p. 122; Memorandum from FBI on Conveying Impression That Activist Is A CIA Informant, p. 128; Memorandum from FBI Director on Proposed Anonymous Letters, p. 150; Memorandum from SAC Newark to FBI Director, pp. 181–82; Memorandum from SAC Albany to FBI Director, p. 183.

⁷ *Id.* See, Memorandum from SAC Chicago to FBI Director, p. 141.

⁸ *Id.*, at p. 140.

assassination⁹. FBI memos also reveal a plot to “remove King,” indicating a conspiracy to assassinate Martin Luther King, Jr.¹⁰, who was listed as the FBI’s “primary target”¹¹.

While ostensibly COINTELPRO was officially terminated after public exposure, the FBI never, at any time, ceased its secret and illegal targeting and repression of what it felt to be political or ideological threats. It continued as a right-wing extremist state-terror organization after COINTELPRO officially ended.

⁹ Kifner, John, *Ex-Panther in Prison Says Evidence Was Concealed*, New York Times, April 3, 1989, p. B1.

¹⁰ Churchill and Vander Wall, *supra.*, Memorandum from WC Sullivan to JA Sizou, p. 98.

¹¹ *Id.*, Memorandum from FBI Director to SAC Albany, p. 111.

This memorandum artfully demonstrates the irrationality of this investigation’s trajectory. Note, first, the conclusory way in which a Maoist organization is characterized as having “some Anarchist leanings”– the same description often provided for the Grammy award-winning member of the Rock and Roll Hall of Fame, Green Day¹⁶. After this conclusory and baseless characterization, the memorandum then provides two long paragraphs of redacted narrative that relates the significant evidence that someone other than me is a member of the 12 Monkeys (that no one is allowed to read, since that prisoner is not connected to any anarchists the FBI wants to investigate).

The memorandum then turns to me, describing me as having “been identified as being an active participant in THE ARMY OF THE 12 MONKEYS.” Of course, the memorandum does not indicate who, exactly, identified me... or how they identified me... or whether the person who identified me knows what they are talking about. Again, this is very conclusory without so much as a reference to anything that might support such a conclusion. But, having connected the 12 Monkeys to anarchists (without cause) and connected the 12 Monkeys to me (without cause) and redacting several paragraphs of evidence pointing to someone else, the memorandum got to the fun part– where it made the case for a nexus from the 12 Monkeys to Redbird Prison Abolition. In the midst of this is an absolute fabrication: “Whenever SWAIN would send documents with a message related to THE ARMY OF THE 12 MONKEYS, SWAIN would send it to ‘REDBIRD’ in Columbus.”

As point of fact, at no time had I ever sent documents or messages related to “The Army of the 12 Monkeys” to anyone. It appears that the agent who wrote this report equated any

¹⁶ The agent writing this report is clearly an American idiot. Get it? American idiot...?

MONKEYS, SWAIN would send it to “REDBIRD” in Columbus. “REDBIRD” would then typically scan and upload the document and its contents for its website within one week or so.

A subsequent search of public websites and information by writer and SA [redacted] identified “REDBIRD” as REDBIRD PRISON ABOLITION (www.redbirdprisonabolition.org), a group dedicated to prison abolition in Ohio. According to the “About Us” page to their website, REDBIRD was tied to four individuals: (1) [redacted] LNU, (2) [redacted] LNU, (3) [redacted] LNU and (4) [redacted] LNU.

Subsequent searches of public websites and information by writer and SA [redacted] (including, but not limited to [redacted] positively identified [redacted] and [redacted] as the following individuals:

[whole block redacted]

In addition, subsequent searches of public websites and information by writer and SA [redacted] (including, but not limited to OHLEG) identified the following individual as being associated with REDBIRD (by organizing a fundraising and awareness event):

[whole block redacted]

A copy of the OHLEG results for each of [redacted] and [redacted] has been submitted as a digital file to a 1A package related to this document.

Writer has not been able to identify [redacted] with any degree of confidence as of the date of this document.

Writer’s note: Based on a review of REDBIRD’s website and affiliated websites authored, in whole or in part, by [redacted] and/or [redacted] it appears that each of the above individuals has anarchist sympathies.

FBI Memorandum, September 26, 2012.

III. THE FBI’S POST-COINTELPRO WAR ON “ANARCHISTS”

In 2002, the FBI issued a memo indicating a designation of “anarchists,” “animal rights extremist[s],” and “environmental extremists” as possible “terrorists”¹. As many as 7,000 Americans were placed on an FBI secret watch list, expressly for their perceived beliefs². This means that thoughtful and law-abiding Americans were subjected to a secret program of surveillance, arguably for having a more sensible political belief system than the right-wing extremists running the FBI. It is unclear whether figures such as former vice-president, Al Gore, who produced the movie, “An Inconvenient Truth,” were added to the secret FBI watch list for the thought crime of believing in global warming, something that would have been, at the time, a tenet of “environmental extremists.”

Activist Judi Bari, a longtime target of the FBI, was permanently disabled when a bomb placed under her car seat exploded as Bari traveled to a peaceful protest against logging³. The FBI aggressively investigated Bari, claiming somewhat inexplicably that Bari had bombed herself⁴. In 2002, the same year that the FBI issued its memo designating “anarchists”

¹ Davis, Ann, *Data Collection Is Up Sharply Following 9/11*, Wall Street Journal, May 22, 2003, p. B1.

² Id.

³ Bari, Judi. *Timber Wars* 264 (1994), iwww.org/unions/lul20/local-1/EF/JBari11.shtml#notes.

⁴ Id.

as “terrorists,” Bari’s estate won a \$4.4 million jury award against the FBI for the the agency falsely framing Bari for the bombing⁵. Legitimate questions still exist as to whether the FBI framed Bari simply to distract attention from their own involvement.

In 2008, Marius Mason was arrested by the FBI for suspected involvement in actions undertaken by the Earth Liberation Front (ELF) that caused extensive property damage but injured no one. In testimony before the U.S. Senate, a former deputy assistant director of the FBI testified that the ELF was “today’s most serious domestic terrorism threat...”⁶, more serious, it seems, than violent right-wing militias like the one that bombed the Oklahoma federal building; and more serious, it seems, than right-wing racist hate-groups such as the Ku Klux Klan and its host of fellow travellers. So, the property damage caused by ELF members was considered, by the FBI, more serious than bombings and lynchings that took extensive numbers of human lives.

During the investigation and arrest of Mason and others, the FBI reportedly found a copy of a book I had co-written, “Last Act of the Circus Animals”, among the property of suspected ELF members at a suspected safehouse. No documents or other evidence was found to indicate that I had any personal relationship with any of the ELF suspects. It should also be noted that at the time of these raids, I had been imprisoned in Ohio for approximately 17 years and no one could have reasonably suspected that I could have any direct involvement with the ELF.

⁵ Zamora, Jim Herron and Lee, Henry K., *Earth First Activists Win Case: FBI, Cops Must Pay \$4.4 Million For Actions After Car Bombing*, San Francisco Chronicle, June 11, 2002, p. A1.

⁶ *Eco-Terrorism Specifically Examining the Earth Liberation Front and Animal Liberation Front: Hearing Before the Senate Committee on Environment and Public Works*, 109th Congress (2005). See, epw.senate.gov/hearing_statements.cfm?id=237836.

searches into Redbird Prison Abolitionists and individuals identified as being involved in Redbird Prison Abolitionists”:

On 09/24/2012, writer received an e-mail from [redacted] Cleveland Division, informing writer that Cleveland Division had received information that a group calling itself “THE ARMY OF THE 12 MONKEYS” was operating inside of MANSFIELD CORRECTIONAL INSTITUTE [SIC] (MANSFIELD CI). Based on the information received by Cleveland Division, THE ARMY OF THE 12 MONKEYS had some Anarchist leanings, as well as purported links to non-prison groups OCCUPY and ANONYMOUS. Much of the material identified at MANSFIELD CI is prison based propaganda (though well done I must say, given their limited resources).

On 09/25/2012, writer received an e-mail from [redacted] Cleveland Division, informing writer that Cleveland Division had received a copy of a series of articles taken by employees of MANSFIELD CI from the cell of inmate [redacted] social security account number (SSAN) [redacted] inmate number [redacted] date of birth (DOB) [redacted] date of incarceration [redacted].

[two blocks redacted in entirety.]

On 09/25/2012, writer received an e-mail from [redacted] Cleveland Division, informing the writer that Cleveland Division had been informed that another inmate, SEAN SWAIN, inmate number A243205, DOB 09/12/1969, date of incarceration 02/15/1995 had been identified as being an active participant in THE ARMY OF THE 12 MONKEYS.

According to [redacted] SWAIN had a website (www.seanswain.org) that he posted information on from MANSFIELD CI. In addition, SWAIN also sent letters to a website called “REDBIRD” based out of Columbus. Whenever SWAIN would send documents with a message related to THE ARMY OF THE 12

Sources inside Mansfield State Prison have identified Sean Swain as being the leader of the Army of the 12 Monkeys...

...A cursory review of the documentation revealed that the 12 Monkeys group is Anarchist in nature and encourages individuals to revolt against the government. A Columbus group known as Redbird Prison Abolition had visited him. One person in particular [redacted] visited Swain the most and appears to be the leader of the Redbird movement.

Redbird appears to be sympathizers for prisoners who believe to be wrongfully imprisoned. Swain is someone they are posting content on their website for. It is unknown the nature of their relationship but due to their post about him and the letters being mailed out of Columbus it is believed they may have facilitated the mailing of the letters.

FBI Memorandum, February 7, 2013.

Thus, it was five months into investigating “anarchists” before the FBI took the opportunity to mischaracterize the 12 Monkeys— an obviously Maoist group —as “anarchist” in order to justify their departure from investigating the 12 Monkeys and investigating anarchists instead¹⁵.

Investigating Ben Turk and Redbird Prison Abolition.

As early as September 26, the third day that the FBI began writing reports in this case, the FBI had zeroed in on Ben Turk and Redbird Prison Abolition as targets. The title of the memorandum was, “Orchestrating Manual and Redbird Prison Abolition.” For synopsis, the agent wrote, “To document database

¹⁵ In fairness, in one memorandum, an agent tangentially noted early on the observation that the 12 Monkeys appeared to have “anarchist leanings,” whatever that means. See, FBI Memorandum, September 26, 2012, entitled, “Orchestrating Manual and Redbird Prison Abolition.”

In an exaggerated response to my fictional story about talking animals at the circus, the FBI notified Ohio prison officials who then immediately segregated me and began the process of transferring me to super-maximum security⁷. Prison guards cordoned off my cell in population with crime tape and systematically removed my property and all of the fixtures in the cell—to include the bed and the toilet. All of the contents of the cell were put through special scanners, searching for hidden bomb materials and the like⁸.

The FBI’s Agency Liaison for the Ohio Department of Rehabilitation and Correction (ODRC) was Assistant ODRC Counsel Trevor Clark. Clark, from that time forward, would exclusively coordinate communication between the FBI and ODRC. Clark would direct the FBI’s surveillance program as it related to me and my communications and, later, Clark would direct the ODRC’s torture program and sexually assault me during an illegal interrogation he alleged to conduct on behalf of the FBI.

Because of a fictional book about talking animals, and absent any other nexus connecting me with the ELF, I was entered into the FBI’s Violent Gang and Terrorist Organization File (VGTOF) as an “anarchist.” Corresponding to this, the ODRC, on a state level, secretly maintained me in its Security Threat Group (STG) database, despite the absence of the requisite “gang activity” charge that their own rules required for

⁷ This occurred in May 2008, the same day that Daniel McGowan, a federal prisoner and alleged ELF member was transferred on FBI orders to the Communications Management Unit at Marion, Illinois, because McGowan’s personal correspondence was allegedly found at that same location where the book I co-wrote was found. I was never informed of this actual reason for my 70-day segregation and intended transfer to super-max; the information was related to me by a former correctional captain who knew about the FBI investigation and the connection to the ELF matters.

⁸ It was this highly irregular search that led the former correctional captain to inquire as to what was really going on. He or she was not supposed to reveal any of this to me.

me to be provided an STG profile. Thus, I became a “violent” “terrorist” and “gang” member in federal and state databases, subject to hyper-vigilant surveillance and counter-intelligence operations, all as a response to a fictional book about talking animals.

At no time did anyone provide me even so much as official notice as to the reason I was segregated and investigated. To date, the FBI nor the ODRC have informed me as to the real reasons I was segregated in 2008. In fact, to mislead me, ODRC officials contrived bogus charges of rule violations, misrepresenting a published statement I had written as “encouraging a work stoppage,” although what I wrote provably did no such thing⁹. This charge was the red herring to justify my 70-day segregation, while no mention was made to me of the ELF or the FBI or a book found at a safehouse.

It is quite likely that, from that time forward, all of my communication to the outside world was monitored, to include opening and photocopying all of my outgoing mail. By rules and policies of the Ohio prison system, all incoming mail was opened and monitored, but outgoing mail was not— at least under normal conditions. It is quite possible that a special regimen of surveillance was established for monitoring me without my knowledge, opening and copying even my outgoing mail from that time forward¹⁰.

⁹ I would challenge this in *Sean Paul Swain v. William Fullenkamp, et al.*, U.S. District Court, Northern District of Ohio, Western Division, Case No. 3:09-cv-2659, Judge Jack Zouhary. When I demonstrated that the passage that prison officials falsely attributed to me never appeared in the text of what I actually wrote. Rather than properly finding this to violate free speech, Judge Zouhary simply substituted another passage that appears nowhere in what I wrote as justification for targeting me. It appears that, even then, the FBI was colluding with federal judges to influence the outcome of my litigation— something that would appear all more obvious later.

¹⁰ I would only learn much later, in 2013, just how extensive the monitoring and copying of my communications had been; during an illegal interrogation conducted by ODRC Counsel Trevor Clark, Clark had a stack of

word “anarchist” never appeared in their flyers or manuals. As already described, the 12 Monkeys were clearly Maoist¹⁴.

But that did not matter to prison officials or to the FBI. In fact, not until a Memorandum of February 7, 2013 did the FBI even assert that the 12 Monkeys were anarchists:

On 09/25/2012, Federal Bureau of Investigation was informed by Office of Investigative Services (OSP-OIS) that six Ohio Representatives had received an extortion letter from a group calling themselves “The Army of the 12 Monkeys”.

In that letter, the author claimed that the group Anonymous had stolen certain personal identifying information from State of Ohio computer systems. If their demands were not met within 60 days, writer would release that information along with primers on how to make certain types of explosives. Of the six envelopes/letters received, five were opened and contained the same two page letter. The sixth, unopened letter was sent to [name redacted]. This unopened document was submitted to the Ohio Bureau of Criminal Investigation which contained DNA belonging to an inmate at Mansfield State Prison. All envelopes are similar in appearance containing the Purple Marlin printed postage marking, all with a postage processing stamp from “COLUMBUS OH 431, 20 SEP 2012 PM 5L” and a return address of the Ohio House of Representatives, 77 South High Street, Columbus, Ohio. It was later determined that all letters were sent from a [redacted].

¹⁴ Whatever they were, they were not anarchist. Anarchists do not form cells and columns or organize themselves into armies. Maoists do (People’s Liberation ARMY; Black Liberation ARMY; Symbionese Liberation ARMY). Anarchists also do not write snarky letters to lawmakers in an effort to achieve legislative reforms. The very letters the FBI began investigating were letters from people who clearly recognized the authority of the legislature and sought to have that legislature act, not letters from people who do not recognize the validity of hierarchical government in the first place.

FBI and Anarchist Ideology.

Almost immediately after initiating an investigation into a non-crime involving mail, the FBI focused on me. Within days, they were analyzing my phone history (FBI Memorandum, September 28, 2012, "Swain's recent telephone contact) and my visitor list (FBI Report, September 28, 2012). See also, FBI Reports, October 11, 2012 and October 15, 2012.

More than anything, however, the FBI was focused on my mail. In fact, 143 of the 223 pages of declassified documents relate to my mail communication to and from others and a particular interest in my "ideology," which is to say, my identification as an anarchist.

In two Memoranda dated September 28, 2012, the FBI wrote, "Synopsis: ...inmate SEAN SWAIN's ideology for anarchy and anti-establishment...", and in the details, "SEAN SWAIN's... ideology relative to anti-establishment and anarchist activity." On October 11, 2012, the FBI authored another Memorandum entitled, "Self-Proclaimed anarchist from [redacted] attempting communication with SEAN SWAIN," with the synopsis, "Documentation of a self-proclaimed anarchist from [redacted] attempting to communicate with SEAN SWAIN." In a twenty one-page report written October 22, 2012, FBI agents quoted entire letters to and from me and attached dozens of pages of photocopies of that correspondence. All of that mail is to or from suspected "anarchists." Important to note, none of these memoranda or photocopies include letters to or from my elderly parents or my conservative cousin in Iowa. All of it is focused exclusively on mail to and from "anarchists."

Of course, the FBI attempted in a tangential way to link their inquiry into ideology to their investigation of the 12 Monkeys and, therefore, to the letters sent to lawmakers. The problem is, however, that the 12 Monkeys were not "anarchist." The

copies several feet tall on the desk– all copies of my outgoing mail to that date. Looking through it quickly in cuffs and bellychain, I saw mail photocopied from as far back as June 2012.

IV. JPAY, THE ARMY OF THE 12 MONKEYS, THE OHIO GENERAL ASSEMBLY, AND THE FBI

Mansfield Correctional Institution in Mansfield, Ohio, is a Level 3 prison, considered to be higher than medium security and lower than maximum security. I had been transferred there from Toledo Correctional in 2009.

JPay.

In August 2012, the ODRC announced a sweeping change in statewide policy. The ODRC would, in months that followed, outsource its money transfer processes to a private, for-profit corporation called JPay. Additionally, JPay would be provided the contract for prisoner e-mail communications and the purchase of music and other media, as well as the purchase of hand-held devices.

After several inquiries with staff, I came to the conclusion that the new, proposed JPay policy was, at the very least, legally dubious. I began to formulate arguments for an article I would intend to have published online at seanswain.org, a site managed by a friend and supporter named Ben Turk. Ben was part of a group called Redbird Prison Abolition and would

FBI Memorandum, February 7, 2013.
In the following paragraph, the memorandum notes:

Sources inside Mansfield State Prison have identified Sean Swain as being the leader of the Army of the 12 Monkeys...

FBI Memorandum, February 7, 2013.

Given that the memorandum listed me as the “subject,” and given the meticulous attention to detail provided in this memorandum to make the case that I was the “leader” of the 12 Monkeys, it is inconceivable that if the DNA belonged to me, that my name would not have been included. It would not have said, “DNA belonging to an inmate at Mansfield State Prison,” but would have said, “DNA belonging to subject SEAN SWAIN.”

The reason it did not say this is, the DNA was not mine.

Also, consider the great lengths that prison officials and the FBI went to validate evidence that was no evidence at all; going so far as to continue to say that the typewriter was a “match” when their own reports impeach them, and maintaining that the address list they attributed to me was the source information when their own reports demonstrate it was not. If the DNA that they had uncovered belonged to me, they would have most assuredly pointed to that instead of the flimsy evidence they had themselves debunked.

Reasonably, the question arises as to why the FBI and prison officials would continue to pursue a case without evidence and without a crime. The answer, of course, is DNA– not mine, but the FBI’s. It is in the FBI’s DNA to chase anarchists, to employ the machinery of state terror to identify and neutralize political enemies. The FBI did not just want to get me, it wanted to get all of the anarchists associated with me.

As to the effort to obtain DNA from the unopened letter to a lawmaker, that was successful. In a memorandum from February 7, 2013, in a longer summary of the case, the FBI described:

...Of the six envelopes/letters received, five were opened and contained the same two page letter. The sixth, unopened letter, was sent to [redacted] This unopened document was submitted to the Ohio Bureau of Criminal Identification which contained DNA belonging to an inmate at Mansfield State Prison.

Let us also assume that Hunsinger's purpose was to frame me, the problematic anarchist, for the entire 12 Monkey problem. Hunsinger would have known from prison records that I owned a typewriter but, unless she kept up with recent developments, she would not know that previously-sold word processors were no longer provided to us; I had only a typewriter, not a word processor.

Hunsinger could have easily obtained a typewriter from the prison vault, where the appliances like televisions, radios and typewriters of prisoners who went home were stored. Investigators often used these items as rewards for their informants and would acquire them from the vault without question.

Hunsinger could have typed up the letters and envelopes of the lawmaker letters on that throw-away typewriter, then sent her officers to confiscate my JPay article and typewriter from my cell. Hunsinger could then swap out my typewriter with the throw-away that she obtained from the vault to type the lawmaker letters.

The problem is, when she received my typewriter, it was a different model than the one she had used. Too far along in the frame-up, she switched them out anyway and then bombarded the FBI with information before the lawmaker letters (that she actually wrote) ever surfaced— explaining why prison officials were out in front of the FBI investigation before it ever began.

She did not count on the forensic experts returning the typewriter to me, and would not have to worry that the model was different than the one that was confiscated from me... except that was what happened, and I received back a typewriter that was not mine.

The question naturally arises as to why Hunsinger would do this. The answer is, she was promoted to deputy warden after “catching” the “leader” of the “12 Monkeys.”

visit me regularly and post my writings. Ben and the rest of the Redbird volunteers self-identified as anarchists, as I did¹.

The Army of the 12 Monkeys.

Around the beginning of September, in each of the sixteen housing units at Mansfield, thousands of flyers and manuals seemingly manifested out of nowhere. The flyers and manuals bore the logo of “The Army of the 12 Monkeys,” a monkey swinging from a clock, as depicted in the movie with Bruce Willis and Brad Pitt, “12 Monkeys.” Some of the flyers urged prisoners to rebel against prison authorities and disrupt the operation of the prison, providing a laundry list of disruptive behavior like jamming staples into the locks or running the sink water and electric lights in the cells all day to cost the prison money.

The organizing and resistance manuals were more in depth in how to form cells or columns of resistance. The manuals repeatedly referenced Mao Ze Dong, a guerrilla fighter in China who formed the People's Liberation Army, toppled the exist-

¹ Defining what it means to be “anarchist” is quite problematic, as there is a wide spectrum of beliefs within the anarchist milieu— from “anarcho-syndicalists” who seek to organize the working class into unions to combat the ills of capitalism; to what might be termed “social anarchists” in the skateboarding and punk scenes who generally do not share the political outlook of other anarchist subgroups; to so-called “anti-civ anarchists” who question more than just the hierarchical structuring of human society but posit that recourse to mass agriculture led to hierarchical structuring. In a general way, however, what anarchists share, for a variety of reasons depending upon subgrouping, is rejection of the validity of hierarchical structuring of society; and anarchists offer, depending upon their subgrouping, a plethora of solutions to replace this hierarchical organization, as well as a spectrum of means for achieving those solutions that also differ according to subgroupings. To parse it all out would require hours of lecture in political theory as the word “anarchist” means a lot of different things to a lot of different self-identifying anarchists. Suffice to say that most anarchists are not big fans of institutionalized government structures.

ing government, and ushered in the People's Republic of China. One entire manual contained nothing but quotations of Mao Ze Dong taken from his book, "Quotations".

This is significant for anyone attempting to accurately identify the actual ideology of those who formulated the Army of the 12 Monkeys and its literature, as those who follow the Socialist teachings of Mao Ze Dong are called "Maoists." Maoism has a rich history in the United States, particularly since the 1960s. The Black Panther Party for Self Defense was Maoist, as was the Weather Underground. The Black Liberation Army, an off-shoot of the Black Panther Party, and the Symbionese Liberation Army, most famous for kidnapping Patty Hearst, were Maoist.

All of these groups embraced the theory of political violence.

This is also significant given that, shortly before the Army of the 12 Monkeys arose, the ODRC had banned all literature from the Maoist Internationalist Movement in California. Thus, the ODRC had banned a Maoist group and shortly thereafter had seemingly Maoist literature floating through its prisons, inciting the prison population to widespread hooliganism.

For anyone with any understanding of political theory, it is easy to distinguish Maoists and anarchists. Historically, Maoists and anarchists are rabidly intolerant of one another, as Maoists have a definite program for instituting their own brand of hierarchical structure and anarchists oppose it.

At any rate, the prisoners responded to the 12 Monkey flyers by jamming locks, lighting fires, shutting down the prison sweatshop factory through sabotage, and collapsing the chowhall plumbing. The level of disruption increased during the first weeks of September.

On September 12, I was provided a security review and was recommended to drop in security and transfer to Marion Correctional where I would be able to avail myself to programs and increase my chances of parole. Given this circumstance, I did

The OH BCI letter was signed by Forensic Scientist [redacted] business telephone number [redacted] business e-mail address [redacted].

FBI Memorandum, February 13, 2013.

Note the way that this report is written. The expert asserted that the typewriter "could have" been the one used to type the letters and envelopes but there were "insufficient individual characteristics" for "positive identification." This seems to say they really want it to be the typewriter that did it, but the evidence just is not there.

Also, it should be noted that forensic matching of a typewriter to typed material relies upon "individual characteristics" to make the match. Each typewriter has its own typeset "fingerprint." So, to conclude that a typewriter "could have" been the one used but that it lacked "individual characteristics" for "positive identification" is a totally contradictory conclusion; like saying the fingerprint matches except that it lacks the characteristics to make a positive match.

At any rate, the fact that the FBI returned the typewriter¹³ is an indication that it was no longer evidence of anything.

¹³ This is only half true. The FBI returned a typewriter but it was not mine. The typewriter I had turned in had been a simple typewriter. The one returned to me was a word processor.

A suspicion that I cannot prove, that I will share here in footnote:

At my recorded disciplinary hearing, Leslie Dillon submitted a sworn affidavit that he was the leader of the Army of the 12 Monkeys and that I was not part of his group. In testimony, Dillon was asked the source of the 12 Monkey materials distributed across the compound. Dillon answered that the materials originated with Mansfield Investigator Angela M. Hunsinger. In follow-up questions, Dillon invoked the Fifth Amendment on grounds that he might incriminate himself.

Let us assume for a moment that Hunsinger really was the source of the computer-generated materials that no prisoner could have created. That would mean that Hunsinger manufactured the entire 12 Monkey crisis- to include the "threat" letter to lawmakers.

if prisoners with no internet access hacked into the Gongwer site, rather than concluding that perhaps a disgruntled Maoist picked up a color brochure from the Statehouse lobby like everybody else... and then committed a non-crime by writing cranky nasty-grams demanding that lawmakers change the name of a Cleveland baseball team that cannot win a World Series.

Other Evidence: My Typewriter and DNA.

With nothing else connecting me whatsoever to the 12 Monkeys or to the letters to lawmakers, the FBI conducted forensic testing on my confiscated typewriter and attempted to get DNA off of the only 12 Monkey letter to lawmakers that was unopened.

With regard to the typewriter, the FBI noted:

In October 2012, case agents submitted the typewriter of Mansfield Correctional Institution inmate SEAN SWAIN, inmate number A243-205, along with six (6) envelopes and letters sent to various Ohio legislators to THE BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION for THE STATE OF OHIO (the OH BCI).

The OH BCI provided the results of their analysis by a letter dated November 28, 2012 addressed to OHSP – the Office of Investigative Services, c/o [block redaction].

The OH BCI letter assigned the matter an internal laboratory number of 12-17012 and an agency case number of 12-010002-1233.

According to the BCI letter, “[t]hese findings indicate that the letters and envelopes... could have been made by the submitted typewriter... however, there were insufficient individual characteristics for purposes of positive identification.”

not involve myself in the 12 Monkey-promoted hooliganism whatsoever.

On September 17, as the 12 Monkey uprising was continuing, I was approached by RD², who was a known informant for the Security Threat Group Office and Investigator Angela M. Hunsinger. RD told me that my name had been floating around in the STG office and that I should be prepared to have my cell searched. On September 18, I spent the entire day cleaning out my cell and eliminating all property I would not be taking to lower security³, as well as throwing out anything that could ostensibly relate to a rule violation if found during a cell search⁴.

On September 19, STG officers came to my cell for a cell search. Two other cells were searched also– the cell of James Dzelajlija, who was in the same block with me, and the cell of Leslie Dillon, who was on the other side of the compound⁵. The

² I list him by his initials, as revealing his name in publication online might be construed by the ODRC as an effort to cause him harm; but for purposes of validating my claims, I will reveal his name to investigators if asked.

The reason RD would extend this courtesy to me is that he and I had been part of the same Dungeons and Dragons game when I had resided in a different block. At that time, I had not known that he was suspected to be an informant.

³ When transferring between prisons, prisoners are only permitted to take 2.4 cubic feet of property. All other accumulated property must be disposed, either through mailing it home (and never getting it back) or throwing it away (and never getting it back). Thus, in anticipation of transfer to lower security, I used this opportunity to drastically scale down my property and dispose of anything that could remotely be construed as violative of any rule.

⁴ This is significant in light of later claims by the ODRC that they confiscated an address list from my property that contained the home addresses of Ohio senators and representatives– a list that they assert was used for sending the 12 Monkey letters, described shortly. The truth is that, if I had ever possessed any such address list, I would have disposed of it on September 18 when I cleaned out my cell.

⁵ For further clarification, I was on what was termed the South Side of the prison and Dillon was on the North Side. Each of the two sides had separate chow halls, separate gymnasiums, separate prison yards. Prisoners from

cell search went on for nearly two hours. At its conclusion, the officers gave me a chain of custody slip for the two items they were confiscating; they took my typewriter and a 3-page draft of my JPay critique for which I had already mailed out the final draft to Ben Turk at Redbird days before⁶. Significantly, I was not being taken to segregation.

More than an hour later, STG investigators called the block and, having changed their minds, informed the block officers that they were to have me pack up my property in order to be taken to segregation⁷.

I did not know it then, but STG officers had confiscated writings from Dzelajlija that appeared in some of the 12 Monkey literature floating around. They had also collected all of the original documents of the 12 Monkeys from Dillon, along with a number of newly created materials that had not yet been disseminated.

Neither Dzelajlija nor Dillon were taken to segregation on September 19, despite the materials that had been collected. Instead, I was taken to segregation⁸ after two hours of searching

opposite sides would never mingle. Further, I was held at 3A security, which provided more freedom of movement, and Dillon was held at 3B security, which was far more punitive. 3A and 3B prisoners never mingled either.

⁶ I did not know then, but my mailing to Ben Turk had already been opened and photocopied, and prison administrators were already well aware of my critique of JPay policy. What I also did not know (and would not learn until years later in litigation) was that JPay served secretly as a metadata collection tool for the FBI to monitor financial transactions to and from prisoners and to expand hubs of investigation into prisoners' known contacts. Thus, both the ODRC and the FBI had ulterior motives for neutralizing my criticism of JPay and for punishing me for writing it.

⁷ Even then, I was permitted to pack my own property, providing me yet one more opportunity to dispose of anything that could even conceivably be incriminating.

⁸ I was not taken to segregation. Rather, I was taken to a row of cells behind the medical clinic universally referred to as Suicide Row. I was held in freezing conditions without a bed in the cell, forced to pace all night to keep from freezing. I would leave there sleep deprived and hallucinating,

the October 1, 2012 memorandum did not debunk the address list that prison officials had turned over, and returned to the false narrative that an address list that contained only 3 of the 8 requisite addresses was actually the source material for the 12 Monkey letters:

On 10/22/2012, SA [redacted] provided [redacted] State of Ohio, a copy of a document that was obtained from Mansfield Prison. The document contained partial State of Ohio legislature information. This information was believed to have been used to draft the Army of the 12 Monkeys letters. These letters were believed to have been drafted by Mansfield inmate Sean Swain. Swain is believed to be the leader of the Army of the 12 Monkey movement inside Mansfield prison. It is also believed that the six letters sent to the State of Ohio Assembly members were orchestrated by Swain...

According to [redacted] the website "Gongwer" is used by the State of Ohio Senate and House of Representatives to post information. This website requires a login and password to access some of the content. A document containing information from Gongwer was provided to SA [redacted]. The content listed the Assembly members and their aids name with addresses.

Its unknown if Swain or any of his conspirators had access to the Gongwer website that would have helped facilitate the delivery of the letters...

FBI Memorandum, October 25, 2012.

Note that after the previous memorandum had excluded the address list attributed to me as the source information, this memorandum picked that false narrative up again, wondering

FBI Memorandum, October 2, 2012.

While establishing that the request for the home addresses was not filled¹², the FBI learned that the clerk's office routinely gave out "the representatives name, home address, and their aid's (at that time) name," and that they had previously "printed booklets that were available in the lobby of the Clerk's Office." Thus, the home addresses of Ohio lawmakers were already public information in color brochures available upon request.

That being the case, what potential crime had the 12 Monkeys committed? The 12 Monkeys, recall, threatened to publish the home addresses of lawmakers. As the addresses were already published, that would mean the 12 Monkeys threatened to make public information public. What the 12 Monkeys threatened to do, then, was no more criminal than what the clerk's office had already done, or what the lawmakers had voluntarily done to themselves.

The implication of this is that the FBI had been, all along, investigating a non-crime. Whoever the 12 Monkeys were, and whatever their ideology or aims, what they sent to lawmakers through federal mail was not a criminal threat but was, instead, an annoyance that is incidental to public life.

What happened next is quite curious. Rather than conceding that their investigation had no basis, rather than ending their ever-shifting witch-hunt into other matters, the FBI seemingly chose to pretend they had not uncovered what they had uncovered. Continuing their investigation into what they reasonably now knew was a non-crime, the FBI pretended that

¹² Provably, this request for addresses was not from me. A photocopy of the envelope was attached to the memorandum. The return address was conveniently omitted.

Not only was this envelope not addressed in my handwriting, but it was clearly postmarked from Mansfield Correctional in 2007 while I was housed at Toledo Correctional, hundreds of miles away. I could never have sent that letter.

my cell yielded nothing at all connected to the 12 Monkeys⁹, and despite the fact that in the thousands of flyers on the compound, the 12 Monkeys had not once mentioned JPay.

The Ohio General Assembly.

On September 21, two days after I was removed from population at Mansfield Correctional, a lawmaker in Ohio received a letter at his or her home address, purporting to be from the Army of the 12 Monkeys. The letter insisted that the lawmaker adopt the 12 Monkeys' legislative agenda or else his or her address would be posted online. The lawmaker seemingly contacted the Ohio State Patrol who, in turn, contacted the FBI.

In its first report related to these matters, the FBI described it this way:

On 9/21/2012, Columbus Resident Agency (CRA) received a notice from Ohio State Patrol (OSP) that a state representative had received a letter from "The Army of the 12 Monkeys". In that letter, the author claimed that the group Anonymous had stolen certain personal identifying information from Ohio state

only because outside supporters flooded the prison with calls of concern for me.

⁹ It would appear, all things being equal, that the determinative factor in all of this was not the 12 Monkey materials or the lack of 12 Monkey materials. What was determinative was that I had written a critique of JPay that had been intercepted in my outgoing mail... and the search of my cell had uncovered a draft copy of that same article... and their true intention was to silence my public exposure of their illegal policy, not to catch the masterminds of the 12 Monkeys.

Inversely, consider: In the search of Dillon's cell they uncovered the veritable jackpot of original 12 Monkey flyers and manuals and did not segregate Dillon. Why? Dillon had not criticized their JPay policy.

Dzelajlija and Dillon, seemingly as an afterthought, would be placed in segregation the following day, September 20.

computer systems. If their demands were not met within 60 days, writer would release that information along with primers on how to make certain types of explosives.

Since initial reporting, two more representatives have received identical letters. All letters were postmarked out of Columbus, Ohio with a return address of the Ohio Statehouse. OSP is coordinating their response to the above letters out of their headquarters in Columbus, Ohio. CRA believes with high confidence that, over the coming week most or all state representatives will receive an identical letter from the same UNSUB author.

CRA has began to investigate the above threats as a joint cyber/JTTF matter with OSP.

FBI Memorandum, dated 9/24/2012.

This report represents the inception of the FBI investigation of the Army of the 12 Monkeys– not for the hooliganism at Mansfield Correctional, but for potential “threats” against Ohio lawmakers conveyed through federal mail. It would appear from this initial report that the “threat” was to post the lawmakers’ home addresses online if “demands” were not met. Curiously, those demands are not discussed in the report.

The FBI, at this point, was ostensibly unaware of the 12 Monkey uprising at Mansfield Correctional and viewed the events of the letters in isolation– but it is interesting the timing of the events, as these letters arrived two days after I was removed from population and they had been postmarked from Columbus, not from Mansfield.

The FBI would not remain unaware for long. That very same day, after this initial report treating the 12 Monkey letters to lawmakers as a matter for the Joint Terrorism Task Force, the FBI received information about the 12 Monkey

Having debunked prison officials fabricated evidence, the FBI continued to search for the actual source information, where the 12 Monkeys obtained the home addresses of lawmakers. They discovered not only the actual source, but, in the process, came to the realization that they were investigating a non-crime.

Clerk of the Ohio House of Representatives.

In an attempt to locate the actual source of the lawmakers’ home addresses, the day after debunking the address list that prison officials had sent to them, the FBI interviewed the clerk of the House of Representatives. This is recounted in the FBI Memorandum of October 2, 2012:

...According to [redacted] the House of Representatives received a letter from an individual identified as Sean Swain. [Redacted] provided interviewing officers with documents in their possession. The letter requests “a current roster of the members of the Ohio House of Representatives”, signed by Sean Swain. The envelope has a return address marked Swain 243205, Manci PO Box 788, Mansfield, Oh 44901...

...[Redacted] said she did not fulfill this request from Swain.

According to [redacted] their office would not handle this as a public records request based on the fact this information requested is easily accessible and ready for dissemination... The information they would have provided, would include the representatives name, home address, and their aid’s (at that time) name.

Previously the House of Representatives printed booklets that were available in the lobby of the Clerk’s Office...

Writer's note: Of the above Ohio senators and representatives, only three [redacted] were among the 8 individuals that received a letter from the Army of the 12 Monkeys.

FBI Memorandum, October 1, 2012.

What this memorandum recounts is a communication from prison officials who allege to have re-searched my cell a week after the original two-hour search, and that prison officials located an address list that included the home addresses of Ohio lawmakers (that they did not find in the prior search). Because this memorandum is highly redacted, it is difficult to analyze, but the final writer's note provides enough detail ("Of the above Ohio senators and representatives, only three [redacted] were among the 8 individuals that received a letter from the Army of the 12 Monkeys"). What is described here is the same address list that FBI Liaison Trevor Clark would present to me several months later, claiming it to be the proverbial "smoking gun" that connected me to the 12 Monkey letters to lawmakers.

Point of fact, prison officials conducted no second search of my cell and did not confiscate the address list from me. That was a complete fabrication. Prison administrators simply lied to the FBI when attributing that address list to me and when claiming to have conducted a second search that did not occur. But, all of that is also completely irrelevant. The FBI Memorandum notes, "Of the above Ohio senators and representatives, only three [redacted] were among the 8 individuals that received a letter from the Army of the 12 Monkeys."

Only 3 of the 8 lawmakers receiving letters from the 12 Monkeys had home addresses on that list. That means 5 of the home addresses were not on that list... and it was therefore not the source information for the 12 Monkey letters.

uprising at Mansfield Correctional and sought to open a subfile:

Synopsis: (U) To request the opening of a subfile to track the using of "the Army of the 12 Monkeys" moniker in documentation found in Ohio area prisons.

Details:

Writer is opening a subfile in order to track the using of the "Army of the 12 Monkeys" moniker in documentation found in Ohio area prisons. According to CHS

[block redacted].

FBI Memorandum, September 24, 2012.

So, the same day that the FBI opened its Joint Terrorism Task Force investigation into the 12 Monkey letters to lawmakers, the FBI became aware of the 12 Monkey activity at Mansfield Correctional. Another FBI Memorandum describes how this came to happen so quickly:

On 09/22/2012, SA [redacted] received a copy of a letter sent by UNSUB(s) claiming to be a member of the Army of the 12 Monkeys. In the letter writer claimed that his group was loosely aligned with the "Anonymous" hacking group. The letter described how the Anonymous group hacked into the State of Ohio network and exfiltrated personal data for all state assembly members. That data was provided to the writers group who threatened to release it out on the Internet unless their demands were met. See Army of the 12 Monkeys letter uploaded in the case file for details of the demands.

After receiving the letter, SA [redacted] has attempted to validate both the Army of the 12 Monkeys group in addition to their alleged alignment with Anonymous. SA [redacted] has canvassed FBI Intel Analysis, Agents and CHS' who might have visibility into the matter. All results have come back negative. No online chatter from known anonymous forums regarding the State of Ohio hack or the alleged alignment with the Army of the 12 Monkeys was found.

While validating the writers Anonymous claims, information obtained from Cleveland Division regarding a Mansfield Prison group known as the "Army of the 12 Monkeys" was uncovered...

FBI Memorandum, September 26, 2012.

It would appear from this report that the FBI queried whether any other agency had heard of the 12 Monkeys and received confirmation from the Cleveland Division of the FBI that it had preexisting knowledge of a 12 Monkey group inside Ohio prisons. The report does not explain why the Cleveland Division had preexisting knowledge of the 12 Monkey group inside Mansfield Correctional, or how it had obtained its information so quickly after the "threats" to lawmakers. The report continues:

...It appears this group is run by convicted felon "Sean Swain" who is serving time for murder. Multiple documents including an Army of the 12 Monkeys manifesto along with State of Ohio information was obtained through a prison search. The documents contain similarities to the letter sent to multiple State of Ohio Assembly members. Also uncovered was the existence of the group "Redbird Prison Abolition" who

and they told the FBI that I was responsible for the 12 Monkeys anyway.

Prison Officials Invent New Evidence That the FBI Debunks.

After searching my cell on September 19 and segregating me, Mansfield officials communicated what they had confiscated from me to the FBI. See, FBI Memorandum, September 25, 2012. However, it was not until after disclosing what they had confiscated from me that prison officials learned from the FBI of the 12 Monkey letters sent to lawmakers. So, realizing that what they needed was evidence connecting me in some way to the lawmaker letters, prison officials supplemented their initial disclosure of the article and typewriter with a bombshell:

On or about 09/25/2012, correctional officers at MANSFIELD CORRECTIONAL INSTITUTION, Mansfield, Ohio performed a search of the cell of inmate SEAN SWAIN. During the above referenced search, correctional officers recovered (among other items) two pieces of paper containing the following typed text:

Document One:

[block redacted]

Document Two:

[block redacted]

Writer's note: While much of the information contained in document two could be sourced from public documents, writer could not locate any document where the information was contained in the above format, the above order, or containing the previously-identified typographical error (with respect to [redacted]).

Implications of These Materials and How They Absolutely Vindicate Me.

Consider for a moment all that it would require of someone in prison to pull off everything that the 12 Monkeys did. First, the prisoner would need to have the computer-generated materials mailed in to him for him to get them copied and distributed, as prisoners at Mansfield could not have created those computer-generated materials. Second, the prisoner would have had to write and send out through mail the lawmaker letters for re-mailing. This means that every aspect of the 12 Monkey conspiracy would have involved a high volume of mail traffic to accomplish their aims.

The attachments that prison officials shared with the FBI prove that prison officials were not just monitoring and photocopying my incoming and outgoing mail since well before the 12 Monkey outbreak, but they were copying even my kite communications. How, with such hyper-vigilance in monitoring and surveiling my every communication, could I have possibly received the 12 Monkey flyers from outside the prison and gotten them copied and disseminated? How could I have possibly sent out the 12 Monkey threats to lawmakers to get them re-mailed from Columbus?

Given the depth and scope of prison officials' and the FBI's permanent investigation into my communications, I was likely the only prisoner at Mansfield Correctional who could not possibly have been responsible for the 12 Monkey actions¹¹.

Moreover, prison officials knew it. They knew conclusively that I could not have accomplished the 12 Monkey activities because they had me under an intense microscope at all times...

¹¹ I am reminded of the case of Geronimo Pratt, described in "Agents of Repression", by Ward Churchill and Jim Vander Wall, pp. 77-94. Pratt was under FBI surveillance in Oakland at the time of a murder in Santa Monica for which Pratt was convicted. The FBI knew Pratt to be innocent, but concealed its own evidence for decades.

appear to be supporting Swain's cause through their Internet website.

SA [redacted] is attempting to validate if Swain's prison group is the same group behind the letters and/or if the Red-bird group believed to be sympathizing with Swain have any involvement in the delivery of the letters.

FBI Memorandum, September 26, 2012.

Here, not only had the FBI already heard of the 12 Monkeys and their activities inside Mansfield Correctional Institution, but had already concluded that I was the leader of the group. No explanation is provided for this conclusion, given that I had only been placed in segregation a week prior and that I had absolutely no connection with the Army of the 12 Monkeys. Recall, I had been placed in segregation after STG officers confiscated a rough draft of my JPay criticism and my typewriter. That was all. No one had so much as suggested that my placement in segregation was connected with the 12 Monkeys.

How did the FBI conclude that a prisoner who was suspected only of writing an article for publication critical of JPay was the leader of a group inciting insurrections and threatening lawmakers? Further, and just as troubling, the FBI had already assumed a nexus not just between the 12 Monkeys and myself- seemingly absent any connection whatsoever - but then assumed a nexus between the 12 Monkeys and Red-bird Prison Abolition, the group to which Ben Turk, the site manager of seanswain.org, belonged.

It turns out, the FBI had already been receiving a steady stream of information from Mansfield Correctional about the 12 Monkeys since September 21- ironically, the same day that the 12 Monkey letters to lawmakers had arrived at their homes:

On 09/21/2012, SA [redacted] and SA [redacted] received information and documents from officials at the Mansfield Correctional Institution (MANCI) regarding the presence of members of the Army of the 12 Monkeys (AOTTM) within it's prison population.

Employee [redacted] of MANCI provided photocopies of prison propaganda with AOTTM markings on it. The propaganda was reported to be found in various locations within the prison grounds and that the identity of the person who delivered the paperwork is not known. The propaganda encourages resistance to authority, as well as methods in which prisoners can create financial burdens and sabotage within the prison. The paperwork includes writings that are signed from [redacted] as well as quotes from Malcolm X. Also included was a handwritten letter on MANCI grievance paper that said "We don't bar the bitch with the gun in the yard flat out!!!" According to [redacted] the prison had been on lock-down status frequently, and in doing so, officers are positioned within the yard with pepperball firearms as a visible deterrent as well as for riot control purposes.

Warden Terry Tibbals also created an e-mail regarding the discovery to other prison staff as a matter of officer-safety.

FBI Memorandum, September 25, 2012.

It would appear from this that Mansfield Correctional did not provide the FBI with information about the 12 Monkeys in response to the FBI query, but that Mansfield officials had begun providing information about the 12 Monkeys before the FBI asked for it. This means that Ohio prison officials were sharing information with the FBI to assist the FBI in an investigation that had not started yet.

Important to keep in mind, the FBI only became involved in investigating anything related to the 12 Monkeys when the

included– and could not have been included –in my mailing to Ben.

That means the copies of the kites that prison officials forwarded to the FBI actually originated somewhere else.

The dates on the kites are "24 AUG 12," sent out to multiple administrators and inquiring about the legality of JPay. Dates of the administrators' answers, while the names are redacted, are still on the kites. It appears that the kites were answered by various administrators on August 27 and August 28.

These are communications that predate the lawmaker letters, predate my placement in segregation, predate even the beginnings of the 12 Monkey uprising at Mansfield. Why would prison administrators have been keeping copies of these kites and later turning them over to the FBI?

Ohio prisons do not keep files of all kite communications from prisoners. Mansfield Correctional, for instance, would not scan or copy the hundreds of mundane communications sent from prisoners to administrators, and responses sent from administrators to prisoners, each and every day of the year. So, why were administrators keeping copies of my kite communications in August 2012 before they had anything at all to investigate?

The handwriting on the envelope says it all: "Will be published in a wk or so... Redbird Abolition + seanswain.org." Prison administrators had me under a permanent investigation, monitoring and surveilling all of my communications and keeping copies of even my kite communications to administrators, and they had been doing it since well before the outbreak of 12 Monkey hooliganism, likely since the 2008 discovery of my published work in possession of the ELF.

The FBI was no longer investigating letters to lawmakers. The FBI was exploring my ideology and my writings, my “ideology for anarchy and anti-establishment,” and going to great lengths to document in detail my written criticism of JPay (although slightly misconstruing the arguments) which was completely irrelevant to either the lawmaker letters (for which the FBI ostensibly had jurisdiction) and to the 12 Monkey uprising at Mansfield (for which the FBI had no jurisdiction at all).

The FBI would continue this focus on me, my writings, and JPay. In a three-page Memorandum written October 1, 2012, the Cincinnati Division of the FBI returned to this JPay article, attaching copies of the envelope where I had mailed the article to Ben and Redbird, the article itself, and a number of kite communications from me to Mansfield administrators related to JPay.

These attachments are quite revealing. In fact, close examination of these attachments provides great insight as to how this trajectory of investigating my ideology and writing actually began.

The envelope contains handwriting on the back that is obviously not mine. It says, “Will be published in a wk or so... Redbird Abolition + seanswain.org.” It appears to be the handwriting of Mansfield Investigator Angela M. Hunsinger. This reveals the real concern— the publication of material online that is unflattering to the prison system.

But, more importantly, the envelope as handed over to the FBI contained not only the three-page article I had written, but a number of kite communications, totalling 13 pages. It would seem that the FBI simply accepted that those 13 pages had been included in the mailing.

Provably, they could not have been. Because of weight restrictions for a standard postage stamp, only 7 pages could have been mailed in that envelope. As point of fact, the only pages that were placed in that envelope for mailing were the 3 pages of the JPay article. The kite communications were not

“threats” to lawmakers arrived at their homes on September 21. The FBI, as a federal agency, only had jurisdiction to investigate federal crimes— such as potential terrorist threats through the federal mail. The FBI would not have had any jurisdiction or interest in investigating jammed locks and hooliganism at a state prison. So why, then, had Mansfield Correctional, seemingly in advance of any FBI investigation into possible threats through the mail, been over-sharing such a volume of information about the 12 Monkeys... when the FBI had not asked for it yet? Just as importantly, why were Mansfield officials seemingly indicating to the FBI that I was the leader of the Army of the 12 Monkeys just two days after placing me in segregation without any evidence at all connecting me to the 12 Monkeys?

Consider the timing: Mansfield officials placed me in segregation on September 19, likely the same day the lawmaker letters had to have been mailed from an outside location in Columbus, not from the prison.¹⁰ Then, two days later, Mansfield officials bombarded the FBI with information about the 12 Monkeys before the FBI even knew they would be investigating the 12 Monkeys later in the day for the letters mailed September 19. It would almost seem from their conduct that Mansfield Correctional officials contacting the FBI were anticipating the arrival of the lawmaker letters. They were already priming the proverbial pump.

But prison officials were not just guiding the FBI’s attention to connect the 12 Monkey uprising at the prison with the FBI’s criminal investigation that had not happened yet; they were guiding the FBI to conclude that the 12 Monkeys were led by “Sean Swain” and that “Sean Swain” was connected to “Redbird Prison Abolition.” This too is quite curious when considering

¹⁰ To clarify, the letters were not mailed from the prison, as confirmed by the FBI in its initial report of September 24, 2012. The letters were post-marked out of Columbus, not Mansfield. Further, as the FBI would document later, all mail from Mansfield Correctional bears the same stamping that indicates the mail is originating from a correctional institution.

what Mansfield investigators had uncovered: Leslie Dillon was found to have all of the original 12 Monkey materials in his cell along with yet-unreleased materials; James Dzelajlija had writings that had appeared in 12 Monkey materials; and I had absolutely nothing related to the 12 Monkeys at all.

From that, Mansfield investigators had concluded that I was the leader of the 12 Monkeys– not Dillon, not Dzelajlija –and they had shared that conclusion with the FBI seemingly before the FBI had asked for it. It would seem that the fixation was on my criticism of JPay. But, that criticism of JPay in no way connected me to the Army of the 12 Monkeys, given that the 12 Monkeys never mentioned JPay or JPay policy in any of their literature.

At any rate, it appears that almost immediately after initiating an investigation into threatening letters sent to lawmakers, the FBI quickly experienced mission-drift, losing focus on the question of the letters, and began instead investigating the 12 Monkeys at Mansfield Correctional... then me... my ideology... my writings... and the ideology of my friends and supporters. In short, within three days of their investigation’s inception, the FBI went from investigating a potential crime to chasing anarchists– something the FBI has always done.

Consider this report just a day after the FBI began investigating the letters to lawmakers:

Synopsis: (U) On 9/21/2012, SA [redacted] and SA [redacted] received documentation from officials at the Mansfield Correctional Institution (OH) regarding inmate SEAN SWAIN’s ideology for anarchy and anti-establishment as related to the Army of the 12 Monkeys.

Details:

On 09/21/2012, SA [redacted] and SA [redacted] received information and documents from officials at the Mansfield

Correctional Institution (MANCI) regarding the presence of members of the Army of the 12 Monkeys (AOTTM) within it’s prison population. Specifically, the documents captured by prison staff are from outgoing US Mail from an inmate identified as SEAN SWAIN (Male/White, DOB 09/12/1969). SWAIN, who had been admitted into the Ohio Correctional system in 1995, is serving a 20 years-Life sentence for Aggravated Murder. No release date is noted.

Employee [redacted] of MANCI provided photocopies of an prison-investigation intercepted letter that SWAIN had written, and intended to have delivered to the following address:

[redacted] + Everyone
Redbird ____ ____
PO Box 1291
Columbus, OH 43216”

The content of the letter is a three page note entitled “JPAY, SOCK PUPPETS, AND OUR REDUCTION TO SLAVERY.” The article specificity[sic] mentions MANCI administrators who have chosen to accept a third-party payment plan system called JPAY, in which citizens can deposit funds on the accounts of incarcerated inmates. SWAIN explains that a part of this problem is that only registered visitors can add funds to the accounts of prisoners, and in doing so, a percentage per dollar is withheld for a processing fee. SWAIN also argues that by implementing JPAY systems, that the identities of citizens who place funding on prisoner accounts have the propensity to be subjected to identity theft. The mailing also includes grievances that SWAIN had sent and subsequently received from prison officials in regards to the JPAY system and his concerns...

FBI Memorandum, September 25, 2012.