

THE MOVEMENT

The Official News Magazine of the
Human Rights Coalition for the union of
Prisoners' Families

Human Rights Coalition
Dedicated to Protecting the
HUMAN RIGHTS of All!

Vern

BY R. G. HALL JR



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CENSORED &
OBSCENE IN
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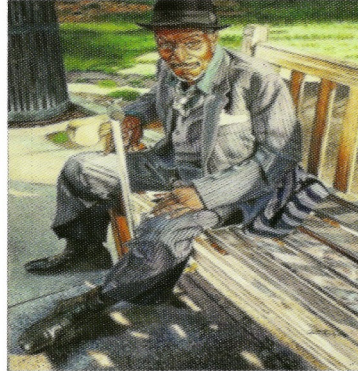
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Bridge on
JLWOP, pg 37

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SAVE THE DATE!
Sunday, Sept. 7, 2:00-6:00 pm



Life in Suspension - Lawson



Uncle Frank, The Defiant One - Lawson

Criminal Justice Reform Summit

Hosted by

Ethical Humanist Society of Philadelphia
1906 S. Rittenhouse Square, Philadelphia

Criminal Justice Reform Summit

Join us for a panel discussion, video, workshop and dialogue about how we can

- Change the criminal justice system so that people are treated with greater dignity.
- Eliminate racial bias throughout the criminal justice system.
- Demand alternatives to incarceration, especially for juveniles.
- Offer greater support for returning citizens.



Ethical Humanist Society of Philadelphia



See Collection of Works
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*Dignity & Worth in the
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Images on reverse by C.Z. Lawson

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From The Desk of The Editor

Welcome to The Movement,

If you are in direct or indirect contact with the Prison Industrial Complex (PIC) you will have quickly learned through first-hand experience that prisoners, and by extension their tax-paying family members, are perhaps the most financially exploited segments of society. Mostly because prisoners, as “captive consumers” and “captive free-laborers” is corporate America’s dream come true.

Department of Corrections (DOC) across America contract out to corporations to provide telephone, healthcare, food, cable, and commissary services to prisons. The DOC’s multi-year contracts are typically worth tens of millions of dollars while some services like healthcare contracts can be worth \$300 million. Corporations like Verizon, Global Tel Link, Wexford Health, Prison Health Services, Keefe, Halliburton, and many more jockey to gain DOC’s lucrative contracts.

DOCs want their slice of the good ole’ American apple pie as well, so it requires corporations to kickback tens of millions of dollars per year for their contracts. Corporations are not concerned with the financial kickbacks they must give to the DOC for these contracts because as the corporations view it, it’s the price of doing business and the kickbacks are insignificant compared to the super-profits they will make from a captive consumer base (prisoners), whom they have the green light to charge exorbitant prices for their services at ten times the market price. These corporations are making money hand-over-fist and are laughing all the way to the bank.

These corporations recognize that prisoners are a captive consumer base within the DOC. As captive consumers, prisoners don’t have a choice in the provisions they receive in which corporations will receive profitable contracts. Corporations that provide services to prisons are given a monopoly over the services they provide and with the DOC’s tacit approval they are permitted to charge prisoners exorbitant prices for their telephone, healthcare, and commissary services.

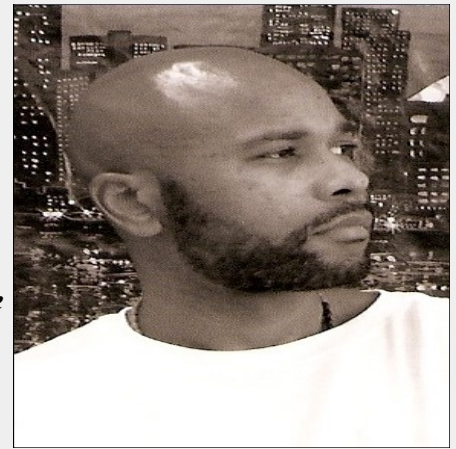
The DOC’s corporation industries and corporations that manufacture goods also exploits prisoners’ labor for super-profits. In some states, the DOC force prisoners to work in industries for free while in most states prisoners are forced to work for 72 cents per day at slavery-wages. Prisoners’ workers unions, organizing in prison industries, workers’ strikes, and a demand for minimum-wage are banned and ruthlessly suppressed by prison officials. As captive laborers (slaves) of the DOC, prisoners have no rights that the DOC and Wall Street are bound to respect, that’s according to the Eighth Amendment of the U.S. Constitution.

If you want to know what the DOC does with the tens of millions of kickback dollars and the hundred millions of dollars in profits from prison industries, just take a look at the Pennsylvania DOC (PA DOC). Around 2005-07, the state’s auditor discovered the PA DOC and guards’ union were using the hundreds of millions of dollars from PennCor to donate to election campaigns and to lobby the PA Legislature!

The families of prisoners are the biggest victims of the DOCs’ and corporations big money fleeing schemes. Families’ state taxes pays the DOC’s budget which pays the contracts to the corporations, corporations then charge poor prisoners exorbitant prices whom are financially supported by their families! This has got to stop. Lets educate the public about these issues and work to bring this super-exploitation to an end.

Let’s struggle together—Straight Ahead!

Bro. Shakaboona, Co-Editor and HRC Organizer



Bro. Shakaboona, Co-Editor

Kerry ‘Shakaboona’ Marshall
Box A, # BE-7826
Bellefonte, PA 16823
Email: Shakaboona41@gmail.com

THE MOVEMENT

WELCOME TO THE MOVEMENT MAGAZINE

You've just come upon a dynamic and unique magazine that informs the public and speaks raw truth to power by educating the masses in society on major social issues of the day as it relates to human rights. While some of the writing is by journalists and professionals, much of the writings printed in THE MOVEMENT magazine are by activists, prisoners, and the families of prisoners. We publish four issues of THE MOVEMENT magazine a year and all back issues remain posted on the website - hrcoalition.org.

THE MOVEMENT magazine is an independent Voice of the Voiceless. We are unapologetically for human rights and solidly against status quo, racism, poverty, militarism, and the so-called criminal justice system.

We call for building a 'National Prisoners Human Rights & Abolish Prisons Movement', as well as forming coalitions with other social movements, throughout the United States to end the injustices of the establishment. THE MOVEMENT magazine advocates for human rights, justice, equality, freedom, protection of Mother Earth, peace, and total social-political economic transformation of the United States.

We especially encourage families of prisoners and prisoners (particularly women prisoners) to submit their writings of stories and experiences that critically examine the so-called Criminal Justice System (i.e., police, DA's Office, Public Defenders Office, courts, Parole Board, Dept. of Corrections, for-profit private prison corporations, and lobby groups) to THE MOVEMENT magazine.

Each issue of THE MOVEMENT magazine focuses on the criminal Justice System, racism and poverty as human rights issues and what people can do to bring about change. Additional poems, art, political satire cartoons, announcements, and more are included. Unsolicited writings and graphics are accepted and welcomed. We won't guarantee printing but we'd like to see your work. If you want your work or photos returned to you, then include a self-addressed stamped envelope. This and other correspondence should be sent via regular mail to:

Human Rights Coalition
Attention: Newsletter Committee
4134 Lancaster Avenue
Philadelphia, PA 19104

Call for Contributors

THE MOVEMENT magazine is looking for quality, writing, especially from the families of prisoners, prisoners, and former prisoners that contribute to critical thought and reflection in the various sections of this magazine. In particular we are interested in the following:

Feature articles: In-depth, analytical articles that critically examine the criminal justice System, poverty, racism, and that provide solutions to those issues.

Book reviews/political satire art/poetry: Is there a book you'd like to review for THE MOVEMENT magazine? Do you create political satire cartoons or other artwork? Do you write poetry? Let us know and send us copies of your work.

Letters: We love to hear from you. Families of prisoner and prisoners send a shout-out letter and visiting room photo for our 'Love Knows No Bars' section, and send your letters to the Editor for our new 'Writings of Multiplicity' section of THE MOVEMENT. Please let us know if we have your permission to print your letter.

Moving? Don't forget to send us your new address!

Subscriptions

THE MOVEMENT magazine provides FREE family subscriptions to the families of prisoners! Please support this effort by subscribing or donating.

Families of prisoners subscriptions: **FREE**
1 Year prisoners subscription: **\$12**
1 Year public solidarity subscription: **\$24**

We publish four issues of THE MOVEMENT magazine per year.

Winter Issue - mailed first week of January
Spring Issue - mailed first week of April
Summer Issue - mailed first week of July
Fall Issue - mailed first week of October

See our subscription form inside to subscribe on page 41.

THE MOVEMENT

www.hrcoalition.org

Federal Court Denies Motion to Dismiss and Grants Motion to Amend Complaint in Human Rights Coalition's Censorship Lawsuit

A challenge to prison censorship of political and human rights literature in the Pennsylvania Department of Corrections (DOC) has won two favorable rulings in the past month.

On Thursday, May 15, United States Federal District court ruled that a lawsuit challenging censorship of political literature in the Pennsylvania Department of Corrections will go forward. The court denied the defense's request to dismiss some of the censorship claims and all of the supervisory officials named as defendants.

On June 13, the court granted plaintiffs' motion to amend and supplement the original complaint, adding new claims for relief and one new defendant: DOC Secretary John Wetzel. The new complaint adds due process challenges based on prison officials failure to provide non-prisoners with notice and an opportunity to challenge when prison staff censor their mail. Additional claims challenge the criteria used by the DOC to justify censorship as being impermissibly vague, permitting prison staff to impose arbitrary, prejudicial, subjective standards when making censorship decisions.

The lawsuit, *Holbrook et al. v. Jellen et al.*, was filed in January on behalf of the Human Rights Coalition (HRC), politicized prisoner Robert Saleem Holbrook, and College of Charleston Professor Kristi Brian against several employees of the State Correctional Institution (SCI) at Coal Township and the DOC for confiscation of mail sent to Holbrook, a co-founder of HRC who is currently held at SCI Coal Township.

The suit details a series of confiscations of Holbrook's mail since January 2012 that includes academic correspondence with a college professor, issues of *The Movement*, essays written by Angela Y. Davis and James Baldwin, and a newsletter published by HRC which focuses on prison abuse, solitary confinement, and ways that prisoners' family members can come together to challenge human rights abuses and injustice in the criminal legal system. The content of the materials censored by SCI Coal Township and DOC officials touches on the most vital issues of the operation of the prison system in Pennsylvania: juveniles sentenced to die in prison, deaths in solitary confinement, repression of human rights defenders inside prisons, advocacy efforts by prisoners' families, and the pervasive racism that defines the criminal legal system in Pennsylvania and the United States.

Plaintiffs are represented in the case by the Abolitionist Law Center, Necia Hobbes of the firm Jones Day, and David Shapiro, Clinical Assistant Professor of Law at the Roderick MacArthur Justice Center at Northwestern University School of Law.

“I Was a Gangsta”

By Bro. Victor Owusu Sawyers

I was born and raised a Gangsta. I'm the son of a Gangsta. In fact, I'm the son of *Gangstas*. My mother and father were born and raised as Gangstas too! My paternal grandfather was a high ranking Gangsta. He's serving four life sentences for murder. My paternal grandmother died from AIDS before I was born but she was a Gangsta also. My maternal grandmother is serving a life sentence for murdering her brother; she was also a Gangsta. Her and her boyfriend (who was her brother's best friend) drowned her brother (who was my great uncle) over drugs and work. My maternal grandfather was killed by the police in a shoot out during a bank robbery, and he was also a Gangsta. I don't know anything about my family any further back. My parents are still Gangstas. My brother is a Gangsta; we're partners in the game. Both my sisters are Gangstas, one is in prison and the other is a crackhead. Most of my aunts, uncles, and cousins are Gangstas too.

All I know is that Gangsta life. My life is all about gettin' money, puttin' in work, cars, clothes, women, and jewelry. I have a son, and his mother is a Gangsta. Surely he'll grow up to be a Gangsta just like his parents. That's just how it goes. I stopped going to school in the 6th grade. I had to help my mom and dad in the family business, as well as put in work to earn my stripes.

I ran into this OG the other day. We did some business together then we smoked some kush and haze. He told me how close him and my dad used to be, until they had a fall out about my mother (whom they both were seeing). He told me that I came from a legendary family of Gangstas. He spoke with such gradiosity about my family and our history. He also said he was very knowledgeable on the history of the Gangstas on our set. He asked me did I want to know the history of my family. I said, “Yes!” He told me that my maternal grandfather and paternal grandfather were best friends. They owned a grocery store and gas station together. Some Gangstas from another neighborhood tried to extort my grandfathers but they refused to give up anything. So one night these same Gangstas followed them to their homes. They forced their way in, tied my grandfathers up and brutally beat them into submission. They violated my grandmothers. They took all the cash and valuables that they wanted. They left with my Grandparents pride, womanhood and manhood. They forced my grandparents to pay extortion fees. Eventually my grandparents gave all the way in and joined their gang. Which is how my parents became Gangstas. Which is how nearly my entire family became Gangstas. Which is how I, myself, became a Gangsta.

When I left the OG I did some introspecting and I thought to myself, “What the f@#k!” I actually honor and represent something that can never and will never honor or represent me. Nor will being a Gangsta ever honor or represent my family. Nor will it ever validate us as a people, individually or collectively. We as a family are literally pissing away generations. Entire lifetimes are wasted away being affiliated with organized terror against myself and my kind. My ancestors were violated and forced into corruption, forced into a state of confusion and cultural misorientation. I can't believe I dedicated my well-being and my life to a cause of self-destruction, a group that has historically brutalized my family. I've been miseducated and misled! I have had a cruel and deceptive trick played on me. I demand revenge! Vengeance will be mine!

Though this story is a myth, it is designed to provide a reference toward something other than the story itself. There is an exoteric meaning which refers to the events and circumstances within this story and also an esoteric meaning which refers to a deeper teaching message that transcends the events in the story. Through the myth, many truths and ideas which are not easily explained in typical, rational terms can be freely explored and elucidated in imaginative, colorful, and articulate ways. Our ancient ancestors in Kemet (Egypt) created mystical myths to metaphysically answer the most important questions of every individual, mystical myths that went further than telling a story about human pain and pleasure; and beyond mere entertainment. Mystical myths that provided a guiding light for traveling the many roads in life in such a way as to avoid pain and sorrow and to reach supreme peace and happiness. These myths originated by our ancient ancestors contained implications that had to be understood and practiced daily in life in order for the teachings to become an integral part of life.

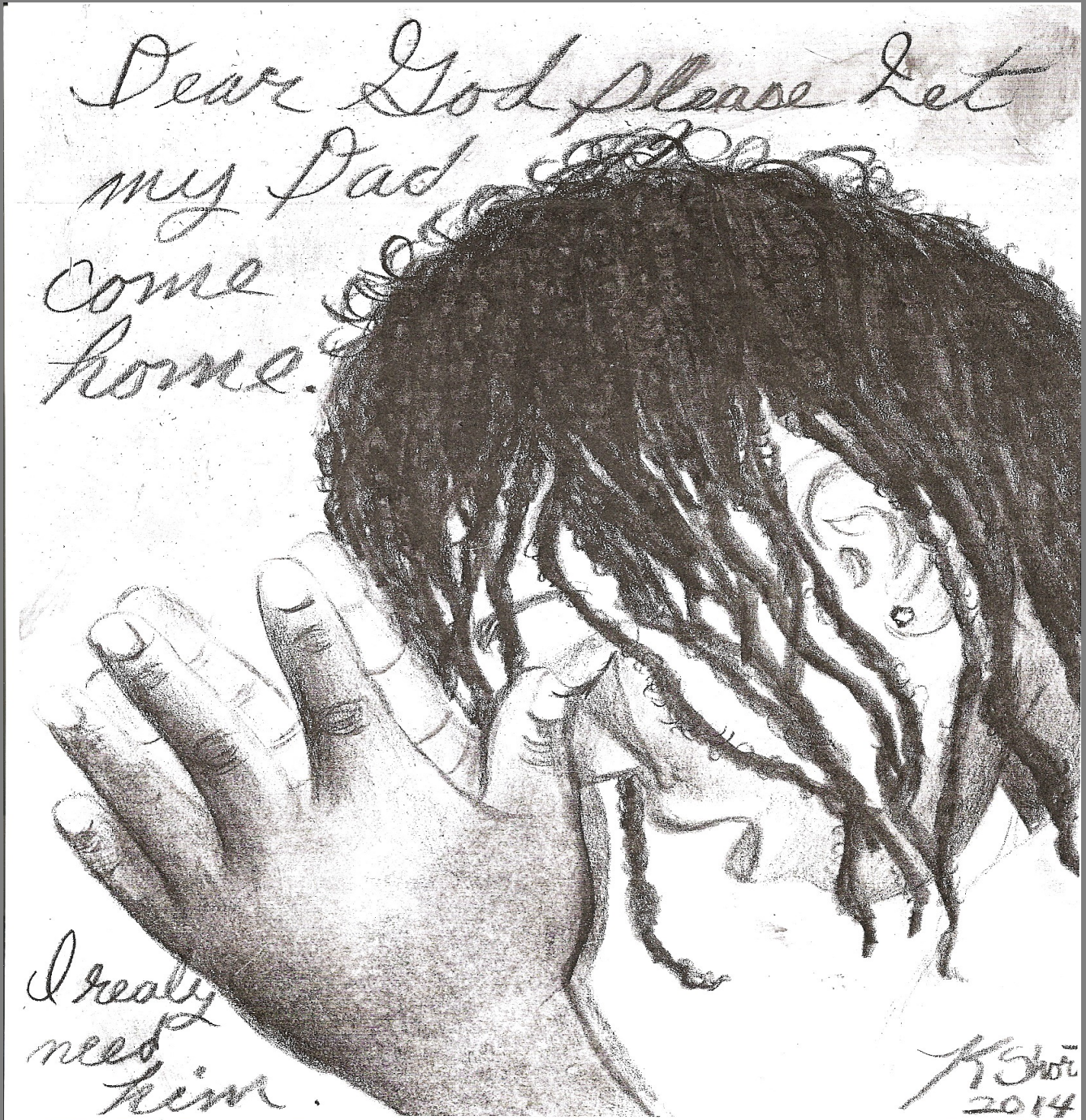
I wrote this myth here to not only reflect society in our present time, but also to convey the correlation between our contemporary reality and our past. This Gangsta myth may definitely display a vision of our current circumstances. But don't get it twisted. This myth is a parallel comparison to how our intergenerational enemies violated our ancestors by kidnapping and enslaving them for centuries. By systematically destroying our Afrikan continent and our Afrikan culture. By utilizing their missionary efforts to completely remove us from our spirit and provide us with their religions, all while destroying our own religions and making us believe that we never had a religion or culture of our own. In all reality, however, those who enslaved us owe our ancestors for delivering to them arts, sciences, and even the use of language.

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Allow this myth to be a sign of the times. What the Gangstas did to this one family is the same thing (worse even) that our enemies did to our ancestors. We have an ancestral responsibility to honor our ancestors whose blood, sweat, and tears made it possible for us and future generations to exist so that we may build a society and world free of oppression and injustice!

Bro. Victor Owusu Sawyers is an activist and member of One Hood United Youth Committee and the Human Rights Coalition



INCARCERATED CITIZENS! HELP HRC HELP YOU!

HRC Membership Drive

The Human Rights Coalition is a volunteer grassroots movement committed to the advancement of human rights and social justice. It advocates primarily on behalf of Incarcerated Citizens (aka prisoners), their families, and other marginalized members of society. The majority of the volunteers at HRC are families or friends of prisoners. HRC does not have a paid administrative staff and operates on donations and the sacrifice of its members. If it could, HRC would like to help each and every prisoner and their family that reaches out to HRC for support, and does its best to do so, but we do not have the resources and many times cannot offer the assistance that is needed to check abuses or injustice within Pennsylvania's judicial system and prison industrial complex.

When HRC was started in 2001 it was started by prisoners who were politicized and seriously committed to challenging mass imprisonment and social injustice with human rights as a weapon. Due to their serious commitment and dedication they were able to convince their family members to come on board and together they laid the foundation HRC was founded upon and which HRC is still building upon. Some early HRC family members such as Mama Gay, Ms. Rose and Bro. Hassan (Frazier, executed by the state of Texas in 2006) have passed on to join the Ancestors. Others are still going strong (Mama Patt, Theresa, etc.) and holding down the fort while new members have also come on board (Sista Karen and Sister Shandre). Some have moved on to other work or have fallen off.

The key is that in order for HRC to help you, you must help HRC help you. This means getting your family members and friends involved in HRC as members or supporters. HRC goes as its membership goes, it needs family members to get on board. We know this is a difficult task for prisoners to accomplish as many family members or loved ones/friends are busy with the personal struggles of life. Also many prisoners may have not taken the step out of the gangsta/criminal mentality so it is hard for them to ask a family member or friend to get involved in human rights and social justice advocacy when their actions are not in accordance with these principles; however life and struggle is about growth and it is never too late to grow and mature. This is important because we can't talk about unifying our families, friends, and community behind us until we take the initial steps in unifying ourselves.

Some may ask the question: how can I educate my family or friends about our struggle and why it is important to join HRC? One way is to recommend your family/friends read *The New Jim Crow* by Michelle Alexander. This book breaks down mass imprisonment and racial and social injustice within the judicial system. Read it with them and discuss chapters with one another. This is a first step that will help your peoples understand the challenge we are all facing and the need for them to get involved.

Having your family member/friend join HRC provides you a voice in the movement and will allow you to push for issues close to your heart. Whether it is life sentences, death sentences, parole denials, prison abuse/injustice, health care denial, excessive telephone and commissary fees, etc. having a family member or friend involved in HRC will ensure your voice is heard on these issues and the issues are pursued and addressed.

To build up its membership base HRC is undertaking a membership drive and would urge you to have your people call the following HRC members and request to get involved in the various HRC Committees listed below. It is important that we remind ourselves and our family and friends that this struggle is a long struggle and will not be settled overnight or quickly. It will take a lot of work and time to dismantle this unjust criminal justice system. The greater HRC's membership base grows the more work HRC can do for prisoners and their families. The Committees available are:

- **Political Campaign Committee:** This committee will advocate for legislative changes in current law (abolishment of life sentences, sentencing reform, etc.) and prison policies regarding the fair treatment of Incarcerated Citizens (prisoners) to end abusive practices. This committee will also make regular visits to legislators to push for legislation to enact Human Rights Prison Reform, end prisoner abuse and torture and push for an abolitionist stance in the Pennsylvania Legislature. To get involved in this committee contact: Philadelphia - Ms. Karen Ali at (267) 293-9169, e-mail: info@hrcoalition.org; Pittsburgh - Amanda at 412-361-3022 xt.4, Wednesdays 7-10 pm, e-mail hrcfedup@gmail.com.
- **Support and Services Committee:** This committee will help HRC create a safe emotional and supportive space for prisoner families and returning citizens. It will host Letter Writing Nights, Call-in-Day, and other Actions Alerts for prisoners and prisoner families, callout unjust laws and abusive prisons as required. To get involved in this committee contact: Philadelphia - Ms. Patt at (267) 293-9169, Mondays 6-8 pm, e-mail: info@hrcoalition.org; Pittsburgh: Shandre at (412) 403-6101, e-mail sd4hrc@gmail.com.

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- Outreach, Organizing, Coalition Building Committee: This committee will develop and maintain relationships to work with individuals and other organizations in the state with shared goals of radical prison reform and abolition. It will develop a plan and implement grassroots organizing across the state working with members in neighborhoods, community organizations, etc. To get involved in this committee contact: Philadelphia - Ms. Patt at 267-293-9169, 6-8 pm on Mondays, e-mail: info@hrcoalition.org; Pittsburgh - Amanda at 412-361-3022 xt.4, Wednesday 7-10 pm, e-mail: hrcfedup@gmail.com.
- Training and Membership Recruitment Committee: This committee will recruit and train new members, organize workshops as required to provide HRC with trained volunteers and facilitate skill building of existing members. Along with Outreach committee it will table events to represent HRC. To get involved with this committee contact: Philadelphia - Ms. Karen Ali at (267) 293-9169, e-mail: info@hrcoalition.org; Pittsburgh - Shandre at (412) 403-6101, Wednesdays 7-10 pm, e-mail: sd4hrc@gmail.com.
- Direct Action and Political Defiance Committee: This committee will put together marches, demonstrations, civil disobedience, and direct actions to promote HRC activism independently and in collaboration with its allies. To get involved in this committee contact: Philadelphia - Ms. Patt at 267-293-9169, 6-8 pm on Mondays, e-mail: info@hrcoalition.org; Pittsburgh - Amanda at 412-361-3022 xt.4 Wednesdays 7-10 pm, e-mail: hrcfedup@gmail.com.

“We must move past indecision to action.
 Now let us begin. Now let us rededicate
 ourselves to the long and bitter, but beautiful,
 struggle for a new world.”

 -- Dr. Martin Luther King Jr., April 4, 1967

HRC looks forward to your participation in this beautiful struggle.

NOTE: Once your family/friends call the above HRC members they will be invited to an HRC meeting to discuss HRC’s work and the Committee they signed up for.

Hope
 Hope is what makes the world go around...
 Hope will live on and never die as long as you always continue to try...
 Hope has ended wars, and opened up new doors, for love lost and found, it’s always around...
 Hope is what makes rainy days sunny...
 Hope is what makes families stay united...
 Hope, Love, Care, and Understanding is what makes my Faith in God stay Strong, being incarcerated
 much easier...
 Sometimes we all need a little Hope...
 By Mr. Gregory Howland #JN-9973

Censored and ‘Obscene’ in Solitary

by Sarah Shourd

After a huge hunger strike to protest the state prison system’s inhuman conditions, California is threatening to ban any written material deemed “oppositional to authority and society.”

Last week, the California Department of Corrections and Rehabilitation proposed sweeping new regulations for mail going both into and out of the state’s prisons and jails. Coined “obscenity regulations,” on face value they appear to ban material that “depicts or describes sexual misconduct.” Yet, if you scroll further down the long, technical parameters laid out on CDCR’s website you’ll find they’re casting a much broader net—such as censorship of any material deemed “oppositional to authority and society.”

“There’s a lot of non-sexual speech that will be banned if these regulations are put into effect,” says Paul Wright, Director of Prison Legal News. “This isn’t a new tactic, for hundreds of years the guise of ‘obscenity’ has been used to crush political speech, not just among prisoners, originally it was used to punish criticism of the church.”

It’s no coincidence that these enhanced restrictions are coming from California, where 29,000 prisoners went on hunger strike for 60 days last year in a historically unprecedented protest against inhumane prison conditions—namely prolonged solitary confinement. A large part of the hunger strike’s success in capturing international attention had to do with the ability of activists, lawyers and family members to get out the voices and opinions of the men inside who initiated the strike, at least in part through written correspondence. Under these new regulations, letters like those might not make it through next time.

“These prisoners are essentially being punished for trying to alert the media to conditions of extreme solitary confinement inside California’s prison,” says Peter Sussman, a retired journalist who fought for years for media access to prisoners. “The California hunger strike was successful at educating the public because information got in and out—CDCR wants to make sure they cut off every channel of communication, that this never happens again.”

If these new regulations are passed, any publication that prints criticism of California’s policies, from the *Abolitionist* to the *New York Times*, can be deemed ‘oppositional to authority’ and banned under these new regulations.

Marie Levin is the sister of Sitawa Nantambu Jamaa (aka Ronnie Dewberry), who’s been isolated at Pelican Bay State Prison in Northern California for over a quarter of a century. **It was not a violent act that landed Jamaa in the “hole”—23 hours a day in a windowless cell, no contact visits and zero phone privileges. It was being validated as a “gang-associate” and singled out for state’s harshest punishment, Jamaa asserts, based solely on his political views.**

“My brother still has the liberty of getting his ideas out through his writings,” says Levin, “that’s basically all he has left. I can’t imagine how he would handle losing that.”

Jamaa writes for the *San Francisco Bay View* newspaper, a likely candidate for censorship if these new regulations are passed. In fact, any publication that has printed criticism of CDCR’s policies, from the *Abolitionist* to the *New York Times*, can be deemed “oppositional to authority” and banned under these new regulations.

“I can’t imagine this will stand under judicial inquiry,” says California Attorney Charles Carbone, “anyone who knows the law will raise an eyebrow when they look at these documents— they’re constitutionally outrageous—we have a long history in this country of U.S. Supreme Court precedents that protect freedom of speech...these regulations are begging for a lawsuit of the highest order.” “CDCR says they are shifting from a system of gang-validation based on mere association to a conduct-based system,” Carbone continues, “where a prisoner actually has to *do* something to be deemed a dangerous gang member. But they are leaving a pretty big back door open here that will allow them to use the same flimsy evidence—a letter, a photograph, a book or newspaper—to justify placement in long-term isolation. Actually, these regulations are potentially worse because they can call something a prisoner writes ‘contraband’ and justify sanctioning them as well.”

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“It’s actually quite cyclical,” says Carbone. “Many prisoners in long-term isolation have become politically radicalized because they have lived in the harshest conditions the state has ever imagined. The system takes men and puts them in conditions that radicalize them, then uses their radicalism (in the form of written material) as an opportunistic way to justify further isolation.”

“You could say that many people are warped when they go into prison,” notes Sussman, “but we are then putting them in a situation that places them in permanent opposition to society. When they get out they will act out whatever was done to them in various ways.”

On Tuesday, Marie Levin went to a hearing in California’s capitol Sacramento, standing beside many other family members, activists and lawyers to voice her opinion on how these proposed regulations will effect her brother, her family and society at large. **“It’s important for the public to judge for themselves,” she says. “If these guys are really are the ‘worst of the worst,’ then what does CDCR have to hide? Why are they so threatened by their voices? Let the public be the judge.”**

“There’s no public safety issue being served here,” concludes Carbone. “These regulations will decrease transparency by killing speech—prisoners are the eyes and ears of the public inside these public institutions.”



Photo by Tom Pennington/Getty

Journalistic access to prisons and prisoners has been slowly chipped away for decades. Under current California law, media may not conduct face-to-face interviews with prisoners unless approved by the prison administration, a rare event. Even during CDCR’s tours journalists are only permitted to speak with prisoners that have been vetted and handpicked by prison officials. Which raises the question: **are CDCR’s new regulations meant to protect the public from dangerous criminals, as they claim, or to cover up abuses and squelch dissent?**

“The big thing is how prisons are run,” continues Wright. “There’s little to no oversight or government accountability—the result is a huge amount of corruption and malpractice. Prisoners dying from medical neglect, horrible treatment of the mentally ill, rampant abuses...all of this is obscured. It’s often only prisoners that can give the public even an inkling of what’s really going on inside.”

“The news media is—now more than ever before—the court of last resort,” continues Sussman. “The more restricted their access to prisons and prisoners becomes, the less effective the press will be in its oversight role. This, in turn, hampers the public’s ability to shape government policy, evaluate prison practices, correct abuses and generally reassess our costly...system of criminal justice.”

From: <http://www.thedailybeast.com/articles/2014/06/21/censored-and-obscene-in-solitary.html>

Learn more about CDCR’s so-called Obscenity Regulations:

VIDEO: Fight Prison Censorship, Free Prisoner Voices! https://www.youtube.com/watch?v=V_TOf5q9r_8

FACT SHEET: CDCR Proposed Censorship Regulation Changes[http://](http://prisonerhungerstrikesolidarity.files.wordpress.com/2014/06/fact-sheet-for-cdcr-censorship-regs.pdf)

prisonerhungerstrikesolidarity.files.wordpress.com/2014/06/fact-sheet-for-cdcr-censorship-regs.pdf

LEGAL ANALYSIS: Analysis of Proposed Contraband Regulations [https://](https://prisonerhungerstrikesolidarity.files.wordpress.com/2014/06/legal-analysis-of-the-proposed-contraband-regulations.pdf)

prisonerhungerstrikesolidarity.files.wordpress.com/2014/06/legal-analysis-of-the-proposed-contraband-regulations.pdf

LETTER FROM MAJOR LAW FIRM: OPPOSES NEW RULES THAT COULD BAN SF BAY VIEW FROM ALL CA PRISONS <https://prisonerhungerstrikesolidarity.files.wordpress.com/2014/06/legal-analysis-of-the-proposed-contraband-regulations.pdf>

THE MOVEMENT

www.hrcoalition.org

"If the Risk Is Low, Let Them Go": Efforts to Resolve the Growing Numbers of Aging Behind Bars

By Victoria Law, Truthout

Imagine your grandparents and great-grandparents in shackles or dying behind bars. By 2030, the prison population age 55 and over is predicted to be 4,400 percent more than what it was in 1981. Some state and federal prison systems look at alternatives.

The recent release of 74-year-old Lynne Stewart has made headlines. Stewart, who was diagnosed with breast cancer in 2005, was granted compassionate release December 31, 2013, after a protracted struggle by Stewart and supporters across the country. Stewart, whose cancer has spread to her lungs, lymph system and bones, will spend her remaining months with her family in Brooklyn.

But what about the aging and infirm people incarcerated nationwide who lack Stewart's fame and support? The United States has some 125,000 prisoners age 55 and older, quadruple the number in 1995. Various human rights groups, including the ACLU, Human Rights Watch and the Vera Institute of Justice have issued warnings about the increased numbers of aging, elderly and incapacitated behind bars. In response to these increases, several states, such as Kansas, Mississippi and Tennessee, are in the process of building hospice and geriatric units within their prison systems.

But what other solutions are there?

"If the Risk is Low, Let Them Go"

In New York, advocates - including formerly incarcerated people - have launched the Release Aging People in Prison (RAPP) campaign. More than 9,200 people (nearly 17 percent) imprisoned in New York are 50 or older. While the state's prison population dropped this past decade - from 71,466 in 2000 to 56,315 in 2011 - the number of people 50 and older has increased by 64 percent. Lead organizer Mujahid Farid knows the obstacles facing people seeking parole. Farid was arrested in 1978 and sentenced to 15 years to life for an attempted murder. By the time he was eligible for parole in 1993, he had earned four college degrees as well as certificates for numerous other programs. None of these accomplishments mattered. He was denied parole based on his 1978 conviction. Farid appeared before the parole board ten times over the next 18 years before he was granted parole in 2011.

"I realized it wasn't personal," he told Truthout. "They're not looking at your personal development. They're simply looking at your conviction." After his release, Farid met with advocates, including other formerly incarcerated people, to discuss how to overcome the hurdle within the parole system. Out of these discussions came RAPP. Under the slogan "If the risk is low, let them go," RAPP mobilizes to change the routine in which parole and compassionate release are denied to those who have spent decades in New York's state prisons.

Laura Whitehorn spent 14 years in the federal prison system. "I've had friends who have died in prison," she told Truthout. "It's heartbreaking." Because the federal Bureau of Prisons is under no obligation to house prisoners close to their communities, family members often are unable to see dying loved ones incarcerated across the country. Those able to make the journey have limited visiting - and always with an armed guard in the room. "Kids need to be pat-searched to visit their parents and grandparents," Whitehorn remembered.

Farid and Whitehorn note that, in New York state, releasing many aging prisoners does not require new legislation. A 2011 executive law directed the parole board to begin using risk-assessment tools when making decisions, but the Division of Parole did not post new regulations complying with the law until December 18, 2013. "The risk of committing a new crime is about 5 percent for older people, compared with an overall recidivism rate of nearly 40 percent," Farid stated. "If the parole board followed the law, many of the men and women would safely be released, saving millions of dollars a year in unnecessary medical and custodial costs."

One of RAPP's first initiatives has been a public education campaign. "A lot of activities going on with parole are so outrageous, but [parole board members] get away with it because the public doesn't know," Farid said. RAPP volunteers have visited churches and community boards. The response has been positive. The Queens Federation of Churches has agreed to support RAPP's campaign. Churchgoers have attended RAPP's monthly meetings and invited RAPP volunteers to theirs. Whitehorn approached her local community board, which has a committee on aging. "I thought they'd say, 'Oh, no! Not another thing to take on!' But they jumped at it," she recalled. Another time, she spoke about RAPP at a panel on the Affordable Care Act at a geriatric home. People flocked to her table to sign RAPP's petition to the parole board. Whitehorn distinctly remembers one woman with a cane, who told her, "I don't like the idea of people like me being in prison."

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The California Elderly and Elderly-Lifer Alternative Custody Program

In California, Jane Dorotik has been pushing for an elderly alternative custody program. Inside its prison system, prisoners age 55 or older increased by more than 500 percent between 1990 and 2009. According to Human Rights Watch, that number is projected to increase to 15 percent of California's prison population by 2019.

In 2012, having seen the effects of keeping aging people in prison, Dorotik, who has been incarcerated since 2001, drafted a proposal for an elderly and elderly-lifer alternative custody program. Dorotik notes that lifers (those serving life sentences) now represent one-fifth of the state's prison. She also notes that many, particularly those in the women's prison population, have been sentenced for a single action committed many years ago and that lifers have an 18 percent chance of being granted parole.

Unlike RAPP, Dorotik is not pushing for parole. Instead, she is advocating that people 55 or older be released under supervision, including ankle monitoring. They remain under the custody of the California Department of Corrections and Rehabilitation (CDCR) and can be returned to prison at any time. Dorotik proposes a pilot program at the California Institute for Women, where she is housed, for those age 55 and older. In addition to age, women must:

- Have been incarcerated for at least seven years or 50 percent of their sentence (whichever is greater).
- Have no previous history of felony convictions.
- Have had no serious disciplinary actions against them in the last five years.
- And have secured placement in the community.

Dorotik notes that nearly 140 people at CIW are over 55. Each costs \$138,000 per year to keep behind bars. The vast majority of these "Golden Girls" meet the above criteria.

But it's not just the financial cost that concerns Dorotik. She's seen the human cost of keeping the aging people imprisoned. In 2006, Dorotik wrote an open letter to state legislators urging them to expand the use of compassionate release. "Compassionate release is an available alternative to dying alone and isolated behind prison walls," she wrote, "but it is almost never granted by the CDCR bureaucracy." She pointed to the (then-recent) death of 63-year-old Annie Castiglione, who had been sentenced to Life without the Possibility of Parole. "She was a model prisoner and spent her years behind bars helping others. She died the other evening alone and overlooked in the prison's skilled nursing facility. ...

"Take a moment now and remind yourself how it must feel to die alone," Dorotik urged. "In fact, take only slightly more than a moment - take 93 seconds of silence. That is one second for every day Annie waited hoping compassionate release might be granted."

More recently, Dorotik has described other women languishing behind bars in their 70s and 80s. Seventy-one-year-old Doris, for example, recently spent 61 days in administrative segregation (a punitive form of solitary confinement) after an officer found an additional two to three rolls of toilet paper in her cell. "As Doris got up to placate the yelling [correctional officer], she may have touched the CO's arm. After all," Dorotik reflected, "balance at age 71 is sometimes a problem. All the women in the hallway verified there was no 'assault,' and the CO continued to search for excess toilet paper for another ten cells and half an hour before alleging the assault." When he did, Doris was sent to segregation. An assault charge was placed on her record.

That assault charge now eliminates any chance that Doris may have had when appearing before the parole board, increasing the chance that Doris may die behind bars. Dorotik also recounted the story of Helen, another Golden Girl whom the parole board refused to release. Sentenced to life for transporting money for her son, Helen spent the last years of her life with failing kidneys. "She was taken out twice a week for dialysis treatment, hands and feet shackled, a guard on each side of her." When Helen, at age 85, appeared before the parole board, the board deemed her a risk to public safety because she "didn't have firm enough employment plans." The following year, at age 86, Helen died alone and unnoticed in prison.

Unlike RAPP's efforts, Dorotik's Alternative Custody Program will require new legislation. She has reached out to and been working with advocacy groups such as Californians United for a Responsible Budget, JusticeNow and Legal Services for Prisoners with Children to push her proposal. Advocates from these groups have met with California legislators, including Senator Carol Liu, who drafted California's first Alternative Custody Program.

How Connecticut Is Addressing Its Aging Prison Population

Currently and formerly incarcerated people and prisoner rights advocates are not the only ones pushing for releasing elderly people in prison. As of January 6, 2014, Connecticut's Department of Correction (DOC), which is responsible for its local jails and state prisons, held 387 people ages 60 and over. "Many have cognitive impairments," described Dr. Kathleen Maurer, DOC's director of health services, at the Health Behind Bars conference in October 2013. Some require round-the-clock care.

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Instead of building assisted-living or nursing homes within its prison system, Connecticut lawmakers passed legislation in 2012 allowing the DOC commissioner the discretion to release the severely incapacitated for "palliative and end-of-life" care. Faced with the challenge of where to place people whose lengthy sentences had eroded family ties, the state's Department of Corrections (DOC) and Department of Mental Health and Addiction Services (DMHAS) partnered to contract with a privately run home specifically for their populations. The result was 60 West - a 90-bed nursing home in Rocky Hill, a city south of Hartford.

Although 60West accepts patients only from DOC and DHMAS, Maurer is quick to point out that 60West is not a prison. "It's not run by DOC," she emphasized during her presentation at the October 2013 Health Behind Bars conference. "A parole officer supervises the people [released from] DOC, but there are no correctional officers. It's run exactly like any other nursing home in the state."

To qualify for release into 60West, an incarcerated person must meet one of these criteria:

- Be at the end of his or her sentence with no other option for housing or care.
- Have a prognosis of six months or less.
- Have served half of his/her sentence and have a terminal or incapacitating illness.

Each person also must pass several assessments, including a medical evaluation and a criminogenic risk assessment, including a review of the need for a nursing-home level of care with the expectation of requiring long-term placement; a review of historical factors requiring placement at 60West; and the ability to be safely managed in a nursing home. The DOC commissioner makes the final decision on release. "Once they leave the facility, they're not prisoners. They're residents of the nursing home," Maurer said.

In addition to allowing people to live their last months or years outside of prison, 60West has enabled the state to transfer the cost of care from DOC to Medicaid. "Eighty to 90 percent of our incarcerated population would be Medicaid-eligible," Maurer stated. However, because jails and prisons are required to provide medical care, incarcerated people are not eligible for Medicaid coverage unless they undergo treatment in an outside medical facility for 24 hours or longer.

Beginning in April 2010, Connecticut extended Medicaid benefits under the Medicaid for Low-Income Adults (LIA) program. "Eligibility for LIA was 56% of the federal poverty level and there was no asset test," Mary Mason, the DMHAS public relations manager, explained in an email to Truthout. "Since April 2010, many individuals being discharged from prison were able to access expedited LIA eligibility. This allowed Connecticut to receive 50% reimbursement for services that had previously been 100% state funded."

Given that the patients at 60West are no longer incarcerated, Connecticut is able to apply Medicaid funding to their care. "The level of care being provided by DOC in infirmaries can be more appropriately and less expensively provided in a nursing home setting," Mason pointed out. Since its opening in spring 2013, 30 people have been released from Connecticut's prison system to live their last days at 60West. There are currently ten patients who had been DOC prisoners at 60West. Despite concerns of Rocky Hill locals, Maurer added, there have been no incidents.

"By 2030, the prison population aged 55 and over is predicted to be 4,400 percent more than what it was in 1981," Laura Whitehorn pointed out. "Everyone should picture their grandparents and great-grandparents. Now imagine them in shackles. Imagine them handcuffed to their walkers. Imagine them dying behind bars."

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Victoria Law

Victoria Law is a writer, photographer and mother. She is the author of "Resistance Behind Bars: The Struggles of Incarcerated Women" (PM Press 2009), the editor of the zine *Tenacious: Art and Writings from Women in Prison* and a co-founder of Books Through Bars - NYC. She is currently working on transforming "Don't Leave Your Friends Behind," a zine series on how radical movements can support the families in their midst, into a book.



“Congrats To Theresa Shoatz”

By Jerome “Hoagie” Coffey

Human Rights Activist, Warrior, Liberator, Freedom fighter, and shero Theresa Shoatz. Congrats! For the reason that you liberated your elder father Russell “Maroon” Shoatz that was held in solitary confinement for 22 years suffering cruel oppression at the hands of oppressors.

For ten years straight; you been the catalyst and long distance runner from beginning to end beating the drum to save your father from dying in solitary confinement.

Backdrop, I remember as if it were yesterday that you traveled from Philadelphia to New York City to announce a national campaign tour to end the suffering of your father held captive in solitary confinement.

As a matter of fact, I talked to you by way of telephone from Detroit, Tennessee, and Texas on the national campaign tour from which your voice sound like the harmony of the drum beat of liberation.

No doubt, the same liberation drum beat of Ella Baker, Fannie Lou Hamer, Queen Mother Moore, Rosa Parks, Sojourner Truth, and Harriet Tubman whereas all defied institutional racism, white supremacy, and oppression to defend the poor, weak, and oppressed.

In summary, you sparred toe-to-toe with Pennsylvania State Legislators (i.e. Judiciary Committee) that keep an eye on Pennsylvania Department of Corrections in addition to solitary confinement proponents and facilities administrators to drum up attention to keep your father cause as a matter of importance.

In closing, most certainly Theresa you have heart to challenge institutional racism, white supremacy, and oppression. Abolitionist and liberator John Brown told Harriet Tubman she had more heart than men. As far as I am concerned. You liberated your father out of solitary confinement and proved all the naysayers, gossipmongers, and parasites wrong that castigated you delusional, lost cause, and emotional, specifically the so called men that’s in the struggle. Theresa congrats! For liberating your father out of inhuman solitary confinement.

In struggle

In solidarity

Stay alert

Stiff resistance

Jerome “Hoagie” Coffey



Left Forum 2014



Reform and/or Revolution: Imagining a World with Transformative Justice

The world remains mired in the 7th year of capitalist crisis. The celebrated “recovery” benefits only the few who generated the crisis, while endless economic declines beset its victims, the vast majority. Economic, political and cultural inequalities deepen inside every country. Class divisions sharpen. Social injustice brings us all to breaking points.

Big business and the rich maximize social controls to protect and preserve their dominance. Everywhere they and their politicians impose austerities while reserving public resources to bail out banks and other failed mega-corporations. Capitalism’s “new normal” for most people features poor job and income prospects, unsustainable debts, ecological decline, and right-wingers aiming to deflect social discontent against their usual scapegoats.

Human and natural resources wasted and abused expose this system’s immense social costs. Even as the environmental crisis reaches epic proportions the forces of capital either sit idly by or actively oppose serious measures to address it. We can surely do better than this system. The 1% have managed the crisis for their benefit

The question is whether we can now solve the crisis and build a system that serves instead the 99%. This question is on the minds of millions now, more than at any time in half a century. The Left Forum 2014 offers a place for us to explore and debate our common needs for reforms, a revolution, or both.

As the system fails so many so badly, activists for democracy, sustainability, equality, and the abolition of oppression and exploitation increasingly grasp their shared demand for basic social justice. Fifty years of anti-communism, anti-radicalism, hesitant social criticism, and activists’ mutual suspicions are fading into irrelevance.

Pressing questions loom for justice seeking social forces: What is to be done today when a reform brings us one step forward, while leaving other important struggles worse off in the process? What type of movements will it take to overcome such challenges? What type of institutions, systems and societal conditions are possible when transformed conditions of justice no longer take the forms of, “the aggrieved speaking to the grievance alleviators”? How do these issues raise the question of the relation of reform to revolution? More than ever, people know that a new and different world is urgently needed. How do we get there from here: reforms, revolution, or strategic combinations of both?

Please come analyze, debate, build, ally, and strategize at Left Forum, 2014.

www.leftforum.org

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Left Forum 2014

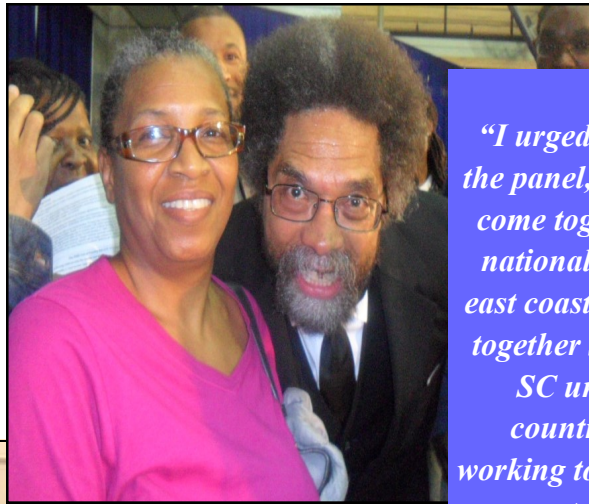
Europe Solidaire Sans Frontières

America's Left Forum – Reform or Revolution: Imagining a World with Transformative Justice – Against the “prison-industrial-complex”

The United States has 2.3 million people in prison, a larger proportion of its population (743 per 100,000) than any other nation in the world. While the U.S. has 5% of the world's population, it has 25% of the world's prisoners. U.S. federal and state governments spend an enormous \$60.3 billion on prisons. But there is in the United States a movement against what has come to be called the “prison-industrial-complex.” And this year the movement against incarceration as the country's primary response to crime was the theme of the annual Left Forum, the largest and broadest gathering of socialist intellectuals and activists in the United States.

POST Coverage from: <http://www.leftforum.org/content/press#2012 Post-Conference Coverage>

Below, Shandre Delaney and Cornel West



“I urged the members on the panel, it's time for us to come together and start a national movement from east coast to west coast and together shut down all the SC units across the country! We will be working together to do some events in solidarity.”
Shandre (HRC-FedUP!)



On Panel from left to right Margaret Prescod (Sojourner Truth Radio, LA), Daletha Hayden, Maribel Herrera and Dolores Canales (California Families Against Solitary Confinement), and Shandre Delaney (Human Rights Coalition-FedUp!) →

The California Prisoners Hunger Strike – Leadership and Power for the Movement for Prisoners' Rights, and against Solitary Confinement: Family Members Speak Out and Tell the Real Story

In 2013, 30,000 California prisoners began a historic 59-day Hunger Strike across the state, on the basis of an Agreement to End Racial Hostilities among them. It was the largest prisoner hunger strike in US history. Legislative hearings have been held as a result and discussion is underway for changes in conditions of solitary confinement. What support did the strikers get and from whom? How did prison authorities respond? What has been the retaliation against the strikers? How were the strikers able to hold firm? Hear from family members -- the prisoners' most reliable representatives and the most committed campaigners -- about their loved ones' struggles against tortuous conditions. They discuss the impact of imprisonment on families and entire communities. Learn about the prisoners' call to end hostilities across racial groups that made possible the strike's mass participation. Other prisoners' strikes including the Dallas 6 -- charged in PA with rioting for protesting abuse -- will be represented by their family members.

Left Forum 2014



Left to right, **Theresa Shoatz** (daughter of Russell "Maroon" Shoatz, member of Human Rights Coalition & Decarcerate-PA) and **Bret Grote** (Attorney of Abolitionist Law Center and member of Human Rights Coalition-FedUP!)

2014 Conference theme = Reform and/or Revolution

Panels and Workshops involved dialogue, debate and interaction between panelists and audience. The Human Rights Coalition members Theresa Shoatz & Bret Grote were honored to chair or serve as a panelist of the two workshops below.

Left to Right, **Margaret Prescod** (Sojourner Truth Radio, LA), and **Selma James** (co-author of the women's movement classic *The Power of Women and the Subversion of the Community*, co-founder of the International Wages for Housework Campaign and coordinator of the Global Women's Strike).



1. From the Streets to United Nations Suites and Treaty Reviews to Free COINTELPRO/Civil Rights Era Human Rights Defenders. Panelist discussed lessons learned from Stop "Stop and Frisk," Political Prisoner, Russell Maroon Shoatz, released from 22 years of solitary confinement, Herman Wallace and "civil rights era" prisoners referenced by UN Human Rights Committee.



Left to Right, **Theresa Shoatz** (prison advocate, daughter of Russell "Maroon" Shoatz, member of Human Rights Coalition, and Decarcerate PA) and **Lynne Stewart** (Famed attorney known for representing controversial, poor, and often unpopular defendants, freed earlier this year on compassionate release as she battled cancer in prison).

2. No More Prisons, No More Jails: From PA to IL to CA — Combating the Changing Face of Carceral Expansion. The session will begin with an overview of mass incarceration in the U.S. particularly as it relates to prisons and jails, then present case studies of California, Champaign IL, Pennsylvania, and Los Angeles, where people have successfully resisted attempts to expand or build new prisons and jails, and lastly discuss the changing terrain of this struggle.



The Dept. of Corrections is waging a war on learning: Bret Grote, Emily Abendroth and Robert Saleem Holbrook

By PennLive Op-Ed on June 19, 2014

Gov. Tom Corbett's proposed 2014-2015 budget will give the Department of Corrections a \$78 million increase over current spending.

If Corbett's budget is approved, for the first time in history, the Commonwealth will spend more than \$2 billion on prisons. And yet, less than \$40 million, or about 2 percent, of the agency's budget will go to "Inmate Education and Training".

The focus of the criminal justice system solely on retributive punishment as opposed to rehabilitation, programming, or the assessment of systemic root causes has been a sweeping failure nationwide.

The recidivism rate in the Commonwealth is abysmal--within three years of being released from a Pennsylvania prison, 60 percent of people are rearrested or reincarcerated.

And while there are many factors that contribute to how and why people return to prison (including little to no access to re-entry services, employment, housing, or support), access to meaningful educational programming while in prison has consistently been shown to have a positive impact on reducing those numbers.

Two years ago, Books Through Bars, an all-volunteer nonprofit organization that has sent free books to incarcerated individuals since 1990, started a correspondence course program for prisoners called Address This!.

Since its inception, the Corrections Department has blocked Address This! course readers from entering Pennsylvania prisons every semester of the program, often keeping them out of the hands of those who are most isolated--prisoners in solitary confinement and prisoners in maximum security facilities.

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In the Spring of 2014, Address This! teamed up with the Abolitionist Law Center to document the censorship of these educational materials and to prepare for a possible advocacy campaign against the agency's war on learning. This current semester, which started in March 2014, had 110 registrants in Pennsylvania's state prisons.

Mailrooms at three prisons failed to deliver a single course reader to prisoners at their institutions. Overall, 44 prisoners, or 40 percent of registrants, encountered censorship problems. Given the Corrections Department's failure, in numerous cases, to provide the proper notification paperwork to the sender which their own policies require, documenting this censorship would not have been possible if students in these courses had not mailed Address This! copies of the denials they received and copies of the grievances they filed.

For many of the undelivered course readers, the DOC did not even give reasons for the denial. When they bothered justifying the denials, the purported reasons ranged from the vague "unauthorized books" to the unsubstantiated "no photocopied books."

Surely the state can choose to put more of its budget into educating the 51,000-plus people that they do incarcerate. Some readers were also denied for content-based reasons, allegations that they contained: "racially inflammatory language", "writings which advocate violence, insurrection, or guerrilla warfare against the government", or "instruction regarding the ingredients or manufacture of poisons, drugs, or intoxicating beverages".

These course readers and courses focus on eliminating racism and violence in our communities and on building self-empowerment. Each of the six classes that are currently offered is intended to foster dialogue, promote collective critical thinking and reading skills, raise awareness, and provide an outlet for stimulating discussion on issues of importance to all of our lives.

In the end, not even the department's Legal Counsel could back up the mailrooms' frivolous claims, and the department's Central Office sent memos to all 26 Pennsylvania state prisons communicating that these course readers could not be denied on the basis of being photocopied material, and that the two readers that had been denied for content-based reasons were now on the Corrections Department's list of approved books.

This would not have been possible if imprisoned students in Address This! courses had not submitted grievances and appealed the denials they received. It would not have been possible if people in places where hope is attacked and battered did not still somehow have hope.

To be clear, this victory does not allow the prisoners who were denied readers this semester to suddenly participate in the courses. The semester has continued and these students are too behind in the coursework to jump into these classes now. Nor does this victory ensure that Address This! will not encounter problems with censorship in the future.

Finally, and most importantly, this victory does little to address the inherent brutality of putting people in cages while refusing to address the root causes of crime--systemic social, educational, and economic inequality.

The Pennsylvania Legislature will have to approve a budget in the coming weeks. They can decide to continue increasing the Corrections Department's budget, which yields high recidivism rates and perpetuates cycles of crime and mass incarceration, or they can vote for something new.

The Corrections Department has claimed they cannot decrease the number of people in Pennsylvania's prisons or stop construction on new prisons. We adamantly dispute this claim.

But surely the department can choose to put more of its budget into educating the 51,000-plus people that they do incarcerate. And the agency can stop the unjust practice of censoring prisoners' communications with the outside world.

Bret Grote is with the Abolitionist Law Center in Pittsburgh. Emily Abendorth is a teacher and co-founder of Address This! And Robert Saleem Holbrook is an inmate at the State Correctional Institution at Coal Township.

From: http://www.pennlive.com/opinion/2014/06/the_dept_of_corrections_is_wag.html

Is Innocence Irrelevant?

As you read, ask yourself if justice is being served by the judicial system when it criminally tries and convicts individuals while knowing of their innocence, while prosecutors are not held accountable for their illegal misconduct at individuals trials, and while the courts and intentionally deny fair trials to others.

THEY MIGHT AS WELL PUT A GATE AROUND PENNSYLVANIA AND PUT UP A SIGN SAYING Welcome To Prison

By Joshua Bradshaw

It was just a few days ago that I attended a Lifer's meeting here at SCI Coal Township. I am not a Lifer but I am a long-term offender so I had to go to check out the topics being discussed. There was an invitation for any and everyone to come, but what kidnapped my attention was the legal issues and I am all for learning new things when it comes to my freedom. I was intrigued by the intellects of the men and was amazed to see an organization like this in prison.

During the meeting, one guy said that we need to get our families involved and this was the point and moment that they lost me because I was asking myself how could my family actually get involved and make a difference in helping justice be served and me getting out of prison. I was puzzled, so I asked a question in order to kill my curiosity and within the blink of an eye, this newsletter/magazine called THE MOVEMENT was passed to me. They allowed me to take it back to my cell and I read it over night and I must admit that I immediately became attached to it due to the issues that were within it. I been down eight years and through five institutions and never did I once hear of THE MOVEMENT.

I am only 25 years old, so when I read the article about the people who walked 113 miles to Harrisburg to decarcerate the prisons, I was in awe because never did I think this could or would be possible in this day and time due to the separation of our communities and our people. It is sad to see the world this way, but I am more than grateful that someone is trying to take a stand. The power belongs to the PEOPLE! It is sad because the people really do not know this. The government actually works for us. They planted the seeds of ignorance in the soils of every generation up until the day. The ignorance has grown. Nowadays ignorance is the norm and not the exception.

We look for these very same people to serve us justice, in these days and times, but the only place we find justice is in the dictionary!

I was only 16 years old when I fell a victim to these corporate criminals. I was 17 when I was illegally sentenced to a mandatory minimum sentence of 30 to 60 years of imprisonment which is not an alternative that a judge can select anymore. Thirty to sixty years!

I am not a lifer but they took my life from me and made an example of how justice is just a word. The only place you can find justice is in the dictionary! This is my story...

On January 10, 2006 I was arrested and sent to jail for a homicide in the first county that was investigated for its corruptness, Luzerne County. I was 16 at the time. I was represented by two public pretenders and you can google my name and see how the media painted a picture for the public to see.

Three public pretenders advised me to stay out the law library and not to listen to the jailhouse lawyers because they could not get themselves out of jail. I'm in a town that I am not from, and in a jail for a heinous act and I was being represented by officers of the courts that was pretending to be on my side.

I lost the support of family, friends, and everyone since these people put me in jail. One by one, everybody started disappearing on me and the first unit that the Luzerne County Correctional Facility placed me on was the Restricted Housing Unit (The Hole) without reason and I was there my first six months. The RHU! That really stands for the Real Hungry Unit. I went through the stages down there and even considered committing suicide. I thought about my future and my unborn child at that time and how I could not make it. I wanted to give up. It was too much on me at one time. I did not know the time of the day, only daytime and nighttime. I was in the cell all day and the light switch is on the outside of the cell and the guards keep it on all day long.

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THE MOVEMENT

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Trial time was shortly approaching me and at this time I was 17 which was only eight months from that day I was arrested; my public pretenders came to visit me in the county jail with an illegal plea agreement and I did not know at the time due to my ignorance of the law. I explained my innocence and tried to get them on the same page as I was, but these people were speaking another language and reading from another book. I did not want to plead guilty to a crime I did not commit, but what choice did I have?

These were the people I somewhat trusted at the time and they advised me to take this plea because it was in my best interest. Their exact words were, "IF YOU DO NOT TAKE THE PLEA THEN THEY ARE GOING TO GIVE YOU LIFE." At 17 years old I was scared to death and did not know what to say, how to think or what to do. The walls of injustice were closing in on me quick and my only escape was to take this unlawful plea agreement.

They assured me that it was my only option besides life without parole. I had no choice but to agree to this illegal plea agreement because all odds were against me. At this time my son was one month old, and due to the non-contact visits, I did not even hold him yet. In my own mind, I thought these people were racist so when it came to that illegal plea agreement I chose numbers instead of getting letters. That is not all; these public pretenders are so crafty, they told me that the judge did not have to accept the plea so their advice on convincing the judge to accept the plea was to write an apology letter to and read it in court for the victim's family!!

I had no one out there and I was not going to try and gamble with my life with these corrupt people. I did what I was told and was halfway convinced that these public pretenders were actually trying to help me. I was fooled! They got me good. I know it is not the first time and I know it is not the last time that they will fool someone into an illegal plea.

When I went to court the judge asked me all of these questions and I really did not understand some of them, but of course my public pretenders advised me of this too. I was told about these questions that the judge will be asking me and was advised to agree to them so my plea would get accepted and to get to sentencing faster. I was under the impression that if I did one thing wrong, they would deny the plea agreement and give me life. That is not all... My public pretenders told me 20 to 40 years! The judge gave me 20 to 40 for a homicide charge and 10 to 20 years for a robbery charge, then this dude ran them consecutive. 30 to 60 years! An extra two decades on what I was promised. Yes, the judge said that he had the discretion of running them consecutive or concurrent but when he was saying this I thought that he was talking about the law in general because my public pretenders said 20 to 40.

My eyes were wide open. Where did this extra 10 to 20 years come from? I was scared to say something because I did not want them to take it back and give me life without parole. I was now no stranger to the terminology RAILROADED. I was tricked by the people who I somewhat trusted to handle this difficult affair for me at the age of 17.

Two weeks later I was in a state correctional institution; two weeks after that I was in the Real Hungry Unit again. This was nothing like the county jail. This was the real deal and the worst experience I ever had in my life. SCI Camp Hill has the worst hole in the state! They say jail makes you or breaks you. I was broke down on every limb of my body. I lost it. I was in the cell by myself and I started talking to myself. The psychiatric medications were not working and could not help me with this experience. I cried and I cried thinking about everything and I could not take it anymore. I tried to commit suicide twice. I just could not do it. I could not strangle myself. When I started choking I had to stop. The guards down there do not care about rules. They have their own way of handling things and there is nothing you can do about it.

They did not allow me to have yard and that was the only hour you are allowed to get out of your cell. They did not allow me to clean my cell when cleaning supplies came around and they played with my incoming and outgoing mail. Instead of giving me my mail, they put it in my property without my knowledge of it even coming in. I was thinking nobody loved me and everybody abandoned me. I wrote some nasty letters to people that I had to eventually apologize for.

I placed a grievance in about my 8th amendment rights being violated and that is when the games really began. The guards are the ones who collect your outgoing mail from your door and they got my grievance but it never made it to the box to go out to the coordinator. They read it and after that I was not fed for the next three days. I never been that hungry. I wanted to just die. At that time I could not think of doing 30 to 60 years like this. I was very emotional at this stage and I was only 17 years old.

I was finally transferred and felt like a free man after 75 years of torture and arrived at SCI Pine Grove, and it was not until they did a property inventory that I found out that I had a box of mail that was unopened. Them guards at Camp Hill was putting mail in my box, making me believe that nobody loved me.

I later on found out about this Post conviction motion and I filed one on the issue that my lawyers were ineffective in their assistance of counsel. Someone helped me with it. I finally got my evidentiary hearing. These public pretenders had two completely different stories and they testified at two different times. One of them said I jumped at the sound of a plea agreement and the other one said I was very hesitant to take the plea and that he told me that he could convince the judge to give me 20 to 40 years and that I relied on their advice.

Guess what?

(Continued on page 23)

(Continued from page 22)

The court did not find the public defenders ineffective. Every avenue I took lead me to a dead end. No justice. Nobody cares. These corporate level criminals might as well put a gate around Pennsylvania and put a sign up saying WELCOME TO PRISON.

These courts violate the same Constitution that they took an oath to uphold and there is nothing you can do about it individually. With no outside support, it is just us against their army of corrupt individuals that sweeps correction under the rug.

30 to 60 years, not to mention my judge was the same judge that was just previously convicted of that KIDS FOR CASH SCANDAL. Mark A. Ciavarella. This time I been down. I lost a lot of ties with family members due to this time and distance. I have not seen my son in three years now. He will be 8 and he barely knows me. I have nieces and nephews I have never seen. This system is dangerous. I have another PCRA right now challenging the illegality of my sentence. These constitutional statutes I was charged with violating and I guess I will see what schemes they are going to use to silence me again when and if they even give me a court date.

These people always find a way to get out of the messes they put themselves into and unfortunately we are the ones that reap the consequences. The Pennsylvania Constitution is a joke to the corporate criminals. If and when justice is served in my case I just want to work a juvenile placement and try my best to prevent them kids from coming this direction. I been in and out of juvenile facilities since the year of 2000. I was only 11. I was not trying to hear nothing that these motivational speakers were saying because I could not relate to them. They had text book theories. I been to vision quest, youth study center, Juvenile Justice Center, St. Gabes, Summit Academy, and I was at the NET. I look around these prisons and the majority of the people are youth adult offenders. The Majority of them have life and sentences of 20 plus years.

I been down 8 year and they expect me to do another 22? If that does not violate the 8th amendment then I do not know what does. Never did I think I would have a voice. The Movement made this possible. I will try my best to get my folks involved the little I have left.



Joshua Bradshaw #GU-9410
SCI Coal Township
1 Kelly Drive
Coal Township, PA 17866

(Continued from page 24) **LET'S STOP HIGH TECH LYNCHING**

This type of racist and illegal policy has caused thousands upon thousands of African American defendants all over the country to be unjustly convicted.

The question, however, is what do we do about it? In response, I am suggesting that any African American tried by an "All White Jury" to contact the Human Rights Coalition, 4134 Lancaster Avenue, Philadelphia PA; Leon Williams' Journal, 327 S. 13th Street, Philadelphia, PA 19107; and/or the PA Prison Society, 245 N. Broad Street, Philadelphia, PA 19107. Make them aware so that this issue can be taken to the current DA, politicians, or the court to be considered for review for possible action.

In *Berger v. United States*, the US Supreme Court stands for the proposition that a prosecutor's job is to seek justice and not just convictions. Its our job, with the help of the public, to hold them to this standard. Our goal must be to free those victims of this pernicious tactic and to end this form of high tech lynching. Many have been unjustly sentenced to death and life in prison without parole by its use. It is time to stop it.

Please note: do not send any large files just very brief summaries of your situation that proves you were unjustly tried by an "all white jury."

Fraternally yours,

Omar Askia Ali #AF 0814
PO Box 1000
Houtzdale, PA 16698

THE MOVEMENT

www.hrcoalition.org

Is Innocence Irrelevant?

As you read, ask yourself if justice is being served by the judicial system when it criminally tries and convicts individuals while knowing of their innocence, while prosecutors are not held accountable for their illegal misconduct at individuals trials, and while the courts and intentionally deny fair trials to others.

LETS STOP HIGH TECH LYNCHING

By Omar Askia Ali

“The Negro does not want love. He wants justice.”

- E. Franklin Frazier, 1894-1962

Since the Trayvon Martin tragedy and George Zimmerman’s farce of a trial, there has been a backlash of public outrage and concern regarding the racial inequities permeating the American Justice System. The fallout from Zimmerman’s acquittal has culminated into a universal consensus that the criminal justice system is broken. All agree - Democrats and Republicans, DAs, Attorney Generals nationwide, Law enforcement, and citizens of all persuasions - that the criminal justice system is applied prejudicially towards people of color.

One of the oldest and most pernicious of these inequities is that old relic of injustice called the “ALL WHITE JURY.” All but forgotten by the general public, the Zimmerman trial thrust this tactic once again into the center of public awareness. It has repeatedly shown up as a topic of discussion in newspaper articles, on news shows and on C-Span.

Most Americans are misinformed and sincerely believe that the average African American defendant receives a fair trial before a jury of his/her peers. They were astonished to learn that this was not the case. Even more shocking to them was the revelation that DAs all over the country routinely violated African American defendant’s rights by manipulating the jury selection process, using preemptory challenges to exclude African American jurors in order to seat “all white juries.”

The tactic has served two diabolical purposes. The first has been to acquit whites guilty of crimes against African Americans: e.g. the white defendants who killed Emmett Till, the officers who beat Rodney King, the white men who were acquitted in Shenandoah, PA of beating a Mexican immigrant to death, and now George Zimmerman for the murder of Trayvon Martin. Secondly, DAs select “all white juries” that ignore evidence and convict on the basis of race and racial stereotypes.

In the movie “Twelve Angry Men,” starring Henry Fonda, the injustice of the “all white jury” is laid bare. In a shocking display of racial attitudes and prejudice, we see what happens when “an all white jury” deliberates the fate of a person of color charged with first degree murder. Little attention is paid to the evidence. Instead, eleven jurors are poised to convict on racist notions and stereotypes. However, the Henry Fonda character fights against these attitudes to turn the other eleven jurors around to acquit the defendant.

In reality, Henry Fonda’s character does not exist.

Recognizing the unconstitutional and nefarious nature of this tactic, the Supreme Court of the United States in several rulings over the last forty years has outlawed the practice in a succession of cases: e.g. Swain V. Alabama (1965), Batason v. Kentucky (1986); Miller v. Dretke (2005).

Instead of adhering to these precedents, prosecutors nationwide have repackaged the tactic in order to circumvent the Supreme Court precedent and render it impotent in protecting the fair trial rights of African Americans. In these respects, Pennsylvania state courts are among the most relentless abusers.

For example, a state prisoner named Charles Digges, AK-7945, SCI Graterford was tried three times by “all white juries.” I, Omar Askia Ali AKA Edward Sistruck, was tried twice by “all white juries.” Many other PA prisoners have suffered convictions at the hand of this nefarious tactic. Indeed, there exist in the public record evidence that the Philadelphia DA’s office, over a forty year period, have maintained an illegal policy of picking “all white juries” in trials involving African American defendants. Training sessions were held, codes developed, and guidelines promulgated in implementing the racist tactic.

Case in point, during the Philadelphia DA administration of Ron D. Castille (current chief justice of PA’s Supreme Court), Assistant DA Jack McMahon in 1986 recorded a training session in which he taught the racist tactic to incoming ADAs. Later, in 1990, then director of training for the Philadelphia DA’s office, Bruce Sagel, taught the same tactic. Mr. Sagel’s “ideal jury” was “12 Archie Bunkers who will convict on little evidence.” The reference is to the bigoted lead character in the 70’s sitcom “All in the Family.”

(Continued on page 23)

THE MOVEMENT

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Samari Sudoku Puzzle No. 12

ANSWERS FOUND ON PAGE 27

Editors’ Note: Attention Pennsylvania prisoners. Due to the overwhelming censorship and banning of issues of THE MOVEMENT by the Pennsylvania Department of Corrections (PADOC) and its State Correctional Institutions (SCI) the Human Rights Coalition (HRC) will be seeking legal redress for the violations of its First and Fourteenth Amendments rights. To that end the HRC is asking that PA inmates to do the following: **1.)** Notify the HRC when their incoming publication of THE MOVEMENT is censored by IPRC, **2.)** Appeal the IPRC decision to the Superintendent and to Final Appeal Review, and **3.)** Mail the HRC a copy of your final appeal and the PADOC’s “Final Appeal Determination” to:

Human Rights Coalition
 Attention: Newsletter Committee
 4134 Lancaster Avenue
 Philadelphia, PA 19104

THE MOVEMENT is mailed quarterly to all prisoners who’ve requested a copy in the following manner:

Winter Issue - mailed first week of January
Summer Issue - mailed first week of July

Spring Issue - mailed first week of April
Fall Issue - mailed first week of October

Prison Radio

A PROJECT OF REDWOOD JUSTICE FUND

Know Your Rights and Fight for Them!

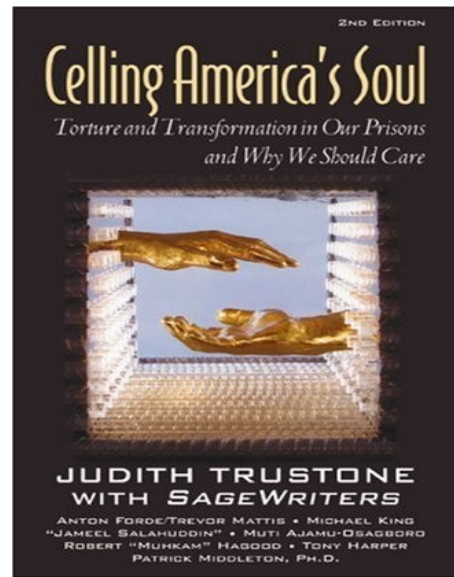


Noelle Hanrahan, *Project Director*

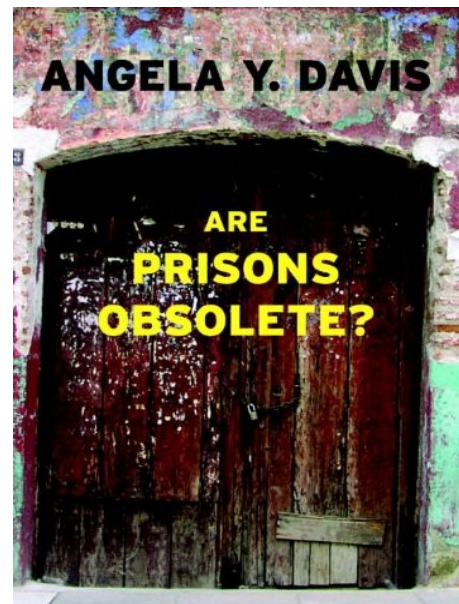
Tracy Rosenberg, *Associate Director*

PO Box 411074, San Francisco, CA 94141 | Phone: 415-706-5222 | info@prisonradio.org

Read



By **Judith Trustone** (Author), **SageWriters** (Author)
Celling America's Soul: Torture and Transformation in Our Prisons and Why We Should Care. Sold at Amazon.com



By **Angela Davis**, has put the case for the latest abolition movement in American life: the abolition of the prison. As she quite correctly notes, American life is replete with abolition movements, and when they were engaged in these struggles, their chances of success seemed almost unthinkable . . . Davis expertly argues how social movements transformed these social, political and cultural institutions, and made such practices untenable. Sold at Amazon.com



stand in a movement that witnessed my writing as powerful pieces, pieces to a story that is old as the laws that stand in each state.

“Most of society believes we deserve our circumstances because we don’t have a voice.”

This is a quote from a man by the name of Frederick T. Ray, III, he made me see my circumstances in a light that is effective.

Many men and women do mix truth and I don’t know the truths of those that are undermining their own credibility, but I do possess a truth of a prisoners rights.

So I look for credibility in the rights that govern me. Roderick Russell Griffin, however humanity can be seen in these decisions, and these rights.

By Rev-Shadow.

Roderick Russell Griffin K-88912
P O Box 689
Soledad, CA 93960-0689

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Puzzle on page 25

I want to support the Human Rights Coalition by giving a Donation!

Name: _____

Institution/ID (if necessary): _____

Street Address: _____

City/State/Zip Code: _____

Phone: _____ Email Address: _____

Donation Amount: _____ \$10.00 - \$25.00
 _____ \$50.00
 _____ \$100.00 or above

Families, we rely on member support, any gift you make above \$25.00 helps us a great deal.
**Please make checks payable to the Human Rights Coalition and mail donations to HRC,
 4134 Lancaster Ave, Phila., PA 19104, ATTENTION: Charitable Donations.**

The Price Ain't Right For "Us"



The imprisonment of human beings at record levels is both a moral failure and an economic one — especially at a time when more and more Americans are struggling to make ends meet and when state governments confront enormous fiscal crises. This report finds, however, that mass incarceration provides a gigantic windfall for one special interest group — the private prison industry — even as current incarceration levels harm the country as a whole. While the nation's unprecedented rate of imprisonment deprives individuals of freedom, wrests loved ones from their families, and drains the resources of governments, communities, and taxpayers, the private prison industry reaps lucrative rewards. As the public good suffers from mass incarceration, private prison companies obtain more and more government dollars, and private prison executives at the leading companies rake in enormous compensation packages, in some cases totaling millions of dollars.

Executive Summary, Banking on Bondage Report, ACLU

The United States is recovering from the housing scandal that triggered the 2008 financial meltdown where corporations honored greed and our legislators couldn't care less about the welfare of the general public. Fannie Mae, Freddie Mac, and Congress were bailed out and everyone is still wondering how it all happened. I'd venture to say that we have another similar financial scandal on the horizon where the welfare of the public is being high-jacked by the greed.

The Prison Industrial Complex (PIC) is one of the fastest-growing industries in the United States. Its investors are on Wall Street and benefactors can be found in Congress and the Senate. "This multimillion-dollar industry has its own trade exhibitions, conventions, websites, and mail-order/Internet catalogs. It also has direct advertising campaigns, architecture companies, construction companies, investment houses on Wall Street, plumbing supply companies, food supply companies, armed security, and padded cells in a large variety of colors."[

As in the housing scandal, the public is unaware of the upcoming crisis as they go through each day, trying to get to tomorrow, weighed down with immediate and pressing issues of; i.e., mothers and fathers *both* working to make ends meet, being on time for work, picking up the kids from day care, paying for day care, rent/mortgage payments, the phone bill, electric bill, gas bill, and cable; don't forget the dog food and that, damn, public transportation is on strike again. With all that is going on, we trust that our country is being managed with our best interest in mind, since (of course) we did vote for the legislators who promised to do this. But when all is said and done, you can bet that our legislators (as with previous scandals) are deeply involved and people's lives will be in turmoil, and what's worse, in this case, an entire segment of society will be wiped out.

Have you ever wondered, why *does* the United States have more people in prison than any other nation in the world, including Russia, China, and Iran. If your answer is, because the United States has more criminals than any other nation in the world, wake up! Private companies are making billions on the backs of prisoners; in their eyes prisoners are a commodity. In fact, one of the main for-profit prison corporations have basically admitted that their business models depend on high rates of incarceration.

Commodity Control

Legislative

In the U.S. laws, essentially, control. Powerful corporations understand this, which is why the American Legislative Exchange Council (ALEC) consists of corporation lobbyist along with state legislators. ALEC is an organization where corporate lobbyists

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Human Rights Coalition Report

(Continued from page 28)

and state legislators vote as equals on “model bills” that often change our rights, and benefit the corporations, usually at the expense of the general public. ALEC is a pay-to-play operation where corporations buy a seat and a vote to advance their legislative “wish lists” and get them tax breaks. Corporations can also have a “membership” to ALEC, they sit on task forces and vote with legislators to approve “model bills”. “Each corporate member pays an annual fee of between \$7,000 and \$25,000 a year, and if a corporation participates in any of the nine task forces, additional fees apply, from \$2,500 to \$10,000 each year. ALEC also receives direct grants from corporations, such as \$1.4 million from ExxonMobil from 1998-2009. It has also received grants from some of the biggest foundations funded by corporate CEOs in the country, such as: the Koch family Charles G. Koch Foundation, the Koch-managed Claude R. Lambe Foundation, the Scaife family Allegheny Foundation, the Coors family Castle Rock Foundation. Other interesting members include Criminal Justice Task Force, Corrections Academy, and long standing member Corrections Corporation of America (CCA), while CCA to have left ALEC in 2010, their privatize prison bills still remain as ALEC models. The legislators bring these proposals home and introduce them in statehouses as their own amazing idea without mentioning that the corporations crafted and voted on the bills. ALEC has boasted that over 1,000 of these bills have been introduced by legislative members each year with one of every five passed into law.

At first glance many of ALEC bills look like big tough-on-crime legislation, but some corporate leaders of ALEC benefit financially which means that “model bills” introduced as good for public safety were designed and pushed by corporations that would profit from these changes in the law; for example:

- Bills that benefit long-time ALEC members (like Corrections Corporation of America (CCA)) of the global for-profit prison industry.
 - a. Increasing time-served for drug offenses through mandatory minimum sentencing
 - b. Creating barriers to alternative to prison such as community-based corrections programs, which will increase prison populations
 - c. Treating juveniles like adults
 - d. Introducing anti-immigrant legislation in Arizona and other states that requires expanded incarceration and housing of immigrants. A perfect example is SB1070. On April 23, 2010, Arizona Governor Jan Brewer signed into law SB1070, a statute that requires police officers in Arizona to ask people for their papers during law enforcement stops based only on an undefined “reasonable suspicion” that they are in the country unlawfully. Senate Bill 1070, and similar “copycat” laws since enacted in several other states, have the potential to further increase the number of immigrants detained. Russell Pearce, currently President of the Arizona State Senate and a member of ALEC’s Public Safety and Elections Task Force, was a sponsor and moving force behind the Arizona bill,⁸⁹ and he presented the idea for the law at an ALEC meeting.[1]
[2]
- Bills that add new penalties for retail theft, which increase prison population and aid ALEC corporations that are retailers, corporate board member Wal-Mart:
 - a. Making it a felony to steal from three retail establishments regardless of the value of the property,
 - b. Adding a penalty-enhancer for thieves who use the emergency exit,
 - c. Imposing new regulations on swap meets and flea markets that may compete with retail stores
- Bills that would overturn long-standing rule designed to protect Americans’ constitutional right, including the right to be free of warrantless searches and the right to confront ones’ accusers such as:
 - a. Reverse the “Exclusionary Rule” for unlawfully obtained evidence and
 - b. Eliminate the rule against hearsay when determining whether probable cause existed.

There are many other bills that aid corporations in other ways, like bills to punish homeowners for the mortgage crisis by creating the crime of “mortgage fraud” that focuses primarily on consumers but no corresponding new crimes for the Wall Street shell game that sank the U.S. economy. Or bills that profit [Altria/Philip Morris USA](#) by way of ALEC’s newest tobacco legislation which is an extremely narrow tax break for moist tobacco that would make fruit flavored tobacco products cheaper and more attractive to youngsters.

(Continued on page 30)

Lobbying

Private prison industry lobbying is another suspect tactic to maintain the flow of people incarcerated and profits for the PIC. According to Detention Watch Network, certain private prison companies spend huge sums of money to lobby the House of Representative, the Senate, and several federal agencies, including the Federal Bureau of Prisons (over 200,000 prisoners are detained at any given time), and the Department of Homeland Security (where 30,000 immigrants are detained at any given time). CCA alone spent over \$18 million on federal lobbying between 1999 and 2009. These figures capture only federal government lobbying, not statehouses across the country which are also lobbied.

Campaigning

In addition to lobbying, private prison companies spend vast sums of money on campaign contributions. Since the year 2000, the leading private prison companies (CCA, GEO, and Cornell, since merged with GEO) have contributed over six million dollars to candidates for state office and over \$800,000 to candidates for federal office. According to the Justice Police Institute in 2010 alone, these companies contributed over two million dollars to state political campaigns and they backed a high proportion of candidates who ultimately won elections, which may be a strategy of focusing on candidates who exert power. Do you still wonder why the U.S. has a higher number of prisoners than any nation in the world?

Financial

Huge corporations use financial incentives as a means to control their commodity (prisoners) which means getting more and more prisoners to fill their prisons. In February 2011, a jury convicted form Luzerne County, Pennsylvania Judge Mark Ciavarella in the “kids for cash” scheme where he accepted nearly one million dollars from the developer of a private juvenile facility. Ciavarella was responsible for imprisoning a huge amount of children (to fill the juvenile facility) over a five year span. Some families of the youth reported that the judge would hold trials that lasted only minutes. Another incident was when a twelve year old boy took his mother’s car, she reported the incident concerned that her insurance would not cover damages if she did not, Ciavarella sentenced the 12 year old boy to two years. Another report was that Ciavarella based a juvenile’s sentence on the number of birds outside the courtroom window.

Another underhanded tactic involved Bill Weimar who’d made enormous profits in private prisons and had the opportunity to make even more money (a one billion dollar, 25 year contract) if a private prison were constructed in Alaska. In short, a federal probe (Operation Polar Pen) of political corruption in Alaska exposed Senator Ted Stevens and Bill Allen (an oil executive). Bill Weimar pled guilty to criminal counts, including conspiracy to engage in honest services mail and wire fraud in connection with efforts to win passage of legislation that could have resulted in the construction of a private prison.

Rotation of Officials

Private prison companies make their money through contracts for prison construction and operation that is negotiated with public officials. Many who work in private prison industry once worked in state corrections departments and many state correction officials formerly worked for private prison companies. Thus the rotation of officials between private corrections and public corrections can contribute to the ability of some companies to win contracts or avoid scrutiny; for example, New Mexico Secretary of Corrections, Joe Williams worked for the GEO group as a warden. When in 2010 New Mexico Legislative Finance Committee reported that private prisons, including GEO, failed to maintain prison staffing required by contract, the state corrections department – headed by Joe Williams – declined to collect contractual fines which would have been an estimated 18 million dollars. Another example would be former BOP Director Harley Lappin who after being arrested for alleged drunk driving, left government service in early 2011, and soon after began work at CCA as the company’s Chief Corrections Officer.

(Continued on page 31)

(Continued from page 30)

Billion Dollar Earnings

Private Prisons

With this type of control, it's not a wonder why incarceration has skyrocketed. In 2010, the largest two private prisons brought in about \$3 billion in revenue. The Corrections Corporation of America (CCA), annual revenue was \$1.7 billion and the CEO and President Damon Hininger's annual compensation package was \$3,266,387 (according to Morningstar).

The GEO Group annual revenue was \$1.2 billion and the Chairman, CEO, and Founder, George Zoley's annual compensation package was \$3,484,807 in 2010. George Zoley has made \$6 million in bonuses alone, but the real money is in stocks – he owns 500,000 plus shares in GEO, and has made \$23 million in stock trades during one 18-month period. GEO saw a 56% spike in profits in the first quarter of 2013 and the company's executives assured investors that the incarceration rate wouldn't be dropping any time soon.

Telephone Companies

Telephone companies also greedily compete for a slice of the PIC pie. Kickback commissions generate more than \$152 million per year nationwide for state prison systems alone, as reported by Prison Legal News (PLN). This means that phone companies that want to do business inside prisons put together proposals that include a commission, the higher the commission a phone company offers the correctional department, the bigger the incentive of those departments to go with that particular company. Revenues generated for correctional facilities can run to millions of dollars per year, nearly \$20 million in California, prior to the state banning of phone contract commissions, \$10 million in Illinois, approximately \$4.5 million in Connecticut, nearly \$5 million in Virginia, and \$4 million in Louisiana. PLN gathered the data of contracts, Request for Proposals and other data for 2007-2008 and published a chart in their April 2011 issue (see chart, page XXX), it's a depressing picture. New York had received a commission of 57.5% to 60%, the highest in the nation at the time, which generated \$200 million in kickback payments from 1996-2007. The no-commission statute went into effect in 2008 and under a new contract with Unisys and VAC, New York prisons now have some of the lowest phone rates in the country – a flat \$.048/minute for any time of calls.

Contracting Prison Labor

The prison industry has also made money by contracting out prison labor to private companies. Some companies that have profited from cheap prison labor are Starbucks, Boeing, Victoria Secret, McDonalds, and U.S. military. According to the Left Business Observer, the federal prison industry produces 100% of all military helmets, ammunition belts, bullet-proof vests, ID tags, shirt, pants, tents, bags, and canteens. Prison laborers cost between \$.93 and \$4 per day and to make matters worse a new bill has recently been introduced that will reduce prison wages even more (see page 36).

Those who use prison labor do not need to collect benefits, don't need to worry about strikes, paying out unemployment compensation, vacations, or overtime. All of the workers are full-time and never arrive late or are absent because of family problems. And if they don't like the pay of \$.25 per hour and refuse to work, they are locked up in solitary confinement. Once again I ask, why are there so many prisoners in the United States of America. Isn't it now obvious that this business is lucrative, and at the very least, private contracting of prisoners to work basically for free encourages incentives to lock people up. For the tycoons who have invested in the prison industry, it has been like finding a pot of gold.

Who else?

Who else benefits from PIC? The Vanguard Group and Fidelity Investments are America's top two 401 (k) providers and two of the private prison industry's biggest investors. They own, together, 20% of both CCA and GEO. This means that if you have a 401 (k) there's a good chance that you benefit financially from private prisons and even if you don't there are many more mutual fund, brokerage firms, and banks that invest in private prisons. This is especially true for government employees like public school teachers because their retirement funds are some of the biggest investor in private prisons.

For some of us the Prison Industrial Complex (PIC) is old news and we'd swear that there are further kickbacks, nickel & dimming, and underhanded maneuvers in place that have yet to be investigated, like requiring family members and prisoners to purchase from only specific vendors (and then charge them extra to do so). We'd insist th price gouging is a major part of the PIC who has approved prison vendors that will sell you anything to make a profit - from televisions to magazines, from clothing to toiletries and

(Continued on page 32)

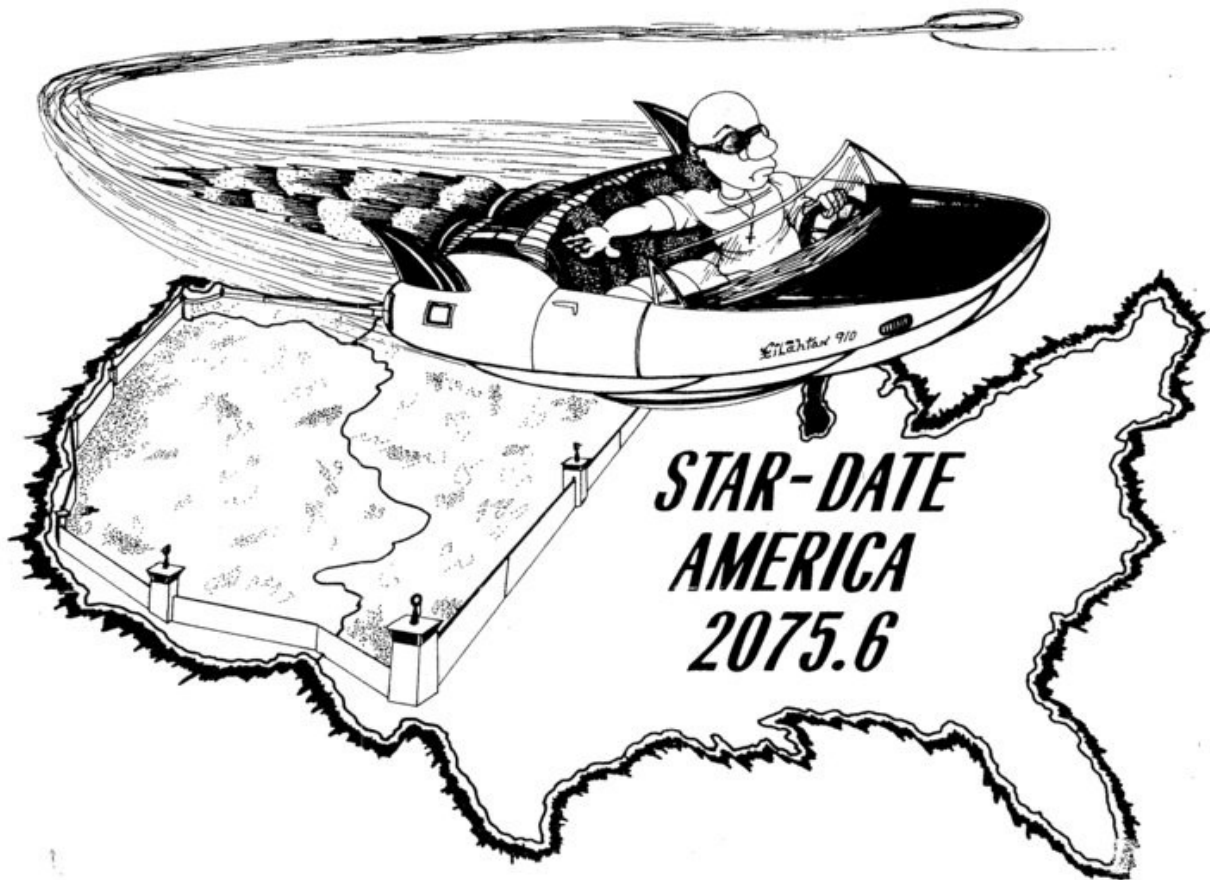
(Continued from page 31)

everything in between. But none of are aware of just how far (as in the housing scandal) this thing extends into our lives or what will happen if it continues to go unchecked. PIC is a system that feeds on poor men, women, and children of color, molding laws so that any minor infraction will result in another person thrown into prison - another commodity and more money. We need to ask ourselves, to what end does this extend. Will corporate greed and underhanded maneuvers trigger (as with the housing market collapse) another stock market crash, will small and large businesses fail, and will CEOs flee the country on private jets after transferring billions to Swiss bank accounts? Or will we wake one morning and find that an entire race of people have gone missing - incarcerated? Will we care, or will we continue to think as we've been programed to think - *they must be guilty of something or they wouldn't be in prison*. Neither scenario is desirable. Wake up, we the people! The price ain't right, for us.

Sources:

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View BY R.G. HALL JR



Star-Date America By: Richard G. Hall Jr.

For more prison art go to: realcostofprisons.org/comix

THE MOVEMENT

www.hrcoalition.org

Volunteers on the Inside: David Lee and Robert Saleem Holbrook

BTB extends our gratitude and respect to David Lee and Robert Saleem Holbrook, two incarcerated individuals who have volunteered their time to develop a new course for our Address This! correspondence course program. A description of their work is below.

The "kid" next door to me saw my package and began saying "Oooh! Can I open it!" I told him, "No, it's my present!" Well, a few minutes later, he was asking me for the address, sitting down to write a letter, so he could get his own package!

—W.K., a prisoner in PA

You sent me 'Roget's Thesaurus,' which has already helped me greatly. I've had a poem sitting at a stand still for almost a year, but within one hour of the receipt of the Roget's, the poem was finished. Thank you.

—a prisoner in PA

New Address This! Course on Youth Empowerment

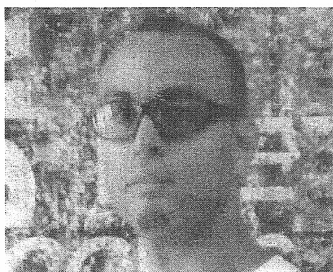
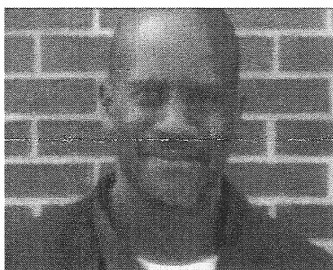
The One Hood United Youth Empowerment course was designed by David Lee and Robert Saleem Holbrook, two prisoner activists within Pennsylvania's Prison Industrial Complex who are members of the Human Rights Coalition (a human rights advocacy group in Philadelphia) and One Hood United (a youth empowerment movement). The purpose of the One Hood United Youth Empowerment course is to educate imprisoned youth into a greater understanding of their responsibility to themselves, their families and their communities, as well as to lift them out of self-destructive lifestyles by introducing them to a value system rooted in familial and communal values. The Youth Empowerment course will serve a vital need within the prison system by providing an alternative educational program to youth at a time when the prison system is

cutting back on educational facilities due to overcrowding. The One Hood United Youth Empowerment course will also provide an uplifting and motivational education curriculum that seeks to empower youth, not alienate them or further marginalize them from society as the education within the prison system often does. In the words of course co-creator David Lee, "We should offer young people information that is both inspirational and able to hold their attention. The goal should be to educate, not alienate our youth. We can only accomplish such a lofty goal if we first take the time to understand them and work with them, not against them." For more information on One Hood United contact:

Address This!

4722 Baltimore Avenue
Philadelphia, PA 19143
215-727-8170

AddressThisPA@gmail.com



David Lee (top) and Robert Saleem Holbrook (bottom)

About Address This!

Address This! is an education and empowerment project. It provides innovative correspondence courses to individuals incarcerated in Pennsylvania, with a special focus on the participation of prisoners in solitary confinement or maximum security, who often have little access to educational options. Five courses are currently offered; the Youth Empowerment course described above will be the sixth. You can learn more about *Address This!* at <http://books.throughbars.org/programs/address-this/>

What's The News!

Life in Prison, For Pot Brownies?! Seriously?

By: Josh Dieker

A Texas teen is facing life in prison after a felony conviction. 19-year old Jacob Lavoro didn't kill anyone, though. He's not a rapist or a child molester.

He made some pot brownies.

If he lived in Colorado, he wouldn't be guilty of any crime, since recreational use of marijuana is now legal there. However, because he lives in Texas, which has some of the countries most draconian drug laws, he's now facing a felony conviction and a potential life sentence.

The absolute insanity of putting this kid away forever is highlighted by the stark contrast with the outcome of a recent rape conviction in Indiana. Apparently a man can be convicted of drugging and raping his wife for years but get no time in prison at all. None.

David Wise was convicted on charges of drugging his wife, and raping her repeatedly, over the course of at least three years. Part of the evidence against him was video he took using his phone, as well as an email in which he admits to her what he had done. He was charged and convicted on six counts of sexual assault. His sentence? Eight years of home confinement.

This is complete bullshit folks. I dare you to justify either of these. Actually, I double-dog dare you.

From: <http://bluenationreview.com/life-in-prison-for-pot-brownies-seriously/>

Black, gay and now a fierce Federal Judge!

By Jimmy Williams, June 17, 2014

The Senate just did something good. The upper chamber just confirmed a black gay man to be a federal judge. This may not sound like a big deal to you but trust me on this, it really is.

Darrin Gayles, who was a Florida circuit court judge until this morning, is now a U.S. District Judge for the Southern District of Florida.

Two Republicans voted to end a filibuster of Gayles' nomination. That's right, two of the 45 GOP Senators voted to move his nomination forward for a final vote. How pathetic is that? In the end he received a 98-0 confirmation vote.

This reminds me of that debacle down in Richmond, Virginia last year when state Delegate Bob Marshall failed to scuttle Tracy Thorne-Begland's nomination to be a circuit judge. Marshall called Thorne-Begland, a former Navy jet pilot, "an aggressive activist for the pro-homosexual agenda." This is beyond the pale frankly.

Thorne-Begland was eventually confirmed by the Virginia Senate with a 28-0 vote and twelve GOP state senators abstaining from voting. No profiles in courage here.

It seems the GOP senators, on both the state and federal level, just don't like gay and black people. I wonder why that is. After the GOP did its autopsy report back in January 2013 (following President



Judge Darrin Gayles

Obama's five million vote winning margin over Mittens Romney), you'd think they would want to welcome blacks and gays and latinos into their "big tent." Nah, the sad reality is one day the GOP is going to wake up (well, maybe not anytime in the near future but one day) and smell the coffee. The country will have left them behind in the 20th century and they'll have to rebuild themselves back into a viable political party. Just don't hold your breath

please or you'll turn as blue as bluenationreview.com.

From: <http://bluenationreview.com/black-gay-now-fierce-federal-judge/>

The 10 most corrupt states in the U.S.

By: Chris Matthews, JUNE 10, 2014,

New research takes a look at decades of corruption convictions to find the crookedest states in the union.

When we think of government corruption (as one tends to do), our biased minds often gravitate to thoughts of military juntas and third world governments. But, of course, corruption is everywhere, in one form or another. And it's costing U.S. citizens big time.

A new study from researchers at the University of Hong Kong and Indiana University estimates that corruption on the state level is costing Americans in the 10 most corrupt states an average of \$1,308 per year, or 5.2% of those states' average expenditures per year.

The researchers studied more than 25,000 convictions of public officials for violation of federal corruption laws between 1976 and 2008 as well as patterns in state spending to develop a corruption index that estimates the most and least corrupt states in the union. Based on this method, the most corrupt states are:

1. Mississippi
2. Louisiana
3. Tennessee
4. Illinois
5. Pennsylvania
6. Alabama
7. Alaska
8. South Dakota
9. Kentucky
10. Florida

That these places landed on the list isn't exactly surprising. Illinois, which has

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What's The News!

(Continued from page 34)

gain notoriety for its high-profile corruption cases in recent years, is paired with states like Mississippi and Louisiana, which are some of the least economically developed in the country. The researchers also found that for 9 out of the 10 of the most corrupt states, overall state spending was higher than in less corrupt states (South Dakota was the only exception).

Attacking corruption, the researchers argue, could be a good way to bring down state spending without hurting services that people need.

Researchers also found that spending in these states was different than their less corrupt counterparts. According to the report, "states with higher levels of corruption are likely to favor construction, salaries, borrowing, correction, and police protection at the expense of social sectors such as education, health and hospitals."

The paper explains that construction spending, especially on big infrastructure projects, is particularly susceptible to corruption because the quality of large, non-standard projects are difficult for the public to gauge, while the industry is dominated by a few monopolistic firms. Corrupt states also tend to, for obvious reasons, simply have more and better paid public servants, including police and correctional officers. The researchers argue that the need for correctional officers is greater in corrupt places too because "the overall extent of corruption will be higher in states with higher numbers of convictions of public officials."

Of course, it's not all bad news, as the study also found the least corrupt states too. Citizens of these states—Oregon, Washington, Minnesota, Nebraska, Iowa, Vermont, Utah, New Hampshire, Colorado, and Kansas—can take solace in the fact that they're not getting ripped off as badly as the rest of us.

From: http://fortune.com/2014/06/10/most-corrupt-states-in-america/?xid=ob_rss

HOLDER EYES SHORTER PRISON TERMS FOR DRUG OFFENDERS

June 10, 2014

Attorney General Eric H. Holder Jr. on Tuesday endorsed a plan to shorten prison sentences for certain inmates as part of his pursuit of administrative reforms he says will make the system more fair to people of color and reduce taxpayer costs.

The proposal would make eligible for reduced sentences about 20,000 of nearly 215,000 inmates in federal prisons, the Justice Department said. Individuals with non-violent, low-level drug convictions and without "deep criminal ties" would qualify for retroactive sentences.

The U.S. Sentencing Commission, which sets guidelines for sentencing federal inmates, is considering the proposal and may vote on it next month.

In April, the commission voted to lower the base offense for individuals convicted of possessing various amounts of drugs, shortening the average sentence by about 11 months. Mr. Holder's new proposal would make that guidance retroactive — lowering the base offense for those already serving time.



Attorney General Eric H. Holder, Jr.

"If your offense was non-violent, did not involve a weapon, and you do not have a significant criminal history, then you would be eligible to apply for a reduced sentence in accordance with the new rules approved by the commission in April,"

Mr. Holder said Tuesday. "Not everyone in prison for a drug-related offense would be eligible. Nor would everyone who is eligible be guaranteed a reduced sentence."

Mr. Holder has long argued that the federal system is unfair, especially for minorities, and sentencing reform is one way to level the playing field.

According to the Sentencing Project, an advocacy group, more than 60 percent of the people in prison are racial and ethnic minorities. For black men in their 30s, 1-in-10 is in prison or jail on any given day — largely because of drug-related offenses.

From: http://www.sentencingproject.org/detail/news.cfm?news_id=1849&id=92

NY Prisoner's Youthful Age Considered in Modifying Prison Disciplinary Sanction

February, 2014, New York.

The Appellate Division of New York's Supreme Court, Fourth Judicial Division, after taking into account a prisoner's youthfulness, modified the penalty imposed in a prison disciplinary hearing.

Prisoner Paul Cookhorne was charged with violating various prison rules that included assaulting and injuring a guard. Cookhorne, who was 17 years old at the time of the violations, was found guilty at a tier III disciplinary hearing and ordered to serve four years in the Special Housing Unit (SHU) and lose four years of good time, among various other sanctions.

Cookhorne filed a "hybrid CPLR article 78 proceeding and declaratory judgment action" challenging the guilt determination

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What's The News!

(Continued from page 35)

and punishment imposed. He also sought a declaration that prison officials consider the age of 16- and 17-year-olds as a mitigating factor in all disciplinary proceedings. By order of the Erie County Supreme Court, the case was transferred to the Appellate Division.

The appellate court severed the causes of action and transferred the part seeking declaratory judgment back to the Supreme Court for further proceedings. The Appellate Division then ruled on Cookhorne's claims seeking relief under CPLR article 78. Initially, the court found that the disciplinary report, testimony of the guard and photographic evidence constituted substantial evidence that Cookhorne had violated prison rules.

As to the punishment imposed, the appellate court held that the sanctions were "so disproportionate to the offense, in the light of all the circumstances, as to be shocking to one's sense of fairness." Taking into consideration Cookhorne's young age at the time, all of the circumstances surrounding the incident and the New York State Department of Corrections' disciplinary guidelines, the court concluded the maximum penalty that should have been imposed was 18 months in the SHU plus the loss of 18 months' good time credits and loss of phone, commissary and package privileges for the same period of time.

Therefore, the Appellate Division ordered Cookhorne's disciplinary sanction to be so modified, and wrote that nothing in its order should be construed to limit the scope of issues or relief in the declaratory judgment action pending before the lower court.

From: <https://www.prisonlegalnews.org/news/2014/feb/15/ny-prisoners-youthful-age-considered-in-modifying-prison-disciplinary-sanction/>

Yuri Kochiyama dies at 93; civil rights activist, friend of Malcolm X

By ELAINE WOO

A famous Life magazine photograph from 1965 shows Malcolm X lying on the stage of a New York City ballroom moments after assassins had shot him down. One of the first people who rushed to his side was a petite Asian woman in glasses who is seen cradling his head in her hands.

A hotbed of black liberation was an unlikely place to find a middle-aged Japanese American mother of six who had grown up teaching Sunday school in a mostly white section of San Pedro.



Yuri Kochiyama speaks at an anti-war demonstration in New York City's Central Park circa 1968. (Kochiyama family photo)

But history's twists had turned Yuri Kochiyama onto an unexpected path. Kochiyama, who straddled black revolutionary politics and Asian American empowerment movements during four decades of activism that was just beginning when she met Malcolm X, died Sunday of natural causes in Berkeley, her family said. She was 93.

Read more at: <http://www.latimes.com/local/obituaries/la-me-yuri-kochiyama-20140604-story.html#page=1>

NO! to Cut in Prison Minuscule Wages.

Heads Up! A new bill is on the table. Prison groups, families, and advocates are calling in to protest against HB2386.

The public was alerted only a day before the bill was to be voted on. But with a scurry of phone calls and emails, just may-

be, it will be stopped. The announcement presented as:

Tomorrow, June 27, 2014, House Bill 2386, sponsored by PA State Rep. Todd Stephens, will go before the Pennsylvania House Judiciary Committee. The bill would substantially cut the already minuscule wages that prisoners earn while locked up. The bill would require the deduction of 25% of a prisoner's wages and 75% of all deposits into their personal account for court fees and costs.

The starting wage in the DOC is \$0.19/hour. The maximum a prisoner can make is \$0.42 an hour. Prisoners can already have about 20% of their wages taken to pay court cost and fines through Act 84. Because people in prison often get financial support from their families on the outside, this bill places yet another economic burden on prisoners' families too.

Time and time again, the Judiciary Committees in Harrisburg pass bills that make conditions worse for prisoners and their families and do nothing to reduce the impact of mass incarceration in Pennsylvania.

Please share this information and voice your opposition to HB2386 by taking a minute to call Representative Stephens (the bill's sponsor), Representatives Ron Marsico and Thomas Caltagirone (House Judiciary chairs) and/or other members of the House Judiciary Committee tomorrow (Friday) and tell them to VOTE NO on HB 2386 and to take real steps to end mass incarceration in PA. If HB2386 does pass, call AGAIN, to express your dissatisfaction.

Rep. Todd Stephens (Sponsor) - (717) 260-6163

Rep. Ron Marsico (Majority Chair) - (717) 783-2014

Rep. Thomas Caltagirone (Minority Chair) - (717) 787-3525

Rep. Timothy Krieger (Subcommittee Chair on Crime & Corrections) - (717) 260-6146

Rep. Matt Bradford (Democratic Chair on Crime & Corrections) - (717) 772-2572

Rep. Vanessa Lowery Brown (the only representative from Philadelphia) - (717) 783-3822

Full text of the bill:
www.legis.state.pa.us/CFDOCS/Legis/PN/Public/btCheck.cfm?txtType=HTM&sessYr=2013&sessInd=0&billBody=H&billTyp=B&billNbr=2386&pn=3828

Your Legal Corner

WE ACCEPT LEGAL ARTICLES THAT EDUCATE AND EMPOWER FAMILIES OF PRISONERS THEIR CONSTITUTIONAL RIGHTS AND LAWS, AND HOW TO DEAL WITH THE POLICE, LAWYERS AND THE COURTS ON BEHALF OF THEIR LOVED ONES.

A word From Bradley Bridge

Pennsylvania Juvenile Lifers:

In June 2012 the United States Supreme Court in Miller held that mandatory juvenile life without parole was unconstitutional. In October 2013, the Pennsylvania Supreme Court in Commonwealth V. Ian Cunningham held that Miller does not apply to old cases (cases that were over when Miller was decided). In February 2014 we asked the United States Supreme Court to review that decision by the Pennsylvania Supreme Court. By now you have undoubtedly heard that the disappointing news that United States Supreme Court on June 9, 2014 denied our cert petition in Ian Cunningham's case. We don't know why they decided not to grant review. They gave no reasons. It is quite surprising that they denied our petition. As of now, the highest courts in six states (Massachusetts, Illinois, Iowa, Nebraska, Mississippi and Texas) have said that Miller is fully retroactive while three states (Pennsylvania, Louisiana and Minnesota) has said it is not retroactive. Justice should not depend on what state you're from. The denial by the United States Supreme court is also surprising because the Philadelphia District Attorney's Office filed a response to our cert petition and AGREED that the United States Supreme Court should grant review — but they thought they should win that review. There is no denying that the denial of cert is bad news — but it is not the end of our struggle to achieve vindication. Here is what is going on now and what we recommend that you do in the future.

Many of you have filed PCRA petitions. Most of those petitions have been held open pending the decision of the Supreme Court in Cunningham. These petitions will now move forward and will be dismissed. It is important that you appeal that decision to the Superior Court. In the Superior Court you will lose again and for the same reason — because the Pennsylvania Supreme Court decision in Cunningham says that Miller is not retroactive. After you lose in the Superior Court, you can either seek review in the Pennsylvania Supreme Court or proceed to federal court on a habeas corpus petition. It may seem useless to move forward on your PCRA (only to lose) and to appeal to the Superior Court (only to lose). It is important, however, that you do so because you need to exhaust state remedies. This is required in order to get federal habeas corpus relief.

Many of you have also filed federal habeas petitions. At least 145 of these petitions in the Eastern District of Pennsylvania have been held open pending the decision of the Supreme Court in Cunningham or pending state PCRA petitions. These petitions may now move forward. Hopefully, you will obtain federal habeas corpus relief. The denial of cert in Cunningham just means that the United States Supreme court does not want to hear the case at this time. It's not a ruling on the merits of the retroactivity issue. In fact, at least one person, Kempis Songster, has already been granted federal habeas corpus relief but the Commonwealth appealed that decision to the 3rd Circuit. That case will now move forward. If you lose your federal habeas petition, appeal to the 3rd Circuit.

While I still believe that ultimately the United State Supreme Court will decide that Miller is retroactive, today's decision to deny our petition means that day of vindication is at least a year off into the future. I'm so sorry that we were not successful today. I know, however, that while all of you are deeply disappointed, I also know that all of you are deeply patient.

As always, please keep me informed as to what is going on with your PCRA, your appeal or your habeas petition. My name is Bradley Bridge. My address is: Defender Association, 1441 Sansom Street, Philadelphia, PA 19102. Please excuse me if I don't reply to your letters — or it takes me a while to reply. There are over 500 juvenile lifers and everyone's case is very important and unique. For this reason, sometimes I cannot immediately, or even directly, respond. Thanks for your understanding.



Whistleblower: Arizona inmates are dying from inadequate health care

By Abigail Leonard & Adam May, May 28, 2014

An America Tonight investigation found dozens of cases of neglect in Arizona's privatized prison health care system

SAFFORD, Ariz. — Regan Clarine found out she was pregnant just two days before she was sentenced to two and a half years behind bars for possessing a narcotic for sale. Giving birth to her baby daughter while she was incarcerated at the state prison complex near Tucson was an experience she says nearly killed them both.

Clarine says her first indication things were not right with her health care was when she asked prison officials for an ultrasound. She was worried she wasn't gaining enough weight, but they never gave her one. Instead, Clarine said that after about nine months, prison doctors sent her to the hospital to induce labor, but when the baby still didn't come, they performed a cesarean section against her wishes.

When Clarine went back to her cell, her C-section wound re-opened.

"It was big enough for me to put my fist in there," she said. "It was the worst pain I'd ever been through in my life."

Clarine said she alerted guards, but they refused to let her see a doctor, leaving her on the prison yard with a gaping wound for two weeks. When she finally saw medical staff, she said they told her that she was lucky to be alive. They treated her with a wound vacuum. Then, she said, they employed an antiquated medical treatment.

"They decided to use sugar ... like McDonald's sugar," she said. "They would open it and pour it inside [the wound] and put gauze over and tape it up. And I had to do that for like three weeks."

Clarine's story is one of dozens. Like many other states, Arizona privatized its prison health care system two years ago. In a six-month investigation, "America Tonight" found disturbing cases of inadequate treatment, and evidence that Wexford Health Sources, the first private company Arizona contracted to provide prison health care, was aware that it was violating prisoners' constitutional rights. Arizona's system is currently run by Corizon Health, the largest private prison health care provider in the country. Now, for the first time ever, one of its former employees is blowing the whistle about its failures.

Going unfed

Teresa Short was a patient care technician for Corizon, but lost her job in late March for refusing to go to work while suffering from a case of scabies she caught from a prisoner. Short said she thought it would be unethical to treat patients while she was still contagious. She had already infected a family member, she said, and feared her son could contract it and bring it to his high school. According to Short, Corizon and Arizona prison officials have been trying to cover up the outbreak, which now includes the original prisoner and seven staff members. (Corizon's response at <http://america.aljazeera.com/watch/shows/america-tonight/articles/2014/5/27/whistleblower-arizonainmatesaredyingfrominadequatehealthcare.html>)

But the most persistent problem at Corizon, Short said, was staffing. "We have a lot of dementia patients that take time in feeding," she said, "and because of the short staff we'd have to stand there for hours to try to feed them and it was just not permitted." Sometimes, those patients would go unfed, she said. Others who were incontinent would sit for hours in their own feces, she said. And still others died.

Short described one dementia patient who had a vascular catheter in his arm for dialysis treatments. He didn't understand what it was and kept playing with it, she said, so she repeatedly told senior staff he needed additional supervision. Instead, they sent him back to his cell, alone. At 5 a.m., she went in to check on him.

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Regan Clarine and Rylan, her 11-month-old daughter

(Continued from page 38)

"[I] could smell blood before I even went into the room," she said. "And when I turned on his light, it looked like somebody had been murdered. There was blood all over the room. I screamed for help." Short said the man had unplugged the catheter and quickly bled out. If Corizon had employed more staff to monitor patients, she said, he might still be alive.

There are some numbers to back up Short's claims. Since the state privatized its prison health care, medical spending in prisons dropped by \$30 million and staffing levels plummeted, according to an October report from the American Friends Services Committee, a Quaker social justice organization. It also found a sharp spike in the number of inmate deaths. In the first eight months of 2013, 50 people died in Arizona Department of Corrections custody, compared with 37 deaths in the previous two years combined. According to a 2012 lawsuit filed by the American Civil Liberties Union, the health care in Arizona's prisons now amounts to cruel and unusual punishment, with prisoners at serious risk of "pain, amputation, disfigurement and death." The suit cites examples of Arizona health officials telling prisoners to pray to be cured and drink energy shakes to alleviate cancer symptoms.

"People are often sent to prison for two-year, three-year sentences that have turned into death sentences because of the absence of the basic minimal care," said Dan Pochoda, legal director for the ACLU in Arizona. He said in his 40-year career, he's never seen a worse prison health care system. In an emailed statement, Corizon spokeswoman Susan Morgenstern said that the company could not discuss individual cases because of privacy laws, but that "the vast majority of our current staff levels exceed contract requirements," and that their care follows the guidelines of the National Commission on Correctional Health Care and the American Correctional Association.

"Our goal is always to provide quality care while being good stewards and making the best use of public funds," she wrote. "As for lawsuits, we treat hundreds of thousands of patients in millions of healthcare encounters each year," she added. "... The majority of lawsuits are brought by inmates without an attorney representing them and are dismissed or resolved prior to trial." (Full statement at <http://america.aljazeera.com/watch/shows/america-tonight/articles/2014/5/27/whistleblower-arizonainmatesaredyingfrominadequatehealthcare.html>).

'He had plans'

Tony Brown is another inmate who died since Arizona privatized its prison health care. He was serving a 10-year sentence for aggravated assault and was due to be released last September. "They were supposed to come down for Thanksgiving this year," his daughter Jenna Jumper said. "He never got to meet my husband and he wasn't there when I got married, so they were going to come visit."

Brown was in remission from esophageal cancer, according to his medical records, and had been prescribed morphine for the pain. But in October 2012, the prison ran out of the drug. Medical staff switched him to Lortab, a weaker painkiller. In a video taken by prison guards and obtained by "America Tonight," Brown is seen just after he was put on the new medication, writhing in pain while handcuffed to a gurney. His medical records show that guards told nurses his condition was worsening and that he "needed to be checked out." But there is no record of medical staff visiting his cell. In another video taken two days later, a prison chaplain checks on Brown at his wife's request. "Inmate Brown, I spoke with your wife earlier today," the chaplain is heard saying. "Can you communicate with me please? I'd like to speak with your wife later on. Is there something I can tell her?"

Brown, face down on a bunk, barely moves and doesn't respond. A guard can be heard saying, "Is it me or does this just not feel right to anybody else?" The guards started CPR and nurses came to assist, but 40 minutes passed before they realized no one had called an ambulance. He died in a hospital the next day. Two days later, his widow Jami Brown said she finally received a call back from Wexford, the private prison health care company in charge at the time. "My biggest thing is that if people would stop to realize that he did have family," his daughter said, "and that he did have a child and he did have a wife and he had plans."

The official cause of death was listed as complications from cancer. But Brown's family is suing Wexford, claiming he died from lack of adequate medical care.

In a statement, Wexford attorney Ed Hochuli said he couldn't discuss details of the case because of the lawsuit and health care privacy laws, but wrote: "Based on the limited information we have at this time, though, I am very confident Wexford Health and its employees acted appropriately, and further investigation of this claim will demonstrate and prove the lack of any wrongdoing or negligence by Wexford Health." But there are signs that Wexford was aware of problems.

"America Tonight" obtained a copy of a PowerPoint presentation written by top Wexford executives for a meeting with the Arizona governor's office in November 2012 – four months after the company started providing care in the state. It warned that the care it and the Department of Corrections were providing was "not compliant with ... requirements" and that "the current class action lawsuits are accurate." It recommended an overall operational cleanup, staffing reassessment and the appointment of a governor's office liaison. The PowerPoint presentation also says that the department's "transparency" policy with the media could "encourage negative press."

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'A grain of sugar'

Prison officials deny any problems with privatized care. Richard Pratt, the interim director of the health services division of Arizona's Department of Corrections, told "America Tonight" that staffing levels since privatization were "basically the same." "Corizon staffing levels have been coming up on a monthly basis to the point even last month the hours that they were working with their existing staff exceeded the contract requirements," he said. He also denied there was a scabies outbreak, as Teresa Short had charged. But Pratt emphasized that privatizing health care wasn't a decision made by the Department of Corrections. "It was legislated and mandated and it was the law," he said. "So we were forced to do this."

Legislators who supported the privatization promised that it would save taxpayers money, while maintaining adequate levels of care for inmates. The majority of states have privatized prison health care, rewarding private companies for keeping costs down. "I mean, people die in prisons," said state Rep. John Kavanagh, who wrote the legislation that privatized the state's prison health care.



State Rep. John Kavanagh said Clarine's story about being treated with sugar didn't seem like a "true allegation," adding that it "sounds ridiculous."

"I receive a lot of handwritten notes from prisoners. I receive emails from prison families with all sorts of allegations of crazy behavior. And then, you call the prison people up and they usually have a reasonable explanation for it."

Kavanagh said Clarine's story about being treated with sugar didn't seem like a "true allegation," adding that it "sounds ridiculous."

"You know prisoners have 24/7 to think up allegations and write letters," he said. "I'm not saying that some of them can't have a basis in fact. But you got to take them with a grain of salt or in the case of the hospital, with maybe a grain of sugar." Kavanagh was also dismissive of the ACLU lawsuit. "I think most people who get into [class-action lawsuits] wind up with nothing and the lawyers walk away in limousines with their trunks full of cash," he said.

No bid, nothing

Before Tony Brown's death, Wexford was already coming under fire after a contract nurse exposed more than 100 inmates to hepatitis C by using dirty needles to deliver medication, according to the Department of Corrections. Four months later, Arizona severed ties with Wexford and awarded the three-year, \$369 million contract to Corizon, which has similar contracts in 28 states, according to its website. But it has faced problems in many of them; in the last five years, Corizon has been sued for malpractice 660 times. Arizona Democratic House Minority Leader Chad Campbell said the Legislature didn't properly vet Corizon before signing the contract. "No bid. Nothing," he said. "It was deemed an emergency situation by Department of Corrections so they didn't have to go through the normal process." Campbell also noted that Corizon had just hired the former head of the Department of Corrections, who was the mentor of the current head of the department.

That's not the only tie that members of the state government have to private prisons. Charles Coughlin, the former campaign strategist for Gov. Jan Brewer, runs a lobbying firm called HighGround Public Affairs Consultants, which represented one of the country's largest private prison companies. HighGround donated \$5,000 to Jan PAC, Brewer's super PAC. Then in late March, Kavanagh allocated \$900,000 in state funding to the private prison company GEO Group Inc., even though the Department of Corrections said it wasn't needed, according to the Arizona Republic.

"They're profiting on taxpayer dollars and to me, if I'm going to hand out money to a private entity, I want to make sure it's being spent wisely," said Campbell, who is now calling for an investigation. The governor's office declined a request from "America Tonight" for an interview and referred us back to Kavanagh, who said the allegations that Brewer accepted bids because of personal relationships were "baseless." "I think they're propaganda," he said. "I mean, people say to me I've gotten campaign contributions from private-prison people. Well, yeah. I got from a lobbyist who represents them but that lobbyist also represents 40 other clients in different industries. It's smoke and mirrors. It's a façade."



Richard Pratt, interim health services director for Arizona's Department of Corrections, denies that there's a scabies outbreak in prison and says that Corizon's staffing levels have exceeded the requirements of the contract.

(Continued from page 40)

In the meantime, allegations of wrongdoing continue to mount. According to the American Friends Service Committee report, an inmate at the Whetstone Unit of the Arizona State Prison Complex tested positive for tuberculosis in August. But Corizon did not test other prisoners, even those who were doing community service outside the complex.

A healthy baby

Earlier this month, Regan Clarine completed her sentence. "America Tonight" met her as she was released into the waiting arms of her father, Paul.

"It's one of the happiest days of our life," he said. "Hopefully we'll never have to do this again."

They drove to a nearby hotel to reunite with the rest of the family, including her 11-month-old daughter, Rylan. They'd met a handful of times on brief prison visits, but Rylan didn't recognize her mother. Still, Clarine was happy to see her so healthy.

She responded to Kavanagh's allegation that she was probably making up her story with a laugh, saying, "That's crazy. I don't think I could even come up with something like that ... Sugar?" To add insult to injury, her mother, Lori, said the prison has billed her \$2,000 for Rylan's birth. She is disputing the charges but fears it could hurt her credit if she doesn't pay them. She says privatized prison health care simply isn't working. "You know, she got her just punishment," Lori said. "But, oh my goodness, they're still human beings. Take care of them."



Clarine walks out of prison, escorted by her father

FROM: <http://america.aljazeera.com/watch/shows/america-tonight/articles/2014/5/27/whistleblower-arizonainmatesaredyingfrominadequatehealthcare.html>



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The Danger of Growing Old Inside the Prison System

By Nate Butler

“Each generation must find its destiny, fulfill it or betray it.” - Frantz Fanon

I came upstate from Holmesburg county prison on September 15th, 1991. I was 20 years old at the time. I always thought of myself as one of the young bucks because most of us was between the ages of 20-24 years old. Now at this time the youth in the kamps is between the ages of 17-19 - what a difference. These young bucks today are divided, frustrated, and angry at the world. When I listen to them talk with one another I notice they are not aware of anything; its mind blowing. This young generation are getting swept off the street with many, many years to do behind bars. It really bothers me to witness this form of genocide called “Mass Incarceration.” I came into the system young and I will admit my attitude was somewhat shaky because a lot of old-timers didn't want to be bothered with me. I wasn't that far gone, I never viewed prison as a game, a joke, a playhouse, as this young generation does today. As I observe some of these young bucks I see a little of my younger self in some of their attitudes towards authority, but in all other aspects I just can't relate. Twenty four years later as my struggle continues behind these prison walls I now realize why most of the old-timers back in the day wanted to stay away from the young bucks.

Back then I used to hear the old-timers, who are now considered elders, complain about “the young bucks doing this” or “the young bucks doing that.” I used to get angry and mad at them, saying to myself these old-timers always complaining. I wonder: Do these young bucks say that about me today in 2014! (smile). I find my tolerance for these young bucks to be short. They lack self-respect, and don't know how to carry themselves. This is why the old-timers back in the old penitentiary stayed out of the young bucks way. Please understand that I am not stereotyping all young brothers but a lot of them fit this description.

I sat back and pondered on my thoughts for many years until I finally came to the following conclusions. The young bucks are not completely at fault and a lot of them don't really know better, partly because they weren't taught at home and the school system has failed them. Most of them don't even have strong family ties or bonds or anyone to teach them commonsense. I grew up in a single parents household inside the inner city. But these young bucks

grew up in the mighty era of crack addicted parents and neighborhoods devastated by drugs and gangs so many of them had nobody to teach them. Some had no mother, others no father. Most young bucks taught themselves by running the streets and watching TV (American Gangsta) and other reality shows. So is there any wonder why they behave the way they do?

One must always bear in mind that children are the product of their environment and educational level. So if we are looking to cast blame there is plenty to go around. In the end, I've come to the following conclusion on these young bucks: *Either we do like the old-timers before us and stay out the way, or we try to teach them what the home and school system couldn't. This thing is sad, but its real. This is the danger of growing old inside the prison system.*

Nate Butler #BQ-0913. SCI Coal Township, 1 Kelly Rd., Coal Township, PA 17866. Bro. Nate is a member of One Hood United, a movement dedicated to youth and community empowerment.

“To err is human, but to forgive is divine . . .”

My name is Avron Holland. I'm an inmate in a state prison named Greene County. I just received a letter from my old cellmate who told me that he was building a house for his mom because her old house was falling down on her! He learned how to build houses while enrolled in a “building and trades” program here at Greene County Prison. He made my heart warm and proud! With much self-reflection, I thought about the man who invented the security box device to put over handcuffs. This invention became so famous that it's practically universal. He too was an inmate! I then thought about another inmate who wrote a book that became a very thrifty seller. That book was so envogue that mainstream magazines were giving it honors. Then, my mind thought about Bernard Hopkins who left prison and became the middleweight champion of the world. With all these positive facts, my heart and mouth smiled for days. I am enamored by the productive things done by former inmates. But, how can society and the state's hearts be so cold on the gray-haired inmates? Are inmates really perceived as irredeemable, incurable, incorrigible pariahs?

The state's negative social stigmatization of ex-cons is really a conundrum. With a comprehensive review of America's

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say what ? . . . speak up! / writings of multiplicity

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beginnings, we see what the so called founding fathers achieved here in America as ex-cons. It was their tenacity, audacity, and thuggery that turned this wilderness into a paradise! Many men have left the pen and have become business gems and credible political partisans. When an ex-con gets into trouble, people tend to implore and berate all inmates because of the misdeed of one individual. But yet, when a member of a clergy gets into trouble, people don't condemn the whole church? That's a grotesque and milquetoast conundrum for me!

It's hypocritical for society to have so much disaffection for it's age-ing inmates. There are thousands of elderly inmates in prison that have terminal illnesses, but yet the state will not grant them compassionate release. The state allowed an eighty-eight year old lady name Helen Loheac to pass away, and she was nearly blind and deaf, and she had Alzheimer's disease. This senior citizen also had kidney failure! How could an enfeeble minded, ill, elderly woman be a risk to society? In 1976, the Supreme Court ruled that inmates have a constitutional right to health care! However, in Pennsylvania, inadequate health care is prevalent. And, with the tough sentencing guidelines, geriatric prisoners will increase making malpractice and mistreatment even higher .

It's a dubious conundrum to see many harmless elderly inmates be denied amnesty and clemency in a society that preaches compassion?

If the state truly believes in redemption, then they will know that adults mature out of criminal behavior. When elderly inmates are diagnosed with terminal illnesses, they should be granted a pardon. It would be very "prudent and economical" to release America's senior citizens from prison when you ruminate on the fact that they are reformed and harmless! Why not! If you can answer this you can solve the conundrum?! I look forward to your response.

With great respect,

Avron Holland HN-7410
SCI-Greene
175 Progress Drive
Waynesburg, PA 15370

www.freebobbybostic.com

I am writing this urgent letter to bring attention to an injustice that was done to a 16 year old juvenile in a Missouri courtroom.

I need your assistance in bringing attention and awareness to this case. Bobby Bostic was 16 years old in 1995 when we and an older male committed the robbery of two people in a crowd of five and attempted to rob three other people in that same crowd. Also he committed another robbery a few streets away of an adult female and took her r. No one was seriously injured in these crimes.

I am Bobby Bostic and I was sentenced to die in prison for the above crimes. The judge told me at my sentencing hearing, "Bobby Bostic you will die in the Department of Corrections. Do you understand that? You do not go see the parole board until 2201. No one in this courtroom will be alive in the yer 2201." I have been in prison for 18 years now and have rehabilitated myself. I have graduated from several college courses from Missouri State University, Adams State University, and Blackstone Career Institute. I have completed over 30 rehabilitation classes and programs. In addition to this I have wrote five non-fiction books and eight poetry books. Also I have a blueprint for several non-rofit organizations for troubled teens and charity that I want to establish. In addition to this I have many more goals that I am currently pursuing.

In 2010 the United States Supreme court held that it is cruel and unusual punishment to give a juvenile life without parole if he did not kill anyone. My sentence of 240 years is life without parole yet the Missouri courts have yet to overturn my sentence. In 2012 the United States Supreme Court ruled that the eighth amendment forids states from giving juveniless mandatory life without parole for homicide convictions. Still today I remain serving a sentence where I will die in prison although no one was hurt in my crime and I was only a child when I got arrested. My adult co-defendant was given 30 years and he goes home in 5 years. I was given 210 more years than him for the exact same crime although he was an adult. This is one of the greatest injustices in sentencing in moen times.

I need any support that I can receive. To send letters asking for a sentence reduction in my case please send the letters to me or my attorney or any other assistance you can provide. For mor details please see:

Wwww.freebobbybostic.com

Bobby Bostic 526795
H.U. 5-A-118
South Central Correctional Center
255 West Highway 32
Licking, MO 65542

If any prisoner, family member, or community activist would like to submit an article that is critical of the state and county prison systems, courts, D.A. offices, police, capitalist corporate America, and the government, just forward your article to the HRC's Newsletter Department for possible printing.

"Just as doctors are enjoined by their oath from the actual performance of state-sanctioned murder, so architects should resist when confronted with the design of death chambers. But today, hundreds of architects are engaged in the design of spaces of living death that defy every precept we should hold holy. These are lines no architect should draw.

Drawing the Line: Architects and Prisons

A call for architects to refuse to design chambers of living death.

By Michael Sorkin

Architects have been tested immemorially by the question of where to draw the line, and the choices are not exclusively aesthetic. Because buildings have uses and frame and enable particular activities, their ethical aspect is inevitable by simple association. The connection can be fuzzy or clear. Bauhaus grads worked on the plans for Auschwitz, and someone thought hard about the ornamentation on the facade of the Lubyanka. This was unambiguously wrong. So too was the target of the first explicitly architectural demonstration I ever attended, which was organized by a group called the Architects' Resistance. We marched in front of the headquarters of Skidmore, Owings and Merrill, then at work designing a skyscraper in apartheid Johannesburg. The leaflet handed out suggested that somewhere upstairs was a draftsman designing two men's rooms—one black and one white.

Sometimes the argument is less clear-cut. What about a client who specifies endangered hardwoods in a project? What about using materials with high levels of embodied energy, like aluminum? What of working for gentrifiers, or designing buildings in countries where construction labor is cruelly exploited and forced to work in dangerous conditions? Building is rife with politics, and ideally an architect will always consider the ethical implications of what he or she designs. The scale, of course, can slide: there are presumably also those who will demur at working on an abortion clinic, a nuclear power station, even a mosque.

In this country, much of the leadership on the question of architectural ethics has been provided by Architects/Designers/Planners for Social Responsibility (ADPSR), and since 2004, a focus of its activities has been the design of prisons. It has promulgated a pledge not to participate in any such work. (I signed on long ago.) The reasons for refusing such projects are many: disgust with the corrupt enthusiasm and extravagance of our burgeoning "prison industrial complex"; objections to our insane rates of incarceration, our cruel, draconian sentencing practices and the wildly disproportionate imprisonment of minorities. Designing spaces of confinement and discipline is also contrary to what most architects imagine as their vocation: the creation of comfortable, humane, even liberating environments.

ADPSR has now focused its efforts on the worst aspects of imprisonment—execution, torture and solitary confinement—and is in the midst of a campaign to convince the American Institute of Architects (AIA, representing about 75 percent of licensed architects) to amend its code of ethics to explicitly exclude participation in designing the sites of such barbarity. This new petition has more than 1,000 signatures, and the institute's San Francisco chapter has become the first to vote its collective support for the drive. The no-solitary restriction is the most radical revision yet proposed to the code, which already protects unpaid interns and encourages "public interest design" and "obligations to the environment."

ADPSR—behind the energetic leadership of its president, Raphael Sperry—has asked the AIA to "prohibit the design of spaces for killing, torture, and cruel, inhuman or degrading treatment," and cites existing language in the code which stipulates that "members should uphold human rights in all their professional endeavors." In particular, ADPSR advo-

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cates an explicit refusal to design execution chambers and “supermax” prisons, which are conceived for the universal solitary confinement of their inmates.

According to the website Solitary Watch, “at least 80,000 prisoners are in some form of isolated confinement, including 25,000 in supermax prisons.” The US average for time spent in solitary is five years, and there are, according to NPR and other sources, thousands who are held in such isolation for decades. The cruelty and psychological damage of this form of punishment has long been widely known. The UN’s special rapporteur on torture has described the practice as “cruel, inhumane and degrading” and urges that it not be used for juveniles or the mentally ill, nor for longer than fifteen days in any circumstances, noting that this is the threshold for permanent psychological damage. In July, Scientific American—joining other mainstream media, including The New York Times—published an editorial that called for a halt to this practice, citing a Supreme Court decision noting that “a considerable number of prisoners fell, after even a short confinement, into a semi-fatuous condition, from which it was next to impossible to arouse them, and others became violently insane; others still committed suicide, while those who stood the ordeal better were not generally reformed, and in most cases did not recover sufficient mental activity to be of any subsequent service to the community.” The decision is from 1890. The editorial’s conclusion: “Solitary confinement is not only cruel, it is counterproductive. The U.S. should reclaim the wisdom it once held and dramatically limit the practice.”

* * *

Supermax prisons are exactly designed to kill souls. A solitary cell (referred to as the “hole” or the “box”) is typically between seventy and eighty square feet, and prisoners are kept alone in them for twenty-three hours a day, with one hour alone in a “yard” barely twice the size of the cell and a shower perhaps three times a week. Practically all human contact is mediated by bars, mesh or manacles, and many cells are windowless, with an inmate’s exposure to the world outside the cell limited to the door slots through which food is passed by the gloved hands of jailers, often in the form of “the loaf,” a disgusting pressed amalgam of pulverized food. Cells are, in most cases, deliberately colorless (any “aesthetic” ingredient is considered an inappropriate privilege in an environment that seeks to level all distinctions to the basest level) and are built—bunks and all—from bare concrete; the only furnishing is a stainless steel toilet-and-sink combo positioned to deny privacy. The lighting is never turned off.

A number of observers, including Michel Foucault, Erving Goffman, David Rothman and Sharon Shalev, have told the history of the institutionalization of imprisonment, including the fluctuating sense of its purpose and the social and physical organization of its practices. In Shalev’s succinct taxonomy, the purpose of imprisonment—and the use of solitary confinement—has evolved from the early nineteenth century; a focus on moral reform and the redemption of souls was superseded by a postwar emphasis on Skinneresque behavior modification, itself replaced by today’s practices of “risk management.” The supermax represents the almost complete abandonment of the idea of rehabilitation, replacing it with a hypercruelty of convenience.

Much of this history has been written in architecture. In the early days of the Republic, an argument raged between the carceral philosophies of the Philadelphia and Auburn, New York, prisons. In the former’s “separate system,” prisoners were held in a state of constant solitary confinement, whereas in Auburn’s “silent system,” they slept in solitude but mingled in silence with other inmates for meals, work and recreation. Partisanship was intense on both sides, and Shalev cites an exponent of the separate system criticizing its rival in 1854: “The silent congregated system...is a great step towards real improvement...[but it fails] in reformation of morals as well as correction of the offender’ since, although the prisoner is prohibited from communicating with others, he is still surrounded by them, and ‘the winking of the eye, the movement of the finger, a sneeze or a cough, is enough to communicate what is desired.’”

Hovering over much of both the architectural and social debate is Jeremy Bentham’s Panopticon, his 1791 scheme for a prison based on a radial organization of the cells with a concealed observer at the center. The much-marked genius of what Foucault called this “cruel, ingenious cage” was that discipline was imposed invisibly: even in the absence of the all-seeing guard, the sense of always being observed was inculcated, transferred as anxiety to the prisoners themselves. This design has had a long life, both practically (many prisons were built on this model) and as a metaphor. It has become a

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kind of portmanteau for descriptions of the surveillance society of which we are all increasingly inhabitants, even as Bentham's pure geometry of supervision has been displaced by a ubiquitous network of cameras, taps and search algorithms. The supermax prison is a highly technologized über-Panopticon: prisoners leave their cells for exercise or showers via the sequential opening and closing of electronic doors, never catching sight of another person but ever under the system's inescapable gaze.

The question of why we incarcerate through such alienating means and in such massive numbers continues to trouble and confound. All the arguments are, of course, disciplinary and include the obvious conclusion that the wave of prison construction that began under Reagan in the 1980s—based on a nearly complete abandonment of rehabilitative ideals and a “punitive turn” in corrections—is one of the ugly legacies of the Gipper, Papa Bush and Bill Clinton, a racist project pure and simple: Willie Horton was no aberration. This prison rush—described by Loïc Wacquant as a switch from the rehabilitation of convicts to the rehabilitation of the prison—has a weird dystopian parallel with the public housing projects of the postwar years, a massive scheme to isolate people of dubious class and color and to inculcate in them the habits of order. Indeed, the huge prison-building program of the past decades was far larger than any public attempt to construct conventional housing. Likewise, the massive privatization of prison construction and administration—much like the current militarization of the Mexican border—can be seen as a perverse “peace dividend” for the private contractors whose bottom lines grow wobbly as Washington scales back on bellicose adventures abroad.

It's no coincidence that hunger strikes recently took place simultaneously at Guantánamo and, by tens of thousands, throughout the California system; despite their different practices of imprisonment, these places are representative of the American style of coercive justice and a universalized state of war against the other. Without doubt, solitary confinement is qualitatively the same experience at all of these places and mixes ideas of control and colonization, the punitive and the productive: Guantánamo used the supermax as its model. This production includes information, deterrence, retribution and correction, whether of the soul or of some specific behavior. But the medium is always discipline and deprivation. In all instances, what is produced has been demonstrated time and again to be nothing but cruelty to prisoners and the convenience of the jailer. And whether in Guantánamo or upstate New York, the result is ultimately failure. Supermax prisons are factories of recidivism, rage, madness and suicide. James Ridgeway and Jean Casella have, in this magazine, cited evidence that the suicide rate in solitary is five times the rate of the general prison population.

While there is widespread agreement that solitary confinement is a form of torture, the debate about it reflects the same dissembling that surrounded “enhanced interrogation,” as if torture could simply be described away. In the case of solitary confinement, the terms of art include “administrative segregation,” “disciplinary confinement,” “security housing” and “restricted housing.” This rename-it-and-disclaim-it evasion provides the wiggle room for professional participation. The well-documented collusion of psychologists in the design of American ways of torture is shameful and has resulted in a professional push-back which parallels that of architects who refuse to design prisons for solitary confinement. For those psychologists who do participate, the exculpatory ruse is the question of drawing the line at “permanent” damage, and the claim is that they are there to monitor risk, not to administer it.

The interest of architects who engage in prison work would not appear to be altruistic. The back flap of a standard guide for professional prison designers offers this peppy injunction: “Now you can acquire the savvy needed to capitalize on the boom in correctional facility construction and renovation!” A headline on CNN Money is even more succinct: “The nation's 2 million inmates and their keepers are the ultimate captive market: a \$37 billion economy bulging with business opportunity.” But “boom” scarcely describes it: since the growth of the lock-'em-up mentality driven by the Rockefeller drug laws, various three-strikes formulations, and a general spirit of rage at the poor, minorities, the undocumented and the dependent that has polluted our polity, the growth in prison construction has been exponential. The number of state and federal prisons rose by 43 percent from 1990 to 2005, with a new prison opening every fifteen days at the peak of the boom; and the country's rate of incarceration in the past decades has grown 400 percent to lead the world: the United States, with 5 percent of the planet's population, has 25 percent of its prisoners and now “controls” over 7 million people either in jail or under some form of penal supervision. Employment in the sector rivals that of the automobile industry.

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The leading prison design firm in the United States is the DLR Group (website motto: “Elevate the human experience through design”), which claims over \$3.5 billion worth of work in the field and created the first federal supermax prison, the Florence Administrative Maximum Facility (ADX) in Colorado (the “Alcatraz of the Rockies”). Opened in 1994, Florence was the culmination of a line of development that can be traced from the Arizona SMU (Special Management Unit) in 1986 and refined by the notorious Pelican Bay in 1989. There is an archipelago of architectural offices that do the work of designing for “justice,” and many of them embed this aspect of their practice in lists of other building types, including schools, hospitals, military facilities and so on. Kitchell, which claims 150 projects and more than 200,000 beds in its portfolio, cheerily proclaims that “Prisons Can Be Green Too.” Other firms with a strong presence in the field include Arrington Watkins, KMD and the notorious Schenkel Schultz, also implicated in the design of Gitmo.

In Shalev’s study—and others—it becomes clear that architects discharge their professional responsibilities by cleaving closely to their clients’ demands, rather than by thinking about the human consequences of those demands for the majority of the population housed in their work. Shalev quotes an architect she interviewed as saying, in effect, that his primary responsibility is the safety and comfort of the prison staff and that all else is secondary. Increasingly, the business contract simply replaces the social contract, something reflected as well in the great wave of privatization of prison construction and administration, led by the likes of the Corrections Corporation of America, the GEO Group (formerly Wackenhut), Community Education Centers, Cornell Companies and the Management and Training Corporation. And big money is to be made not simply in design and management but in food service (Aramark is big in both prison and university feeding systems) as well as logistics and supply.

Just as doctors are enjoined by their oath from the actual performance of state-sanctioned murder, so architects should resist when confronted with the design of death chambers. But today, hundreds of architects are engaged in the design of spaces of living death that defy every precept we should hold holy. These are lines no architect should draw.

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About the Author

Michael Sorkin is an American architectural critic and author of several hundred articles in a wide range of both professional and general publications.

CENSORSHIP & THE HUMAN RIGHTS COALITION

WHO IS BETTER
QUALIFIED TO
WITNESS BOOK
INCINERATION
THAN THE
UNEDUCATED
AND
INCARCERATED
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EASILY WALK
THROUGH BEN
CHAVEZ MILES
DAVIS CEASAR
CHAVEZ SONIA
SANCHEZ DICK
GREGORY NOBLE
DREW ALI
LET THE FLAMES
BURN THE PAGES
LIKE FIRE
CATCHES DRY
GRASS LOCK
DOWN THE
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MEMORY A
SMOLDERING SMELL
CLEAR THE STACKS
MAKING OBVIOUS
THE COLUMNS
OF PERCULATING
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