

DROP THE CHARGES

Three Cities at Shared Latitudes

background image: the jaguar corridor, which spans several man-made + colonial borders



MIGRATION IS GOOD

FREE THE PRAIRIELAND DEFENDANTS

The Final Straw Radio – November 16, 2025

UPDATES ON THE PRAIRIELAND CASE

**Featuring two interviews with:
Xavier de Janon, NLG Director of Mass Defense
and the DFW Support Committee**

THE
**Final
Straw**

A WEEKLY ANARCHIST SHOW



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This week, we're featuring two interviews:

Xavier de Janon, NLG Director of Mass Defense, currently also working on the DFW case where Federal and Texas prosecutors have been seeing prosecution of 18 people (so far) related to the noise demo of July 4th, 2025 at the Prairieland Detention Center in Texas;

then two members of the **DFW Support Committee** with updates and perspectives on the case and wider repression against the left.

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Xavier de Janon, Director of Mass Defense at the NLG

Xavier de Janon: Hi there. My name is Xavier de Janon, and I use he, him pronouns. I am based in North Carolina, but I work during the day for the National Lawyers Guild, and I also take on criminal defendants with political cases across the South.

TFSR: **Awesome. Thank you so much for taking the time to have this conversation. Would you explain what NLG is, how it came about, and what y'all do? What does the Director of Mass Defense, for instance, do at your organization?**

Xavier de Janon: The National Lawyers Guild, the NLG, is a bar association, but it is not limited to membership to attorneys only. We also have law students, legal workers, and jailhouse lawyers. Essentially, it is a member-based organization where people join and are in a broader network. The NLG has very specific values and principles that people label as progressive, but more specifically, they are anticapitalist, antiracist, anti-imperialist, and so on.

What I do as Director of Mass Defense is oversee our Mass Defense Program, which specifically provides support to protesters, to organizers, and people in the community who are rising for justice and against injustice in protest. So my work is very broad and changes a lot with everything that's happening right now, but generally, I would describe it as protest defense, supporting the right to dissent and the right to protest.

TFSR: **If you have any words about why you think the founders of the NLG thought that it was necessary to found the NLG? I imagine that the ACLU already existed. Is there a distinction between the organizations? I'm not trying to get any hot-mic moments or anything like that. But how does the NLG differ from the ACLU, for instance?**

Xavier de Janon: I'm not an NLG history buff by any means, but part of the origin story of the National Lawyers Guild actually had to do with segregation. NLG started in the 1930s, and it was the first desegregated Bar Association. Essentially, people who weren't white were allowed in, and other bar associations were not like that in the 30s. So I understand that to be one of the origin stories.

But the NLG was actually born in response to the American Bar Association. The ABA is the normative Bar Association in the country, and is the one that creates model rules of professional conduct. It has a lot of opinions, provides train-

ing, and is the largest Bar Association in some ways, or the most popular. The NLG actually existed in response to the ABA and disagreements with the ABA. As the years passed and the NLG faced a lot of federal repression, I think it just organically evolved into what it is now, which is a home for more progressive or anti-system legal workers. Unlike other legal organizations, I would add, the NLG doesn't directly litigate. The NLG national office isn't representing people on cases. Instead, our members do that around the country.

TFSR: I'm hoping we can start off talking about the Prairieland case out of the Dallas-Fort Worth or DFW area. Listeners may recall an interview that we did back in July about this case, recorded just a week or so after the inciting incident. Could you summarize what's known about what took place at the Prairieland ICE detention facility in Texas on July 4, 2025?

Xavier de Janon: I can definitely try to give a big picture of what we know, or what we've learned that happened on July 4 in Johnson County. We have learned, and I think it's not denied, that what happened that night on July 4 was a noise demonstration outside of an ICE detention center, and it's the Prairieland detention center in North Texas. Noise demonstrations are popular. Essentially, what was happening that day, like during any other noise demo, was people showing up to make loud, loud noise outside of the ICE facility and nearby.

But what ended up happening eventually was that local police arrived, and then the federal government is alleging that shots were fired. However, there are also reports about fireworks being used at the noise demonstration, and it is not denied that people were engaging in graffiti and making art at the protest itself. After the alleged shots were fired, people started getting arrested. A very large and invasive federal investigation happened after that night, which resulted in a total of 18 people facing very serious charges. Only 10 of those people were alleged to be at the actual demonstration, the rest were arrested after the surveillance and investigations.

In a nutshell, it was an anti-ICE noise demonstration that ended up with a bunch of arrests. I can speak more about this type of protest. ICE rallies are happening all around the country, especially at the detention centers. So this is not something exceptional or different or new. What is different, though, is its location. It's in North Texas.

TFSR: Yeah. If you could talk a little bit about the noise demo as a type of protest. How common they are, what they do. I've heard of them for years. A lot of cities have started over the last decade, maybe decade and a half, doing them on New Year's Eve, outside of jails or prisons, right?

Xavier de Janon: Noise demonstrations are a form of protest, and essentially they are about being very loud outside of a prison, a jail, a detention center, a place where people are locked up and caged. The name is just what it is. People go and make a lot of noise to express solidarity with the people behind bars, because, although they can't be seen or they can't be visited inside, the noise demonstration does reach people behind bars. The noise itself is what is being communicated to the people to remind them that they're not alone, that people are paying attention to them and supporting them. And as you mentioned, they are common. In fact, there was even a very popular noise demonstration for Luigi Mangione outside of his federal detention, and it was in the news. There were all these reports about people inside using lights to communicate with reporters who were dumbfounded that this was happening. There was all this curiosity around that noise demonstration, and that just tells you how popular they are. They are just another form of protest in this country.

TFSR: Prosecutors are alleging that this was some sort of ambush, right? It seems like there's a misrepresentation of what [occurred], whether or not there was a gunfire exchange. That's kind of crazy, but I could see how fireworks outside of a facility would be misrepresented or maybe misunderstood as being something like explosions or firearms. I don't know. It seems like it's part of a bigger story that they're trying to weave anyway. Maybe that's a speculation we don't have [a proof for].

Xavier de Janon: Part of what the Federal Government is alleging, they have press releases on this, is that the purpose of the noise demonstration was to draw out agents like police, cops, to ambush them and attack them. This is the story they've been telling since the incidents of July 4. They really put out their media machine to make that story stick with mainstream media. That this was a planned ambush and that the noise demonstration was to draw people out into the ambush.

What I find telling is that this same "ambush" language is being used for a situation that happened in Chicago, where a shooting broke out because the police started shooting at protesters after they were allegedly blocked in. They make the same theory that the protesters intentionally took these actions to target and attack the police, instead of the purpose being a protest, a rally, or a disruption. The purpose of a noise demonstration is to reach the people inside and the public. The police's response is just how they respond to that.

TFSR: I don't have the details in front of me, but I recall that story coming out about the ambush and the cars blocking in Chicago, ICE agents having

to get retracted, and body cam footage afterwards showing it wasn't actually at all what happened. I can try to put a link in the show notes for a story related to that.

While trying to figure out what is being alleged by the state or by the government, or the governments in this case, keeping track of indictments and charges has been difficult because of different court systems, differing charges, and differing jurisdictions. How much of this case is federal, how much is state? Can you speculate on why some people are in one venue and others in a different one? Also, how does this affect where defendants are being held?

Xavier de Janon: The original charges against people were at the state level. Originally, people were arrested and taken to Johnson County Jail, which has been talked about as being in awful conditions. There are reports on how bad the situation is in that jail, as in many other cages and prisons. Eventually, federal complaints started coming out against certain people, which then resulted in a lot of defendants being transferred to different detention centers outside of Johnson County or around the area.

Today, we have this web of different people facing either federal and state charges, or only state charges, or only federal charges. I don't really know what to speculate about this, other than state and federal repression. The idea of using several Prosecutors' Offices to bring concurrent charges at the same time doesn't make sense to me, unless it is to repress and stop certain behavior. You actually do see this often in drug-related offenses: the state prosecution will begin against it, and then the federal government will take over the case. But often when that happens, the state charges are dropped because now the federal case is ongoing, or there's a resolution worked out where one of them takes precedence over the other. What it does is just create more stress and the need for more legal support, the need for more lawyers, and just more squeezing of these defendants, if that makes sense. As I said, I have a hard time understanding the rationale behind these decisions, to be honest, but it just seems to be political repression and throwing the book at these defendants.

TFSR: I recall there being a sort of surprise among many people doing anti-repression work in 2020 when, during protests around the country, people started facing federal charges. People were initially picked up on state charges and then were passed over to federal districts for prosecution. In some cases, the argument was that "a cop car was damaged and though it belonged to a local police department, it was purchased with federal money, therefore it's a federal crime. Or a person had crossed from Washing-

ton to Oregon, and therefore it's an interstate decision; they crossed state lines, and so it's in federal jurisdiction." But it seems like an opportunity for wielding more resources, an alignment of interests by the prosecutors among various jurisdictions.

Xavier de Janon: I would also add that with the expansion of the Joint Terrorism Task Force at the federal level, the cooperation between state police, local police, city police, state patrol, and federal agents, the FBI, the DEA, and ATF has also grown because there are systems and communications between all these agencies set up to allegedly fight terrorism. That makes cooperation and collaboration just easier because folks are already in the room.

I remember recently watching a documentary talking about the raid on Area 51 incident, if you remember. There was this call for people all around the country, 'Go to Area 51, we're taking it over.' It was based on memes, and it was a whole thing. In the documentary of the Area 51 takeover, you get to see behind the curtain of just how much cooperation there is between the local and federal government. There are pictures of them sitting in a room together, analyzing this rural county in the United States. So the infrastructure is already there for things like Johnson County to happen this way.

TFSR: I was wondering if you could talk a little bit about what charges people are facing at the various levels. You don't have to go through a list of the defendants, name by name, if you don't want to, but just so that listeners can have an idea of some of the scope that people are facing.

Xavier de Janon: The basic explanation of the charges revolves around terrorism and an attempted murder charge, and then an assortment of obstruction of investigation, material support to what happened, and variations of those, like obstruction, complicity, and conspiracy-type charges. The heart of the cases is these allegations of domestic terrorism at the state level, and then at the federal level, material support for terrorism and attempted murder. Really, the way that the government has framed this situation, and like I said, put it out on the media very, very quickly, is that this was a premeditated, coordinated ambush to kill law enforcement officers. This is really what their theory of the case is, what they're alleging happened on July 4.

And of course, as the case develops and more comes out and the government changes its theory, there are more and more questions as to whether that even happened. Was there even an attempted murder? And also, was there any coordination among the defendants? Of course, all the state does is throw allegations, but how the government is making these allegations with media and press releases and

putting people's information out on social media has made certain things appear to be the truth. That is the general case. And then, as I mentioned, there are some people facing state charges and then other people facing federal, but they're just variations of the same crimes, basically.

TFSR: Just to be very explicit about this, one of the allegations of the ambush and the claim that there was an exchange of gunfire was the claim that an Alvarado Police Department officer who arrived after being called was shot in the neck and then was hospitalized and released that same evening? Is that correct?

Xavier de Janon: The central accusation is that an Alvarado police officer was injured in the neck by a gunshot. It is quite outrageous to imagine that someone shot in the neck by a gunshot would be released the same day and back into force very quickly. There are additional allegations that there were attempted murders and attempted assaults against other ICE detention center workers. But they all revolve around the same allegations of a shooting, that a shooting broke out.

TFSR: My understanding is that the first of these trials are set to start in November. What can you tell us about the venue for these coming trials, state or federal? Which defendants facing what charges [will be on trial] in those instances?

Xavier de Janon: The challenge is that there are numerous people with federal and state charges, indicted on the state level. So they have formal criminal charges through an indictment, but their cases were paused because of the federal complaint, making it more confusing. There are actually only four people indicted as of today in the federal case. Two of them are supposed to be scheduled for trial in November, but there was already a decision that the cases are complex and that more people might be indicted with them. So this November date will be moved. It's not going to happen [on time].

Another person indicted on the federal charges is supposed to have trials starting in December, but it probably will also be continued if there are motions filed, hearings to be made. Then there's a fourth, separately indicted federal defendant who hasn't really seen movement in the case. I also haven't looked at it too recently.

Then there are the state indicted who are not federally charged. Last time I checked, they're supposed to have a motion hearing in December and the trial is supposed to start in January, but with more recent arrests related to those allegations, that case might also be delayed. So it is a lot to keep up with. And even in say-

ing all this, I know there are a dozen other defendants whose cases might be moving at different paces. But at least in theory, there might be a court date in December for one of the many cases, at least that's what should happen. But courts change scheduling all the time.

TFSR: If people do decide at this point in the conversation that they want to start keeping track and seeing who's being supported by a support committee, I believe one website that they could look at is dfwdefendants.wordpress.com.

Xavier de Janon: There's also a separate Instagram account for Des Sanchez, who is that defendant facing the December charges, and that's free.des.revol.

TFSR: Des is also facing federal immigration charges in relation to this. Is that right?

Xavier de Janon: Des Sanchez is a green card holder, and because of that, he would probably also face removal proceedings once all these cases are finished.

TFSR: Let's talk about the growing number of defendants who weren't on site at the noise demo on July 4. Assuming that the theory that the prosecutors at various levels are working from is that there was a noise demonstration that was actually meant to be an ambush for law enforcement. It would make sense in that case as to why you would arrest and attempt to prosecute the people who were on site for it. Without diving too much into speculation about the intentions or the arguments that are going to be made by the state and federal prosecutors, can you talk about the conspiracy that's being alleged and what novel approaches the prosecutors are taking towards proof of participation? For instance, when I think of Des, I think about this argument about zines, or radical pamphlets, or literature being brought in as some sort of proof of conspiracy. Or the use of Signal chats.

Xavier de Janon: What is very concerning about the state's allegations is that in a criminal charge, a very serious federal felony, material support to terrorism, attempted murder of federal agents, and all the associated crimes with that, they basically just describe how people are modernly organizing and doing activism. They attempt to shed this very negative light that people were in a Signal group chat together, or a Discord group chat, where encrypted communications are somehow criminal. They also make a lot of noise about people meeting before the rally together and arriving in cars together. These are just normal things that activists do to

get to places. They also take offense that there were security methods taken with the phones, that there were Faraday bags to put the phones in to block the signal. All these steps that people take to protect themselves, their identities, and their security are somehow reflective of wanting to attempt the murder of a federal agent. That is the leap that they're trying to make, and the argument they're trying to make.

As you said, the proximity to the crime might have some consequences. If there is an allegation that something happened and then someone was nearby or at it, it's normal for people to get arrested, especially in mass arrest situations. But that's not all that happened in this case; it wasn't just the 10 people. There was surveillance and follow-ups done because one of the suspects allegedly ran and fled, and so then the surveillance just expanded from there. There were also people's houses raided with flash bangs and all this militarized equipment, because the government had already decided that they were facing 'a terrorist cell'. So this case that they're framing of people wearing all black, meeting together, having encrypted communications, reading political magazines. I mean, that just sounds like a college student starting activism, reading about it, getting involved in group chats, and wearing all black for protests. I don't really see a difference.

Of course, there's also the addition that there were a lot of firearms laying around. People had guns in their cars. People were carrying firearms. People were wearing [bulletproof] vests and stuff like that, which they also say shows intent. But we can't forget that this happened in North Texas, where carrying firearms at a protest is pretty common, to my understanding. Especially at left-leaning rallies and protests, it is very normal and common for people to have firearms and have protection gear, because there's always the risk of counter-protesters coming, right-wingers, these right-wing militias coming to attack.

What is in this question of novel theories, criminal theories, where I think I am especially concerned, where the National Lawyers Guild is very worried, is the criminalization of possession of political content, anti-government content, and of encrypted communications, because that is actually really, really, really concerning for anyone engaging in any type of protest in this country. Especially as the federal government gets more outrageous and more violent. People's writings, reflections, poems, zines, pamphlets are going to get even more critical, more inflammatory. This is just normal.

TFSR: As far as the violence of the home raids, as well as the culture of people open carrying or concealed carrying weapons, there's a really good article that Andrew Lee published in Truth Out called 'These Dallas residents are on the front lines of Trump's war against Antifa' that interviews a bunch of the individuals who were caught up in the case, as well as their family members and friends, and talks in more detail about some of that

stuff. I think it was a really good read.

I note that there are only 14 people listed on the DFW Defense Committee's website, but there have been at least 18 arrested so far in relation to the case. Are people cooperating with the prosecutors, or is there a solid wall of defense? Or is it a little more complicated than that?

Xavier de Janon: I can't comment too specifically on cooperation. I think a lot of it will be conjecture, reading into things, and making inferences. From what is publicly available, the criminal complaints, the documents on the court dockets, there does seem to be defendants who are giving information to the government that has led to more arrests, and that has led to the government just having more information about the case. I'm not sure if that means that people are fully cooperating. That is a big accusation or assumption to make, but there are people who are speaking and who have spoken to give information to the government that's helped them in their investigation.

TFSR: As far as you found, does that aid people in avoiding charges or getting diminished sentencing or that sort of thing?

Xavier de Janon: First, I'll add that in the protest world, in the mass arrest world, it is very common, and becoming more and more common for police to arrest way more people than they should, or than they have legal grounds to even. It is very logical that if you take someone who found out about the rally, about the noise demo on the Internet, showed up, maybe with a friend, came with things for the protest, doesn't really have much relationship with people in the activist scene, or they just are interested in this struggle against ICE, and so showed up – if they arrest that person, that person is more likely to try to get themselves out of the situation when they were just randomly grabbed or arrested, really without much cause. And so they'll talk. This is just human conduct, too. 'I didn't do anything wrong, I have nothing to hide. So yeah, I'll talk with the government and get out of this.'

But I have seen time and time again that when people do that, they still end up locked up in jail. The government still opposes their bond. They can't get out of jail, and the deals that they work out in exchange for cooperation, giving more testimony, speaking on trial against other defendants, the plea deals rarely get better than what people who go to trial and get convicted get anyway. In other words, the actual benefits of cooperating with this federal government, especially, are not very clear or easy to see. In the end, even with a cooperating plea, people might have in their record a felony, a federal felony, Material Support to Terrorism, or obstruction, which also has its lifelong consequences. In the end, people's decisions are their own. I think criminal defendants have so many things to consider, and they

always have the right to make the decision to speak with the government. As the National Lawyers Guild, we respect people's right to their defense and to make their own informed decisions.

But in getting that information, I think it's important to really look at what the potentials are for a conviction, for not guilty, for evidence to be suppressed, for things to be taken out of trial, things to be excluded before making that really intense decision of talking to the government. Because once you do that, there's no walking back either. There are stories, sometimes they're just anecdotal. But once the government learns or discovers that someone is willing to talk, they will continue to want that person to talk more and more and more and expand how many people to talk to, and suddenly this person's whole network and family are now facing the federal government's questions and investigations.

TFSR: I'm reminded of a case - a different case, because there was a crime involved in this. Marius Mason's partner, Frank Ambrose, decided to work with the federal government in trapping and getting Marius convicted. And Marius is still in, but Frank Ambrose is still on the line. If the government calls him up and says, "We want you to try to get into this place or tell us about these people, find out more information." His deal states that he has to be at the whim of the government, and it doesn't have an end date associated with it. So, if hypothetically he decides not to serve the government when they call on him, they could very well just pull his card and say, "We're going to put you in for those charges we initially had you for."

I think it's also important too to note that when people go in, federal prosecutors in particular, but I think it's pretty common across the board, apply huge amounts of very serious charges against people in the assumption that people aren't going to take things to trial or maybe will cave and start doing the bidding of the state, turn state's witness, or whatever, to avoid these huge, expensive to fight, and very scary charges and possibilities of sentencing. And in a lot of cases, these end up getting whittled down and whittled away once people stand up and fight back. Bullies, oftentimes, will back down when they are faced with some sort of challenge and defense and response.

Xavier de Janon: I'd also add in terms of cooperation, especially in political cases, that if people will face prison sentences or long probation sentences or other punishment, there will usually be a big network of supporters for political prisoners. We see letter-writing campaigns, money put in the commissary, websites being created, and really just a lifeline for people behind bars.

When someone decides to cooperate or speak to the government and give

information about other people, it's very unlikely that this very, very large network of support systems will want to help that person. Because for people who are engaging in dissent, in protest and activism, when someone speaks to the government and basically turns information against others, their friends, their family, people they know of, their comrades, they would say they're not going to support that person anymore. And so even if the prison sentence or probation sentence is somewhat short, that person will leave their prison term, their punishment, to a lack of community, of social networks, of relationships that people would be happy to provide otherwise. Even longer-term conviction, the prison sentence or probation, what happens after that is still a life that should be worth living. When there is a disclosure or release, or people find out that there was a cooperation, a snitch, someone giving information, that life might be very, very different.

TFSR: Plus, you have to live with yourself.

I spoke around a month and a half ago with Moira Meltzer-Cohen on the Trump memos declaring a shadowy cabal referred to as "Antifa" as a Domestic Terrorist Organization. Since that conversation, Trump conducted a round table with various far-right grifters and influencers such as Info Wars-affiliate Nick Sortor, Pizzagate-promoter / White Nationalist Jack Posobiec and Andy Ngo-protégé Katie DavisCourt, among others, and appears to be following through on his promise of attempting to declare Antifa a Foreign Terrorist Organization or an FTO. This is something he promised, I think, during his first administration, but he's at least made public moves and statements within the administration to make this change.

Trump is now following in the esteemed footsteps of his fellow competitive authoritarian, Viktor Orban in Hungary, and the far-right government in Denmark in calling antifascists an international conspiracy. It's really easy to poke fun at the emperor's new clothes, but the implications of the FTO status are pretty heavy, particularly with an undefined boogeyman of Antifa. Can you talk a little bit about your understanding of the status of the declaration of FTO for a decentralized movement being labeled as an organization? Is this something that legally will become a thing, or would this just be for the administration, something they are going to pursue Antifa as such, even if they don't have the official declaration and documentation that the government recognizes them as such?

Xavier de Janon: The process for the government to designate a Foreign Terrorist Organization, an FTO, is pretty behind closed doors. It involves the Department of State, the Department of the Treasury, Congress, and the Federal Registry. There's an internal process where the government determines if a certain organization qual-

ifies as a foreign terrorist organization. After something is designated as FTO, there are ways to challenge it, administratively, judicially, in the courts, and a lot of the fights around FTOs actually have to do with their designation more than the conduct being criminalized.

But if a decentralized ideology is designated as an FTO, I couldn't even start describing the implications, other than saying it would be complete outright fascism and the criminalization of belief systems, political beliefs. In the publicly available documents [for the] Prairieland cases, the government tries to describe what Antifa is and what the belief system is. And it is so broad, they talk about anti-government, anti-capitalist, anti-system, even anti-Trump is mentioned at one point. There are mentions of Marxism, and there's a mention of anarchy. All these belief systems are put in there, and this or that, and this is what makes you Antifa. This is what makes something Antifa. It's so broad that I hope it doesn't get FTO designation, but if it does, then alleged support for this FTO, or being a member of it, or providing material help to it, will be so impactful to every activist in this country. People who don't even view themselves as anti-capitalist, anarchist, etc, etc, might suddenly find themselves a part of Antifa because the government says so. So it is very concerning; the consequences of being in any sort of relationship with an FTO are serious and criminal in nature.

The FTO designation is so extreme, and it's so consequential that even providing legal support to an FTO requires you to get permission and to be on a special list and get a license, essentially to assist. The immediate consequences of an FTO are bank accounts being frozen, information being turned over to the government and so on. So, the prospect of Antifa being successfully labeled FTO should really, really concern us. In the Free Palestine context, the way that association with that movement is labeled as terrorist because of the existence of Hamas and the designation of FTO in the Free Palestine context, has resulted in people's accounts being frozen, people fleeing, and people being placed in removal proceedings for very small acts. So it is very concerning. And I think that even though a lot of people on the left laugh at the federal administration or don't take it seriously, you're like, 'Oh, here we go. Another shocking thing, another fabrication,' that would be such an escalation that would be very, very hard to get out of because we'd have to wait for the courts to basically undo it or fix it.

TFSR: There's a very good statement on the NLG website against the declaration of Samidoun and Palestinian Prisoner Support as being a supporter of the PFLP and getting sanctioned for that. I hope that listeners will check it out.

FTO or not, in the middle of this month, we saw an indictment of Cameron Arnold and Zachary Evans, two people being accused of aiding

terrorism, accused of membership in a North Texas Antifa cell. Ostensibly, this is what they're referring to as the Elm Fork John Brown Gun Club that Benjamin Song is alleged to have participated in. It has acted as a boogeyman for at least seven or eight years for the far-right in that part of the country, and faces legal attacks in the DFW for community defense at protests.

Some have pointed to the prosecution of antifascists, building off of failed conspiracy cases like the J20 around the 2017 inauguration protests of the first Trump administration, or the Stop Cop City Rico case. What do you see as the chances of prosecution convicting on domestic terrorism charges in this instance, and what do you say about their increased application against homegrown anti-authoritarian movements?

Xavier de Janon: There's this thing often said in relation to the Holocaust in Germany that "first they come for these people, then they'll come for you." And I believe that this is exactly what's happening with this accusation of 'domestic terrorists.' A couple of months ago, there were widespread protests at Tesla dealerships because of Elon Musk's involvement with the federal government, and the government almost immediately labeled these as terrorist actors. The protests kind of died out because Elon Musk fought Trump, and they're not friends anymore, so Tesla kind of left the political scene in some ways, at least publicly. But this is the same strategy against an anti-ICE protest to label it as terrorist. And that is very concerning, because the public's reaction or treatment of what the government calls 'terrorists' is immediate, and it's felt. Even people who might be more to the center or a little bit to the left or in the left, when they see that word 'terrorist', 'domestic terrorist', they don't want to touch it. They don't want anything to do with it, and it makes sense. They're scared of being implicated with it. For me, through the National Lawyers Guild too, I saw this happen in the Georgia Stop Cop City domestic terrorism cases a lot. As more people were accused of domestic terrorism, there was more and more fear from organizations, lawyers, etc. to support this movement and these defendants. So it's very intentional.

I recently was asked if I think the domestic terrorism statutes are being misused, and my understanding of it, from a professional scholar, academic, and political lens, is that no, they're being used exactly as they're designed to be used. The government is labeling certain forms of conduct as terrorism intentionally to stop them. I think we've entered a chapter, maybe after 9.11, especially, where things get called 'terrorism' to stop them or to scare people, and it's happening again.

I have to say this: there is an accusation of attempted murder in the Prairieland cases, which I think has also made people scared of touching it. But taking

a step back, protests and rallies going sideways, shots being fired, people getting hurt, police officers getting attacked, is not that uncommon. Especially through 2020, this type of incident has happened, will happen, and is happening, where just protests change and shift. But this one is being called terrorism. I'll say too about this Antifa boogeyman, is that when you ask someone to explain to you, what is the Antifa cell? Where is it meeting? Who's in charge of it? How do they communicate? How do they recruit? What you end up hearing in response is usually just the description of an ideology and a set of beliefs, and people gathering to talk about things. So it is scary. It should concern us that this is how the government is starting to deal with a political belief system.

TFSR: I do recall in the last couple of years hearing people being concerned about legislation being passed that would basically say that if anything violent occurs at a demonstration, the state can determine people other than the people who commit the violence as being the responsible parties for it. So, for instance, if somebody coordinates a demonstration and then someone decides to show up and brings a gun and it goes off, or they shoot someone or something [else happens] that it's necessarily the fault of the promoters and also maybe of the attendees. There's a sort of conspiratorism impacted, or imposed upon, public demonstrations where things go sideways. Is that a thing that you're familiar with?

Xavier de Janon: I think you're referring to liability based on organizing. I cannot remember which states have passed these laws, but they exist across the country. Where, if an organizer or organization calls for a rally in action and then a participant commits a crime or is alleged to commit an offense, then the organizers are liable too, as in a conspiracy or just by law, they are responsible. This is a legal reality for many places, and although I think that they can be challenged, and there are these issues of intent and knowledge, this is where people are making laws to create liability. It should be very concerning too, because as activism evolves and in the modern era in the United States, a lot of protests are very, very decentralized. There is no central organizer. Organizations might put their logo on a flyer, but they're not gathering the supplies and putting together the meetings and putting together the chance. A lot of protests are happening spontaneously. Sometimes, it's as simple as, 'Let's meet at this place,' and then hundreds of people show up because they're so outraged at a situation. In this situation that we're facing, the government just has to find someone whom they believe or can allege to organize this. All that they might need or argue is that, 'You have the message that says: Great, let's meet at this time,' and now they frame this person as THE organizer. I think, naturally, activists and organizers are responding with even more security practices

and more encrypted communication in response to these laws and this government that can put basically anyone around a protest in jail or face liability.

TFSR: I just found an article from April of 2024 talking about SCOTUS upholding protest liability being applied towards organizers and laws being passed at that time, at least in Mississippi, Texas, and Louisiana.

Outside of the DFW case, would you speak a bit about the application of conspiracy charges being faced by people protesting in other parts of the US? I'm thinking of Chicago and San Francisco as some examples.

Xavier de Janon: In the criminal legal world, conspiracy is called ‘the prosecutor’s darling’, because it is easy to allege a conspiracy, and the legal requirements to prove one are also less than actually proving what the crime was or what is alleged to have happened. So, the theories that the government is advancing, and we saw this in full force in the Georgia Stop Cop City Rico case, are that social movements and social ideologies are conspiring in criminal ways to commit certain activity. The theories are getting increasingly ambitious or outrageous, like that being in a single group chat together is evidence that you were a part of this conspiracy, that you agreed to an outcome, and took criminal conduct to complete it. What this logic, this expansion of conspiracy, means is that proximity, or in any way touching something that happened, could get you on the hook, and then once you’re a co-conspirator, you are now in this web of accusations.

As you mentioned, federal conspiracies are being [brought as an accusation] in Chicago. I believe there’s also some coming in Portland and in Los Angeles. When you look at those conspiracies and read behind all this inflammatory criminal conduct language, they just seem to be protests, rallies, and demonstrations where things happen. Property gets damaged, people start shoving, things get out of hand, but they’re framed as if all the people who were around it or involved in the chat were doing this on purpose, with a certain conspiracy goal.

The immediate outcome is, and I think this is the purpose, is to make people stop coming to spontaneous protests, standing up against injustice, expressing dissent. That is where people reach conclusions, ‘I’m not going to go, because if I go and something goes wrong, they’re just going to arrest me and say I was a part of that as well.’ And that goes back to what I was saying before, about people suddenly talking to the police because they didn’t even think about a conspiracy or any criminal conduct. The government suddenly alleges, ‘Nope, you were involved. You were a part of this. See, here’s all the acts you took as part of the conspiracy. Speak up and tell me why you’re not in it.’ So the decision to charge these ways is intentional, and they have these very serious outcomes for the right to protest, the right to speak, and the right to assemble.

TFSR: I really appreciate the time that you've taken to have this conversation, Xavier. I guess finally, to wrap up, one of the outcomes of the conversation that Moira Meltzer-Cohen and I had, was how the intent, apparently, of the 2025 driven by Trump administration at this point, in terms of this "war on antifascists," has been to build the conspiracy web of red strings, to go after what they're considering to be funding sources, or infrastructure of the international Antifa conspiracy. One thing has been to go after civil society organizations, and I want to bring up that the NLG has received some recent focus by the Right. What's this about the Texas Republican House members jawboning the National Lawyers Guild? What infrastructure is coming under attack during this newest Red Scare? And how can civil society defend institutions like the NLG that defend civil society?

Xavier de Janon: What happened a couple of weeks ago was that a Texas representative to the Federal House of Representatives, sent a very long public letter to the Department of Justice, demanding, requesting, asking that the National Lawyers Guild and a bunch of other associated organizations be investigated, 501(c)(3) investigations and so on. This isn't the first time this has happened to a nonprofit recently. Especially in the Free Palestine context, there are public letters sent, often to the Department of Justice, the IRS, the Department of Treasury, and the politicians [who send those letters] make them public for their audience, for the citizens that they say they represent. So, it is a scare tactic, it is a way for these politicians to signal or to tell people, 'Look at these scary people, scary enemies.' But with this federal government, especially, these outrageous, outlandish accusations sometimes do become actual investigations, letters, subpoenas, harassment prosecutions, and so on.

What is especially bad about this country's situation is that the federal government is taking advice, insight, and information from conservative right-winger pundits, personalities, and conspiracy theorists, who have made themselves popular for the past two decades through their YouTube channels, their X accounts, and so on. But these are where they're getting their information from These are their tips, their informants, the people guiding criminal enforcement investigations. And their idea of the left and dissent is so false, fabricated, crazy, but that is where a lot of the federal government agents get their guidance from.

On top of that, I don't want to paint a scene that's too scary, but it is what's happening: the federal government, the Trump Administration, has replaced a lot of long-time prosecutors, FBI agents that perhaps a couple of years ago would be seen as rational, reasonable, upholding the law. The government is putting their people in all these positions, often through procedural maneuvers, avoiding the Senate, avoiding appointment processes. They have set up a system where an order

comes from the top, and it will be executed without question. ‘Is this legal? Should we do this? Is there enough probable cause? Is this a political question?’ All these things that lawyers or prosecutors ask themselves.

But even though this is all very scary, the purpose is to silence, and that is the goal of governments that don’t want people protesting: it’s to stop it. My position and NLG’s position is that we need to get louder. We need to advocate even more for people who are being repressed. We need to make it even clearer that we, our organizations, our companies, don’t agree with these policies. We need to make boundaries with who we are working with and how we’re working together that reflect our values. The goal of governments like this one is to silence us, make us shy away, go underground, and stop talking. Therefore, the response should be exactly that: talking, not going underground, going even more above ground, and speaking even clearer about the situation.

Historically, it’s not the first time that the National Lawyers Guild gets attacked or gets labeled as the legal arm of the left, of dissent, of progressive, of protests. But I think what is different, in some ways, is the behavior of this federal government, especially. It’s so relentless, and it doesn’t believe that the systems apply to it anymore. It breaks rules all the time, then gets checked on it by the courts, and then does it again in another way.

TFSR: Well, Xavier, thank you so much for this conversation. Is there anything that we left out that you wanted to address?

Xavier de Janon: For me, the advice that the National Lawyers Guild gives that I would give professionally is that, if there is repression, federal repression, state repression, anything involving law enforcement and investigation, if that happens, people need to assert their rights proactively. They need to remain silent, they need to refuse searches, and they need to contact a lawyer. And then I would add they should consider speaking out about it and going public about it so that more people know what’s happening and how the government is behaving, so that then they can learn more and educate themselves and refresh on their rights.

Often, a lot of raids, door knocks, and investigations happen often in silence, and so people don’t even know that it could happen to them. But I think that we all should be educating ourselves and preparing for the repression that is escalating. I think the ICE enforcement around the country and the way ICE is behaving should tell us just how far this federal government will go against people it doesn’t like or doesn’t want. So we should all remain alert and tight with each other, in good relationships, trusting our people, and so on. I know a lot of our messaging tends to be negative: defend, resist, struggle. But for me, that also means holding your people tighter, checking in with your people, having people to begin with. If

you don't have aligned people around you because of where you are, or your family or your work isn't that friendly, then fostering those relationships is even more important now.

TFSR: And the NLG does offer a lot of resources that are available at nlg.org. If you have a chapter in your area, reach out and see about getting a legal rights presentation or consulting rights. And if you're visited by federal law enforcement or by law enforcement generally, how can folks reach out to the National Lawyers Guild for support?

Xavier de Janon: Because of the National Lawyers Guild structure, the best support will come from local members and local chapters. So if something happens in an area, that's where people should look first. Our chapters are listed on our website. And if that doesn't lead to any help, then they should contact us nationally at the Mass Defense Program; email is on our website as well. And then there's also a federal anti-repression hotline that people can call if they have a verified federal contact that is not immigration related - FBI, ATF, DEA, etc, they can also call the hotline, which is also on our website. But I always say, and I always repeat, that the best legal support will always come from someone local, a lawyer who is in the area. Maybe not in the same county, but at least in the same region, or worst comes to worst, in the state. The way that rules are used, laws are enforced, and police behave is very different from place to place. At the end of the day, in this country, a New York City criminal defense attorney will not be able to advise someone in rural Montana who suddenly gets a federal door-knock. The laws are different, the circumstances are different, and in the end, that person would need a Montana lawyer to help them if things continue to escalate.

TFSR: Well, thanks again for the time, and I hope that the listenership can find this helpful, useful, and [that it] helps bolster our sense of solidarity and ability to face what comes.

DFW Support Committee

TFSR: Could you please introduce yourselves to the audience and remind folks what the DFW Support Committee is?

DFW 1: We're members of the DFW Support Committee. We are the defense committee for the Prairieland defendants. We are a group of people, loved ones, family members, partners, and spouses, who are supporting the defendants through the legal process and are working for them to come home. To give them the strongest

defense possible so that they can beat these bogus charges and come back to their families, friends, and community.

DFW 2: So far, we've done fundraising, we've done media interviews like this one to try to get another version of the story out there than the official narrative from the government. And we've done organizing, trying to get more people aware of the case, the importance of the case, and to realize the power of solidarity that we have in situations like this.

TFSR: Listeners to this hopefully have heard our conversation with Xavier just before this, contextualizing the case a little bit more. I've spoken with members of the committee before, but as an update, because a lot has happened in the days since I talked to Xavier around the case, would you mind talking about any updates in the case, the superseding indictments, that sort of stuff?

DFW 1: Sure. To start with, I want to clarify for folks, and this was clarified in the interview with Xavier, I just want to talk about it again, because this case has got sort of multiple things going on. There's a set of federal cases, and there's a set of state cases. There is a group of people who are the main defendants that have both federal charges and state charges. There's a small group of people who have just state charges, and then there's one person who has just federal charges.

One of the things that happened this week is that there was a superseding indictment that was filed on Thursday, and this indictment included the following defendants. (Let me preface this by saying that we're going to use people's actual names. Several defendants in the case are transgender, had legal name changes, and the federal government is refusing to acknowledge these legal name changes, and so we're not going to do that.) These defendants were indicted on Thursday: Autumn Hill, Zachary Evetts, Benjamin Song, Savannah Batten, Megan Morris, Maricela Rueda, Elizabeth Soto, Inez Soto, and Daniel Roland Sanchez Estrada. Not everyone was indicted with the same charges, but they were indicted together. The implications of this are that everyone will be in the same trial together as this indictment stands.

I'm going to go through what the charges are. I'm probably not going to talk about which defendants have which charges. Some of these are new. Some of these were not on the federal complaint. The new charges are: account of riot, providing material support to terrorists, conspiracy to use and carry an explosive, and then use and carry of an explosive. These are the charges that were not on the original federal complaint for these defendants. The charges that were on the original federal complaint are three counts of attempted murder of an officer, employee of

the United States, discharging a firearm in relation to and furtherance of a violent crime. There are three of these charges.

The other thing that's novel about this indictment is that they've included Daniel Sanchez Estrada, also known as Des, in this set of indictments. Des is not indicted in any of the previous charges. That's really important. Des has two charges, one of which is corruptly concealing the document or record, and the other is conspiring to conceal documents. Des's case is the case around allegedly transporting zines. So Des has been indicted with the other group of defendants as well.

What this means is that originally, Autumn Hill and Zachary Evetts were set to go to court for trial on November 24th. One of the things that I think is a particular feature of this federal district is that it moves incredibly fast. Those of us who have dealt with and supported people through federal trials before outside of this district have been surprised by how quickly things are moving through the courts in the federal case. As you spoke about with Xavier, the Federal Court Judge deemed this case as complex, and there was a pushback to try to get that designation taken away. It was denied. So that changes the timeline of this case. Five weeks from now is the week of Christmas, and there is a possibility that the trial could be set for that. But most likely the trial will be set in January of 2026. For folks who are familiar with federal cases, that probably seems like a crazy turnaround. We sense that things here move much more quickly, and so it is pretty realistic to think that in the early months of 2026, all of these defendants will be facing trial together.

The other thing that happened this week is that another defendant...

DFW 2: Janette Goering...

DFW 1: ...was arrested in relation to what is referred to as the manhunt case. I'm gonna let you speak a little more about that.

DFW 2: For those who don't remember, one of the defendants on this indictment that we just read is Benjamin Song, and this is a person who was not apprehended at the protest or around the protest, but was picked up about 10 days later, and there are allegations of people trying to help hide that person. We call it the manhunt because there was a multi-state manhunt. It involved a blue alert getting pushed to people's phones in Oklahoma, Houston, San Antonio, and Dallas. There are several cases that have to do with that, and some of those cases are only on the state level. For example, Janette Goering, at this point, only has state-level charges.

DFW 1: As well as Dario Sanchez. So there's a Daniel Sanchez and a Dario Sanchez.

DFW 2: Well, it's Daniel Sanchez Estrada.

DFW 1: Yes, Dario Sanchez also has only state charges at this point. So Janette's lawyer put in for a bond reduction this week, and during this bond reduction, several things happened that were notable. One is that Dario was there because his lawyer is also Janette's lawyer, and the prosecution, in a surprise, called him up to the stand and threatened his bond conditions. And then on top of that, the prosecution brought forward evidence that was not given to the defense, and when Janette's lawyer attempted to object to that, the judge did not really seem to care. This is an indication that it's not a surprise list, because Johnson County is perceived by many lawyers and many people in Texas as an extremely corrupt county; it is a plea mill. People get arrested for small things and then get pled up to bigger things and pushed through a system just really interested in getting numbers.

It has also been part of the challenge of this case that Johnson County is notorious for this. If folks don't know, Johnson County is the county that used the Flock surveillance software to track a woman that they believed had an out-of-state abortion. It is also the county where the sheriff was recently indicted on witness tampering, sexual harassment, and perjury. The judge in that case decided that even though the sheriff was indicted on those charges, he was still fit to work, and he is still the Sheriff of Johnson County! That might give you an indication of the kind of place people are fighting charges in.

Unfortunately, Janette's bond reduction was denied, and in fact, it was literally just a sentence of denial with no discussion as to why, even though there were character witnesses given, and it was a pretty full hearing. And previous defendants have had their bonds reduced, including Dario Sanchez. So it's notable that at this point, the judge felt like they didn't need to even explain. I think this dynamic of Johnson County is important for supporters and people to follow and care about. It's funny because the federal level impacts people around the country. This is going to be a test case for that. But it is also really important to remember that these are people and they're facing what the bread and butter injustices of our system are, where these small counties with rural sheriffs and rural judges can just bulldoze over people and railroad people. And it's our responsibility to not only fight for the kinds of legal precedents that might impact people in other places, but also fight to make sure that people in our movement get the kind of justice they deserve, even in places like Johnson County.

To bring to light the fact that this kind of small town justice system is so incredibly corrupt, people in that county can't get good public defense, and when we started talking to people [we found out that] private lawyers in that county want 50, 60, 70, \$100,000 to do cases in Johnson County. And who can afford that? This is a small, rural county, and the people who are regularly coming through the justice

system there are not rich people. And the majority of them are not white. This is not something new, but I think that it is important for people to understand the kinds of daily injustices that are happening to people across the country in these smaller towns matter. And so this case just helps shine a light on that. I think those are the biggest updates that we have.

DFW 2: Other people were charged with something called ‘on information’. Part of defense work is getting familiar with all this legal jargon inside baseball stuff. There are two ways that the state can move forward with the charges: either indictment or on information. And on information, it doesn’t have to go through a grand jury, and it basically only ever happens during a plea deal, when the defendant consents. So we’re not going to go into the details of what is going on for those people, but there is another set of people who are only now being charged with material support of terrorism.

DFW 1: Yeah, the material support of terrorism charge is a charge that’s been historically used against folks of the Muslim faith, and so that is sort of a novel prosecutorial move that’s happening in this case... And you should talk a bit about this...

DFW 2: It is something that people should pay attention to, because it’s a very vague and dangerous statute. I’m not a lawyer, I can’t speak to all the legal ins and outs of it, but my understanding is that the way it’s structured, it’s actually more material support for an underlying crime, and the underlying crime is not terrorism. The underlying crime is a list of federal crimes that were deemed sort of terroristic in nature or something. But it’s a big grab bag, and it includes things from trying to kill Federal officers to stealing nuclear materials, all the way down to petty property destruction, and that’s those kinds of crimes. So what we’re dealing with here is a situation where the state can shoehorn in a kind of Trojan horse in the label ‘terrorism’, without necessarily having to prove that people did or supported something that a normal human common sense understanding of ‘terrorism’ would be. Which is probably something like doing those crimes in furtherance of a goal of changing public policy, or something like that. The statute isn’t written that way, and it’s kind of more like material support for a crime. It’s very dangerous and is going to potentially set a precedent for people in other contexts.

TFSR: Looking at histories of terrorism prosecution, at least of leftists that I can think of, the Green Scare, for instance, or a bunch of the animal liberation cases with the building of terrorism enhancements for property destruction or for boycotts, or for public pressure in some cases, like with the SHAC case, Stop Huntingdon Animal Cruelty. The methodology that

was being employed in those cases, as you say, involves crimes that are being alleged, but this is a way to launder in increased charges associated with the larger penalties. When there's already a crime against arson, for instance, or there's already a crime carrying a firearm at a federal institution or whatever, throwing on that extra terrorism charge, especially when it gets spread around to just people that are adjacent to it, I could see it as the kind of precedent that you're also pointing to here. Building a conspiracy by casting a very wide net and getting a bunch of people in on those same charges.

DFW 2: Yeah. And I think the material support aspect of this, where you launder in somebody who didn't necessarily do something, but had some relationship, maybe drove them to the protest or something, is where things are going to get dangerous. I think that, for me, one of the really important things about this indictment is that it does make clear how similar this case is to charges around something like the Broadview Detention Center in Illinois. I think a lot of people, in my experience, still see the Prairieland case as different from other protest cases because there were guns involved and an officer allegedly got injured, right? There are people [saying] "Well, that was this weird thing that doesn't apply to me." But when we're talking about a charge like material support of terrorism or riot, these are the same legal theories and arguments that the feds are applying to Broadview. And so the precedent that they're going to set in our case is going to apply to people who are trying to be brave and stand up against rising authoritarianism and against ICE in other contexts. People shouldn't assume that, 'Well, we're not those crazies who bring guns to stuff.' That doesn't matter here; the state doesn't care about that. They're looking to suppress dissent more generally. And I think people really need to appreciate the fact that the Prairieland case is a protest case, and it is a protest case that's going to have implications for other, more traditional protest cases.

DFW 1: I want to add that when we think about things nationally, we look at the landscape of ICE detention. Where are the majority of actual ICE detention centers? They're in the South, they're in Louisiana, Texas, and Florida. They're in these red states with deeply conservative federal and state judiciaries. Having a group of people, both federally and state, be designated as terrorists for standing up to the sort of activities of disappearing and kidnapping people that we know are associated with fascist and authoritarian regimes, is extremely dangerous. Because this is already moving past. Originally, they were saying, "Oh, we're just gonna get criminals." And all of us were like "Uh-huh." Then they're like, "Well, now we're just getting people who are here undocumented." And we're like 'Uh-huh'. And now they're like, "Well, are you here on a green card? Have you said anything on social media?"

The increase of who that is becoming is getting wider and wider, and we know where that's going to go. It's going to go to anyone who is against the Trump regime and Steve Miller, Greg Abbott, this whole body of people, these right-wing folks who are in control of the state governments of Louisiana, Florida, and Texas. And then those folks are going to be placed in detention centers in those states. A lot of the flights going to CECOT in El Salvador were coming out of Texas. If we're thinking about the context of what this fight is going to look like as we go forward, these states are actually really important, and seeding this ground in a place like Texas is going to become a huge obstacle to a movement to fight the authoritarianism that exists in this specific regime.

TFSR: In case people didn't catch the reference to Broadview, could one of you say a few things about what that circumstance is?

DFW 2: Sure. Broadview is a suburb of Chicago, and it's where one of the main ICE facilities is, which I believe is still being used as part of the "Midway Blitz" crackdown by ICE in Chicago. Over the course of several weeks, there were escalating protests outside of the Broadview Detention Center by people attempting to gum up the works and slow the wave of deportations and ICE activities, and just to make their voice heard. There were a lot of very striking images of repression coming through social media and stuff of people getting dragged, tear gas, etc. There have been several federal cases that have come out, including against someone who's running for public office. I don't know the exact charges, so I don't want to speak exactly what the charges were, but similar offenses and making clear that the kind of repressive approach that we're seeing in Prairieland is not isolated to Texas.

DFW 1: One of the novel things that has happened is that there was a set of things like "using your car to impede a federal agent", that have now become actual criminal statutes. They were supposed to go into effect in January, but the Trump administration put out a memo at the beginning of November that they were moving up the timeline for those given the activity at ICE facilities. Again, we're talking about repression. Part of what's complicated about all of this is that there's the normal state repression. People are fighting for liberation, and the state reacts to that. The piece that complicates this is that the Trump administration does not care about the law. It doesn't care about the Constitution. It doesn't care about the norms that we have been operating under for the last whatever set of years, a while. And so we can have a debate about Obama and Biden versus Trump. However, one of the things that is striking is that the Trump administration lies a lot more and pushes a lot of envelopes around legality. We're seeing this hyperbolic narrative that has no basis in reality showing up in this case. And to me, it has the feeling of what

is called a moral panic. I think when people get into that mindset, they are willing to accept narratives that have very little factual basis. So this is something we've seen a lot on the right.

Something that we have to think about, in my opinion, is that we have to fight in the courts, and we also have to be prepared and know that the Trump administration is going to say whatever they want.

If people have been paying attention to what's happening in LA, after the Trump administration's push into LA, there was a series of cases in which the charges got dropped, and the judge actually was very frustrated and publicly was like, "You guys need to stop bringing me fake evidence." Which is notable. Whatever you want to say about past administrations, usually the Department of Justice doesn't fake that much evidence. They're just sometimes ineffective. But that's a different set of rules to play under.

Some of what came out on the preliminary hearing was this gun residue evidence that there are a lot of problems with in terms of it actually being real. It reminds you of what people know now about Arson Science, the science of fire that was used [in courts]. Or even the Shaken Baby Syndrome. I don't know if folks are familiar with Shaken Baby Syndrome, but there is actually a really big case in Texas right now of a guy who's sitting on death row. The scientific evidence behind Shaken Baby Syndrome has largely shown that it's not real, and there have been people who have been convicted, this person, who's sitting on death row and narrowly avoided execution now twice on this charge. So even though there may not be a factual basis for a set of pseudoscience, the state will still use it and can still cause convictions.

TFSR: Pivoting a little bit to the implications or precedent related to this, I noticed that some of the information that the defense committee put out related to the case of Palestinian solidarity activist Casey Goonan, and their sentencing earlier this year to a very long time behind bars, which sort of shifted throughout Casey's case. Can you talk briefly about Casey and the precedent you fear their sentencing sets that could impact this DFW case and other ones moving forward?

DFW 2: Yeah, for those who aren't aware, Casey Goonan is a Palestinian solidarity activist who has a case in the Bay Area, and the allegations are around a series of arsons or something like that. I can't speak to the case in particular, but what happened was that after a long buildup to trial, it was decided for Casey to take a plea deal. As part of the plea deal, the federal government made an offer of I think 15 years, it's always in months in federal stuff, so it's a little confusing. As you do that, you go to your plea hearing to plead guilty as part of your deal, and the prose-

cution will recommend a sentence to the judge. That's how the structure of a plea deal works. It's not a guarantee. It's what the prosecution recommends. In normal times, the judge is going to follow the prosecution's recommendation, both for expediency and because that's a norm that we've set, and you can expect. If plea deals were always rolling the dice, people would less likely take plea deals. But what happened in this case was the judge accepted the guilty plea, but then issued a sentence far exceeding the actual recommendation by the prosecution. It's a very tragic outcome for Casey and their loved ones. It's a very scary outcome for anybody else facing plea deals. And I think as a sort of litmus test of the moment we're in, it's very important because this was in California. This was in the [liberal] Bay Area, whether or not this judge, particularly as representative, yada yada.

I think that people should really realize that the winds are changing for the state. In 2020, around the George Floyd uprising, there were a lot of plea deals, and there were a lot of cases that got dropped. A lot of people faced what might seem like less time than they would have in another context, because of the mass support for that movement and for the general political climate of that context. Casey's case, to me, is a really important indication that things are different for us. I don't think that should mean that we should be afraid and that we shouldn't be doing bold action and then we shouldn't be doing what we need to do to support the people of Palestine and Gaza, but I do think it means that we as a movement need to be very smart about the kinds of risks we're taking and how we take them. And we should not hold illusions that just because we're in California or Oregon or New York or whatever, that we're going to be facing a more "sympathetic" judiciary, as opposed to what we're dealing with here in Texas. I think people should really realize that. An injury to one is an injury to all. We are all in a similar sinking ship right now, and the struggle for that cannot be isolated to certain people in certain places.

DFW 1: I think it also points to the fact that folks and defense committees need to think about how to support people to go all the way to trial and how to win at trial. And I think going to trial is extremely scary for a lot of reasons, and we often have better outcomes at trial. Something like 93% of all crimes are plead out for a reason. And that is why part of the stance of most of the defendants is that they're going to go to trial. They believe that they are not guilty. They know they are not guilty. They want to have their day to prove their innocence and to talk about why they were doing what they were doing. And to also really push and challenge the walls coming in around First Amendment, protest, and speech that we all are seeing. I think that, unfortunately, this is a tragedy that is having ripple effects for everyone who is facing cases right now in the federal system.

TFSR: Pivoting to a different point. Since my chat with Xavier was record-

ed, the State Department declared a few far-left and anarchist entities as Specially Designated Foreign Terrorists, among which was a reference to the Antifa OST case and the Budapest complex case based around Germany and Hungary. The statement also mentioned that the Orban regime in Hungary was labeling the defendants in the Germany-based Antifa OST case as a terrorist group. For listeners who'd like to learn more about this case, we did a December 8, 2024, interview, going through some of the ins and outs of a very complicated mesh. And there are some links in that as to what support and anti-repression groups are able to tell folks about the defendants and the cases.

It seems that the administration is trying to build a case of formal, internationally tied organizations, so that they can apply FTO status, Foreign Terrorist Organization status, to people that they don't like, who are within the US. And the statements coming out of Texas in relation to this DFW case have been referring to this being related to an Antifa cell in North Texas. They're setting up the framework for that already, it feels like. Does the State Department's designation of groups in Germany affect the case in Texas? Or if it doesn't, do you have any comment on this and the wider conspiracy-dreaming of the administration?

DFW 1: Right now, it does not have a direct effect on the case. I think it's important to say that this is not an Antifa cell. Antifa cells don't exist. Some people identify as antifascists. This is something that people have taken up as their own political perspective for an extremely long time. The labeling of people fighting against fascist forms of governance, fascist forms of society, and authoritarian forms of society as a terrorist organization has a chilling effect, obviously. It doesn't have a direct impact.

I think that it's clear that the Department of Justice would love to be able to tie a nice little bow around anyone they're labeling Antifa and connect them to a foreign organization that they can now have a legal precedent tied to. Because part of the challenge with their domestic terrorism policy is that there aren't actual legal statutes behind that. It doesn't mean it doesn't have any weight. The legal precedent is around FTOs, as you call them. This is where the material support for terrorism also ties in. So it is related to this case in the sense that I think the Trump administration would love to make up some bullshit to connect to people, absolutely.

DFW 2: I think that it's easy to brush off this announcement from the State Department, saying, 'Oh, well, those are just a handful of groups.' And maybe you know the backstory of these groups, maybe you don't, but none of them seem like

household names. It does feel a little different from what's going on in England with Palestine Action being labeled a terrorist organization. That was an organization that had a lot of mass support and was doing very public actions. And these are maybe smaller organizations and actions that people can think of as fringe, in this designation. But I think people should realize that this is not the end of the story. This is the first set of antifascist organizations and anarchist organizations that the Trump administration is labeling as Foreign Terrorist Organizations. Sure, they're in Europe, but there is a lot of relationship between the left in Europe and the left in North America, and there are relationships between Canada as a different country as well. These relationships across the US-Canada border are also foreign, and there are things to be worried about down the pike, and the winds are not blowing in a good direction from this designation.

To me, one of the things that's striking about it is it's a further example of the internationalism on the right that we're seeing. The Trump movement has really tried to position itself within a larger global movement and milieu of the far-right, with Victor Orban, with Javier Milei, all across the planet. They are trying to build an alliance, an Axis (to use a loaded term) *laughs* of far-right movements and governments. The fact that they chose to start not with random antifascist organizations, but with antifascist organizations that the Orban government in Hungary has been pissed about is a little bit of a quid pro quo handshake. "We're all buddies here" kind of dynamic that I think should be really worrisome, because that's a dynamic that's very complicated and has a lot of implications that could cause other things down the road.

DFW 1: I would add that, just like the case that we're supporting people through here, people originally were thinking this is a fringe case. We were like, "No, this is the first case like this. These are the first organizations to be designated as this." We know more will be designated, and they probably will start to move more into the center. If we look at the other prosecutions that Trump is interested in, Trump himself seems to be a deeply vengeful man, they're going after the former FBI director James Comey. But also, it's an indication of what the DOJ thinks is possible. And it's really clear that Trump and Miller are appointing themselves people in those departments that will do what they want them to do, and think in the same kind of vein. I don't think we should be surprised when the Trump DOJ and the State Department start designating groups that we would think of as more mainstream or moderate as Foreign Terrorist Organizations. And that's also a moment when the implications are going to become much broader for everyone.

I think if folks are younger, and are not aware of what happened after 2001 and the Bush regime's "enemy combatant" designation, they should become familiar with CIA Black Sites, with the enemy combatant designations, the kinds of

things that happened to especially the Muslim community after 9-11. and are implicated by this kind of designation. Foreign Terrorist Organizations don't have to go through civilian courts. They can go through military courts, and that is a very different system. This is why we still have people sitting in [the US military base prison in] Guantanamo Bay today. Some of whom, for sure, did nothing, were in the wrong place at the wrong time, and have been sitting there, and now they don't know what to do with these folks.

If we're looking at history and how this has played out, one of the things that the Trump administration is doing is they are using past presidents. They're using some of the worst things that Biden did. They're using some of the worst things Obama did and just expanding on those. We can see from the Patriot Act and all of that where this can go to the extreme. Again, that's not to make people be scared. It is scary, but it's also true that we can be prepared. And we should be prepared, we should be having conversations with the people that we love, the people that we live with, to prepare ourselves for what comes next. To prepare ourselves if we go to a protest, and the state decides that that protest needs to be heavily repressed, and we find ourselves sitting in jail on charges that we know are not true, which is the case for all of the people in Prairieland. That's the takeaway for us. How do we get prepared? How do we understand what's happening?

The other piece of this is that in the course of this case, we've come across so many people and lawyers who were like, "This is just not how it's done. This is not how things normally happen." And we're like, "Yeah, we're not in normal anymore." We have to stop thinking in terms of normalcy and having a normalcy bias, and we have to actually start seeing what's happening around us. That isn't to make us more paranoid, it's to make us have a stronger analysis of what's coming so that we can act, and we can act smartly and boldly and strategically and provide the most amount of solidarity and safety to each other.

DFW 2: What we're talking about is very scary. It's very alarming. And some of these things are speculation; things could go in that direction, they could go in this direction. The reason why I think it's important to think about that is not to go into an anxiety hole, but to realize the stakes of the moment we're in: where things have not gone all the way, but things are headed in a direction. And that's a very important moment, because we now have the opportunity, as people in the world, to do things, to change the course of history, to prevent the more damaging, dangerous, and scary things from happening. There's no one blueprint for that. There's no magic button, and there's no way we're going to do it without taking risks. But inaction is a choice as well. So, people who are listening to this: now is the time to do something, to protect the life that you have now and to build for the life that you want to have. Because normal is gone, we can all light a candle and say goodbye

to normal, but we're not yet in the darkest of places. And there's still time to do something. There's still time to be brave. It's still worth it to stand up in solidarity with your community and fight for the life that you want.

DFW 1: The piece that matters is that we understand and we know that the status quo sucks. We're not fighting for the status quo. We're fighting for a life with meaning. For lives in which we have what we need, and that we don't have to merely survive, so that people can feel safe and can thrive and can be who they are and live how they want to live. That's the fight worth having. I see a lot on social media of people saying, 'What would I have done if I were there in Spain with Franco and whatever?' And I think the question should be, what can you do right now? People are challenging the disappearances and the kidnappings by ICE in a lot of different ways. Supporting the Prairieland defendants is one way. However, there are cases all over the place that are developing, and those folks need that support.

We are facing economic uncertainty. If you watch the economic news, there are a lot of indicators that things are not going great, and how do we prepare for and build together through an economic recession or depression, if that comes? There are lots of things to be done right now that we would encourage people to do. We want you to support the Prairieland defendants, and also supporting the Prairieland defendants is building the life that all of us deserve and want. So we can't let ourselves be chilled from taking action by this case. If people stop acting because of this case, the State wins, and that is not what we want. We want our comrades and friends and loved ones to come home, and we want to continue to build towards a world that is liberated and free for all people.

TFSR: **There's a tendency, particularly on the one-upmanship stuff of social media, of deriding authorities or spokespeople when they misunderstand subcultures or political movements. When they're like, "Who's the king of the anarchists? Who's the one making the orders?!" It is kind of funny, but I wonder if you could speak a little bit to your impression of the amount of energy that we're putting [in it]. When people bring up that sort of point, [the reaction is] 'Well, you don't understand Antifa correctly.' [Focusing on] What people are getting right, or what people are getting wrong.**

DFW 2: Yeah, I think we can laugh, and we can make jokes, and we can be like, "Portland is so safe. Why are they sending the National Guard?" We can say that our enemies are silly. But I think it's really important that we don't underestimate our enemies or assume that they're stupid and therefore not a threat. I think, for example, what we're actually seeing in the Prairieland case is a lot more subtlety and intelligence around the approach to the far left than I think people would as-

sume. For example, they're talking about an Antifa cell, and yada yada and all that is fake, but the evidence they're using for it is First Amendment [protected] activity around the far left, reading zines, printing books, discussing slogans, those sorts of things that people are doing now. One of the testimonies at a federal hearing by an FBI agent said that he knows that Antifa is not a membership organization and that he knows that Antifa is an ideological movement. And so what that means is they are much smarter about this, and they're capable of much more subtlety when it really comes to proving things in a court of law.

The importance of the case here is actually that they're going to use a moniker of Antifa as kind of a brand to shoehorn in a bunch of laws and go after what historically has been protected speech and what is the lifeblood of a leftist movement. And people need to realize that the stakes of this case are not them being dumb, and therefore it's not a threat, but the stakes in this case are them using something that may be kind of vague and silly to do what they really want to do, which is go after our rights and our ability to organize.

TFSR: Well, I think that's a good place to wrap up. Where can people follow the work of the Support Committee or the defense committee and keep up on news about the case, and maybe offer support?

DFW 2: Our website is dfwdefendants.wordpress.com, and there you can find links to our Instagram and to our online fundraiser. There are little profiles of the defendants with ways to write them. Support from people around the country and the world has been really heartening to people inside, and any resources you can give are always appreciated. There's also an email, if there is something specific that you want to ask us or offer that you can use [to contact us].

DFW 1: Specific things that people can do: donate money, write letters, let people know about the case. It has been buried in a lot of news, and so getting the word out and telling more people about it is a huge help for the defendants in their fight.

TFSR: And linking it back to Casey Goonan's case, also: a reminder that you're writing to people who, hopefully, will not be convicted and sentenced to anything, but people whose letters are going to get read, and the information is going to get shared with the prosecution. And so maybe you don't need to talk about details of the case or any sort of illegal activities, but I'm sure they could definitely use some supporting words in the conditions that they're in.

DFW 1: Our Instagram has guidelines for writing because some folks are in a federal facility and some folks are in a county jail, and they have very different regulations about letters. So if you are interested in writing, I would encourage you to go to the dfwsupportcommittee on Instagram, and there we have posts about people's addresses, who to write to, what you can and cannot say, that you can only write on one side of the paper, and stuff like that, that if you don't follow, they will send the letters back. So that's a great resource for folks.

TFSR: DFW support committee is also on Mastodon, correct me if I'm wrong. So if you don't have a Meta/Instagram account, or you are concerned about being observed or paying attention to or sharing information related to an ongoing case that's so politicized, Mastodon or the Fediverse is a good place to also find the same information. You can do it through a web browser. You don't have to download an app or anything. Thank you again so much for having this conversation and for your solidarity.

DFW 2: Thank you.

DFW 1: Thank you so much for being the first place to have an interview with us. It was really important. We really appreciate that you all are keeping on top of what's happening with the case.

