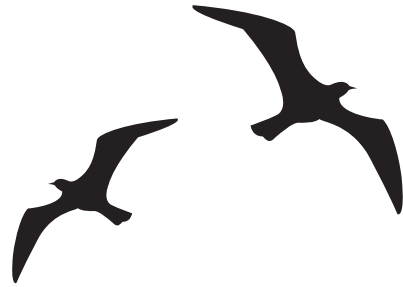


United States v. Loren Reed



WHAT CAN YOU DO TO HELP?

The “Tucson Anti Repression Crew” is leading the fight to support Loren while he undergoes the legal process. Here is how you can support him directly by way of this local activist group.

WRITE TO LOREN REED WHILE HE IS INCARCERATED.

Loren Reed #36045508
CAFCC
P.O. BOX 6300
Florence, AZ 85132

Important Note: “Never write about illegal activities or the case against Loren. Because he is pre-trial, your letters could be used against him at trial. NEVER write anything you wouldn’t want read by the prison or in court.” (Tucson Anti Repression Crew). Additionally, mail your letters in plain envelopes, written or typed with blue or black ink on plain or lined paper. Jails and prisons are very specific about what kinds of mail they allow in, and if you do not follow these guidelines, your letter could be thrown away. Additionally, do not include anything other than your letter: no stickers, no small items, no other goods, as these can and will be confiscated by prison guards and result in negative consequences for Loren.

SEND COMMISSARY MONEY TO LOREN REED.

“You can send funds directly to Loren’s [commissary] by purchasing a money order and mailing it to the above address. The money order is payable to Loren Reed. No personal checks or cash.” [Tucson Anti Repression Crew]

CONTRIBUTE TO LOREN’S LEGAL FUND.

CASHAPP: \$TUCSONARC
PAYPAL: PAYPAL.ME/PRISON SUPPORT

Make sure to add the note “For Loren Reed” in your donation.

FOLLOW ‘TUCSON ANTI REPRESSION CREW’ ON INSTAGRAM.

*This article was originally published by Forgive Everyone.
Forgive Everyone, 2020*

Forgive Everyone exists to unify, empower, and activate people who have done and experienced harm to practice radical love and forgiveness; and to use their resources to empower the least loved and least forgiven people in society.

20% of Forgive Everyone’s proceeds are donated to help people coming out of prison find housing, employment, rehabilitation, and mentorship. What is left over after donating is used to fund their advocacy events, print material, storytelling efforts and continued growth as an advocacy/activism organization.

Loren was easy to target and easy to charge and the government hopes he'll be easy to railroad into accepting a charge that sends a ripple of fear and paranoia throughout the country. Looking at the long history of FBI repression of political movements, one can only conclude they want us quiet and afraid. The case of Loren Reed is a formidable tool in their continued efforts to intimidate and silence American dissidents. The outcome of Loren's case is, at this point, uncertain, but we do know that much more than Loren's fate is on the line. The powerful movements that emerged in the streets this summer are now facing their inevitable plateau. Confronted by backlash, they can either grow to defend themselves, or collapse.

As we spoke over the prison phone one day, the background noise of prison life echoing off the cinder block walls that surrounded him, Loren told me he never expected anyone to care about him or his case. And in many ways, he doesn't feel worthy of the attention. Still, he told me, "I kinda feel like these things need to be said."



UNITED STATES V. LOREN REED

By Ryan Fatica

Loren Reed, dubbed the "Arizona Emo Anarchist" by a local right-wing news site, has been held in federal pre-trial detention for more than 6 months after the courts repeatedly rejected his requests to be released pending trial.

Loren is charged with one count of "Threats to Damage and Destroy a Building by Means of Fire," which carries a maximum sentence of 10 years in prison and a fine of up to \$250,000. The charges stem from comments Loren made in a private Facebook chat while planning a protest against police violence in his hometown. Because federal grand juries were suspended in Arizona for six months due to COVID-19, Loren spent the majority of his time in pre-trial detention without an indictment-in legal limbo. After more than four months of detention, he was finally able to enter a plea of "not guilty" to the charge against him.

With the Trump administration lobbying attacks at those it deems

"anarchists" and political divisions igniting violence in the streets amidst a historically contentious election, a 26-year-old Diné (Navajo) man from the small town of Page, Arizona has found himself in the crossfire of a national political melee.

The summer's protests, which brought more people into the streets than any protest movement in U.S. history, according to calculations by The New York Times, have also led to a wave of repression against activists. With William Barr at the helm of the Department of Justice and rogue law enforcement agencies like those in Portland, Oregon increasingly repressing left-wing protestors while ignoring violence from the right, the number of activists facing jail time has increased drastically. This wave of repression found its most deadly manifestation last month in the shooting of Michael Reinhoehl by US Marshals, which, as details emerge, increasingly appears to have been an intentional extrajudicial execution.

In the police and FBI's decades-long war against dissent in this country, the case of Loren Reed is a battle they're certain they can win. The outcome of his case will have implications for Loren's young life, but it will also have rippling effects on the social movements emerging so powerfully this year from the historical wreckage of McCarthyism, COINTELPRO, the Green Scare and the post-911 clampdown on dissidence. The wave of protest that emerged in Hong Kong, in Paris,

in Beirut and Bogota in 2019 and crashed down on American shores this summer has led to a backlash this fall that threatens to roll back its gains.

Loren's case is evidence of both the ubiquity and power of this movement and the extent to which some will go to stop it.

THE CASE OF LOREN REED

Although I've never heard Loren refer to himself as an "anarchist," he does admit to being "emo."

"I'm emo," he told me, "I'm an empath."

I wrote to Loren in jail after hearing about his case, interested to hear more about this young man who tried to organize a protest in the unlikeliest of places and now faced ten years in prison as a result.

When I first spoke with Loren on the phone, I was struck by his sweet and lighthearted nature. Maybe I'd expected more angst—the storm and stress of a troubled soul locked in a miserable situation. Instead I found a jokester with a heavy dose of millennial irony.

When I asked him if he was getting along with people in jail, he assured me he was: "I get along with everyone everywhere."

Through conversation with Loren and his friends and by studying hours of body camera footage and the

hundreds of pages of public records and pleadings associated with his case, I pieced together the story of the days and weeks that led to his arrest and of the years that led him there. I also began to dig beneath the surface, to the historical forces, some centuries in the making, that generated the conditions in which a story like Loren's could occur.

Loren woke up late on June 2nd, opening his eyes as the afternoon sunlight streamed in the windows of his friend's home in Page, Arizona. Although he technically lived with his mom in LeChee, on the Navajo Nation, Loren spent most nights on friends' couches in Page where he could use the internet and enjoy what little diversions the town of 7,000 offered—a couple bars, some small restaurants and the familiarity of a place he'd lived most of his life.

Most nights Loren would stay up late with friends watching videos and listening to music, trying to make the most of life in a small town with few prospects. Loren liked to sing and rap, and he'd spent hours in his friends' garage rapping over beats and singing along to his favorite songs. Most moments of life were recorded on Facebook, the heart of town social life and the main access point to a world beyond its limits.

But this was no ordinary day. Loren and his friends had been planning a protest in front of the courthouse in Page, hoping to tap into the energy spreading across the country following

pretrial detention and the Governor's suspension of grand juries created a situation of months of indefinite detention, not only for Loren, but for the many others in the same situation across the country.

"I'm in here being held illegally," Loren told me, referring to the grand jury suspension.

Finally, in late September, Governor Ducey signed a Executive Order re-instituting the grand jury, and Loren was indicted on one count of 18 U.S.C. §844 (e), alleging that,

"On or between May 30, 2020 and June 2, 2020, in the District of Arizona, the defendant, Loren Reed, through use of the internet and telephone, instruments of interstate or foreign commerce, willfully made a threat, and alternatively, maliciously conveyed false information knowing the same to be false, concerning an attempt and alleged attempt being made, and to be made, to unlawfully damage and destroy the Page Magistrate building, all by means of fire."

A week later, Loren was arraigned and entered a plea of "not guilty" to the charge against him.

After his arraignment, Loren's case was transferred to the federal court in Phoenix. Loren's trial date is currently set for December 1, 2020. Between now and then, the prosecutor will likely offer Loren a plea, allowing him to sign away a chunk of his life and accept a life as a felon, a second-class citizen, in exchange for minimizing his risk.

Ninety percent of those charged with federal crimes plead guilty, according to a Pew Research Center analysis, either at their initial appearance or by accepting a plea later in the case. In fact, federal jury trials are quite rare and acquittals are even moreso. Only 2% of federal defendants take their case to trial and of those, fully 83% are convicted by a jury.

Under these circumstances, the federal prosecutor's office finds itself in a position of being the de facto arbiter of guilt and innocence within federal jurisdiction, constrained by the law but virtually untested by the popular participation in judicial proceedings intended to balance their power—a jury of one's peers. In Loren's case, the prosecution has determined his speech to be criminal and, statistically speaking, there is little Loren can do to clear himself of that accusation.

American jurisprudence regarding free speech concerns itself with the possible "chilling effect" of judgements, libel suits and other consequences that criminalize or punish speech—the concern being that public discourse, and especially expression of dissent, may be reduced or "chilled" if punishment for speech becomes commonplace. Such precedents are easily set when the FBI, with its long history of repression of social movements and virtually endless resources, targets and criminalizes the speech of young, marginalized activists with little resources and little support.

In Loren's case, and thousands of others this year, this process has been less straightforward.

The same statute that guarantees in federal law the right to a speedy trial also contains the means of its own deferment: "If an individual has been charged with a felony in a district in which no grand jury has been in session during such thirty-day period, the period of time for filing of the indictment shall be extended an additional thirty days."

In 1981, the Ninth Circuit Court of Appeals considered whether a defendant, Furlow, was unjustly denied the right to a speedy trial. According to the court, the 12 day, out-of-custody delay in Furlow's trial was "cast in a cloud of volcanic dust (literal) occasioned by the eruption of Mt. St. Helens, a volcano of western Washington, an incident/accident of worldwide significance and paralyzing impact on surrounding geographies, including the location of the court..."

The court affirmed that reasonable delays as a result of natural disasters are justified.

On March 16, in response to Arizona Governor Doug Ducey and President Trump's declarations of a state of emergency, Chief United States District Judge for the District of Arizona, G. Murray Snow, filed General Order 20-12, suspending federal grand juries in the state of Arizona for thirty days. In a subsequent series of General Orders,

Judge Snow continued to suspend federal grand juries for over six months.

"Due to the Court's reduced ability to obtain an adequate spectrum of jurors and the effect of the public health recommendations on the availability of counsel and Court staff, the period of the continuances implemented by this General Order will be excluded under the Speedy Trial Act," Judge Snow ordered in mid-April.

Under this order, federal courts in Arizona were stalled in moving cases through their system and thousands of people were cast into legal limbo. The order did not, however, order the suspension of arrests for federal crimes, and, in the midst of a pandemic, the order intended to protect those involved in the court system did nothing to protect those held in jails awaiting speedy trials. Loren Reed was one such person.

In all, the government filed three motions to "extend" in Loren's case, pushing back his indictment by thirty days each time. Meanwhile, the court denied Loren's initial motion to reopen his detention hearing, referring to him, almost parenthetically, as "Defendant, charged with an offense related to his stated goal of destroying a state court facility..." Apparently the legal nuances associated with the difference between a "stated goal" and, as Loren's attorney has asserted, an "exhortation," were not of interest to the court when it penned its denial.

The combination of court-ordered



the murder of George Floyd by the Minneapolis Police Department. Loren had plenty of reasons to feel inspired by the nationwide uprising. Suddenly, it seemed like people were listening to the things he'd been trying to tell them for years—about the police and their violence, the urgent need for reform.

Loren focused his attention on the Page courthouse—a tangible symbol of governmental authority in his small town. The march he'd helped plan was scheduled to meet out front of the municipal center on the corner of Vista Ave and North Lake Powell, the closest thing to a town square in Page amidst the strip malls and hotels.

In a private chat filled with ludicrous memes, jokes and plenty of bravado, Loren typed into the chat: "I wanna burn down the courthouse." Similar messages followed, in the imaginative and hyperbolic manner of one discharging life's frustrations.

In the days leading up to the protest, Loren had been getting threats from locals upset about his comments in support of the uprisings and his criticisms of the police. His bombastic Facebook presence was intended to disrupt the complacency of those inured to police violence. It was having its intended effect. He could handle the threats and, in some ways, he appreciated the controversy.

What Loren didn't know as he got in his car that afternoon was that one of his detractors had reported him to the Page Police Department. A "concerned citizen" named Tavis Peak had called the police to report that Loren was "trying to get people to join a riot in Page." Peak, a white man in his 20s who grew up in Page and went to high school with Loren, transported those controversies out of the digital realm and into the very real realm of policing and prisons.

"His facebook is public, you can get on it right now and scroll down to a post about an hour ago," Peak told

the police. “I figured I’d just call in and say hey, be aware, some idiot’s trying to gather more idiots.”

In response to the report, the Page PD used an undercover Facebook account to join the private chat Loren had created, called “Fuck 12”, to discuss the upcoming protest. Posing as “Joe Bigham,” an apparent pothead persona with a header image of marijuana leaves swimming, sperm-like, in psychedelic green and purple, Officer Seamster of the Page PD took over a hundred screenshots of the conversation in the private chat and shared them with the FBI.

Checking Facebook on his phone as he pulled out of the driveway, at first Loren thought he was being pulled over for texting and driving. On the corner of 10th Ave. and Gunsight St., Loren was swarmed by officers from Page PD and the FBI, serving a federal warrant related to his internet comments.

In seconds, Loren was surrounded by what seemed like 20 police vehicles—black crew cab Ford F-150s with lights and sirens screaming in the midday silence. The police, serving a “high-risk warrant,” jumped from their cars and assumed positions surrounding him, their AR-15 patrol rifles leveled at his vital organs.

“Get out of the vehicle Mr. Reed!”

Across the street, to Loren’s left, someone standing in their yard pulled out their phone and started

taking a video of the spectacle. Loren saw his chance.

“Look at this,” he shouted. “You all are just proving my point.”

He got out of the car, hands visible, and started screaming. “Look at these Nazi’s with their guns! You think these people need more money? Y’all are the ones who should be arrested!”

“Get down on your knees with your hands above your head!”

Loren, facing a potential execution squad, refused. He would later tell me that he wasn’t afraid of death and that he’d never expected to live this long anyway. “I know some of you agree with me, but you’re too much of a pussy-ass Nazi to go against your brothers.”

At that moment, Officer Collins of the Page Police Department stepped forward with his Taser raised and shot Loren in the midsection. Loren fell to the ground.

Loren was handcuffed and transported to the Coconino County Jail in Flagstaff where he sat for over a month before being transferred to the Central Arizona Correctional Complex—a privately owned and operated prison in Florence, Arizona where the United States Marshals Service (USMS) holds many of the pre-trial federal detainees in their custody.

Immediately following Loren’s arrest,

Rising out of a rich and fecund stretch of the Sonoran Desert where coyotes slink nervous and long-shadowed across the highway, Florence glitters with miles of concertina wire draped across most visible surfaces. A barren and derelict prison town, besides the gas stations, prisons and fast food restaurants, the only thing in Florence appears to be acres of manufactured homes and trailer parks with corrugated iron sheeting banging in the wind. Through the business day, the streets are populated by unmarked Impalas with tinted windows zooming in and out of parking lots on mysterious errands.

If you ask someone in Florence where the prison is, they’ll ask “which one?”

The eight prisons and detention centers in Florence form a major portion of its economy and hold everyone from immigrants to criminals to juvenile delinquents, thousands of them transferred from across the state and as far away as Vermont to be locked away behind mountains of cinderblock and barbed wire in this bulldozed stretch of Arizona wilderness.

One of the largest is the Central Arizona Florence Correctional Complex, run by the Corrections Corporation of America/CoreCivic, one of the largest private prison corporations in the world. It is located on the same plot of land and surrounded by the same concertina wire as the Florence Correctional

Center, also run by CoreCivic, so close that it’s impossible to tell where one ends and the other begins.

In 2018, CoreCivic reported \$1.83 billion in revenue, almost half of which comes from federal contracts with Immigration and Customs Enforcement (ICE), the Marshals, and the Bureau of Prisons (BOP).

The Central Arizona CoreCivic facility holds more Marshals detainees than any other single facility in the country, according to data compiled by Mother Jones. As of mid-September of this year, the facility held 3,014 prisoners in Marshals custody, 92% of the Marshals detainees in the state of Arizona, according to the Marshals spokesperson. The facility also holds approximately 130 ICE detainees on any given day as well as an average of 20 people in the custody of the police department of Mesa, Arizona.

The Marshals Service only holds detainees until sentencing or until their release by the federal courts. Under federal law, an arrestee must be indicted within thirty days of their arrest, after which point their case proceeds until plea, sentencing or acquittal. The right for this process to occur quickly is considered one of the most important features of a just legal system under modern jurisprudence—separating the transparency and civility of the American mass incarceration system with the opacity of the vast network of gulags famous for their brutality in the former Soviet Union.

Loren told me. “If I tried to have these arguments beforehand, I would immediately get shut down. These things never really got brought to light until recently.”

Loren and his friends are just a few of the millions of people in the country who have friends or family who were killed by police or who died in the many jails, prisons and detention centers that proliferated across the nation in the last half century. Only a few of those killed ever make national headlines and for those left behind, their death often feels in vain.

Talking to Loren and Kai, the agony of their loss was still palpable, more than a year later, their memories of Kyle’s death brought to the surface by Loren’s incarceration. Loren’s usually light and gentle tone became firm, and Kai’s eyes filled with tears as they spoke to me—these two, separated by hundreds of miles

of desert, but connected in their memories of the friend they’d lost. “It was also frustrating because I wish Kyle had gotten more attention,” Kai said. “I feel like it was swept under the rug a little bit.”

COVID CANCELS THE RIGHT TO A SPEEDY TRIAL

Like all pretrial detainees held on federal charges, Loren is in the custody of the United States Marshals Service (USMS), one of the oldest law enforcement agencies in the country. The USMS has contracts with jails and state and private prisons and detention facilities across the country, paying daily to house the more than 60,000 people in its custody on a given day.

After over a month in the Coconino County Jail, the Marshals transferred Loren to Florence, Arizona, a former mining town 60 miles Southeast of Phoenix.

the police and the FBI raided the house where Loren had been staying. Staging their vehicles on the street out front, officers with AR-15s got out of their cars and surrounded the house. Some took positions behind their vehicles with their rifles pointed. Sergeant Myers of the Page PD got on the loudspeaker, his voice booming through the neighborhood:

“This is the Page Police Department and the FBI. The house is surrounded. Come out with your hands up!”

Four individuals came out of the house, arms raised above their heads. When the officers stormed the house, guns leveled, they found a sleeping child and a small container of marijuana purchased legally from a dispensary. No weapons, explosives, gasoline or any other suspicious items were found in the house.

FBI Special Agent Richard Sutherland later searched Loren’s car, recovering his cell phone and plundering it for what he would later refer to as “an enormous amount of data.” None of it, of course, would give indication of a plan of arson, because no plan ever existed.

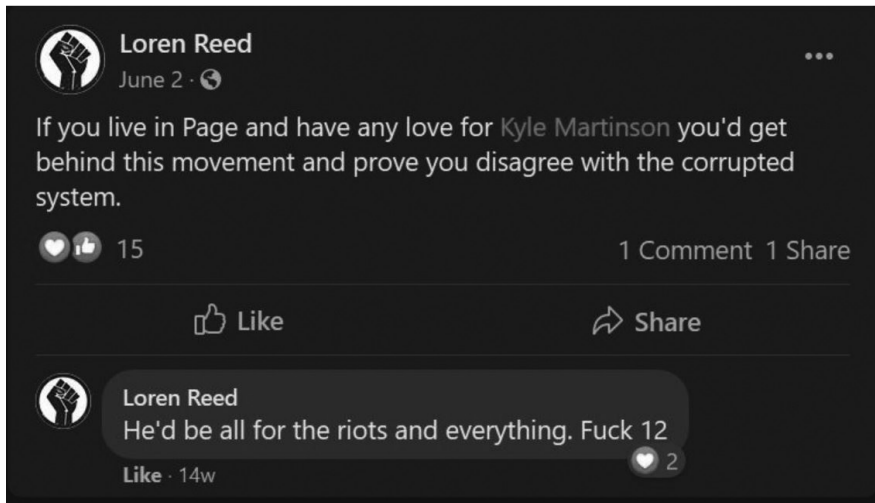
In the weeks leading up to his arrest, Loren had imagined creating a force capable of establishing a semblance of justice in Page, even if only for a moment. This force, entirely imaginary, and conjured out of Facebook images and fantasies imported from cities thousands of miles away, met on that morning

with the very real violence of the police. Indeed, the moment when the Taser struck Loren’s body and he fell convulsing and screaming to the ground marked the violent collision of two forces—one imaginary, the other quite real.

In the days, weeks and months that followed, the police, the FBI, the courts, the prosecutor and the media set about constructing a counter-narrative by which they themselves, and the population they believe themselves contracted to protect, are the true victims and Loren the aggressor. In this narrative, Loren’s comments on Facebook justify his violent arrest, his six month incarceration and the continued looming threat of felony charges and a decade of prison.

During Loren’s time in the Coconino County Jail he would contract COVID-19 while he and his cellmates pleaded with officers to give them cleaning supplies necessary to keep their cell clean. He would argue that a friend of his, an eighty-year-old man he’d met in the jail, deserved measures to protect him from the life-threatening virus. These demands would be ignored.

For Loren’s friends, the hardest part about him being in the Coconino jail was worrying he wouldn’t make it out. For them, every experience with the cops and with jails transports them back to their memories of their friend Kyle, who died in the same jail a year and a half before, similarly



begging for help.

THE CASE OF KYLE MARTINSON

To understand Loren Reed, you have to understand the case of Kyle Martinson.

“He was like a little brother to me,” Loren told me over the phone. “I met him at the skatepark when he was like 12.”

Kyle, who is part Diné, grew up in Page and in Bitter Springs, a small Diné village on the Navajo Nation, 25 miles south.

“Kyle could always make me laugh,” said Kai*, a friend of Kyle and Loren’s who spoke to me recently outside a coffee shop in Page. “He called me on my birthday one year. I was just sitting alone not doing anything and not feeling very good. He told me to go outside and watch the sunset or something. He talked to me for a long time. That meant so much to me.”

Kyle spent time in juvenile detention facilities on and off throughout his childhood and later, in his adulthood, had warrants out for his arrest for a marijuana charge, speeding, and failing to stop at the scene after damaging a vehicle. When he was finally picked up on the warrants, his friends never suspected his time in jail would be a death sentence.

“Yeah, that was a big thing in our lives,” Kai said. “When he first got

arrested, I was relieved. I thought he’d get his warrants cleared up and he wouldn’t have to hide from them anymore. I thought they’d take care of him,” she said, her voice catching in her throat.

Kyle died on January 22, 2019 at the age of 20 with a gallon and a half of liquid in his lungs, the result of acute pneumonia caused by strep throat that went ignored by the prison staff during his weeks of incarceration at the facility.

Jail footage would later reveal that Kyle died begging for his life. The last words spoken to him by another person were from Detention Officer Alora Zellhuber as she slammed shut his cell door:

“There’s nothing wrong with you. Drink some water,” she told him. Two hours later he would be found unresponsive in his cell.

“When the video came out I watched like a minute of it,” Kai went on.. “Loren and I tried to watch it, but we couldn’t. We turned it off.”

A recent lawsuit filed on behalf of Kyle’s family names the Coconino County Jail and six guards, nurses and healthcare providers, including Zellhuber, as defendants in the case who they claim are responsible for his death.

“Defendants breached their duties

** This name has been changed at the request of the source who feared backlash from her association with the case.*



of care and demonstrated deliberate indifference to Plaintiff’s civil rights,” the Complaint alleges, “by not only ignoring his serious medical needs but establishing policies, customs, procedures, and practices which affirmatively created dangers and serious risks of substantial harm for Plaintiff.”

Despite their obvious role in Kyle’s death, no jail staff were charged with crimes in connection with his death or even removed from their positions. The dissonance between the government’s response to those whose negligence killed Kyle and its response to Loren is not lost on him and his friends.

“I’m in here for some words I said on Facebook,” Loren told me. “But the person who watched Kyle die and then wrote that he has a history of being dramatic still has his job. He’s

probably being negligent to someone right now and he just gets to do that all day.”

“I feel like he’s getting a harsh time,” Kai said, speaking of Loren. “Predators go in and out in the time he’s been held. They’re treating him worse than that.”

Living in the shadow of Kyle’s premature and unnecessary death, it wasn’t hard for his friends to sympathize with the protests that tore through the country this summer. To them, it felt like finally someone was paying attention. “We could definitely see where the anger was coming from,” Kai explained. “I wanted to go to a protest but I wasn’t sure if driving the four hours [to Phoenix] was worth it.”

“It gave me an opportunity to say what I’ve wanted to say for years,”