



PRISON FOCUS

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Serving The Interests Of Prisoners And Their Loved Ones On The Outside For Over Twenty Years

WOMEN IN NEW YORK STATE PRISONS FACE SOLITARY CONFINEMENT AND SHACKLING WHILE PREGNANT OR SICK

By Victoria Law

What does solitary confinement have to do with reproductive justice? Quite a lot, says a new report about reproductive health care in New York's women's prisons. The Correctional Association of New York, a criminal justice policy and advocacy organization, released *Reproductive Injustice: The State of Reproductive Health Care for Women in New York State Prisons*. The report is a culmination of the organization's five-year study of the state's women's prisons, including in-person interviews with over 950 incarcerated women and 1,500 mailed-in surveys.

New York State incarcerates nearly 4,000 women each year. On any given day, the New York Department of Corrections and Community Service (DOCCS) imprisons 2,300 women, for whom it is responsible for providing health care, including reproductive health care. But that care is "woefully substandard," charges the report. The Correctional Association found that DOCCS systemically offered substandard medical treatment, inadequate access to gynecological care, poor conditions for pregnant women, and insufficient supplies of feminine hygiene products and toilet paper. In addition, pregnant women are routinely shackled during labor, delivery, and postpartum recovery, in violation of the state's 2009 law.

Solitary confinement exacerbates these problems. Approximately 1,600 people are placed in solitary confinement in New York's women's prisons each year. On any given day, 100 women are held in solitary confinement. Until recently, no exceptions were made for pregnant women. But even women who are not pregnant have found that solitary confinement further obstructs their ability to access reproductive health care. "Solitary is especially dangerous for pregnant women because it impedes access to critical OB care and prevents women from getting the regular exercise and movement that are vital for a healthy pregnancy," the report states. In addition, many pregnant women already experience stress and depression, feelings intensified by isolation. For pregnant women, the additional stress of being locked in a cell for 23 hours a day lowers their ability to fight infection and increases the risk of preterm labor, miscarriage, and low birth weight in babies.

Among the women surveyed by the Correctional Association, the three most common charges for isolation were, in order, disobeying a direct order, creating a disturbance, and being out of place. "It's one of the clearest examples of how the prison system is a system of punishment and only uses punishment to address behaviors that need intervention and support," Tamar Kraft-Stolar, director of the Correctional Association's Women in Prison Project and the author of the report, told *Solitary Watch*.

DOCCS has two forms of solitary confinement—the Special Housing Unit (SHU), which is used to punish more serious rules violations, and keeplock, for less serious infractions. People placed in keeplock are usually confined to their own cells; if they live in a dorm setting, they are sent to a separate keeplock unit. SHU cells are in a separate area. In keeplock, individuals are allowed to keep their possessions while those in SHU are denied almost all of their property and receive only the minimal number of state-issued items. People generally spend no more than 60 days in keeplock, whereas people can spend months, years or even decades in the SHU.

Whether in SHU or keeplock, people are confined to their cells 23 hours each day. They cannot participate in programs, receive packages, or use the phone except to make legal or emergency calls. In addition, they are limited to one non-legal visit per week and three five to ten minute showers per week. They often have difficulty accessing doctors. When they are visited by medical staff, they are frequently forced to shout their concerns through a locked metal door, allowing people in neighboring cells and nearby staff to hear.

Until 2014, no written policy regulated pregnancy and solitary confinement. But as part of the settlement for the class-action lawsuit *Peoples v Fischer*, DOCCS issued a memo establishing a "presumption" against SHU placement for pregnant women unless a watch commander believes she poses "an immediate and substantial risk [to herself or others]...or an immediate and substantial threat to the safety and good order of the facility," which remain left to the discretion of prison staff and officials. The memo does not restrict pregnant women from being placed in keeplock, instead suggesting it as an alternate placement for pregnant women who receive a SHU sentence.

The Correctional Association identified seven women held in solitary while pregnant between 2009 and 2012. All had problems accessing prenatal care from isolation. In one instance, a woman spent four weeks in keeplock where her complaints of bleeding were ignored. After the Correctional Association intervened, she was given medical attention and diagnosed with an ectopic pregnancy, in which the pregnancy occurs outside the womb and, if unaddressed, can be fatal.



Family Behind Bars, by Kevin "Rashid" Johnson

"Elle Farah" was pregnant when she arrived at Albion Correctional Facility for a work release violation. The week before, she had visited the emergency room for what she had thought was a miscarriage. "They told me to wait and come back on Friday [two days later] for a sonogram and a D&C," she told *Solitary Watch*. But work release rules dictated that she return to prison on Friday for the weekend and so she missed the appointment. When she was released on Sunday, she had a drink. "After that, I got sick. I was throwing up. I was throwing up on my way to parole [the next day]," she said. At the parole office, she failed her breathalyzer test and was sent to Albion. When her vomiting continued, she wondered whether she was miscarrying. When she told the sergeant that she was pregnant, she recalled that "he was really nasty about it. He said, 'That's not gonna get you out of SHU.'" The prison sent her to an outside hospital where she was told that she was having a miscarriage, that doctors could do nothing, and that she simply had to wait.

A prison nurse served as her hearing officer. At one point, Elle recalled, he stopped the recorder and told her that he had looked at her sonogram and, although she had been told that

she was miscarrying, the baby looked fine. He then turned the recorder on and sentenced her to 90 days in SHU. She received no additional medical care or extra food. She was able to shower three times a week and exercise by herself in a small outdoor cage.

Because Albion has no facilities for pregnant women, Elle was transferred to Bedford Hills two weeks later. She was fully shackled, including waist chains, for the entire ten-hour bus ride. When she arrived at Bedford, she was placed in SHU. "Even though I was in solitary in both places, I was happy to go from one solitary to another because Bedford's was a little bit better," she said. But even with the extra snack that Bedford provides pregnant women ("usually a bologna sandwich," she recalled, although pregnant women are advised to avoid deli meats which can be life-threatening to a fetus), she remembered that she was always hungry. "I had to wait a long time to eat and there wasn't a lot of healthy food."

Even women who are not pregnant face reproductive injustices while in isolation. Donna Hylton was in the SHU at Bedford Hills for three months when she sought care for a burning sensation in her urethra. First, she had to tell the officer that she wanted to sign up for sick call. "You have to yell your business down a corridor full of women," she explained. Hours later, a male officer arrived and asked, "Who signed up for sick call? Why do you want to sign up for sick call?" The response, Hylton remembered, "felt like a gross violation of my privacy."

Two days later, a nurse, accompanied by two officers, stopped in front of her cell and spoke to Hylton through the closed door. Two weeks after that, Hylton was placed in handcuffs, ankle cuffs and a waist chain before being escorted to the prison's medical unit. There, a nurse asked if she had been having sex. "The door was open and a sergeant was right outside," she remembered. "There was no privacy." Another week passed before she was once again shackled and brought to the gynecologist, who asked the same question about sex. He did not examine her before prescribing Tylenol.

Finally, the woman in the adjoining cell, Judith Clark, helped Hylton figure out that she had a urinary tract infection triggered by antibiotics for a sinus infection. To access medical care, Hylton once again had to yell down the corridor to sign up for sick call and go through the whole process again. But this time, the gynecologist examined her. Although her waist chain and ankle cuffs were removed, she remained cuffed by one hand during the exam. "You're cuffed, you're chained, you're strapped. You have to take off some of your clothes while being restrained," she explained. "Being a [rape] survivor, it was very violating. I was re-traumatized."

Hylton was taken off the antibiotics for her sinus infection and placed on medication for a urinary tract infection. "But it was only because of Judy that I learned what was causing it," she remembered. "No one had asked me anything about my medications."

Hylton's medical ordeal happened in 1987. Nearly 30 years later, the Correctional Association found that women face the same obstacles. Nearly half of the women surveyed attempted to access gynecological care while in isolation. More than one-third reported that the officers refused to place their names on the sick call list unless the woman described her concern. The practice has caused some women to refrain from seeking medical, particularly gynecological, care while in solitary. Given that the average SHU sentence is about three months and that the average keeplock sentence ranges between 14 and 27 days, not seeking health care can have deleterious, and sometimes long-lasting, effects.

In addition, some women have reported that nurses on sick call rounds dismissed their concerns and refused to allow them to see a doctor. Even when nurses are not dismissive, they must assess the women through the closed cell door. Women also reported waiting for weeks before seeing a doc-

tor. In the meantime, their symptoms often worsened. Like Hylton, women in the SHU are taken to gynecological appointments in shackles. DOCCS policy is to remove shackles for the appointment at the doctor's request, but seven of the 25 women who had GYN exams while in isolation reported that they remained in restraints while being examined.

The Correctional Association also has a Prison Visiting Project, which visits and monitors conditions in both men's and women's prisons in New York State. Scott Paltrowitz, the project's associate director, points out that many of these concerns, such as access and quality of medical care, are also experienced in men's isolation units. "Solitary confinement is torture for all people because of the intense suffering and severe physical and psychological debilitation it causes," he told Solitary Watch. "The particularly devastating gender-specific impacts on women in solitary highlighted in Reproductive Injustice epitomize the egregious nature of this practice and the extreme punitive approach utilized in New York State prisons. New York needs to end this practice for all people."

Hylton agrees. "No one should be dehumanized in such a fashion." So does Elle Farah. "Don't put no pregnant person in SHU," she recommended, adding, "I hope the whole solitary thing ends. The crime doesn't justify the punishment."

"These [stories] are examples of why we need to keep people out of solitary and keep people out of prison altogether," said Tamar Kraft-Stolar. The report is the launching point for the Correctional Association's Campaign to End Reproductive Injustice, which seeks to raise reproductive health care standards in prison, end shackling during all stages of pregnancy, and push New York to continue shifting away from incarceration by utilizing more alternatives to incarceration and ending the criminalization of social and economic issues. •

<http://solitarywatch.com>

FUTURE FOCUS

By Jalil A. Muntaqim, Attica, February 2015

In seven years, by 2023, the U.S. will be 40 percent minority, and 50 percent of the entire population will be under 40 years old. These are the demographics that cannot be ignored as progressives move forward building opposition to institutional racism and plutocratic governing.

In my thinking, it is incumbent on today's activists to take into account what America will look like in 10 years, so we will be better positioned to ensure the future will not be governed by deniers of change. In this regard, I am raising dialogue toward building a National Coalition for a Changed America (NCCA) comprised of social, economic and political activists who are prepared to build a future-focused America based on equitable distribution of wealth. It is important that progressives seek the means to organize greater unity and uniformity in ideological and political objectives toward the construction of a mass and popular movement. It is well established that the most pressing issues confronting the poor and oppressed peoples are wage inequities, housing displacement, dysfunctional public schools and student debt, climate change, the criminalization of the poor, mass incarceration, and the militarization of the police. In each are negative racial and economic implications creating social conflicts and confrontations.

However, the most pervasive and devastating cause for all of these issues is the unequal distribution of wealth. It is well researched and recorded that the wealth disparity, income gap between whites and blacks is 40% greater today than in 1967, with the average black household's net worth at \$6,314 and the average white household's at \$110,500 (New York Times, "When Whites Just Don't Get It," by Nicholas Kristof). When we account for how such economic disparity impacts educational opportunities or criminal behavior in the black community, we are better able to identify the overall pernicious problem. The Brookings Institute reported last July: "As poverty increased and spread during the 2000s, the number of distressed neighborhoods in the United States—defined as census tracts with poverty rates of 40% or more—climbed by nearly three-quarters." The report continued: "The population living in such neighborhoods grew by similar margins (76%, or 5 million people) to reach 11.6 million by 2008-2012." (New York Times, "Crime and Punishment," by Charles M. Blow).

Obviously, America is in increasing economic crisis, especially when considering the following: "According to a recent paper by the economists Emmanuel Saez of the University of California, Berkeley, and Gabriel Zucman of the London School of Economics, almost all of the increase in American inequality over the last 30 years is attributable to the 'rise of the share of wealth owned by the 0.1% richest families.' And much of that rise is driven by the top 0.01%." "The wealth of the top 1% grew an average of 3.9% a year from 1986 to 2012, though the top one-hundredth of that 1% saw its wealth grow about twice as fast. The 16,000 families in the tiptop category—those with fortunes of at least \$111 million—have seen their share of national wealth nearly double since 2002, to 11.2%." (New York Times, "Another Widening Gap: The Haves vs. the Have-Mores," by Robert

Frank).

Can there be any serious disputing that the reality of this so-called democracy is actually a plutocracy, and the governing plutocrats have us all hustling and scraping for the crumbs, demanding a minimum wage increase, when we should be demanding control of production? Hence, it is necessary for progressives to realize the future of our struggle must be based on participatory democracy and direct-action engagement. It is important for the more educated and experienced activists to teach the younger activists, and young people in general need to know the future belongs to them, and we are concerned about what that future will look like and how to make it productive. It is essential we figure ways to bridge differences between the evolving demographics and growing minority population.

For instance, I am heartened to see young people taking to the streets challenging the common impunity of police repression and violence. Indeed, Black Lives Matter! However, I am not confident these protests will result in anything substantial in terms of institutional changes or build a sustainable movement. We remember Occupy Wall Street (OWS) had created similar national attention, but void a national organization, leadership or agenda (demands), it was a matter of time before OWS would dissipate and disappear after police removed the public nuisances.

In this regard, I am asking activists to post on their Facebook pages and other online sites these musings, for open discussion and dialogue. Specifically, I suggest that young people across the country enter open debate about the future of specific issues that have captured national attention. Obviously, it is necessary to build a mass and popular movement to effectuate real institutional change in this country. This was a vital lesson from the civil rights movement challenging the institution of Jim Crow. Therefore, I am urging young activists to consider organizing toward a "Million Youth Independence Day March" (MY-ID March) for July 4, 2016, in Washington, D.C., making the following demands:

- De-Militarization and De-Centralization of the Police, Community Control of Police;
- Debt Relief for College Students, Lower Tuition Cost for College Education;
- Support the Manifestation of the Dreamers Act—Stop Deportations and the Splitting of Families.

These three issues, as they become part of the national dialogue and challenge to the plutocratic government, are able to unite a universal national determination. A one-issue protest/campaign is not sustainable when confronting an oppressive/repressive government policy supported by right-wing corporate interests. However, these interwoven issues reach three demographics of young people, each directly challenging institutions of government. Again, it is important to use the current unrest to forge a unified and uniform national youth movement.

Secondly, politically, we need to consider how best to ensure these issues become a major factor in the national debate, possibly imposing them into the national election of 2016. In this way, inspiring and encouraging a mass and popular youth movement organized during the election year of 2016, we empower the youth to be future focused. It is well established that it was the youth who were instrumental in getting Obama elected as President. Despite our collective disappointment with his presidency, the lesson learned is the power of the youth when united and determined to accomplish a task. Again, recognizing that in 7 years the electoral demographics will be drastically changed, it is time to prepare for that eventuality, even if some do not believe in the electoral process. Therefore, during the election year of 2016, not a single candidate will be permitted to conduct a public forum without being challenged by these issues. These would be acts of participatory democracy and direct-action engagement. Obviously, to hold a national rally and march in Washington, D.C. during the July 4, 2016 weekend tells the entire country that young people will divorce themselves from the status quo, becoming independent of the Republican/Democratic party politics.

In closing, it is anticipated this proposal will raise questions concerning the potential for the development of a National Coalition for a Changed America (NCCA). Permit me to say that this proposed organization is only a suggestion. I firmly believe that building a national coalition is necessary to establish a mass and popular movement capable of forcing institutional changes, including the ultimate goal of redistribution of America's wealth. I request this paper be widely distributed and discussed. I am prepared to enter discussion with anyone interested in the potential development of a National Coalition for a Changed America. Lastly, I humbly request activists to review what I wrote in "Toward a New American Revolution." •

"Our First Line of Defense IS Power to the People!"
Remember: We Are Our Own Liberators!

In fierce struggle,

Write to Jalil A. Muntaqim
s/n Anthony J. Bottom #77A4283
Attica Correctional Facility
P.O. Box 149
Attica, NY 14011-0149

SUPPLEMENTAL REPORT: STEP-DOWN PROGRAM (SDP) & DEPARTMENTAL REVIEW BOARD (DRB) CASE-BY-CASE REVIEWS: SLOW AND UNFAIR

By Kim Rohrbach

This supplemental report substantiates, through in-person interviews and correspondence, four key findings:

- 1) The pace of the reviews remains sluggish as CDCR has only had two qualified persons to chair DRB reviewing teams since the inception of case-by-case reviews in October of 2012. CDCR officials informally reported in February that they plan to add two more individuals who can also chair DRB teams, and that these additions should speed up the process. Be that as it may, it is unconscionable that men who are likely to be released from solitary confinement upon review—after being subjected to inhumane conditions for years or decades on end—have been indefinitely waiting in SHU just to go before DRB. There is no excuse for CDCR's bureaucratic moroseness. Justice delayed is justice denied.
- 2) The pattern of case-by-case (CBC) reviews, when and where they take place, is being cynically driven by the *Ashker v. Brown* lawsuit. CDCR's demonstrated intent is to render that case moot by moving men who have been caged in Pelican Bay's SHU for ten years or more to the other SHUs: that is, to reduce and eventually eliminate the class of plaintiffs in *Ashker v. Brown* who are party to the cause of action brought under the 8th and 14th Amendments (Cruel and Unusual Punishment). This violates the spirit of those who participated in the recent hunger strikes and demanded, among other things, an end to CDCR's administrative abuses and debriefing policies. It also violates the United Nations Convention against Torture, to which the US and its subjugate territories are signatories.
- 3) CDCR continues to pressure individuals to enter the debriefing program at penalty of remaining in the SHU. In one recent case, CDCR decided to hold a person who had refused to debrief in the SHU, citing nebulous security concerns as a justification. This was despite an earlier DRB finding that there was no reason to hold this person in the SHU any longer.
- 4) Linked to the previous item, we are receiving indications from various sources that several men have qualified for transfer directly to Step 5 (monitored status within the general population), but are being retained in SHU due to alleged security concerns. This is especially true where confidential informants are involved in raising security concerns. Under existing regulations, there is generally no way to corroborate such concerns or to ensure that they're being adequately investigated if at all. Hence, the status quo constitutes a continued abridgment of due process rights.

The information that follows herein is based on:

- Interviews conducted with about two-dozen individuals at Pelican Bay SHU and at Corcoran SHU (respectively, in late December 2014 and in late February 2015)
- Information supplied by members of the Prisoner Hunger Strike Solidarity Coalition (PHSS), including members of the mediation and legal teams
- Letters recently sent to CPF by those in the SHUs.

Random letters (italicized) are used herein instead of names to identify sources inside so as to guard those sources' anonymity.

Ashker v. Brown is driving DRB priorities: Pelican Bay is the focal point, not movement out of SHU.

In August 2013, Michael Stainer, then Director of CDCR's Division of Adult Institutions, said that STG associates with the earliest validation dates would be prioritized for CBC reviews. By now, CDCR practice has revealed a clear alternative priority, as indicated above: The focus is to conduct CBC reviews of those people who have been at Pelican Bay SHU for the longest amount of time. DRB's George Giurbino corroborated as much during deposition in December. This has resulted in many being transferred from Pelican Bay, often to other SHUs. CDCR has thereby succeeded in vastly reducing the numbers of class members party to the first cause of action (Cruel and Unusual Punishment) in *Ashker v. Brown*. When the plaintiffs thereto filed their Second Amended Complaint back in May 2012, an estimated 500+ people held in Pelican Bay's SHU had been there for over ten years (based on CDCR's own statistics for 2011). As of January 31, 2015, only 213 people remained in that category, compared to 232 for the previous month. Many of these men, however, were not let out of SHU, but simply transferred to other SHUs. By the end of February, a little over 200 remained so classified at Pelican Bay.

Due to this practice of SHU-shuffling, the plaintiffs in

DRB Hearings Continued on page 15

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Prison Focus is a publication of California Prison Focus, a nonprofit organization that works with and on behalf of prisoners in California's control units.

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Subscribe to *Prison Focus* for \$20 and receive three issues (\$6 for prisoners and free to California SHU prisoners). Back issues are \$2 each (if available). For further information contact us by mail or e-mail.

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EDITOR

Ed Mead

ARTWORK APPRECIATION

A hearty thanks to our artists for this issue, who include Michael Russell, Dominic Lucero, We are always looking for fresh artwork by prisoners—art that has a political content or expresses some aspect of the prison experience (however it is interpreted by the artist).

DONATIONS

If there are to be additional issues of *Prison Focus* published there will need to be more people contributing to the cost of production. Thanks to all of those who have given their time and money to make this issue possible.

If you have not contributed either stamps or money to California Prison Focus please do so soon. The only obstacle to printing this newspaper more often, and printing more pages, is the lack of money. We need your help.

CONTRIBUTORS

Ron Ahnen	Shaka Zulu
Kim Pollak	Jalil A. Muntaqim
Jose. H. Villarreal	Rosalind Adams
Dominic Lucero	John McCurley
Michael Russell	Josua Cartrette
William Willhoite	Steve Martinot
Kim Rohrbach	Kijana Askara
NCTT-COR-SHU	Mumia Abu-Jamal
Carey Shenkman	David Gilbert

Writing to CPF

For ease and efficiency, please follow these guidelines when writing to CPF:

- Write your complete name, address, prison ID number and date on the letter.
- Print legibly and be brief.
- Indicate on the envelope who the letter is for (i.e., Newsletter, etc.).
- Write and underline if an action is requested (Although this does not guarantee a response).
- Do not send unsolicited legal or medical documents.
- Enclosing a SASE will increase the likelihood of getting an answer.

In the event you are wondering if you've received all recent issues of *Prisoner Focus*, note that the previous five issues are:

- #45 Spring 2015 (this issue)
- #44 Fall 2014
- #43 Summer 2014
- #41 Winter 2013
- #40 Summer 2013

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QUOTE BOX

"The ruling class has the schools and press under its thumb. This enables it to sway the emotions of the masses."

- Albert Einstein - (1879-1955),
Physicist and Professor, Nobel Prize 1921

"He that would make his own liberty secure, must guard even his enemy from oppression; for if he violates this duty, he establishes a precedent that will reach to himself."

- Thomas Paine

"Wall Street owns the country...Our laws are the output of a system which clothes rascals in robes and honesty in rags. The [political] parties lie to us and the political speakers mislead us...Money rules."

- Mary Elizabeth Lease - Populist orator - 1890

"We had to struggle with the old enemies of peace, business and financial monopoly, speculation, reckless banking, class antagonism, sectionalism, war profiteering. They had begun to consider the Government of the United States as a mere appendage to their own affairs. We know now that Government by organized money is just as dangerous as Government by organized mob."

- Franklin Delano Roosevelt, 32nd President of the United States (1933-1945)

"The common sense of mankind demands that law shall not stop with the punishment of petty crimes by little people. It must also reach men who possess themselves of great power and make deliberative and concerted use of it to set in motion evils which leave no home in the world untouched."

- Justice Robert Jackson - Nuremberg address

"The press is so powerful in its image-making role, it can make a criminal look like he's the victim and make the victim look like he's the criminal. This is the press, an irresponsible press. If you aren't careful, the newspapers will have you hating the people who are being oppressed and loving the people who are doing the oppressing."

- Malcolm X, Audubon Ballroom, December 13, 1964

"The evils of tyranny are rarely seen but by him who resists it."

- John Hay (1838-1905), assistant to Abraham Lincoln

"The two greatest obstacles to democracy in the United States are, first, the widespread delusion among the poor that we have a democracy, and second, the chronic terror among the rich, lest we get it."

- Edward Dowling - [1941]

"All humanity is one undivided and indivisible family, and each one of us is responsible for the misdeeds of all the others. I cannot detach myself from the wickedest soul."

- Mahatma Gandhi

"Journalism is printing what someone else does not want printed. Everything else is public relations."

- George Orwell

"Where justice is denied, where poverty is enforced, where ignorance prevails, and where any one class is made to feel that society is an organized conspiracy to oppress, rob and degrade them, neither persons nor property will be safe"

- Frederick Douglass

"We will not walk in fear, one of another. We will not be driven by fear into an age of unreason, if we dig deep in our history and our doctrine; and remember that we are not descended from fearful men. Not from men who feared to write, to speak, to associate, and to defend causes that were for the moment unpopular. This is no time for men . . . to keep silent, or for those who approve. We can deny our heritage and our history, but we cannot escape responsibility for the result. There is no way for a citizen of a republic to abdicate his responsibilities."

- Edward R. Murrow

"War is when the government tells you who the bad guy is. Revolution is when you decide that for yourself."

- Authot unknown

PRESIDENT'S MESSAGE

As I announced two years ago to my friends who make up the Board of Directors for California Prison Focus, I am resigning as President as of March 31, 2015. The reason is because I am slated to travel to Brazil and Costa Rica during the coming year, conducting research for most of the year. I have been a member of CPF since 2007 and have served as President since 2009. So this is my last chance to write in our newsletter in this column.

As such, you might think that I would be tempted to review my greatest accomplishments over the time of my tenure. I plan no such retrospective memorializing journey, however, for three reasons. First, it's not about me. CPF is not now and never was a hierarchical organization. We really only accept using titles such as President, Vice-President, and Treasurer because it allows the State Secretary's office to keep track of organizations like us, and to make sure we comply with basic legal standards as a non-profit. None of us who are forced to carry these fancy titles use them to "govern." Instead, we have striven to conduct our activities in the most democratic way possible. Second, as an academic, I tend to be critical of everything I read (as I hope you are as well), and I know that if I would begin to list "CPF's" accomplishments while I served as president, I would also have to also add a list of our failings and shortcomings as well. I had many plans or dreams for CPF that did not come to be realized. That list, in fact, may be longer than our accomplishments—in part because I like to dream big.

Finally, and most importantly, speaking of "our" accomplishments over the past six years is difficult simply because nearly all our efforts were strongly collaborative. The Prisoner Hunger Strike Solidarity Coalition (PHSS) that we helped form in June of 2011 expanded quickly beyond the nine individuals from four organizations. The Coalition has been such an integral element of everything CPF has done since it was founded that we often have a hard time deciphering where to draw the line between CPF and coalition business. In short, I believe that CPF alone—and the coalition alone, for that matter—can claim no successes. But together with a prisoner led movement, we were able to push CDCR enough to produce policy changes. So from a singular perspective, there is not much to say—but from a collaborative point of view, there is certainly a lot to say. So if you'll permit me, I would like to take some time to remember not what I, nor CPF, nor the coalition, nor the prisoners, but what all of us together accomplished in the last six years.

One of the questions that we asked ourselves at many turns over the last four years is, "What did the hunger strikes really accomplish?" At some points in time, that question was posed too soon—like a week or two after the suspension of the first hunger strike in July of 2011. Back then I heard some prisoners deriding the fact that all they had apparently gained from their efforts were calendars, watch caps, and pull-up bars (and that they were slow in getting the pull-up bars installed!). Sometimes there is a fine line between being realistic, on the one hand, and cynical or impatient, on the other. Through the second and third rounds of the hunger strike (starting in September of 2011 and July of 2013 respectively), greater pressure was mounted on CDCR to undertake significant changes to their SHU policies, and to speed up the process of implementation.

So now, nearly four years after the first hunger strike of 2011, can we conclude that the hunger strikes resulted in significant, positive change? My answer is clearly yes, though I appreciate different views from key players. This fact stands: men who had been caged in solitary confinement for years and even decades with no possible future except parole, snitch, or die, were finally afforded an alternative to get out of solitary. Hundreds have been released from the SHU. Most will likely not return. The new, more restrictive policy of not automatically sending validated gang (STG I) associates to SHU, eliminating the "in name only" six year review, and replacing it with a three to four year Step Down Program—for all the faults of that program has, and it does—can only be viewed as real progress. At CPF, we have received letters from men trying to put into words what it is like to have escaped the SHU torture chambers. To date, over 700 men were reclassified to Step 5 since October 2012, which is special monitoring in general population but with most (if not all) of the privileges of general population housing. Another 300 or so are in the Step Down Program and looking toward working their way out of SHU.

Let me be quick to hasten, however, that the hunger strikes did not succeed in obtaining all five demands. Even though all five demands are completely justified and merely try to bring CDCR policy and practices in line with standards of common moral decency and existing domestic and international law, long term solitary confinement continues to exist. Moreover, the gang validation system based on the weakest of associated links to alleged gang activity such as having birthday cards with certain names on it, prison activist literature, cultural artwork, etc. remains. Many have questioned the value of the workbooks which appear to make all sorts of misguided and racist assumptions about "criminal mindsets" and the like. The amount of time in each of the steps is way too long, the privileges too few, and the isolation unwar-

ranted. Still, the chance of getting out can help those men who were previously hopeless to focus on moving through the steps to obtain their release from solitary. And that must be counted as progress.

The struggle is clearly far from over. All of us at CPF are very aware of this fact. We know that CDCR is going to drag its feet in implementing even the limited changes they approved. For this reason we remain active on the Mediation Team which continues to meet with Sacramento officials as often as we can. We press on them the need to get the initial reviews finished (now they are telling us December of 2015) and to actual follow their new rules (such as no paper found in another person's possession over which one has not control cannot be used for validation purposes—and to point out when that happens). We continue receiving mail from prisoners who report on conditions to us, and we continue to follow up with our legal visits.

At the same time, we cannot give up on further policy changes. CDCR officials may believe they are done with policy changes now—at least for a while. We have not arrived at that same conclusion. We continue to push on both the legislative and legal fronts. In the present legislative session, there are two Senate sponsored bills that 1) seek to restrict the use of solitary confinement for juveniles, and 2) institute data collection on the use of adult solitary confinement so that the general public can be more knowledgeable of CDCR practices (see Legislative Update on page 11).

In addition, we continue to press on as co-counsel on the *Ashker v. Governor of California* lawsuit where we continue to make gains. First, as you may already know, the suit moved from 10 plaintiffs to a class action suit. More recently, lawyers successfully argued that men who were moved from Pelican Bay to another SHU would not be dropped out of the class of plaintiffs (CDCR was trying to render the suit moot simply by moving plaintiffs from Pelican Bay SHU to other SHUs). Trial is scheduled to begin in December of this year.

So positive change has come, and I think that everyone who worked for this change should be proud of it—first and foremost the people behind bars. You, the people in the prisons, led this movement. Without your leadership, I doubt any of these changes would have come about. During and after the hunger strikes, I received so many letters from in various prisoners thanking us on the outside for our efforts in organizing rallies, putting out accurate information, setting up legislative hearings, breaking into the national media, etc. Yet my response was the opposite: without the prisoners refusing meals, we would be a mere bunch of activists with good intentions but no real social power. So yes, we had a role to play. Without outside organization, the prisoners had less of a chance to get their message out to the public and push for change. But without the hunger strikes, the gravity of the situation would not have been won on the public. Hand in hand, we accomplished great things.

As I move on, I want to thank everyone who was patient with me, both at CPF and in the coalition, as I tried to help in many different ways as much as I could. I especially need to thank by name some of the folks here at CPF who were so dedicated to this cause: Marilyn McMahon, for dedicating her full time work for so many years to the cause and taking on just about any role that needed to be done at the time. Ed Mead, for producing some of the best issues of *Prison Focus* that we ever had and that clearly had an impact on the hunger strike. Penny Schoner, who has been working on these issues for such a long time as a volunteer for CPF, the coalition, and other organizations, and who also readily took on whatever tasks she was able to. Kim Rohrbach, for being so committed to conducting interviews, investigating CDCR policies, and writing informative reports on key issues. And Kim Pollak and Taeva Shefler, among others, who are now stepping up to take over as some of the "older" leadership of CPF is moving on.

And most gratefully, thanks to all the men inside who sent us letters and with whom I had the opportunity to speak during our legal visits. Many times you instructed me in social, political, and legal matters. I especially appreciate your generosity in terms of sharing your personal stories with me so that we can share them with the world.

My hope is to record these events in the form of a book in a way that was not done after the 2011 hunger strike. Thus, if you have a story to tell about your experience of the hunger strike, your experience of retaliation, your experience of contemplation about risking your life and your health for the sake of a greater social movement, please do not hesitate to write me at the following address: Ronald Ahnen, 1928 Saint Mary's Road, Moraga, CA 94575. Due to my other upcoming research project, it may take a while to finish the hunger strike project, but there is no time like the present to put pen to paper, put your recollections and memories of the past four years together, and send them to me. I am also interested in hearing about people's experiences with the DRB reviews, the Step Down Program, and eventual release to general population, etc.

Thanks again and I wish everyone the best in the years to come! •

In Solidarity, Ron Ahnen, March 3, 2015

NEW LAW: AN ATTACK ON FREE SPEECH

By Carey Shenkman

Any state legislature would have a hard time dreaming up a more unconstitutional measure than the one outgoing Pennsylvania Gov. Tom Corbett recently signed into law. The so-called Revictimization Relief Act allows victims of personal-injury crimes to sue convicts to silence any speech that allegedly "perpetuates the continuing effect of the crime" or causes "mental anguish."

This vaguely defined gag order is a textbook violation of the First Amendment. Mumia Abu-Jamal was convicted of killing Philadelphia Police Officer Daniel Faulkner, and is now, from prison, a prolific journalist and author. The legislature passed the "Muzzle Mumia Law" to censor academic and political speech. Lawmakers rushed to pass it days after Abu-Jamal gave a commencement address recorded from prison at the invitation of his alma mater, Vermont's Goddard College. Officials aimed to make sure Abu-Jamal never spoke at an academic institution again, with one representative calling his invitation to be commencement speaker "despicable."

Abu-Jamal has spent more than 33 years in prison, 29 years in solitary confinement on death row. He has published seven books, and his numerous articles have appeared in many publications, including the Yale Law Journal. He also delivers radio commentaries produced by San Francisco-based Prison Radio and distributed to hundreds of stations across the country.

I am confident that a lawsuit challenging this statute's constitutionality, brought by the Abolitionist Law Center and Amistad Law Project, will succeed. But what is truly astonishing is that a law like this could pass so quickly, pushed by lawyers and lawmakers sworn to uphold the Constitution, without any serious legislative pushback.

The passage of the Revictimization Relief Act confirms a reality the public can no longer ignore: Scores of communities live daily with the threat of lawmakers and law enforcement taking away their right to speak. This new Pennsylvania law will force convicted people to face threats of being sued if they choose to speak, regardless of the issues they address.

In tougher circumstances than those presented by the case here, the U.S. Supreme Court has held overwhelmingly that the First Amendment protects speech that is "upsetting or arouses contempt." In *Snyder v. Phelps*, the court held 8-1 that protesters from the infamous Westboro Baptist Church had a First Amendment right to demonstrate at funerals for members of the armed services and were protected against lawsuits alleging intentional infliction of emotional distress.

The speed with which this law was passed signals a need for action. Otherwise, what comes next? Censorship of articles in support of the rights of those convicted...?

Phelps concerned intentional infliction of emotional distress, while the Pennsylvania law imposes strict liability, a wide standard that requires no intent. The law could also censor speech where the speaker has absolutely no desire to offend. It does not require speech to be actually directed at victims. Its standard is completely subjective. It would also ban books, as well as academic speech on matters of public concern.

The Fraternal Order of Police, the nation's largest police association, is among the most enthusiastic supporters of the law. This organization has waged a relentless campaign against Abu-Jamal and his supporters over the years to thwart their First Amendment rights in order to silence them.

The FOP's president has called for the public to "inflict economic punishment on the supporters" of Abu-Jamal. The FOP placed Amnesty International on a public blacklist for supporting Abu-Jamal's right to due process. It also bullied NPR into canceling radio commentaries it had commissioned from Abu-Jamal; tried to prevent HBO from broadcasting a special on him; and pressured Temple University to bar Abu-Jamal's books from classrooms and to end the campus radio station's contract with the Pacifica Network's Democracy Now, which aired work by Abu-Jamal.

A greater concern than whether courts will declare this law unconstitutional is the impunity with which the Fraternal Order of Police and lawmakers continue to operate. The speed with which this law was passed signals a need for action. Otherwise, what comes next? Censorship of articles in support of the rights of those convicted, articles which might cause "mental anguish"? Taking away the right to counsel of convicted persons because it could cause "mental anguish"? Prohibiting journalists from interviewing prisoners because the resulting stories might cause "mental anguish"?

Any first-year law student could see that Pennsylvania's statute is unconstitutional, but lawyers and lawmakers passed it anyway in order to force a whole segment of society to risk being hauled into court if what they speak is considered reprehensible. The way we protect against censorship is by defending the free-speech rights of all. •



CORCORAN REPORT

#45

By Ron Ahnen and Kim Pollak

The most important issues the men were facing at Corcoran have to do with the slowness of the Director's Review Board (DRB) case by case reviews, placement in Step Down Program (SDP), and ongoing problems with due process around Security Threat Group (STG) validation. Most of these items are covered in a separate report on DRB and SDP in this issue on page 2.

Validation

Beyond the report cited above, we reiterate in this report that today many men remain locked in SHU who have been validated as members or associates of Security Threat Groups (STGs) based on false evidence. Nearly four years after the first hunger strike, these men are still waiting to have their cases reviewed by the new criteria that will most likely put them in Step 5 of the Step Down Program (72% of all those reviewed are placed directly into Step 5). CDCR has been extremely slow in reviewing their cases under the excuses of wanting to ensure they are done right, or that it takes a long time to train other individuals to do the reviews. These excuses are flat out appalling and unacceptable. In addition, Corcoran interviewees expressed concern that most of the action on the case by case reviews was occurring at Pelican Bay due to the hunger strikes originating there and the on-going lawsuit on SHU conditions at Pelican Bay (*Ashker v. Governor of California*). Individuals with whom we spoke note that items found in other men's cells (over which they have no control) as well as political literature that raises consciousness about racism, classism, slave-like conditions, etc. (George Jackson, Malcom X, cultural drawings) are still retaining some men in SHU today. This occurrence is inexcusable, and CDCR cannot hide behind the excuse of "we're going as fast as we can" when they certainly had the opportunity to train others to the reviews years ago. The continued torture of 24/7 housing in solitary confinement is what hangs in the balance here.

Medical Abuse

A major complaint we heard was about the lack of real mental or physical health care. With respect to mental health, one man told us that the psychologists are not there to help you, but just to say that they are doing their job. He said they transfer counselors in and out so fast, and then one has to start all over again to tell one's story and go through all of the issues one is dealing with. He is getting tired of starting from scratch over and over again.

We heard several stories of men collapsing, going man down, and subsequently being rushed to the hospital to be cared for. One man was allowed a wheel chair and a desk while he was in ACH (Acute Care Hospital at Corcoran), but now that he is back in SHU he is allowed neither. This makes it very difficult for him to be mobile in his cell, on the one hand, or to sit and write, on the other. His current wheelchair is in bad shape, but he is afraid to ask for another one out of fear of retaliation.

With respect to physical health, the common complaint was lack of pain medication, especially for those with documented chronic pain conditions. The men told us that their individual physicians will order pain medication, but that the chief medical officer subsequently denies the request. Most often the CMO will allege that the men are faking their pain in order to abuse drugs. In the cases of the individuals with whom we spoke, however, their chronic pain has been medically documented. They suspect that cost savings may also be behind the denials. A couple of individuals with whom we spoke were clearly in pain at the time of the interview. Although they have different ailments, each basically approaches each day as a challenge in terms of getting through their chronic and severe pain. One man has returned at least

five times to his doctor who prescribes pain medications for him, only to have them canceled later. This interviewee was told that he would have to be seen by the pain committee, but he has been waiting over a year and still has no date for such a meeting.

Another man had special insoles for shoes confiscated from his cell in 2011. The insoles helped relieve some of his pain, but he has not been able to get new ones. He often does not go to yard because the guards mishandle him, pushing and shoving in ways that aggravate his chronic pain condition. Often the guards suggests that the men are either lying or exaggerating about their ailments.

Showers and Unsanitary Conditions

Related to medical wellness is basic hygiene. The men have no control over the shower schedule which is supposed to be three times a week, but we have heard that showers are regularly canceled due to all sorts of excuses. Sometimes the guards claimed they are understaffed, other times they are at a meeting, and that still other times they are "doing moves." Most of the men with whom we spoke claimed that they had not showered in the entire last week.

Most of the men complained that they did not receive enough cleaning supplies to be able to keep their cells adequately clean. If they request more, it usually takes a long time to receive. They are only allowed to put in for such a request every three months.

Wellness Checks

The new policy of 30 minutes wellness checks often leads to the disturbing occurrence of some guards either intentionally or recklessly bang or slam the electronic wand on the metallic button outside the inmate's door to register that they have been checked. First, most men told us that they do not actually check, but simply run up and down the hallways as fast as they can to get the check done. Second, while some guards are respectful and attempt to carry out the duty at night with minimal noise, others who make a lot of noise—some apparently intentionally—are contributing to the torture of SHU through sleep deprivation and all the harms it brings with it. One man told us he can hear the guards making noise already in the previous pod, illustrating how loud wellness checks can be. SHU is stressful enough for those who sleep well. Depriving these men of regular sleep under these conditions is out and out inexcusable. Guards who make that much noise during the wellness checks at night should be held accountable and reprimanded for their behavior to the fullest extent possible.

Nearly four years after the first hunger strike, these men are still waiting to have their cases reviewed by the new criteria

Programming

Programming is usually either nonexistent or completely inaccessible to most individuals in the Corcoran SHU. Rarely do we speak with incarcerated individuals who do not wish to receive educational or other programming opportunities. Ironically, one man was able to pay for his college correspondence courses only after receiving a significant monetary settlement stemming from a case years earlier of clear abuse by CDCR staff. He stated that when he paroled, he wants to have some skills behind him. This man's drive to educate himself and to succeed in the outside world reflects the wide spread longing of men in the SHU for educational and other programming opportunities, and ultimately to grow and experience success, if given a chance to do so. Unfortunately, few of the men in the SHU at Corcoran receive that chance. If validated individuals do not have the financial resources, receiving an education while in the custody of CDCR is nearly impossible.

Obtaining a GED is also a challenge. One man who was approved to take the GED course has been waiting five months for his course to start, but nothing has happened. Another noted, however, that he was able to acquire his GED along with others in SHU. He said this occurred due to the hunger strikes. Previously, he noted that people could study for the GED, but never finish it and get their certificate.

Despite The "R" in CDCR, rehabilitation does not appear to be a priority to those who have the power and ability to implement rehabilitative programming. As one interviewee asked rhetorically in reference to his eventual release, "What am I going to do with \$200 and no education? Am I going to be able to get a job? Is that going to benefit society?"

Law Library

Access to the law library is limited, and often completely inaccessible to those who are not PLU (Priority Legal User). This situation prevents men who are considering a lawsuit from being informed on the process and thus prevents them from exercising their basic legal rights. Men without active cases have reported putting in multiple requests over the years, and have still never been granted access to the law library. Though the law library finally got computers, many of the men have no experience with computers and nobody in the library (including the librarian) has been willing to

show them how they work. This again leads to a denial of legal rights. One man explained that he spent his entire allotted time in the library just trying to figure out how to use the computer. He had made little progress before the guard suddenly announced that his time was up. In addition, many (if not most, or even all) of the law books in the library are outdated. Many are from the 1990s and have pages torn out of them. According to one man, when he reported missing pages, the guard cynically replied, "Talk to your buddies. They stole it."

Yard

Like showers, the yard is often canceled suddenly for all sets of excuses. Lately the excuse is often due to the morning fog, but there is never any yard time given later in the day to make up for the cancelled time. Getting out to yard is extremely important for anyone who is being locked up 24/7 for most of the week. CDCR must end immediately this practice of regularly canceling the minimal amount of yard time demanded by law when no makeup time is allowed.

Mail

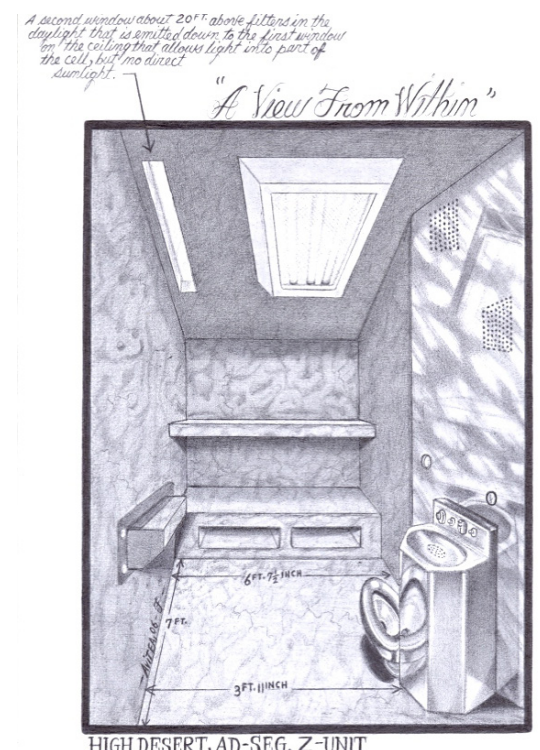
The main complaint we receive regarding mail is of unnecessary delays. Two interviewees explained that they often go two weeks or more without receiving any mail, and then receive a stack of letters with different postdates, all at one time. They suspected that the IGI (Institutional Gang Investigator) is behind these delays. Sometimes men do not receive their letters at all. We also receive complaints about family members not receiving mail from their incarcerated loved ones. These occurrences are especially upsetting to the men who take the time to produce detailed letters or intricate artwork for their family members, as they have little else they can offer their loved ones as gifts. We received one report stating that the guards are opening his legal mail outside of his presence, against legal mail policy, because he has a case against CDCR. This same man reported that his legal mail was taking ten days to leave the prison, which can have serious consequences as the courts have strict deadlines.

Food

We continue to receive a steady stream of complaints regarding the quality and safety of the food. Contrary to Pelican Bay where the food is now served by prisoners who wear gloves, hats, and smocks, the food at Corcoran is served by guards who wear none of the above. One man stated that if a spoon falls on the floor, the guards just shake it off and keep on serving (he saw this happen on one occasion). The trays are delivered after they all have been stacked up and sitting, which is why the food is usually cold and covered in flies when it arrives at the cells. The men complain that the food is soggy and tasteless, the portions are small, and items are frequently missing. The Kosher meals are reportedly the only meals that include fresh vegetables. One must meet with a Rabbi, however, to be approved for Kosher meals. The Halal meals include meat, but one man noted that it is so processed that he would hardly refer to it as "meat." The five core demands of the 2013 Hunger Strike of 2013 included the provision of "adequate and nutritious food." Clearly that is one demand that has not been met.

Conclusion

The complaints outlined in this report are of a serious nature and constitute the denial of legal, medical, and other basic human rights. Practices at Corcoran continue to contravene international and domestic law, as well as CDCR policy. Guards and other staff members who openly and regularly violate the law, institutional rules, or policies must be held accountable for their actions. We press on administration officials at Corcoran State Prison and Sacramento to take the necessary measures to address these concerns as soon as possible. •



DESPITE ANTI-SHACKLING LAW, PREGNANT PRISONERS SAY PRACTICE PERSISTS

For expectant mothers behind bars in New York State, being shackled runs the risk of medical harm, activists say

By Rosalind Adams @RosalindZAdams

When Miyhosi Benton was escorted to court from the Orange County Jail in New York in 2011, an officer fastened cuffs around her ankles, a belly chain around her waist and shackles around her wrists.

It's a routine procedure for prisoners attending trial, but Benton, now 26, was five months pregnant with her second child at the time. "I was shackled too tight, and my stomach was in a lot of pain," she said. "At the time, I didn't know I could say 'Take these off' because it hurts."

New York state law restricts shackling pregnant women only during labor and delivery, and it was legal for Benton to be in restraints during her trial. But doctors warn of the dangers of shackling pregnant women at any stage. A new report by the Correctional Association of New York on reproductive health care recently revealed that many pregnant female inmates continue to be shackled in violation of the state's current law.

That has prompted calls for better enforcement of current laws as well as demands for better conditions and treatment for pregnant women serving jail time, especially in light of evidence that being shackled while pregnant can pose health risks to the child and the mother.

"These are massive human rights violations that we've seen," said the report's author, Tamar Kraft-Stolar, who heads the Women in Prison Project, a nonprofit that has legislative authority to monitor state prisons and has interviewed more than 950 incarcerated women over five years for the study.

By the time Benton was transferred to the Bedford Hills Correctional Facility after being sentenced for second-degree burglary, her due date had passed. On her fifth day in the infirmary, she jogged in circles to bring on labor.

"I wasn't eating at all at that point," she said, and was unable to keep down much of the food down that she was served. And when there was something she could eat, "it was just never enough."

Benton wasn't shackled on the way to the hospital, and she credited this to speaking up for herself, once she learned about her rights from other prisoners.

"I was very scared to say something, but I did because I just couldn't go through that pain again," she said.

Meanwhile, state Sen. Velmanette Montgomery, who sponsored the 2009 bill that barred shackling inmates in labor, said she has been receiving complaints from women who say it continues to happen. "It's not a question of whether it's happening, it's a question of what we're going to do about it," she said. Montgomery said she planned to pressure the commissioner of the Department of Corrections and Community Supervision (DOCCS) on the issue and push for ways to better inform inmates of their rights, including posting signs around correctional facilities.

Linda Foglia, a public information officer for the DOCCS, said the department had no comment on the report or the allegations of shackling prisoners in violation of the 2009 anti-shackling law. However, a spokesperson later emailed a statement to Al Jazeera saying it had not authorized any wrist cuffs during transportation of female inmates to the hospital after 2009 and remains in compliance with the legislation.

"Shackles can create problems for the health of the mother and the baby throughout the pregnancy," said Dr. Carolyn Sufrin, an assistant professor at Johns Hopkins Medicine's department of gynecology and obstetrics. The restraints can make a woman more susceptible to harmful falls, and the shackles themselves can also lead to complications.

"Anything that constrains or restricts the belly is dangerous to the health of the fetus and can cause trauma," she said.

Federal prisons banned the use of shackles during labor and childbirth in 2008, and 20 states have passed similar laws. Most laws also include exemptions from these rules for prisoners who are considered dangerous.

A number of federal court cases in recent years have ruled that shackling women during labor violated the Eighth Amendment's prohibition on cruel and unusual punishment, which has prompted legal advocates to push for stricter legislation.

Kelli Garcia, a senior counsel at the National Women's Law Center in Washington, D.C., said that most state laws cover labor and postpartum recovery but that shackling should be banned throughout the pregnancy. "Being in prison doesn't mean you should be denied your basic human rights and your basic right to health care," she said. But there exists a gap between policy and practice, said Kraft-Stolar. The Correctional Association report found that 24 out of 27 pregnant women were shackled in violation of this statute. "We were definitely disturbed to find, through our monitoring work, that the law is being violated," she said.

Benton gave birth in Ward 29 of Westchester Medical Center, a separate 14-bed wing of the hospital where most pregnant inmates deliver. The conditions differ substantially from the rest of the hospital, she said. "The actual hospital is beautiful, gorgeous, and then you walk into this part, and it's

dirty and run-down. You automatically feel uncomfortable."

While in labor, corrections officers remained in the room, in compliance with DOCCS policies. When her doctors became frustrated by their proximity to the procedure, one of the officers turned to Benton directly and asked, "I'm not bothering you, am I?" Benton said. But this raised concerns of retaliation, she said.

"I didn't want to be put in a predicament where they felt like they'd be aggressive or nasty to me in the future, so I didn't say anything," she said.

Sufrin said that doctors can feel intimidated by the presence of corrections officers. While completing her residency at a women's hospital in Pennsylvania, she helped deliver the baby of a woman who was shackled to the bed before that state passed an anti-shackling law. "I was so confused that I didn't even ask the guard to unlock her. I didn't think it was my place," she said. "It can create intimidation."

After her daughter Serenity was born, Benton was allowed little time with her while she remained in the hospital. Babies aren't allowed to stay in the ward for prisoners, she was told, which is distinct from the maternity section of the hospital. In order to see her daughter, she had to wait for an officer to escort her to the other wing, which happened rarely.

"I wanted to breastfeed my daughter, and it made it very hard, because I was only able to see her maybe once a day and only for about an hour," she said.

David Billig, a spokesman for the hospital, had no comment on why inmates were separated from their babies.

When she returned to Bedford, Benton was accepted into the correctional facility's nursery program, which allowed her to raise her daughter there. The program is one of only a few in the country, and she was grateful for the bonding time and the parenting classes that it offered. Still, she said she felt torn about keeping her daughter with her.

"I was conflicted because I wanted to spend time and create a bond with my child, but I also wanted her to go home with my mom because I knew she was not getting the medical attention that she needed," she said.

Benton later found out that Serenity was born with an infection. "Taking her to the hospital was very traumatizing because I'm shackled, handcuffed ... and have to carry a car seat with the baby as well as a diaper bag," she said.

As two correctional officers walked on either side of her, Benton fell while carrying her daughter in a car seat. The shackles cut deep into her ankle, causing her to bleed. After two months in the nursery, she sent her daughter to live with her mom in Georgia.

Today Benton is back home with her both her children in New York and said her daughter is "very healthy." But the impact of that time remains a painful memory. She paused as she remembered her daughter's health problems while at Bedford. "It just made me feel like it was unfair, in all aspects of it," she said. •

<http://america.aljazeera.com/articles/2015/3/3/pregnant-prisoners-shackling-persists.html>

"I CAN'T BREATHE," COULD YOU?

By Chairman Shaka Zulu

Northern State Prison, like most prisons, constitutes one huge cesspool of corruption, connected to one huge machine called Mass Incarceration. This huge machine conforms to the capitalist logic of maximization of the rate of profit.

Our minds and bodies (mental and manual labor) in the Mass Incarceration system undergird the foundation of profit. They utilize our labor power to manufacture "things" that are then put on the "Market" for a price. We get nothing in return. Northern State Prison is a part of that nation-wide system of exploitation.

So for 15 years – 8 years at Northern State Prison – I've been in my battle stance raising my voice in opposition to terroristic practices of the correctional officers who flagrantly violate and traduce our human and Democratic Rights. As a leading member of the New Afrikan Black Panther Party – Prison Chapter (NABPP-PC) it is my duty to make prisoners aware it is Right to Rebel! against our capitalist oppressors. This rebellion and unity of action spring out of a sense to simply be ourselves, to be able to stand with the Black and Brown oppressed communities bellowing that Incarcerated Lives Matter as well.

Our oppressors have other plans, and those plans require conformity and silence from the prisoner-class. Panthers don't bow down to social injustice. We resist. To let the rapacious enemy reduce us to subhuman creatures, fit to be ruled by stick and carrot, and tied forever to menial work disturbs our conscience, because the oppressor wants us to accept the erasure of our dignity and self-determination. We will not kowtow. People that study and identify with comrade

George Jackson don't beg...they mass the people for revolutionary education, agitation and organization.

We are aware that the racist pigs here at Northern State Prison want me to "shut the fuck up" – to use the phrase of the Special Investigation Division (S.I.D.) who recently railroaded me on a bogus disciplinary charge. We will not comply.

To speak is an act of revolutionary resistance. That is why the Mumia Gag Law won't work on us. When you hear and read a Mumia Abu-Jamal, Kevin "Rashid" Johnson or Jalil Muntaqim, you are seeing prisoners affirm their rights to be human beings.

Northern State Prison opened in the late 1980s as a way of addressing the economically strapped urban areas that surround the prison. The advent of de-industrialization not only left the rural area looking like a wasteland, a non-community, but with racism as a driving force, Black and Brown oppressed communities resembled favelas and shanty-towns we see in underdeveloped nations. Jobs were really non-existent, food was non-existent. Communities of love were non-existent as the Washington Consensus or Neo-Liberalism uprooted the factory – literally the whole production plant was shut down, put on a ship and re-opened in Economic Enterprise Zones based in Asia, Afrika, and Latin America.

So there was nothing to bribe and pacify the multi-racial working class. The workers were able to see the capitalist class for what it is: a small group of rapacious thieves! Anger was mounting in the country. The prospect of Bacon's Rebellion part two, sent fear throughout the bourgeoisie.

So our oppressors stumbled on an idea: Build prisons in depressed economic areas! To do this they first needed to make the case. Black and Brown youth were depicted in the enemy corporate media as violent, depraved, gun-toting monsters out to rape white women in Central Park. With the youth totally demonized and dehumanized, the U.S. Government declared a "War on Drugs," a "war on crime," and like robots the political class in consultation with Corrections Corporation of Amerika (CCA) devised nefarious legislation that allocated monies to the prison binge in white rural communities. Most whites hired on as correctional officers didn't have the "stuff" to cut it as Army and police officers. These white recruits carried with them a psycho-social conditioning manifested in white supremacist culture that the main "problem" with Amerikkka is the Black and Brown youth who needed a karate chop to the throat every chance the opportunity avails itself.

With the construction and opening of the prison, institutions like housing, shopping malls, hospitals and recreation centers arose on the foundation of the prison.

New Jersey was reading the reports from the capitalist-imperialist think-tanks and foundations (Brookings and Heritage): it works! With then Mayor Sharp James presiding over the City of Newark, New Jersey, state legislators and construction companies sat together to negotiate the terms and conditions. It was stipulated that for a number of years only Black and Brown people from the adjacent urban areas could be hired at Northern State Prison.

For nearly 30 years, Northern State Prison was a meal ticket for members of the aspiring Black and Brown middle class. That has all ended now. The racial demographics have dramatically changed. Those first Black and Brown correctional officers hired nearly 30 years ago are now retiring or being forced out. Taking their place are young white officers who hate anything moving. They have preconceived ideas on how to keep Black and Brown youth in their place, which usually involves violence. They have paramilitary mentalities. Correctional officer Bobby Wasik is the undisputed leader of these unsophisticated and impressionable white correctional officers. We should make it clear to the whole prison establishment in New Jersey that they need to put pig Wasik back in the pigsty or else face the prospect of court proceedings.

Repression is a part of the revolutionary process. The fascist state has outlawed revolution. We revolutionaries in New Jersey are operating from the premise that they can jail and kill our bodies, but an idea whose time has come cannot be jailed or killed. The New Afrikan Black Panther Party-Prison Chapter is committed to serving the people mind, body and soul, as enumerated in our 10-point program, and with our strategy of "Turning the prisons into Schools of Liberation," and building base areas of cultural, social and political revolution in the context of building a united front against capitalist-imperialism.

I am no longer with my comrades in general population. But Pantherism, the ideological and political line of NABPP-PC, holds us together. When Comrade Rashid and I founded this party in 2005, we were in separate states and separate prisons, but what held us together was Panther Love and the principles of comradeship.

I want the comrades in general population across the country to know that we are bound by a supreme unity that our oppressors should not be able to sever. •

Long Live Revolution! Panther Love!

Dare to Struggle – Dare to Win!

All Power to the People!

Chairman Shaka Zulu

PELICAN BAY STATE PRISON REPORT #45

By Kim Pollak

This report is based on investigative interviews with men imprisoned at Pelican Bay State Prison SHU and written correspondence received from them in the last six months. Medical neglect, retaliation, staff misconduct, substandard food and denial of their rights continue to be critical issues. Although the hunger strike of 2013 has advanced the movement to end solitary confinement by bringing attention and momentum to the issue, many men locked away in solitary confinement at Pelican Bay State Prison have seen little improvements in their day to day conditions and treatment. Moreover, some men endure hunger strike-related retaliation. Individual identities are withheld from this report. For information specifically on the Step Down Program (STP) and Department Review Board (DRB) see our separate report on page 2.

Lack of Adequate Health Care

Poor health and medical care continue to be one of our top concerns, based on the regularity and severity of reported medical situations and crises. American Disability Act standards are often unheeded. Assistive devices are confiscated or withheld regularly, including back braces and eyewear. Mr. A had his glasses confiscated after the doctor claimed he was manipulating the eye test. Now he uses reading glasses for everything. He filed a complaint (602), reporting that all of his 602 exhibits had gone missing. In addition, the Pepto-Bismol that he used to take to ease his celiac disease-related discomfort was confiscated. One former patient stated that there is a new doctor, Nancy Adams, that “just takes everything” from assistive devices to anti-depressants, aspirin for high blood pressure and medications for pain.

Treatment for various conditions is regularly denied. Mr. B described his repeated efforts to receive treatment for his Hep-C. At first he was told he was not strong enough to handle the treatment. Medical staff eventually conceded that he could, but continued to deny him treatment, reportedly for financial reasons. Mr. C has *colitis*, an inflammation of the inner lining of the colon which causes, among other things, blood in his stool. This is a chronic condition which can be partially regulated by diet. Mr. C has been denied a special diet, however. When his colitis acts up and he requests immediate help, he is told to fill out a medical slip, even though it can take up to two weeks to receive medical attention. Staff members tell Mr. C to drink water and they give him a Motrin. Such efforts clearly do not address his medical condition in a meaningful way.

Men frequently have their medications canceled and must fight to get their medications re-instated, even when their conditions are chronic and medications unchanged. Mr. D was diagnosed with an anti-biotic resistant staph infection. He gets occasional outbreaks, but his requests for medical attention are regularly denied. In a clear violation of his medical rights, he was told by medical staff, “if you want to receive better medical treatment, you gotta get out of the SHU.” Mr. E received a medical recommendation to be transferred to Folsom Medical Facility due to a “high risk” issue he has, but the transfer was denied.

Mr. D complained of a complete lack of privacy. Two guards stand with the men at all times. The guards listen in on all discussion between the doctor and patient. Mr. D explained, “you have to get nude, but there is nothing even so simple as a paper privacy curtain to shield you from the eyes of guards or anybody who happens to be passing by.” Mr. D is over fifty years old and feels he should have a prostate exam, but for the above reason, he has postponed doing so. Another problem is over-use of restrictive devices, such as black box restraints, which are used for transportation to outside medical appointments. Black box restraints render a person’s wrists immobile, forces one’s arm into awkward and often painful positions, and cut off circulation.

Medical patients are charged whether or not the treatment they receive is adequate or effective for their ailment, and regardless of whether they are seen by a nurse (RN) or doctor (MD). These problems and others deter many men with health issues from seeking the care they need.

Bogus Validations

Men continue to be validated as gang members or associates (now Security Threat Groups) and sentenced to decades of solitude and sensory deprivation by an internal group of prison staff with insufficient regard to due process. Men are validated, often subjectively, based on flimsy and false evidence. The patterns suggest that some are validated as a means of staff retaliation. For example, Mr. E challenged his validation in court and won. The following day he was served with a “new” validation packet citing the *same* source items as previously used to validate him. The DRB (Department Review Board) hearings and *Institutional Gang Investigations* (IGI) persist in employing different and inconsistent criteria for validating people. Unfounded allegations of STG (Security Threat Group) affiliation continue serve as a pretext for forcing men, including non-violent offenders, into long term solitary confinement.

Mr. F was given an indeterminate term in solitary confinement based on a validation he described as “very vague.” He explained that he was accused of being involved in “a conspiracy of some sort,” but that he was not sure exactly what it was since it was never clearly explained to him. In addition to the conspiracy allegation, he was validated based on the claim that his name was found in someone else’s property. According to a memo from then Director of Adult Institutions, Michael Stainer, such evidence should not be considered when a person is being considered for validation. Since the men cannot control items in another’s cell, such evidence is to be considered only if found in that person’s own property. Another man reported that he had a St. Paddy’s day card which had been hanging on his wall for years, but was recently told to take it down because it was allegedly gang-related. The card was discussed at his DRB review.

The Agreement to End Hostilities

Since Fall 2012, a group of men in solitary confinement at Pelican Bay, referred to as the PBSP-SHU Short Corridor Collective, have been pushing to end all hostilities between racial and geographical groups within California’s prisons and jails, and in violence ridden communities on the outside. The handwritten announcement, called The Agreement to End Hostilities, calls for people to solve their disputes non-violently. (See page ...) The men had hoped to circulate the statement throughout all California prisons. However, since the inception of The Agreement to End Hostilities, CDCR has stifled the men’s efforts to disseminate it. Staff members refuse to hang the statement throughout the prison as the collective had hoped, claiming that The Agreement to End Hostilities qualifies as “third party communication Mr. E noted that he challenged his validation in court and won. The following day, however, he was served with a “new” validation packet citing the *same* source items as previously used to validate him.

Lack of Rehabilitative Opportunities

Despite the widely acknowledged rehabilitative benefits of education and the mission of CDCR expressed in its very name, there are few to no educational and other rehabilitative opportunities for the men in the Pelican Bay SHU. If one has sufficient funds—and by and large, most men do not—opportunities are minimal. Mr. F explained that even the educational programs that do exist are unreliable or inconsistent. Sometimes the programs will stop before they are completed. He reported that when programs are dropped, “people complain until it starts up again. Without ongoing outside pressure and scrutiny,” he explained, “they will stop.” Mr. G had planned on enrolling in the past but was told that there was no space at that time for lifers. The program was subsequently cut. Others complain that they cannot afford the books. Pelican Bay has a program that provides some inmates to obtain free textbooks. The problem is that general population yards are prioritized over the SHU. Thus, those men who are dependent on free textbooks must tailor their curricula to the books available. Mr. H explained that if those studying for their GED have a question, they must submit it on a request form, but often no response is received. The men do not have access to a library, apart from the law library which has a limited selection of outdated legal books. There are no book carts with novels and other non-legal literature. Advocates and loved ones of the incarcerated individuals are prohibited from sending books or magazines directly to the men inside. Despite the fact that all mail is subjected to inspection, books still must be sent directly from the publisher, a rule that clearly reduces the number of books that would otherwise be circulating through the prison and thereby limits efforts at education and rehabilitation.

Conditions/Food

The conditions at Pelican Bay remain deplorable. Ceilings leak and thus puddles create a safety hazard. Mr. N stated that the men are denied towels to put by the doors for the water that accumulates from the leaks. The men suffer from the cold as well. Mr. F stated that he recently experienced one of the coldest winters at Pelican Bay that he remembers. He reported one incident when cold air was blasted through the air vents despite the cold weather. The men, who sleep on thin shabby mattresses on a concrete slab, and are usually denied more than one light weight blanket, struggle to keep warm at night.

The lack of decent food contributes to the men’s poor health. From year to year, the complaints remain unchanged. The food lacks nutritional quality, tastes horrible, lacks fresh fruits or vegetables, and is insufficient in quantity, leaving the men hungry, malnourished and unsatisfied. In their own words, when asked about the food, the men say it is “still garbage” and “the same old crap.” According Mr. D, “The menu looks pretty but the food is horrible, the portions are tiny and the meat is not real.” Often complete items are missing from the tray. In general, the men report that the trays have larger portions when “there are tours or suits coming through.” Several men have explained that they drink large amounts of

water to help with the hunger. In addition, staff piles up trays for delivery rather than delivering smaller numbers at a time and making more trips. As a result the food is cold by the time that it arrives. We receive regular reports of men being denied special meals, even when medically advised.

Yard/Library/Mail/Visits

It reportedly took several appeals and an injunction through Del Norte Superior Court for the men to begin receiving yard on time. Men are not receiving the four hours a week they are supposed to get in the law library when they have active cases and filing deadlines.

We received reports that mailing rights are sometimes denied as a form of punishment. As stated in Title 15 §3130, mail is a right—not a privilege. Mail tends to sit in the mail room for up to five days before it is distributed to the recipients. One man reported an incident when correctional officers lost his mail which contained important legal documents relevant to an active case.

We have received multiple reports that the men rarely, if ever, get their full three hour visits. They are generally getting about two hours and forty minutes visiting time, or approximately twenty minutes less than what the regulations call for. The location of Pelican Bay makes it extremely difficult or impossible for most of the men’s loved ones to visit. Their friends and family cannot afford the long journey, only to have their visiting time cut short. Thus, geographical remoteness is another factor playing into the severe isolation of the men incarcerated at Pelican Bay.

Racial isolation

Often the men are separated by race. However, sometimes an individual of one race gets placed in a pod in which there are no members of his racial or social group. Mr. O, for example, was the only African American man in his pod for eight years. One incident was reported in which an African-American man who was racially isolated from his social group received a 115 written violation for speaking to other African Americans as he was being led through the hallway. He had been isolated from his own group for a long period of time, he explained, and was eager to connect with others in his racial/social group, given that he would soon be isolated from them again.

Anti-Hostility Group

Despite the fact that the following information is from the mainline, we have included it in this report because it reflects CDCR’s attitude that is behind Pelican Bay’s decision not to support or circulate The Agreement to End Hostilities.

A new Anti-Hostility Group was initiated by an individual in general population. He explained that the chaplain had permitted him to sponsor the initiative but the staff are not supportive. The Anti-Hostilities Group is trying to promote peace as the new “cool” and challenge what is perceived by many of the men to be CDCR’s divide and conquer mentality. Some guards have been known to place “disruptive” people on the yard to instigate fights and break the peace promoted by the Anti-Hostility Group and The Agreement to End Hostilities. Like the Agreement to End Hostilities, the Anti-Hostility Group discourages men from partaking in violence, challenging officers’ apparent attempts to incite hostilities and violence among the men.

Conclusion

This report demonstrates the great deal of work that lies ahead to rectify California’s system of so-called criminal justice, and to develop a sense of humanity within our state sanctioned method of correction and rehabilitation. The report reveals that rights of all United States citizens as stated in our Constitution, and the specific legal rights stated in CDCR’s Title 15, are not only frequently and regularly discounted, but in fact are scorned by the very people whose mission is to promote peaceful interaction and rehabilitation among men on the inside. The way prisoners are treated at Pelican Bay State Prison and other California prisons harms the individuals who we aim to rehabilitate, as well as their children and families, their communities, and society as a whole. Years in solitary confinement commonly and predictably lead to mental health problems and instability. Individuals who have no history of violence often leave prison with more uncontrolled hate and anger than ever before. CDCR’s Division of Rehabilitation claims its mission is to “help offenders leave prison with better job or career skills, education, life skills, and confidence, so they can succeed in their futures despite past obstacles.” CDCR has yet to explain how years and decades of being locked in a small concrete box, deprived of all social contact, family connections, sensory stimulus, education or creative outlets, rehabilitates anybody. They have yet to offer an explanation of how the consequential psychological problems and symptoms of mental illness factor in to their stated mission. One cannot help but question the sincerity of CDCR’s mission, and ask who is actually benefiting from this mass warehousing of human beings, mostly men of color and from financially disadvantaged communities. ●

The U.S. has more jails than colleges

By Christopher Ingraham, *The Washington Post*

There were 2.3 million prisoners in the U.S. as of the 2010 Census. It's often been remarked that our national incarceration rate of 707 adults per every 100,000 residents is the highest in the world, by a huge margin.

We tend to focus less on where we're putting all those people. But the 2010 Census tallied the location of every adult and juvenile prisoner in the United States. If we were to put them all on a map, this is what they would look like:

[Map omitted by Ed]

The map shows the raw number of prisoners in each U.S. county as of the 2010 Census. Much of the discussion of regional prison population only centers around inmates in our 1,800 state and federal correctional facilities. But at any given time, hundreds of thousands more individuals are locked up in the nation's 3,200 local and county jails. This map includes these individuals as well.

To put these figures in context, we have slightly more jails and prisons in the U.S. -- 5,000 plus -- than we do degree-granting colleges and universities. In many parts of America, particularly the South, there are more people living in prisons than on college campuses.

As you can see in the map, states differ in the extent to which they spread their correctional populations out geographically. Florida, Arizona and California stand out as states with sizeable corrections populations in just about every county. States in the midwest, on the other hand, tend to have concentrated populations in just a handful of counties. Prisons tend to leave an unmistakable mark on the landscape, as artist Josh Begley has documented.

Because of the mix of state, federal and local correctional facilities in each county, it doesn't make sense to express these numbers as a rate -- X prisoners per Y number of adults. The presence of a federal or state facility in a given county will greatly inflate that county's prisoner count relative to the general population. And in many instances, large correctional facilities are located in sparsely populated regions, like Northern New York. In some of these counties, prisons account for 10, 20 or 30 percent of the total population.

In recent years criminal justice reform has risen to prominence in the national conversation, with both Democrats and Republicans looking for ways to dial back the incarceration-focused policies of the '80s and '90s. This map shows one reason why the issue is gaining traction: prisoners are literally every where you look in the U.S. Nearly 85 percent of U.S. counties are home to some number of incarcerated individuals. Localities spend tens of thousands of dollars per prisoner each year -- and often much more than that -- to house, feed and provide them with medical care. Most counties would doubtless prefer to spend this money elsewhere.

Americans Are Basically OK With CIA Torture Methods Like "Rectal Feeding" Despite a scathing report on torture, a majority of survey respondents approve of the CIA's grisly methods.

By Cliff Weathers, *AlterNet*

In the wake of the Senate Intelligence Committee's torture report, released last week, 51% of respondents said that they think the CIA was justified using the methods in question, which included water boarding, rectal feeding, and sleep deprivation.

Only 29% of Americans said that torture was not justified. Another 20% said they did not have an opinion. The survey of 1,001 adult Americans was conducted December 11-14.

Despite the Senate report, which said torture provided no actionable intelligence that couldn't be found elsewhere, poll respondents disagreed; 56% of them said that torture did provide intelligence that prevented terrorist attacks. Only 28% concurred with the intelligence committee report that torture didn't provide this type of intelligence.

Republicans were much more likely to approve of the CIA's use of torture, with more than two thirds saying that it was justified. Democrats could not agree on this issue, while 46% said that the CIA's methods were wrong, 37% said that they were justifiable.

Respondents were almost evenly split on whether the Senate Intelligence Committee should have released the report. Forty-three percent said that the decision was not justified, while 42% said it was the right thing to do.

Whistleblower John Kiriakou, Only Person Jailed Over Cia Torture Program, Is Out Of Prison

By Xeni Jardin

Former CIA official John Kiriakou was today released after two and a half years in prison. He exposed the Bush-era war-on-terror torture program, and for that act of bravery became the only American to serve time in connection with it.

He was sentenced to 30 months in prison in 2013, after he pled guilty to confirming the identity of a covert officer to a reporter. The reporter did not publish the leaked information.

His supporters say the Obama administration sought to make Kiriakou an example in its crackdown on whistleblowers, and that the father of five children was unfairly punished.

NEWS SHORTS

Kiriakou was the first CIA official to publicly confirm the Bush administration's use of waterboarding.

He posted the news of his release today in the form of a tweet that shows the 50 year old family man hugging his kids.

"Free at last, free at least, thank God almighty, I'm free at last," he wrote, quoting Dr. Martin Luther King. He will remain under house arrest until May, 2015.

"Even if torture works, it cannot be tolerated--not in one case or a thousand or a million," Kiriakou previously wrote. "If their efficacy becomes the measure of abhorrent acts, all sorts of unspeakable crimes somehow become acceptable."

"I may have found myself on the wrong side of government on torture. But I'm on the right side of history. There are things we should not do, even in the name of national security. One of them, I now firmly believe, is torture."

Mission Statement of the Free Speech Society

The Free Speech Society is a movement that is dedicated towards protecting and defending the First Amendment rights of imprisoned activists. As imprisoned activists, we are embedded reporters for the people. We are the eyes and ears for the people -- for the taxpayers -- articulating the human atrocities that plague the prison industrial slave complex with impunity in your name.

Human atrocities compelled by racial oppression can only flourish when silence permeates the corridors of the vortex of torture, the PISC, necessitating the manifested destiny of a collective insurgence of voices of resistance forged by the rediscovery of our humanity. The FSS is an expression of that humanity.

Though our endeavor is just, the agents of torture and repression -- the OCS (Office of Correctional Safety), SSU (Special Services Unity), IGI (Institutional Gang Investigations) and ISU (Investigations Services Unit) -- have dedicated their resources towards silencing our voices and suffocating the true spirit of free speech.

This mission statement is only a brief invite designed to both captivate and solicit free speech-loving people to join our movement and assist us in mobilizing against the forces of repression. If you are interested, please contact the following: Abdul Olugbala Shakur (s/n J. Harvey), C-48884, CSP Cor SHU 4B-1L-25, P.O. Box 3481, Corcoran CA 93212; Mutope Duguma (s/n J. Crawford), D-05996, PBSP SHU D2-107, P.O. Box 7500, Crescent City CA 95532; Heshima Denham, J-38283, CSP Cor SHU 4B-1L-25, P.O. Box 3481, Corcoran CA 93212, Steve Martinot, martinot4@gmail.com

Preliminary Injunction Filed to Prevent "Silencing Act" from Stopping Prisoners' Speech

Continuing the Fight Against the Silencing Act, Prisoners and Advocacy Groups Seek Injunctive Relief to Stop Enforcement NOW

January 8, 2015 - A motion for a preliminary injunction was filed today in the ongoing lawsuit, *Abu-Jamal v. Kane*, challenging a Pennsylvania censorship law intended to silence Mumia Abu-Jamal and others convicted of personal injury crimes.

The Abolitionist Law Center, Amistad Law Project, and the Roderick and Solange MacArthur Justice Center at Northwestern University School of Law filed the preliminary injunction motion to stop enforcement of the law. The law firms represent Mumia Abu-Jamal, Prison Radio, Educators for Mumia Abu-Jamal, Kerry "Shakaboona" Marshall, Robert L. Holbrook, Donnell Palmer, Anthony Chance, and Human Rights Coalition in the lawsuit filed November 10, 2014 against Attorney General Kathleen Kane and Philadelphia District Attorney Seth Williams. The American Civil Liberties Union of Pennsylvania (ACLU) filed a similar lawsuit and preliminary injunction today.

The Silencing Act, also known as 18 P.S. § 11.1304, allows the Attorney General, county District Attorneys, and victims of personal injury crimes to bring a lawsuit in civil court against the person convicted of the personal injury crime to enjoin conduct that "perpetuates the continuing effect of the crime on the victim". The actions that could prompt a lawsuit include "conduct which causes a temporary or permanent state of mental anguish."

"This law is unconstitutional," said David Shapiro of MacArthur Justice Center. "The facts are on our side and the law is on our side. The Silencing Act targets a huge amount of constitutionally protected speech based on who is speaking."

After a prerecorded commencement speech by journalist and prisoner Mumia Abu-Jamal was played for graduates at Goddard College in Vermont, the Pennsylvania legislature passed and outgoing Governor Corbett signed into law the Silencing Act on October 21st, 16 days after the commencement speech.

Abu-Jamal has spent 33 years in prison, 29 of which were in solitary confinement on death row after being convicted at a 1982 trial that Amnesty International said "failed to meet

minimum international standards safeguarding the fairness of legal proceedings."

Robert L. Holbrook, who is serving a death by incarceration (life without parole) sentence he received as a child, had this to say about the law: "there are people in prison who will stop writing, stop publishing, stop speaking out because of this law."

"Silencing prisoners is one more way of dehumanizing them," said Amistad Law Project Policy Director Nikki Grant. "We need the voices of the marginalized to shed light on injustice."

\$7M verdict against cops upheld in Caravella's DNA exoneration

Two former Miramar police officers who framed a mentally challenged 15-year-old boy for the rape and murder of a woman must pay him \$7 million for the nearly 26 years he spent in prison, a federal appeals court ruled Thursday.

Anthony Caravella, now 46, of Pembroke Pines, was freed from prison in September 2009 after DNA testing exonerated him of the rape and murder of Ada Cox Jankowski, 58. His conviction was re-examined after a series of Sun Sentinel stories on the 1983 case.

Caravella, who works doing clean-up at his uncle's construction sites, said he was happy and relieved--though he could still face a long, difficult path to try to collect the money.

The same DNA tests that exonerated Caravella linked another man to the vicious crime -- Anthony Martinez, the victim's neighbor and the last person seen alive with her. Martinez and Jankowski left a bar together shortly before she was raped, stabbed more than two dozen times, strangled and left on the grounds of Miramar Elementary School.

Martinez, who was 17, was the detectives' prime suspect, but they dropped him when he stopped cooperating. Martinez died of natural causes in upstate New York in November 2010, two months after the Broward State Attorney's Office and Miramar police named him a "person of interest" in the murder.

<http://www.sun-sentinel.com/news/crime/fl-anthony-caravella-dna-7-million-20150122-story.html>

Rapper Faces Life in Prison

The San Diego-based rapper, Tiny Doo, aka Brandon Duncan, faces 25 years to life in prison under a little-known California law. Duncan, who has no previous criminal record, faces nine counts of street gang conspiracy to commit a felony. CA Penal Code 182.5 defines gang conspiracy as a gang member who "willfully promotes, furthers, or assists in any felonious criminal conduct by members of that gang." Although prosecutors acknowledge that he had nothing to do directly, with a rash of gang violence that took place in San Diego in 2013, they allege that he benefited from the gang activity, based on the fact that his CD sales went up afterwards. Some claim this is the district attorney trying to stop the glamorization of gang activity. But, the actual intent of the charges, initially brought against 33 black rappers, is questionable. As stated by Mr. Duncan, "It's like they are trying to eradicate black men, not eradicate gangs."

500 Palestinians Are Currently Held Under Administrative Detention

By Saed Bannoura

The Palestinian Prisoners Society (PPS) has reported that the current number of Palestinians, held by Israel under Administrative Detention orders without charges or trial, has arrived to 500. The PPS said the Hebron district, in the southern part of the occupied West Bank, witnessed the highest number of arrests and Administrative detention Orders.

It added that twelve administrative detainees, including democratically elected legislators, have been held under such orders for many years.

The detained legislators are Mohammad Jamal Natsha, Hatem Qfeisha, Mohammad Bader, 'Azzam Salhab, Nayef Rajoub, Basem az-Za'arir, Samir al-Qadi, all from Hebron, in addition to Abdul-Jabbar Foqaha and Hasan Yousef from Ramallah, Mohammad Abu Teir and Ibrahim Abu Salem from Jerusalem, in addition to Abdul-Rahman Zeidan from Tulkarem.

The PPS said 208 of the 500 administrative detainees are from Hebron, including Ahmad Shabana, who spent eighteen years in Israeli prisons, including 13 years under Administrative Detention orders.

His latest arrest was on February 2 2014, and has been held since then; he also participated in the June 2012 61-day hunger strike, along with all Administrative Detainees.

Furthermore, detainee 'Omar al-Barghouthi, 61 years of age, from the central West Bank city of Ramallah, has been detained since June of last year,

His repeated arrests led to him spending more than 25 years in Israeli prisons, including twelve years under Administrative Detention orders. Israel "justifies" the use of Administrative Detention by claiming to have "secrets files" against the detainees, that neither the detainees, nor their lawyer can have access to.

<http://www.imemc.org/article/70484>

By Jose H. Villarreal

Growing up in California prison camps, whether they were youth or adult facilities, I was always conscious of the existence of control units. These super max facilities were used as the ultimate weapon on prisoners, a sort of “final solution” for imprisoned rebels. What I did not know were the real reasons for building these torture chambers, nor did I imagine their effects on people that can only be described as a genocide as real as any other. This psychological lynching is meant to neutralize those captives who are targeted for the control units. Will history prove the state has been successful in its goal?

AmeriKKKa in general is very familiar with genocide, and the state of California is also no stranger to this lethal action. When the US first stole Aztlan in the 1800s, Raza were lynched and murdered so much that what was occurring in California was called a “Lynchocracia,” which is the Spanish word for “Lynchocracy.” This was a good description of what was taking place, however it could have also been seen as a genocide. Today we see a strong resemblance to those early colonial days, only today it is repackaged, or re-gifted to us like smallpox blankets in a new shopping bag.

In public school or in the corporate media, i.e. the evening news or mainstream newspapers and magazines, I had heard of “genocide,” but often times this was in reference to countries around the world, and back in the days. Never had I cast an eye here or thought of the idea or possibility that genocide might be occurring today in the 21st century, and in US borders. Not until now.

What Exactly is Genocide?

Most dictionaries define genocide as the deliberate killing of a large group of people of the same nationality. But genocide takes on other characteristics as well. The word “genocide” was first used to define those crimes that the Nazis committed during the course of World War II. Genocide was rightly seen as murder on a grand scale targeting a group.

Throughout history “genocide” has been unleashed on people around the globe by colonizers. For example, on this continent, the First Nations, Aztecs, Mayans, and Incas all experienced some form of genocide by the early settlers. The Tainos of the Caribbean experienced it as did the indigenous of Tasmania -which is off the coast of Australia- where for a couple hundred years post-1642 (when the island was first colonized) the natives tasted genocide.

In the 20th century of course, Jews felt what extermination was like in Hitler’s Germany. Roma also got a strong dose of it. It was this event of genocide which prompted the United Nations to finally pass an international law against genocide. On December 11, 1946, the UN made it a crime and stipulated that not only the perpetrators, but also the accomplices would be prosecuted for this crime.

In 1948, Article 2 was adopted by the UN General Assembly which defined genocide as any attempt to destroy a national or ethnic group in any of the following ways:

1. Killing members of the group.
2. Causing serious bodily or mental harm to members of the group.
3. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or part.
4. Imposing measures intended to prevent births within the group.
5. Forcibly transferring children of the group to another group.

I think if you look at the history of prisoners - and specifically those held in the control units- you will find many of the above five points have been applied at some time or another. In California SHUs, and I believe in control units across the US, we are experiencing a genocide.

What was further outlined in the UN convention was that affected parties could ask the United Nations to take action under “prevention and suppression” of genocidal acts. This means that those who are facing or experiencing genocide can request the UN to step in. The problem is in the 60+ years that this law has been in place, it has yet to be used to charge a government with genocide.

Let’s look closer at the five points to see if they are being applied. Point one has been applied in the decades that control units have been in existence. Probably the most glaring example of this was when it was revealed to the public that gladiator style fights were happening at Corcoran SHU in California in which guards were found to be betting on prisoner fights. Many prisoners were gunned down by the guards. And this was occurring in many prisons - not just Corcoran. Many prisoners in California’s SHUs have been found dead in their cells, only to be chalked up as “suicides.” “Suicide” has also happened more often in control units.

Point two is well defined in court records about decades of abuse at the hands of the state. Shootings, maiming, beatings, blindings and worse have been unleashed on SHU or control unit prisoners. But today’s control units have been using a new weapon - solitary confinement. Solitary has been known to inflict mental illness. Mental harm in a control unit

has been found after only 10 days - and most prisoners spend years in such conditions. I myself am starting my ninth year in such torturous conditions.

Point three is easily seen in that control units have us not only in isolation, but also in Pelican Bay SHU we don’t even have access to natural sunlight and are denied human contact. Even our culture is banned in SHU via fabricated labels of “Gang” or “Security Threat Group” activity. Language is not even safe when it comes to the oppressed nations held in SHU. Dietary manipulation and lack of proper medicines or care complete the destruction of the tens of thousands of us held in control units.

Point four is seen in the fact that control unit prisoners are banned from having conjugal visits. Even many prisoners outside of control units in general population are prevented from having overnight visits, thus preventing us from procreating, i.e., “preventing births within the group.”

Point five is experienced by many prisoners when their children are taken away upon their arrest. Wimmin prisoners specifically are dealt this heavy blow. Children are often even used by the state as bargaining chips, where if there is no information given to the state, prosecution often follows and one’s children are often taken away upon arrest.

All five points are not required for genocide to be carried out, just one of the points has to be met to be an example of genocide. Genocide, as the UN defined it, is not what we often think of - people in the thousands being lined up against a wall and mowed down. It is more veiled. Today it is revamped and delivered with air conditioning, in some cases. But it is here.

What are the Hidden Signs of Genocide?

Genocide is not just stuffing us in control units and neutralizing us psychologically or with a rifle. Of course, the use of solitary confinement is used en masse. We cannot deny it is being used to destroy a people.

It is important in any study or when we are attempting to identify a phenomenon to look deep into and outside of it in order to really understand it. Mao spoke about this when he said: “There is contradiction between appearance and essence in everything. It is by analyzing and studying the appearance of a thing that people come to know its essence.”¹

Here Mao tells us that to really understand what the state’s intentions are with control units we need to dig deep to really identify what this is all about and where it is coming from. From the start, we should understand that the control units go against everything which makes us human, i.e., it is anti-human, anti-people. But the state understands this, it was precisely WHY these tombs were created, it was the plan all along.

The fact that most people placed in California SHUs are Chican@ and most people placed in control units throughout the US are Brown and Black folks, means that we as people in control units are for the most part inter-dependent peoples. Our cultures rely on interacting as a group because our peoples come from the Third World. This is from where our cultures derive. To take this away dismantles who we are as a people, and the state understands this. This understanding is precisely why control units in the US are designed not just to place us here, but to then insure that we are socially isolated thereby attacking our very essence.

Humans are not the only species which rely on social interaction. In a recent article a theory was put forward called “The Black Queen Hypothesis.” It was named after the card game Hearts. This theory was created after discovering organisms developed particular abilities that ensured their survival. Researchers found organisms worked with others and in communities, with all of them performing essential tasks for the community. This proves organisms become dependent on each other, and this also proves evolution is not “survival of the fittest” but is instead a more social phenomenon.² This means that even down to the smallest organisms social interaction is essential for survival - we are talking about at the microbial level all the way up. Socializing is a necessity for all life. To take this away hinders the ability of life to go on. This is science.

Most do not realize that we are facing a genocide because the state and all of its agencies work hard to dress up these control units for the public. They have been so successful that many prisoners do not even realize what is occurring.

Genocide is the intentional killing of a specific group of people. Thus psychological lynching is the willful rendering of specific groups to become mentally ill. Regardless of the reason, and regardless of one’s belief, genocide is an inhumane form of destruction. It is destroying a group of people, in the interest of another group of people. It is the engine of Capitalism.

Prisoners rising up throughout control units and prisons in the US is a reaction to this genocide. At the same time, the state has no intention of reversing course. This means this is a struggle by any means necessary, a struggle to survive. But the state will employ a response to the mobilization of the imprisoned social forces. We need to understand that mobilizing against the state is no small potatoes and it WAS

noticed by US intelligence. In the 1960s when 10,000 Chican@ students walked out of high schools in California the FBI released memos to its field offices the very next day telling its agents to identify and subvert nationalist movements. Any time people - especially poor people - are mobilized in the tens of thousands it poses a grave threat to the state and they WILL take notice and work to subvert this mobilization, and we will resist.

The real response from the state will be veiled and will not come in the form of clubs or bullets, for the most part. It will come in heightened political repression. Those most politically advanced will feel the brunt, as will those who create political literature because the state understands that a politically educated people are most threatening to the state.

How Does Colonization Play Into Genocide?

Genocide is the meat and potatoes of colonization. What better way to steal land, resources, Wimmin and children than by taking out all rebellious elements of a population? And when the next generation of rebelliousness arrives, repackage the genocide and serve it to them again. It is a never-ending cycle that will only be stopped through a complete Socialist revolution.

As for genocide in US borders, as far back as the 1800s the US went around capturing Apache girls and children. These young girls would be sold into prostitution by settlers, which Sakai describes as an inter-connection to colonialism:

“So that at the same time that the US was supposedly ending slavery and ‘Emancipating’ Afrikans, the US Empire was using slavery of the most barbaric kind in order to genocidally destroy the Apache. It was colonial rule and genocide that were primary.”³

In this way, Sakai explains how genocide was simply repackaged. It changed form from “legal” slavery of Afrikans to other forms of slavery which maintained the essence of colonialism. It helped keep certain populations thoroughly oppressed.

Different nationalities are targeted in different ways. In California (as of 2011), 85% of SHU prisoners are Latin@⁴, and the majority of these are Chicano. This shows that Brown people are overwhelmingly subjected to this genocide in California. It is no secret what isolation does to any living thing. On the local news in Crescent City a sheriff was interviewed about a dog shelter. At one point she talks about how when dogs are separated from people and each other it has an effect on the dogs, and thus her concern to get the dogs out of the isolation of the dog shelter. Even people who have never spent time in isolation understand the damage it does, but it is a part of the colonization process and so it is overlooked when aimed at those facing colonization.

Former Red Army Faction member Ulricke Meinhof described solitary confinement as follows: “The feeling that your head is exploding...the feeling of your spinal cord being pressed into your brain... furious aggression for which there is no outlet. That’s the worst thing. A clear awareness that your chance of survival is nil.”⁵

What many find unacceptable for animals has been aimed at the internal nations within US borders in the guise of control units. Meinhof described this process above in its raw form. But this method of employing genocide is codified by the oppressor. Yet in our understanding of our colonization we should recognize that our oppression as Lumpen is not simply an economic contradiction. Our class oppression is linked to national oppression. Even Marx understood this back in his day. For example, in his piece “On Ireland” Marx wrote... “In Ireland it is not merely a simple economic question but at the same time a national question, since the landlords there are not, like those in England, the traditional dignitaries and representatives of the nation, but it’s mortally hated oppressors.”

Here Marx highlights the interconnection between nation and class struggle. And just like in England during Marx’s time, our current day landlords are not representatives of our nations, but are our “mortally hated oppressors”. This means that we are not in control of our own respective national economies. Amerika controls the resources of the internal nations and most of us-at least 90% of us held in US control units - are NOT Amerikans. We come from our own colonized nations which Amerika oppresses.

It is difficult to grasp that what we experience is a form of colonization. The oppressor has been very crafty in its methods within US borders. Although prisons (and control units, to be specific) are where we see the most overt forms of colonization and genocide, it is also in control units where we find the most rebellious and revolutionary elements of each internal nation.

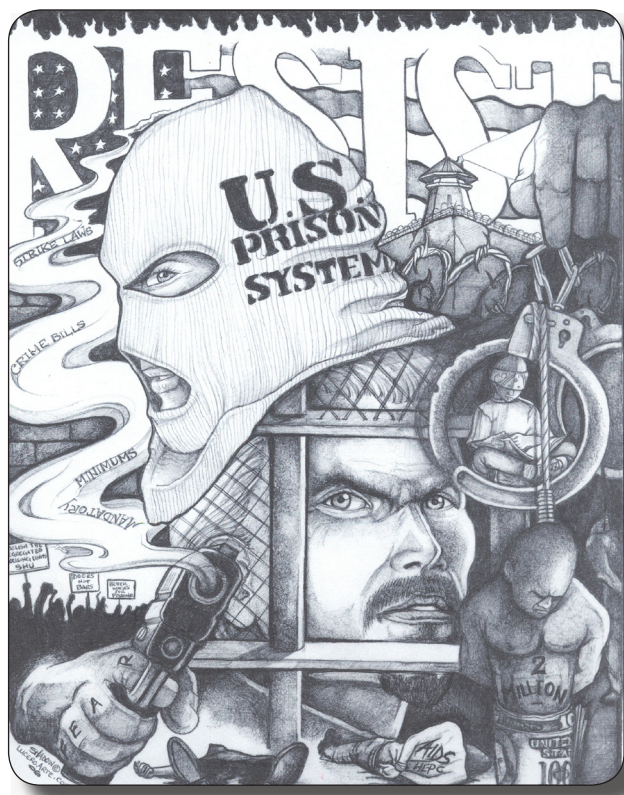
When I look at the world, the clearest most concrete example of modern day colonialism is the oppressed nation of Palestine. When we look at Palestine we see an unveiled example of what an oppressor nation and oppressed nation look like.

Prisoners held in control units have much in common with Palestinians. We both have the prison walls encircling

us with the ever-present gun towers. We also suffer from sleep deprivation and its affects. In SHU this is caused by electronic doors opening and closing in an echo all night for the hourly “count” that conveniently comes with a flashlight shined on our faces. For the Palestinians it comes from the nightly “sonic boom” from low diving Israeli jet fighters breaking the sound barrier over Gaza.

There are about 8,000 Palestinian political prisoners held in Israeli settler prisons. In California there are about half this amount of political prisoners held in these Amerikkkan settler SHUs. For Palestinians, like Lumpen within the US, they are almost expected to face incarceration at some point in life. This is so common that it becomes almost a rite of passage in the realm of public opinion. But prisons - remaining true to the laws of dialectics - become an educational experience to Palestinians, not because of the settlers who hold them captive, but because of being exposed to such a high concentration of consciousness. They have learned how to struggle as a class against their oppressor. And, just like the Palestinians, we are also gleaned what can be gleaned from the concentration Kamp control units and turning these death camps into conscious building facilities outside of state influence.

Our similarities are further illuminated when we look at how Palestinians are held in what Israel calls “Administrative Detention” where every 6 months their imprisonment can be extended another 6 months. Those of us in SHU are reviewed every 6 months when our confinement in solitary is extended. They are validated essentially for being Palestinian and we are validated for being oppressed nations and struggling against colonization.



Resist by Dominic Lucero

A World View of Genocide by the United Snakes

Amerika works very hard to disguise its acts of genocide. Although some people have come to understand these crimes against humanity, many only do so outside of US borders. Kieran Kelly in her article “The United States of Genocide,” states “US wars are actually genocides.”⁶ This is a pretty good description of what the empire defines as “war.” Just like what it describes in its history books and media as “discovery” and “manifest destiny” is really colonization. What Kelly does not tie into the situation is that genocide also occurs within the US through its use of control units. Modern genocide is inflicted to enact or maintain forms of colonization. Within current day US borders this means internal colonization where the Chicano nation and other oppressed peoples are forced into an attempt at assimilation into Empire or face genocide by the US INjustice system (its prisons and control units, to be specific). But throughout world history we will find that genocide is unleashed on peoples the oppressor is at war with. These are immoral acts of war. Looking at us here in control units, we should take this as seriously as any act of war.

When Columbus went back to Hispaniola, in the first few years 5 million Tainos were exterminated in this genocide. The writer Las Casas reported on many of these acts of genocide - such as hacking the Taino children in chunks in order for them to be fed to the colonizers dogs. This wasn’t done as punishment or for any other reason other than to wipe this population off the map. Although these colonizers may not have been “Amerikkans” at the time, Amerika celebrates Columbus and others who have perpetuated genocide and its interests. Sadly, many oppressed who are unaware celebrate these oppressor holidays as well.

The most well-known acts of genocide committed by the US empire are the US wars on Vietnam, Korea and Iraq. But there was also the Indo-China extermination. Whether these genocides were carpet bombings or biological weapons, they amount to murder on a grand scale. What the US did to Laos was nothing more than a crime against a dirt poor country.

Whether we are talking about Third World countries or

mainline general prison populations, when we think of the Maoist doctrine of the relations between the revolutionary forces and the masses and how many times the oppressor nation cannot tell the difference between “who’s who,” it becomes clear why the state resorts to genocide. It is employed as a method of counter-insurgency.

I think that the word genocide has evolved in meaning since Rafael Lemkin first coined this word. He believed it was aimed at winning peace. Within the US strategy it takes on the aim of upholding imperialism.

The eco-cide of the forests and waters of South America by US corporations is another method of genocide. This act of polluting indigenous lands in the Amazon works also to disrupt and destroy villages, subvert native cultures and co-opt the political reality of these peoples. The social and economic stability of these peoples is destroyed. Genocide then is more than the direct killing of a people, it is much more sophisticated than this.

The methods of genocide we experience today in US control units are in some ways an “Operation Phoenix,” which as some remember meant that torture and imprisonment was the order of the day for Vietnamese freedom fighters. This is similar to what many US prisoners experience today, only our “strategic hamlets” are the prisons’ general population and control units are the torture centers.

Genocide at the hands of the US has become as Amerikkkan as apple pie.

We Need to Abolish the Lynchocracia

This situation with the Lynchocracia inflicting a genocide on those of us held in control units is a result of living within the super-parasite. What this means is that there will always be one form of genocide or another as long as we live in the world’s leading imperialist country. The idea is to get to a point where more resistance is created and momentum is built and different genocides are abolished while creating a strong current that takes the struggle to the next level. To do this we need to first identify who exactly is capable of creating this change. And more importantly what ideology is capable of challenging not just the genocide, but the Empire itself. In this sense political ideology is decisive.

Marxism highlights the contradiction between the PRODUCTIVE FORCES OF SOCIETY as well as the SOCIAL RELATIONS OF PRODUCTION as what pushes society forward. Productive forces of society are the forces that change the natural world in order to obtain needs such as clothes, food, housing, social interaction, etc. So the productive forces of society are implements as are technologies and science.

In the Third World the laboring class exists as the productive class, but here in the First World these elite workers have stock in these high living standards that are really crumbs from our oppressor.

A revolutionary class must draw from the productive forces, but in the First World those most oppressed are the Lumpen and migrants. But even within these sectors they can only be harnessed by a particular form of social organization, one which is revolutionary at its core. This constitutes the social relations of production.

In a recent interview whistleblower Edward Snowden said “We cannot be effective without a mass movement, and the American people today are too comfortable to adapt to a mass movement.”⁷

Although Snowden has not been trained in revolutionary theory, EVEN HE realizes that those in US borders, for the most part, become bourgeoisified. As a former US intelligence employee, he revealed that yes, the state understands this as well and make no mistake, and they work hard at keeping it like this. Even some US prisoners become “comfortable” and unwilling to struggle for their humynity. But this Lynchocracia will continue until those of us who suffer the most oppression find ways to transform our environment.

The decisive aspect of the social relations of production is the question of ownership, it means which group of people control the tools in a given society. In a slave society, feudal society, and capitalist society the productive forces are owned privately, ie, they are monopolized by a small portion of society who make up the propertied class.

In general, society has passed through five stages of historical development at one time or another in different parts of the world. This was primitive society, slave society, feudal society, capitalist society, and socialism.

Historical development and the revolutionization of one of these societies to another arrives when the new productive forces are continually created, forged and accumulated they end up in contradiction with the old played out social relations of production. In some ways, on a microscopic level, we can see this historical development play out in our battle against genocide by control unit where prisoners are learning and being forged into a productive force which is conflicting with the state and its genocidal program in these torture chambers.

But our struggles in these dungeons are only one small aspect in the greater struggle for justice. A real transformation and a real end to US genocide will only come when Socialism arrives. Our torture is not a problem of a single Warden, a single DOC Director, or Bureau of Prisons, it is

this oppressor nation that is occupying our land that is the real problem.

One author summed up the situation of the Lumpen when he said:

“The problem is not just that the government spends too much money on prisons or puts too many people in jail. It is that the current system thrives on poverty, unemployment, national oppression, racism, militarism and stark inequality - crimes in and of themselves- while imprisoning the victims of these phenomenon.”⁸

So, as the author states, it is more than just a matter of putting too many people in prison -it’s more that the state cannot exist without committing crimes against the people. Those the oppressor nation targets are the ones that end up criminalized.

At some point even the Lumpen will get tired of the oppression and find ways to build communities that are much different than what exists today. There have been very different societies which did not rely on greed to get by. In fact, we see examples today such as in Cuba where a few years back when the earthquake devastated Haiti, the US and Cuba both sent doctors to help the people. When this occurred Doctors from the US treated 871 patients in Haiti while Cuban Doctors treated 227,143.⁹ This is a stark difference in what it means to serve the people. On the one hand, we have the richest country in the world and on the other hand we have a Third World country. And yet it is the struggling country which has been squeezed financially by a decades old imperialist blockade who helps the most.

In order to truly abolish the Lynchocracia we need to not just uproot the chains of colonialism, which not only shackle us physically, but more importantly which shackle many mentally as well. Genocide in one form or another will continue to exterminate the oppressed internal nations within US control units until prisoners as a whole can penetrate our social reality and find ways to push our nations back onto the road to liberation.

What COINTELPRO set out to do is not just neutralize the national liberation movements of decades past, but to also smother and stomp out any memory of our revolutionary history, and this was done to subvert the people’s struggles. One of our goals should be to re-build our nations and as a result we will re-build the movement toward REAL justice. ●

ENDNOTES

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3. J-Sakai “Settlers: The Mythology of the White Proletariat” Morning Star Press, 1989. Pg. 30.
4. Center for Constitutional Rights, “Hundreds of California Prisoners in Isolation to Join Class Action Lawsuit” 2014.
5. “The Red Army Faction 1963-1993” by Tom Vague, pg. 49.
6. Kieran Kelly “The United States of Genocide: Putting the US on Trial for Genocide Against the People of Korea, Laos, Vietnam, Cambodia, Iraq and Elsewhere,” Global Research. 9-30-13.
7. Katrina Vanden Heuval and Stephen F. Cohen “Snowden in Exile,” The Nation, November 17, 2014.
8. Eugene Puryear “Shackled and Chained: Mass Incarceration in Capitalist America” (PSL Publications 2013) Pg. 129.
9. Emily J. Kirk and John M. Kirk, “Cuban Medical Aid to Haiti: One of the World’s Best Kept Secrets,” Synthesis/Regeneration, 53, Fall 2010.

Hunger Strikes Timeline

- July 2011 - Hunger strike commences, over 6,600 prisoners participate. CDCR promises but fails to show real progress
- Sept. 2011 - Hunger strike resumes with 12,000 participating
- Oct. 2011 - CDCR promises to review all current SHU assignments
- March 2012 - CDCR proposes repressive new Security Threat Group Management Strategy
- Aug. 2012 - Prisoner Reps issue Agreement to End Hostilities.
- July 2013 - 30,000 prisoners initiate a third hunger strike, which includes thousands refusing to work.
- Sept. 2013 - Third hunger strike ends after 60 days, promise of special legislative hearings. The five core demands were not met.

WHAT IS PROP 47?

The following are excerpts from a publication of **Legal Services for Prisoners with Children: Using Proposition to Reduce Convictions and Restore Rights (January 2015)**

What is Prop 47?

On November 4, 2014, California voters passed Proposition 47 (“Prop 47”). When this law became effective on November 5, 2014, it reclassified several categories of theft and drug-possession crimes from felonies or “wobblers” (crimes that may be charged as either felonies or misdemeanors) to straight misdemeanors. Prop 47 will benefit those who have yet to be charged with those crimes, those with pending charges, and those who are currently serving sentences.

Subject to the exceptions below, the following is a list of the crimes which are now misdemeanors as a result of Prop 47:

Theft Crimes:

1. **Any type of property theft** – including shoplifting by entering a business during regular business hours with intent to commit theft – if the value of the property is \$950 or less. [Cal. Penal Code §§ 490.2 and 459.5]
2. **Receiving stolen property**, if the value of the property is **\$950 or less**. [Cal. Penal Code § 496(a).]
3. **Forgery** of a check, money order, etc. for **\$950 or less**, unless the person is also convicted of identity theft under Penal Code section 530.5 (then it is a wobbler). [Cal. Penal Code § 473(b)]
4. **Passing bad check(s) for \$950 or less**, unless the person has three or more prior convictions for Penal Code sections 470, 473, 475 or 476. [Cal. Penal Code § 476a(b).]
5. **Petty theft with a prior**, unless the person has a prior conviction for a theft offense or elder abuse, served a term for the prior, and is required to register as a sex offender (then it is a wobbler). [Cal. Penal Code § 666.]

Drug-Possession Crimes:

1. Possession of various controlled substances, including cocaine and heroin. [Cal. Health & Safety Code § 11350.]
2. Possession of concentrated cannabis [Cal. Health & Safety Code 11357(a).]
3. Possession of methamphetamine. [Cal. Health & Safety Code § 11377.]

Though the crimes listed above will now usually only be punishable as misdemeanors, the following individuals with “disqualifying priors” are excluded from relief under Prop 47 and may not convert the above felonies to misdemeanors.

Exclusions:

1. Those with any prior convictions for “serious or violent” offenses under Penal Code section 667(e)(2)(C)(iv), or
2. Those with any prior convictions which require sex offender registration under Penal Code section 290(c). This includes many, but not all, sex offense convictions.

The offenses listed under Penal Code § 667(e)(2)(C)(iv) are:

- a. “Sexually violent offenses” committed by force, violence, duress, menace, fear bodily injury, or threat of retaliation.
- b. Oral copulation, sodomy, or sexual penetration with a child under age 14 and more than 10 years younger than the defendant.
- c. Lewd or lascivious acts with a child under age 14 years.
- d. Murder or gross vehicular manslaughter while intoxicated.
- e. Solicitation to commit murder.
- f. Assault with a machine gun on a police officer or firefighter.
- g. Possession of a weapon of mass destruction.
- h. Any serious or violent felony punishable by life imprisonment or death.

Procedures for receiving Prop 47 relief for individuals currently serving sentences:

Individuals who are currently serving sentences in prison or county jail for any of the qualifying crimes listed above, and who do not have any disqualifying priors, may petition the superior court in which they were sentenced to have their felony convictions converted to misdemeanors. [Cal. Penal Code §1170.18(a).] Though there is some debate about whether Prop 47 relief is available to individuals currently on probation, as of the writing of this guide, several counties are treating petitions from these individuals the same as they

treat petitions from incarcerated individuals.

Since the passage of Prop 47, county superior courts have adopted different procedures for resentencing those currently incarcerated or serving felony probation. In general, such an individual should submit a Petition for Resentencing to the court in which he or she was sentenced. Some counties have developed standard forms, so check with your county superior court about its preferred procedure before submitting your petition.

Important reminders:

1. Prop 47 does not automatically convert existing felony convictions to misdemeanors. People with qualifying felonies must petition the sentencing court for relief.
2. Petitions for resentencing must be submitted by November 4, 2017.

For additional information on Prop 47, especially on resentencing for people currently serving qualifying felony sentences, see the Prison Law Office’s November 2014 publication *Information Re: Proposition 47*.

I’m serving time on a crime which isn’t eligible for Proposition 47. Doesn’t Proposition 47 do ANYTHING for me?

Short answer? Maybe. If your sentence was enhanced with any 1-year prison priors (not 5-year enhancements; none of those are eligible), and the convictions used for those enhancements are Prop 47 eligible, you might be able to have the length of your sentence reduced. This is an issue on which there have not been any appellate rulings, so the exact process is unclear. Here’s what YOU should do:

1. Write to your attorney (or the Public Defender’s Office) in the last county your prison prior case was in. This will be the county where you were convicted UNLESS you got probation, had it transferred, and then got revoked. If that happened, you’ll need to contact someone in the county that revoked you.
2. Wait for a response. Once your Prop 47 petition has been granted for the prison prior(s), contact the attorney (or Public Defender’s Office) who represented you on the case you are currently serving time on, and let them know that you’ve had your prison prior(s) reduced. •

CPF Request

We are actively seeking artist donations that CPF will use for educational outreach and fund-raising purposes. Life stories are welcomed too. Anything that we can share with others that express who you each are as human beings, we welcome.

DEPLORABLE CONDITIONS AT TAHACHAPI

By John McCurley

According to several recent reports from men at the California Correctional Institute (CCI or Tehachapi) conditions there are grim both in terms of the facility and its policies. The Step Down Program (SDP) especially has been the target of considerable criticism. Several consider it to be a capriciously administered policy born of some mad pseudo psychology that masquerades as a safe means of transition from solitary and into the general population. One correspondent encourages those who have stood before such committees to question whether committee members have received requisite and adequate instruction.

Others write that the day-to-day quality of life at Tehachapi is consistently worse than at other facilities, including Pelican Bay, in nearly every aspect. The reports are so frequent that one wonders if any oversight exists there at all. Some of the alleged abuses have parallels on the outside, such as the disgusting instances of officials beating passive individuals while accusing them of resisting.

Other reported actions are exceptionally disturbing combinations of sadism and cowardice. One correspondent notes that when his peers have withheld trays in efforts to raise awareness of urgent needs, Tehachapi guards have resorted to pepper spraying them and others who were defenseless in their cells. Another man writes of a strip search in which he was forced to defecate naked outside in the falling snow, and subsequently forced to wait, as a guard did not judge the first bowel movement to be of adequate size. This sort of abominable behavior is not going unnoticed.

As has been written previously, California Prison Focus plans to visit the Tehachapi facility as soon as we are able to raise the necessary funds. We encourage those incarcerated at Tehachapi to send us mail and keep us informed. Let us know the conditions of your confinement. We understand that many of you find yourselves in a terrifying and unsanitary facility. We are doing all that we can to raise awareness of your plight. •

TEXAS PRISON UPRISING MAKES DAMAGED PRISON ‘UNINHABITABLE’

As many as 2,800 federal prisoners will be moved to other institutions after inmates seized control of part of a private prison in South Texas, primarily holding immigrants, causing damage that made the facility “uninhabitable,” an official said.

Ed Ross, a spokesman for the U.S. Bureau of Prisons, said the inmates who had taken control are “now compliant” but that negotiations were ongoing Saturday in an effort for staff to “regain complete control” of Willacy County Correctional Center.

The large Kevlar tents that make up the facility were described in a 2014 report by the American Civil Liberties Union as not “only foul, cramped and depressing, but also overcrowded.” The report also stated that inmates reported that their medical concerns were often ignored by staff and that corners were often cut when it came to health care.

Brian McGiverin, a prisoners’ rights attorney with the Texas Civil Rights Project, said that he was not surprised inadequate medical care could ignite a riot. He said medical care is grossly underfunded in prisons, especially in ones run by private contractors. “It’s pretty abysmal with regard to modern standards how people should be treated, pretty much anywhere you go,” he said. •

2015 LEGISLATIVE BILLS

Juvenile solitary confinement (SB 124):

Senator Mark Leno (SF) has introduced a bill (similar to Senator Yee’s previous bill), to put some limits on juvenile solitary confinement. It has many organizational co-sponsors, such as the ACLU, Youth Justice Coalition, Ella Baker Center, etc.). This bill could be heard on Tuesday, March 24 in the Senate Public Safety Committee (not sooner, but possibly later). Support letters are generally sent to the committee chair (Senator Loni Hancock in this case), and a copy sent to the main sponsor (Senator Mark Leno).

Security threat group validation data collection and reports (SB 759):

Senators Loni Hancock (Berkeley) and Joel Anderson (San Diego outskirts) have introduced a bill to require CDCR to collect various pieces of information about prisoners validated as Security Threat Group affiliates, and requiring the Office of the Inspector General to use the data to prepare a report to the legislature every two years. This is similar to part of Hancock’s bill from last year -- and this part was supported by prisoners.

Prisoners, family members, loved ones and supporters may write or fax their letters of support to the address below. All support letters should be received at least one week before the hearing. •

*Senate Public Safety Committee
State Capitol Building, Room 2031
Sacramento, CA 95814
Fax (916) 445-4688*

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Outside people can subscribe to *Prison Focus* for \$20 per year. Prisoner subscriptions are \$6 a year or 12 first class stamps. Subscriptions for SHU prisoners are free.

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BEYOND REFORM

ESSAYS CALL FOR A SWEEPING REASSESSMENT OF INCARCERATION

The Roots of Mass Incarceration in the US: Locking Up Black Dissidents and Punishing the Poor

Edited by Mumia Abu-Jamal and Johanna Fernandez
Socialism and Democracy, Vol. 28, No. 3, November 2014

By David Gilbert

Prison populations have exploded in the United States, with a nearly eight-fold increase in the number of people behind bars from 1970 to today. In the initial decades of that breathtaking ascent, Black radical organizations, along with other groups spearheading systemic change, were devastated by, among other things, government counter-intelligence operations.

One result is that today there are dozens of political prisoners incarcerated for their stands against repression. Some are Prisoners of War (POWs) from the just liberation struggles of Black, Native American, Puerto Rican and Mexican people. Some of these prisoners have been held for more than 40 years. The cancerous growth of mass incarceration and the lethal repression of revolutionary groups are neither accidental nor unrelated.

The scandal of mass incarceration in the United States is finally getting some public attention, with a few damning statistics frequently cited: The United States, with 5 percent of the world's population, holds 25 percent of the world's prisoners; and while African Americans constitute 15 percent of illicit drug users, they are 75 percent of those in prison for drugs. While this new exposure is welcome, the mainstream discussion fails to get at the roots of the problem and therefore can't begin to address the depth of the changes needed.

In the November, 2014, special issue of *Socialism and Democracy*, "The Roots of Mass Incarceration in the US: Locking Up Black Dissidents and Punishing the Poor," provides a penetrating analysis of a range of the issues involved and points toward the steps that are needed to turn around these horrors. Not surprisingly, the most trenchant essays in this collection come from those who have been in the trenches - those who have been fighting this monster for decades, especially the several pieces written by political prisoners and ex-political prisoners. This publication couldn't be more timely and relevant, as the mighty river of the Black Lives Matter movement flows across and brings new life into the country.

"The Roots of Mass Incarceration in the US" was edited by scholar/activist Johanna Fernandez and Mumia Abu-Jamal, the political prisoner who has been held in Pennsylvania since 1981 (and is a stellar journalist and superb writer). Their introduction is a brilliant essay: Right in the first paragraph, they hit the nail on the head, writing that in the wake of the advances of the 1960s, the US launched "the frenzied reaction to the black freedom struggle that set the stage for today's hyper-incarceration of poor urban black and brown communities." They go on to elaborate on a number of key, but rarely highlighted, issues - including the deleterious impact on the children and communities of those ripped away to jail, and the ways in which the system dehumanizes people at home while similarly invading, torturing and killing abroad.

Fittingly, the first piece in the issue is an interview with Angela Y. Davis ("Deepening the Debate Over Mass Incarceration: An Interview"). Davis has been an outstanding voice - both as author and as activist - around both mass incarceration and political prisoners since her own time in jail in 1970. As always, she's completely clear about how these travesties are grounded in the foundation of white supremacy and capitalism. Also, in welcome contrast to many commentators, she underscores the impact on women. Even though they make up only a small portion of the incarcerated, the number of women in prison has been increasing at a much faster rate than that of men, with over 200,000 women behind bars today. Davis links that rise to the shredding of the social safety net, while she also critiques the virulent attacks on black women's roles in keeping their families together.

The racist character of the "justice" system is stunning. The rate of incarceration for black males is nearly eight times that for white males; and for women, the ratio is almost 3 to 1. Black men are incarcerated at a higher rate in the United States today than they were under apartheid in South Africa. Sociologist Loic Wacquant ("Class, Race, and Hyperincarceration in Revanchist America") also reminds us not to forget class: He shows that the poor/rich ratio within each racial group is even steeper than the ratios between races.

While class is always an important basis for how policies are applied, the dynamics leading to mass incarceration flow from an epic political battle. Kevin "Rashid" Johnson is a courageous fighter for prisoners' rights who's been in prison for over 20 years. He's also a keen analyst of society and clearly states what set off the cancerous growth of prisons along with the lethal political repression. In "Racialized Mass Imprisonment: Counterinsurgency and Genocide," he writes:

The US mass imprisonment model developed as yet another disguised system of racialized social control and counterinsurgency in specific response to the New Afrikan/Black Liberation movement [which] catalyzed the various rebel-

lious social movements of that day (including the Women's, anti-Vietnam War, Native/American, Gay-Lesbian, etc.) movements.

Johnson also exposes how the system manipulates poor and working-class whites by deflecting what should be anger against capitalism to various racially coded scapegoats, including welfare recipients, immigrants and those accused of street crime.

From inside prison walls, I regularly observe the sad irony that many white prisoners are heavily invested in white supremacy as a way for those prisoners, disdained by society, to feel that they are "better" than other people.

Despite their lower rate of incarceration, the mushrooming of the total population has meant that a much greater number of whites are locked up today than in the 1970s. Those invested in their racism fail to see how the advances for prisoners' rights came only in the context of the Civil Rights and the Black Power movements.

A core analysis of mass incarceration is powerfully presented in two essays in the middle of this volume (both by friends of mine). The first of these is by dedicated organizer dequi kioni-sadiki and Sekou Odinga, a political prisoner/POW who was still inside when this essay was written and was recently released after doing 33 years. In "We Reserve the Right to Resist": Prison Wars and Black Resistance," they provide a sweeping sense of the history of mass incarceration, tracing it back to the resistance to slavery and the repression to enforce it. The attacks on the modern Black Liberation movement are best exemplified by (but not limited to) the government's illegal COINTELPRO (counter intelligence program) of disruption, imprisonment and assassination. That went hand-in-hand with mass incarceration to control and contain the ghettos.

Kioni-sadiki and Odinga give a sense of the range of political movements that have produced the dozens of political prisoners being held today. The campaigns to free political prisoners and for decarceration are not competing arenas, but rather, they form a joint struggle. All of this is based on the nature of the system: "The politics of mass and political imprisonment must never be separated from the fight against capitalism, colonialism, racism and classism [and] gender oppression," they write.

That understanding points to the necessity of fighting for deeper, overall political change. Drawing on the experience of the Black Panther Party and its programs for survival pending revolution (Odinga was one of the Panther 21 of 1969, one of the most notorious frame-ups in US history), they emphasize the role of grassroots organizing based in a class analysis to meet social needs and move toward self-determination and economic vibrancy for oppressed communities.

The second of these essays is "Black Power Incarcerated: Political Prisoners, Genocide, and the State," by Laura Whitehorn. Drawing on her own years as a political prisoner from 1985 to 1999, she presents a poignant snapshot of the realities "under the unrelenting psychological and physical attrition those [prison] conditions cause." Pointing out that the United States holds 33 percent of the world's incarcerated women, Whitehorn relates that to the history of genocidal violence and disruption against black people in the United States. She underscores the international nature of the system of imperialism and the vital legitimacy of anticolonial struggles.

In that context, Whitehorn writes, the central question about political prisoners/POWs in the United States is not "guilt or innocence" of the criminal charges in each case, but rather people's rights and responsibilities to resist racism and colonialism. While reforms are desperately needed to stop what we can of pervasive and persistent harm, "any reforms have to be viewed through the lens of the longer-range goal, abolishing the imperialist prison system."

In addition to emphasizing how mass incarceration and the locking up of dissidents are used to enforce an oppressive system, this collection includes analyses of resistance. The inclusion of several current and ex-prisoner activists as authors speaks volumes in itself. In addition, historian Heather Ann Thompson contributes an essay, "Lessons from Attica: From Prisoner Rebellion to Mass Incarceration and Back," that gives a gripping account of the 1971 Attica prison uprising and the state's response with a brutal massacre that killed 39 human beings and tortured many more. She explains that government officials knew that to achieve full control over the criminal justice system they would have to crush the prisoners' rights movement.

Thompson mentions a recent resurgence of struggles, with mass prisoner hunger strikes in California, Georgia and other states - a development worth a major essay in its own right. Given the pivotal role of state repression in maintaining overall social control, "what happens in our nation's prisons happens, ultimately, to all of us." Thompson calls on all who want to achieve social change to actively support prison

struggles.

The volume provides a promising example of outside organizing in New York state in the essay, "Release Aging People in Prison/RAPP: Challenging the Punishment Paradigm." Authors Laura Whitehorn and Mujahid Farid (who was an outstanding prisoner rights activist in New York state for the decades up until his release in 2011) argue effectively for the logic of releasing elders in prison, whether their initial offense is defined as nonviolent or violent, and uses that as an opening to challenge the entire punitive paradigm for dealing with social and public health problems. This encouraging account whets our appetite for learning about other relevant projects. While no single collection of essays can be all-inclusive, this volume would have benefited greatly by including a list, with contact information, of such organizations. A good one can be found in the political prisoner index to Dan Berger's *The Struggle Within: Prisons, Political Prisoners, and Mass Movements in the United States* (PM Press, 2014).

If you're looking for a collection that provides a cogent core analysis, understands mass incarceration's realities - not statistically, but rather in terms of our epic political struggles - and roots the problems in the very nature of the social system, then this *Socialism and Democracy* special issue is an outstanding and essential read. The volume demonstrates why we need to go beyond various reform proposals - valuable as they are - to a much broader struggle for change. ●

[David Gilbert is an anti-imperialist political prisoner who has written extensively about the criminal injustice system, most recently in his pamphlet, "Our Commitment Is to Our Communities" (Kersplebedeb, 2014). Incarcerated since 1981, he is now held in the Auburn, NY, Correctional Facility.]

Buried Alive

By Philip Moon Dorsett

What is the end purpose of life? It is simply to live, experience, contribute, connect; To gratify the body and mind. When a man lives in a world where cruel lethargic beasts of greed, own and control everything, how does a man condemned to indefinite bondage spend his life? A man who is physically buried in concrete, has little, if no way to experience, to contribute, to connect, or gratify the body. To live, he must strive and suffer. The man who is buried in concrete, has spent his life in struggle, from the pain of birth, to his last breath. To push forward and endure in the face of injustice and oppression is the value of struggle. It is its own triumph. In a state of living death, to resist is to live.

FRANKENSTEIN'S MONSTER

By Mumia Abu-Jamal

Every generation for the past 200 years can vividly picture the Frankenstein monster.

Tall imposing, usually mute, this creature is alive and not alive; mobile, but haltingly so, that we, the more nimble can escape his perilous embrace.

Yet, who is the real monster; the one who designed and constructed this being? - or the one who was built?

One wonders of such things when we see the sudden slaughters, bombings and beheadings - happening in many parts of the cities of Europe and the Middle East - and beyond.

We hear of ISIS - and of Nigeria's 'Boko Haram'.

But guess where it all began?

In the 1970s - 1979, in fact - an Afghan warlord, Gulbudin Hekmatyar, was hired by Pakistani intelligence as a gift to the U.S. CIA. Hekmatyar was a ruthless dude, who hated both the U.S. and the Soviets.

His Pakistani backers told him his job was to kill Russians - Communists actually - who want to back Najibullah, the Afghan president. While the CIA was quietly calling the guy a "fascist: and "scary", then President Ronald Reagan called them "freedom fighters", and invited them to the White House.

Hekmatyar, then head of something he called the Islamic Party, built a military machine he called Mujahiddin.

This would be the seed of the Taliban, al Qaeda, now ISIS, and hundreds more across the world: trained, armed and aimed at Western targets and now - aimed at the West itself.

Mary Shelly Wollstonecraft, the author of the 1818 science fiction novel, Frankenstein, had the scientist say the following words: "I beheld the wretch - the miserable monster whom I had created."

Who was the real monster - the maker - or the made? ●

Police, Courts, and Prisons: The State's Apparatus of Repression

Author Dave Lindorff writes:
"I'm disgusted that according to the Prison Policy Initiative, the US has at any given moment some 2.4 million people locked up (only two-thirds of whom have even been convicted of a crime, with most of the rest awaiting trial because they can't post the excessive bail set by our corrupt court system). And no wonder: Just between the late '80s and 2008, the number of federal laws for which someone can end up being jailed has soared from 3000 to 4450, and it keeps rising as charlatans in Congress keep passing laws to create ever more "crimes" to punish. And that doesn't count state and local governments, which explains why the US, with 5% of the world's population, accounts for 25% of the world's prison inmates. ... We live in a punishment-obsessed society, overseen by cops who seem to derive pleasure in lording it over the public."

While recent killings by police in Ferguson, Missouri, and New York City receive national attention, the fact is that from 1999 through 2011, American law enforcement officers killed 4,531 people, 96 percent by firearms and 96 percent of them men, according to the Centers for Disease Control and Prevention. African Americans, 13 percent of the population, are victims in 26 percent of police shootings. Law enforcement kills African Americans at 2.8 times the rate of white non-Latinos, and 4.3 times the rate of Asians.

Hundreds of police killings have been left out of a nationwide database that keeps tabs on these acts, according to an investigative report published by the *Wall Street Journal* (*WSJ*). The newspaper collected information from more than 100 police agencies across the country [out of tens of thousands] all among the largest departments in the US. According to the report, more than 550 killings by police had not been included in the national data kept by the Federal Bureau of Investigation (FBI). In its report, *WSJ* took data from the FBI and compared it with information provided to the media outlet by 105 police agencies. The paper tallied 1,800 deaths at the hands of police between 2007 and 2012, which is 45 percent more than the number of "justifiable homicides" recorded by the FBI in the same time period.

Violence - The Oppressor and the Oppressed

Over the years you have listened to me prattle on and on about the necessity for peaceful protest on the inside, that violence in the prison struggle only serves the interests of the state, and that those advocating violence are provocateurs who will give the Green Wall exactly what they need to put an end to all forms of resistance to prison slavery. From this one might conclude I'm a pacifist. Not so. As regular readers know, I've bombed the federal and state governments numerous times, robbed banks, and have been in firefights with police. Indeed, last night I was watching the local TV news when a story came on about the Federal Courthouse in Tacoma, I said to the person next to me "I've bombed that courthouse." I'm not a pacifist, but I am somewhat of an amateur strategist (or maybe age has allowed me to develop some common sense). Prisoners and ex-prisoners must not use violence in the furtherance of the struggle. Period. If you feel you must implement some form of protest beyond the confines of bourgeois law, then take those impulses to another struggle, not the prisoners' movement.

As long as the capitalist state exists there will be violence between the oppressors and the oppressed. Often, as demonstrated in the rash of recent police killings of unarmed poor people who did not even rise to the level of "suspect" in a crime. The person killed can be a 12 year old child with a toy gun. This is police terror. One of the dictionary definitions of the word "terror" is to rule through the use of fear.

We have a Black man sitting in Seattle's jail charged with stalking and shooting two police officers while they sat in their patrol car, one cop was killed the other wounded. He too was responding to the police killings of Seattle's youth. They busted the alleged killer two days later. Mark Cook and I both wrote to him in the King County Jail, offering our support. His lawyers made us stop contacting him, saying it would not help the defendant's case to be associated with the likes of us.

This morning I picked up the *Seattle Times* newspaper and on the front page was an article titled "2 NYC Police Officers Shot Dead in Patrol Car" with a subtitle of "Gunman vowed online to retaliate for chokehold death of Eric Garner." Just as the Seattle suspect was responding to police terror, so too was today's case in NYC. As George Jackson wrote "If terror is going to be the choice of weapons, there must be funerals on both sides" [*Blood in My Eye*, p. 26]. Those jailed for killing law enforcement officers said their acts were in response to police terror. Prisoners do not have that luxury in that the use of violence on the inside is a tactical and strategic error that will set the movement back another 40 years (after the killing of Fey Stender) and prisoners spiraling to ever deeper levels of prisoner-on-prisoner violence.

Police terror is a national problem in America's poor and minority communities. One might understandably respond to such provocations in a violent way. But prisoners cannot stoop to engage in revenge. The prisoners' struggle must be



Ed's Comments are his own opinions and do not necessarily reflect the views of California Prison Focus or its members.

peacefully waged, both inside and out. And yeah, I did bomb the headquarters of the Department of Corrections in the state capitol, but that was then and this is now. In my day we did not have 30,000 prisoners we could draw on for support, nor did we have an active outside support network. We did what we did in the absence of a mass movement on the inside or outside. Today, to one extent or another, that movement exists on the inside of California's prisons. Remember, without mass struggle there can be no revolution. Our job is to build that mass movement on the inside, without provoking additional repression in the process. I can envision a world in which every GP tier has an elected representative, one accountable to those who elected him or her, not to the prison administration, and dormitory and other open housing units would similarly elect prisoner representatives.

The Struggle

Rightly or wrongly, I feel the struggle inside the California prison system is for all intents and purposes, if not dead, is on life support. I base this observation on the amount of financial support and letters this publication once received from prisoners as compared to the amount it receives today. Also on the reps destroying their unity by adopting an every-man-for-himself approach to their situation, with at least some of them actually going into the state's behavior modification programs. A few outside supporters have also expressed dismay over the seeming shutdown of that struggle.

If the above assessment is correct, and I make no assertion that it is, if the wheels have indeed come off, it has been my experience that what happens next in situations like this is that the impatient will want to substitute violence for the slow and steady work of building and organizing a struggle.

We are so into instant gratification that the notion of spending years patiently building a movement seems wrong or futile. This is where the idea of substituting or replacing slow building with violence begins to assert itself. This violence can take many forms. Killing or maiming each other, as you have so often done in the past. Killing or maiming your captors, in the mistaken belief that through violent means you can end prison slavery and bring about other progressive changes (hey, they have all the guns). And by killing or maiming your outside supporters, as was the case with long time prisoner supporter and attorney Fey Stender, because some prisoners did not think she was doing enough support work for them. The dynamic is that with defeat can come a return to a form of cannibalism in which the oppressed prey on each other. Needless to say, this must be avoided.

As you've read in these pages in the past, nothing ever stands still. Dialectics teach us that all matter is in a process of constant change, either it is growing or decaying. Even rocks change over time as wind and water wear them down. This is true of political movements too. The struggle of California prisoners has been building for years through a process of hunger strikes. Where is it at now? My assessment may be completely wrong, as I'm stuck up here in Seattle, far from you, and the amount of mail I receive from the inside has significantly declined since the end of the last strike.

I have no basis in fact for what I'm about to say, nor would I dignify this paragraph by the use of the term "analysis." One reason for this is that the Reps have not written about the dynamics or content of their negotiations with various prisoncrats. Another is that I'm not privy to communications between the guards' union and the CDCR bosses. In the absence of any concrete information, here's how I "feel" things might have gone with respect to the prison struggle:

During the first hunger strike the warden at PBSP and the Director of the Division of Adult Institutions agreed that the prisoners' five core demands were reasonable. They both subsequently resigned and were replaced. After the second hunger strike the boss of the CDCR promptly quit and he too was replaced. Needless to say, I have no idea what led to these resignations. While I have no evidence to back this up, it is my subjective feeling that the Green Wall, the guard's union, went up against CDCR's leadership over the CDCR's willingness to grant prisoner demands. In other words, it is the guard's union that was calling the shots, not CDCR's leadership. Regardless of whether or not I'm correct, the struggle must nonetheless pass from the SHUs to the population. It is from there that prisoners can peacefully move in the direction of forcing the guards to do all of the work of maintaining the state's prison system. I'm feelin' that's not going to happen anytime soon. Accordingly, a good part of what I write today is aimed at tomorrow's prisoners.

Some progress was made. According to Solitary Watch, The "total use of single-cell housing is on the decline in

California. Further, total use of SHU and ASUs in both raw numbers and as a percentage of the prison population have declined. In the SHU, there has been a slight decline in the use of single-cell housing, though a slight increase in the SHU population at Pelican Bay State Prison. In the ASU, the percentage of individuals in the ASU on single-cell status has slightly increased, though there have been significant declines in terms of stay in the ASU."

COINTELPRO and Homophobia

What follows is part of the introduction to a response I wrote to a bitter anti-prisoner document being circulated within the prisoner support community in the Northwest shortly after the shooting of Fey Stender. Fey was a Bay Area prisoner support activist who was shot by a recently released prisoner who felt she was not doing the type of support work some prisoners wanted done. The document was anonymously written and surfaced within the Seattle community, with copies being mailed to various groups actively working with prisoners. While it is not being suggested that the document was produced and distributed by the F.B.I. in an effort to divide advanced prisoners from their supporters on the outside, it should nonetheless be noted that there is a historical basis for such an assumption. One of the foremost examples of such tactics by the F.B.I. was its efforts to stop the development of unity between the Black Panther Party and the then budding gay movement. This was a part of the F.B.I.'s COINTELPRO program. Here's a part of it:

It was August of 1970 and Huey Newton published a strongly pro-gay liberation article in the Party's newspaper, making it one of the earliest left groups to support homosexuals. The article said that the BPP "should try to unite with (homosexuals) in a revolutionary fashion . . .," adding that "they might be the most oppressed people in the society." This was a bold position to take in the political atmosphere of that period.

According to documents released under the Freedom of Information Act the F.B.I. had been writing and sending anonymous documents to various political organizations for some time, such as the letters seeking to discredit two BPP leaders in Chicago by accusing them of being "perverts." That was in 1969. On August 31st, 1970, the F.B.I. office in San Francisco requested Bureau permission to mail two anonymous letters to David Hilliard, the Panther Chief of Staff. Here are parts of those letters:

"I seen by last week's paper that now Panthers are supposed to relate to cock suckers. Huey is wrong. Something must have happened to him in prison. Panthers got enough things to do in ten point program and fighting for niggers without taking up with mother fucking queers. All power to the people."

"Now it says we are to join the queers. The Panther sisters have to, fight to keep the brothers from white chicks. Now what do you want us to do, watch them take up with queers. David why does Huey do this sort of thing. Why don't you talk to him. A righteous sister."

F.B.I. authority for mailing the above letters came on September 9, 1970. It said: "Bureau authority granted to mail anonymous letters . . . Bureau suggests anonymous letters appear to come not only from supposed members of BPP but also from sympathizers and supporters in ghetto areas. Insure letters are sent in such a manner that they cannot be traced to the Bureau."

I wrote the above in early 1982, and I went into that long quote to show that 1) the FBI was using our homophobia against us back in the 1970s and 2) to point out that one can never be sure of anonymous material that mysteriously appears within the community -- especially when such material is aimed at dividing sectors of the struggle from each other. It may not be the F.B.I. doing this, but the Green Wall is certainly not above using such tactics to divide prisoners.

Every time you use a derogatory name to refer to a gay or lesbian person you are doing the work of the police—you are planting another knife in the back of our struggle and working to keep one sector of prisoners divided from another. You are cutting prisoners off from a powerful movement on the outside who have an interest in supporting prisoners but don't because of your homophobia. When gay and lesbian prisoners feel comfortable among their peers, when they are no longer being raped, beaten, or otherwise oppressed by their fellow prisoners, then, just maybe, they will reach out to the gay communities on the streets for outside support for the overall struggle.

We did this at Walla Walla in the 1970s through a group we created called Men Against Sexism (MAS), and the level of support we got from the gay and lesbian community on the outside was overwhelming. So overwhelming we were able to implement some big changes, like conjugal visits that still exist to this day. It was us MAS members fighting against prisoner sexism within the general population that laid the groundwork for such progress in that and many other areas. Before it was over the administration had given MAS an air conditioned office for us to hang out in and hold meetings. MAS was also the first, and to this day, the only organization of gay prisoners that any prison administration has ever officially recognized. What we did against homophobia back in the 1970s was difficult. You can do more easily today. ●

A PEOPLE'S HEARING ON RACISM AND POLICE VIOLENCE

Keynote address from Rachel Jackson (New Year's Movement)

[Prefatory remarks (Kim Rohrbach): A People's Hearing on Racism and Police Violence took place in Oakland, CA, on February 19–20, 2011. It was the result of a grassroots initiative and effort that arose within the context of unrelenting popular resistance in the aftermath of Oscar Grant's 2009 murder. At the hearing, members of the public, activists, organizers and others publicly or privately testified about the racism and violence of law enforcement (law enforcement in its many iterations). Almost everybody who testified had lost loved ones due to police killings, had suffered arrest or criminalization, or both. In Spring 2011, testimony from the hearing was submitted to the UN's Committee on the Elimination of Racial Discrimination.]

In view of the national conversation that's taken place following Ferguson and Eric Garner, and in view of the rise of the Black Lives Matter movement and other local or national resistance efforts, we've decided to publish below in excerpt Rachel Jackson's keynote address made prior to the beginning of testimony on February 19, 2011. (Edits have been for the sake of flow, and because of limited space in this edition.) Whether we are struggling for justice from behind bars or out on the streets, Ms. Jackson's remarks remain as relevant today for many of us as they were a few short years ago. For more information about the hearing, see: <https://peopleshearing.wordpress.com/>; <https://peopleshearing.wordpress.com/2013/01/22/full-transcription/>]

I want to start by welcoming this group and also first acknowledging the native land that we are on, and to welcome everyone to this event and everyone who is here on this land, whether by choice or by force....

Welcome sisters, as well as brothers; young people and elders and everyone in between; people of all faiths, whether you believe in a god in the sky or in the earth or none of the above, or believe in the power of the people alone or in combination with those things. Also welcome everyone who identifies as lesbian, gay, bi-sexual, transgender, questioning, two-spirited, or just *straight* straight. Welcome people of all political backgrounds as well. We know that that's been a really important part of this movement, and so I wanna welcome everybody who's an anarchist, everybody who's a nationalist, who is a communist or a feminist, everyone who's a combination or considers themselves a revolutionary, or some people who may not consider themselves political at all...

Wherever we come from, wherever we came from today, we are all united and we are fed up with police brutality, racial profiling, the prison-industrial complex, COINTELPRO and all forms of state repression.

We come to stand in solidarity, to heal and to organize, to speak and to be heard in a way that no United States court will ever hear the people, especially not victims of state repression.

We're also here to gather evidence to expose some of the dirty truths about life in the United States to a worldwide audience, especially these days when we see the President talking about those terrible countries out there, over there, that don't have democracies or that deny people's rights. We need to show from the evidence that we gather here... that a lot of that same stuff is going on right here; and, it's sheer hypocrisy when the United States points fingers at other countries.

I'm gonna focus on our experience here in the struggle for justice for Oscar Grant, which is also the struggle for justice for Jackie Bryson, for Nigel Bryson, for Carlos Reyes, for "June" Anicete, Michael Greer; all of whom were on the [BART, aka Bay Area Rapid Transit] platform with Oscar that night [when Oscar was killed]—and all of the young people and families who have had to experience this terrible thing. But, I'm focusing on it for positive reasons because what happened here is unique. People who've been organizing against police brutality, back to the Rodney King days or the time that a BART police officer shot Gerald Hall in 1993, have never seen what we saw here. We had some important victories that we need to claim and honor and figure out how to reproduce whenever this kind of violence and racial profiling and incarceration and so on rears its head.

I wanna first clarify a few terms. We talk about racism, but for a lot of us it's not just about race or color, but really understanding that the underlying basis for racism is national oppression. It's about that oppressed group's relationship to the United States and global capital. If you or your homeland or your people have been occupied, colonized, enslaved or super-exploited for labor or national resources; or, if your country has ever been at war with the United States, especially in the past 50 or 100 years, chances are your people are oppressed here. And that is coming from the government, from laws, military, law enforcement agencies. There's a lot more going on than just racism and how people look.

Also, when we talk about police violence and racial profiling and the prison-industrial complex and COINTELPRO, they're all forms of repression that are carried out by the government against its own people; and, they're all tools used, as we all know here, to maintain the status quo of inequality—to keep people on the top on the top and to keep

people on the bottom on the bottom.

And I think it's important that we keep in mind the role of law enforcement—that it is not to protect and serve. Just like the United States is not overseas to bring democracy, these agencies are not here to protect and serve us, either.

When we talk about police abuse and violence it includes many agencies. We're talking about not just the *police* police; we're talking about the sheriffs, La Migra, the FBI, the CIA, private contractors like Blackwater or Halliburton, and post-9/11 Homeland Security and the many iterations of that.

And we know that ultimately the police's job is to protect private property and to protect the lives of the people who are considered valuable in society. Everyone else—especially people of color, poor people and oppressed people—is dehumanized, so that all kinds of brutality and abuses can be easily justified and excused.

There are a lot of things that we want to remember. One is that, in addition to Oscar's murder, his friends were also assaulted and traumatized, and so were their families and friends and whole communities.

We also want to think about and remember the diversity of the young people who were there [on the BART platform] that night. Yes, there was racial profiling, but what a lot of people don't realize is that that group of young people included everybody—it included African-American folks, it included Latino, it included Asian, it included white, and a lot of mixed people; it was a whole diverse group that was there. So, when we come out and look at our own diversity as a community or a coalition, we keep in mind that we reflect that group of young people, too.

And we've been fortunate that in this case we've had allies and the opportunity to organize around the state. So, we've worked with and started coalitions in Los Angeles, the Central Valley, as far away as San Diego, Northern California; and, we've developed national networks in the process and generated international attention and solidarity including from labor unions as far away as France and Japan.

We also need to remember the diversity of tactics and approaches that we have and have used in our toolbox. We've had vigils, memorials, rallies—like the labor and community rally on October 23rd [2010], where over a thousand people came to Downtown Oakland. We've had counter-demonstrations against Mehserle supporters. We've had rallies against biased media coverage by KTVU, and even battling doubts between pro-Mehserle and pro-justice forces during the [2010] World Series. There've been town halls, meetings, vigils here and in LA and other parts of the state. We've had mobilizations and taken over BART board meetings.... We've had demos at the courthouse here and in LA during all phases of Mehserle's trial [prosecution], supporting people who've been arrested at protests over the past two years. We've had numerous cultural events, and brought together a wide range of mostly young artists and activists. We'll probably see today some of the countless pieces of art—visual art, music, spoken word and things—that have been produced in the wake of this tragedy.

Fortunately we've also had ongoing excellent coverage by independent media including Indybay, KPFA, and a number of other folks. And we've used post cards, letters, petitions. Finally, we've had major speak-outs and protests that really fall into the category of small rebellions; the largest of which were in January of 2009, which was the community's initial response to the murder of Oscar Grant.... And we've had major street demonstrations in July of 2010 for the verdict, and in November for Mehserle's slap-on-the-wrist sentencing....

What we ended up with was a series of really historic victories that happened here in the Bay Area.

This is one of the only times—one of the few, very rare times—that an on-duty police officer has been charged with murder and tried in court in the United States.

After that historic event, Alameda County District Attorney Tom Orloff, famous for protecting dirty cops including the Oakland Riders, decided to cut his losses and retire early.

After initially declaring publicly that the video of Oscar Grant's shooting was inconclusive, BART Police Chief Gary Gee also joined the early retirement bandwagon. And in this wave of early retirement, and because in part of the Oakland Riders scandal, Oakland Police Chief Wayne Tucker also was forced to step down.

BART was forced to conduct independent studies of New Years Day and what happened that morning on the BART platform, and of the BART Police Department overall. Again, people who have [previously] tried to challenge BART about police brutality know that this has never happened before.

And lastly, legislation was passed in the state capitol creating oversight for BART police, and that too is something that has never happened before. Even though there have been egregious murders before, we've never seen this.

We have seen some shady, dirty tricks used by the government to try to discredit protests and protesters. We've heard the claim that it's all because of outsiders [outside agitators]; also familiar from Egypt, since Hosni Mubarak was trying to use the same tactics and say that outsiders caused the protests

in Egypt. Here, the OPD did the same thing—tried to say that, if you didn't have an Oakland zip code, you didn't have any business being in a protest, which is outrageous because it's not just an Oakland issue. In fact, Oscar's from Hayward, and most importantly the Bay Area stands together, and we know the real outsiders are the police who are policing these communities and never come here.

Similarly, as for the claim of people using these protests as an excuse for criminal activity, we can look at how few charges were actually filed against protesters: We know that the majority of these arrests have been bogus arrests, just to stop people from protesting and to intimidate people. Sadly, in the few cases where people have gone through trial or through disposition of their cases, people who are doing time for being arrested at a protest are doing almost as much time as Mehserle is doing for killing Oscar. So, we have to ask ourselves who's calling *who* criminals here?

About violence—something that has constantly been thrown in our faces: When you have somebody with an arm band in front of you who wants to beat your ass for spray painting on a garbage can, there's this crazy miscalculation about what's violence. But, the bottom line is, there's no way to compare vandalism or trash-can fires, spray paint or broken glass, to the violence committed against Oscar and his friends and the ongoing violence and murders by law enforcement, which seem to be increasing in frequency and viciousness since Mehserle received his slap on the wrist.

When we go places and people have heard about this stuff—we've been organizing in different places—folks say, "What did you guys *do*?" They see this list of things we achieved. There's a few basic things.

One was that we were all part of bringing together and nurturing community leaders, and building principled unity across diverse groups of people; especially so that this new COINTELPRO would not be successful in using race, gender or class to divide the movement, as we saw early on in the case of the anarchist boogeyman. Initially some people fell for that distancing tactic in 2009, but folks learned from the experience, broadened their understanding and political understanding, and did not make the same mistakes in 2010.

Secondly, we've relied on grassroots folks and [have] not allowed self-appointed leaders. By doing so, we've protected the movement from being manipulated and deceived, and reduced the chance that people will be sold out by leaders who really just wanna promote themselves or make some money off community work. We also learned and saw that we had to act in unity and solidarity before, during and after any of these events or protests and create a concrete basis for solidarity—not just the *idea* that we should work together, but actually working together; whether to organize events and campaigns, or in the heat of the moment in the street, or afterwards in jail or with other court cases....

Lastly, we know that the government will use every kind of dirty trick and tactic along with ongoing intimidation and violence to stop the movement against racism and state repression.... We have become used to... seeing certain individuals trying to provoke or confuse crowds, and we have ways of dealing with that. We've gotten used to strangers showing up on the eve of organizing an event and wanting to be somebody's new best friend, then turning around and disrupting from the inside. We've also experienced police trying to intimidate organizers in advance of events, either by calling and threatening them, calling venues and threatening the venues; or, scaring people by saying that if you signed the permit, you will personally be held liable and you will pay the OPD for any overtime that's incurred.

They've done stuff like this to try to stop this movement that we're building here. And I have to say that, from this side it looks really cool. Everybody should get up at some point and look, 'cause this is a really good reflection, I think, of what this diverse movement that is politically sophisticated looks like.

Millions of dollars have been spent on public relations and to frighten and discredit protestors. [There's been] exaggerating and lying about things like property damage; or, the November 5th claim that a protestor grabbed a police officer's gun and held it on the police, used as an excuse to arrest over 150 people. While we know that that was just a straight-up lie, on the other hand we have very clear examples on videotape of the police doing things like beat[ing] people and pull[ing] guns on protestors—as we saw at UC [University of California] over the budget cuts.

We also saw early on this militarization of Oakland and this mobilization of every local police department, police, sheriffs, feds—all kinds of folks from up and down the state and outside of the country—using tear gas rubber bullets, flash-bang grenades on a regular basis, all made in the USA just like the canisters in Egypt. Ultimately for the same reason: to prevent people from taking to the streets and exercising basic free speech rights.

We know that history is on our side, just like we know that history is on the side of the people of Morocco, Alge-

People's Hearing.....Continued on page 19

Ashker v. Brown recently petitioned the court to expand the class action to those who have been transferred out of Pelican Bay and placed in other institutions. The majority of those transferred out of Pelican Bay have been sent to Tehachapi (CCI)—where conditions are reportedly even worse than those at Pelican Bay (see, e.g., the Tehachapi Report included in Issue #44 of this publication). Oral argument was heard on February 12. On March 9th Judge Claudia Wilken issued a written decision in favor of expanding the class. This judgment will result in a bifurcated trial; i.e., two trials. The first is set for December 2015, whereupon it will be decided whether confining a person to the SHU at Pelican Bay constitutes cruel and unusual punishment. If the plaintiffs prevail, the court will decide during a second trial (in 2016) whether confining a person to Pelican Bay’s SHU for ten years or more, then transferring that person to another SHU, also constitutes cruel and unusual punishment.

According to one PHSS legal team member, almost 900 people remain in the Due Process class (14th Amendment), according to statistics for February. This class consists of those men at Pelican Bay’s SHU who were validated under regulations formerly in place under California Code of Regulations, Title 15, and have yet to receive a DRB CBC review. The length of time spent at Pelican Bay doesn’t matter. The Due Process class increased by four people between January 31 and the previous month. Thus, it seems that CDCR is moving people who’ve not yet received DRB reviews into Pelican Bay’s SHU, from other SHUs or from Administrative Segregation.

In their recent meeting with CDCR on February 20, the PHSS mediation team was told that 1,070 CBC reviews had been completed, and about 1600 remained. Of the 1,070 who received reviews, about 72.5% (776 total) had been placed in Step 5, whereas the other 294 had been placed in Steps 1–4.¹ These statistics evince the legitimacy of one of the prisoners’ five demands: that SHU only be used as a last resort. If over 70% of them men in SHU have been qualified for general population, with CDCR reporting few if any problems of post-SHU release adjustment, then the SHU *hasn’t been* (and continues not to be) used as a last resort.

CDCR further told the mediation team that they plan to complete the CBC reviews by December 2015. At present, only two DRB teams handle all reviews, each headed by Susan Hubbard or George Giurbino. However, CDCR says that two new teams are currently being trained and will focus on Corcoran and Tehachapi. The current wardens at Wasco State Prison and Central California Women’s Facility (CCWF)—respectively, Deborah Johnson and Jon Katavich—will lead these new teams. These additional teams will allegedly increase CDCR capacity to do the CBC reviews.

Members of the PHSS mediation team, including CPF volunteers, complained about the low number of teams since 2012. They consider the refusal to implement additional teams until now as a violation of the men’s basic rights not to be held in SHUs indefinitely and without due process—especially in light of the fact that the great majority of them will be released to general population.

News from Pelican Bay SHU

Mr. A told us, “The way I see it, it’s a con game. *They* got the biggest con game in there.” He has already heard that people who have gone to the DRB or have been deemed inactive are coming back from the mainline (general population), and cited two specific examples. The same holds true, he indicated, for those who have successfully challenged their validations under the *Castillo* settlement.

Mr. A was placed in Step 3 some time ago and was almost regressed to Step 2 when he refused transfer to Tehachapi. His refusal was primarily due to medical concerns. “Why would I want to go from bad to worse?” he rhetorically asked when discussing his situation. A lot of men just want to “get the hell out” of Pelican Bay, he added—noting that when they see how bad the alternatives are, they may reconsider. In his own case, he asked to be transferred to New Folsom rather than Tehachapi and ultimately was not regressed to Step 2.

Mr. B had his active/inactive review in mid February 2014. While he was in the shower the around the time of his review, his cell was searched, as were the cells of two others

1. For readers unfamiliar with the Step-Down Program, it has five steps. CDCR initially implemented it as a “pilot program,” in response to mass hunger strikes led by people protesting their indefinite confinement in the SHUs. A constant grievance amongst those caged in the SHUs has been that, to get out, one has to die, parole against the statistical odds, or debrief. In Steps 1–4, a person remains in the SHU. In Step 5, a person is supposed to be placed in the general population at a high-security prison for a one-year “observation period.” Each step is “designed” (according to Title 15 regulations) to take one year, but a person can complete the first two steps in six months each. Those at Pelican Bay who are placed in Step 1 or 2 remain at Pelican Bay. Those placed in Steps 3 or 4 have generally been transferred out, Tehachapi (CCI) being the preferred location. Steps 3–4 each take a minimum of one year to complete.

on his tier who were *not* up for review. *Mr. B* speculated that IGI (Institution Gang Investigation Unit) perhaps thought the latter two were holding something for him. One IGI officer told him that they were conducting random cell searches. Another told *Mr. B*, “No, we’re doing your active/inactive review.” The search slip he received cited that the reason for the search was his active/inactive review.

In July 2014, IGI did another search of *Mr. B*’s cell, again saying that they were conducting his active/inactive review. He told IGI that he thought he had already received it. They told him, “No, that was something else.” This time they came up with a validation point, based on *Mr. B* having records of some other peoples’ birth dates in his cell. He filed an administrative grievance (602) and as of late December was waiting for his final appeal decision from Sacramento. He contends that the theory used by IGI to deem him an active STG (Security Threat Group or prison gang) member is unsupported by the evidence. For example, no inmate ID numbers or anything else in the documentation shows that the persons cited by the IGI for the purpose of affirming association are who the IGI says they are. In addition, no evidence shows points to any Security Threat Group/gang-related conduct, he said.

Mr. C reported that he’s been on inactive status since May 2014. He met with the DRB in November 2014, and was told that he would be placed in Step 5 and go to the mainline. When we spoke with him, he had been waiting to be transferred for some seven weeks, and noted that others had only waited four weeks. Again, CPF finds such wait times in solitary confinement due to inept management to be a clear violation of basic human and legal rights.

Mr. D, who at the time of our interview with him was *not* in the SHU but on the mainline, indicated that a lot of people who had supported the Agreement to End Hostilities (AEH) had been kicked down to his yard. Why these latter men remain at Pelican Bay, as opposed to being transferred to a different institution, is not clear.

Mr. E discussed new guidelines released three weeks prior to CPF’s visit: If somebody is placed on “inactive” status, he will go to the Internal Classifications Committee (ICC); which, he noted, is less desirable than appearing before the DRB. The ICC tends to be less impartial and part of an institution-specific operation, he explained. *Mr. E* has been in the SHU for around twenty-five years, and therefore didn’t understand how others were receiving CBC reviews ahead of him.

Mr. F observed that, although CDCR approved the SDP, “they don’t even know if it works.” (Implicit in his words was that the SDP had been rubber-stamped.) He was supposed to have his active/inactive review in February 2014, but it got postponed until September 2014—two days before his parole date, it just so happened. He was given a six-year denial, he said, but he was supposed to get a four-year denial, like others who were validated around the same time as he. He filed a 602 on this issue up to the third level, but Sacramento denied his appeal.

Mr. G was placed in Step 5 and was consequently released from Pelican Bay’s SHU on inactive monitored status. He was then transferred to Kern State Prison. His yard, he reported in a letter, is full of gregarious people, many of whom have like himself been recently been returned to the mainline from the SHU. Otherwise, there is no program to speak of. One can have a microwave in one’s cell, or purchase a tablet computer, but that’s as far as it goes. (The tablets appear to be e-readers preloaded with Voluntary Educational Program [VEP] materials, including remedial education and GED materials, and materials relating to self-help programs [AA, Anger Management, etc.]. This is indicated by information available through CDCR’s website.)

News from Corcoran

Two people at Corcoran commended Susan Hubbard—one of the two people currently leading the two DRB teams, as earlier discussed herein—for rejecting weak evidence in

the course of conducting CBC reviews. (In contrast, *Mr. A* at Pelican Bay mentioned that a St. Paddy’s card he had hanging on his wall for year had been construed as evidence of “gang activity” at his DRB review. He did not say who headed the team handling his case.)

Mr. H reported agreement amongst the men at Corcoran to participate in the widely loathed aspect of the Step-Down Program that requires the completion of numerous so-called self-directed journals. (Issue #43 and #44 of this publication detail the make-up of these journals. Some have insulting and/or presumptuous titles such as “The Con Game,” “Thinking Errors,” “Criminal Lifestyles,” and “Reviewing my Drug Use.”) *Mr. H* is not himself in favor of completing the journals, but is going along with it for the sake of solidarity with a collective decision to do so.

On a separate note, *Mr. H* reported that people placed in Step 2 at Corcoran have access to a new programming opportunity: a book club. The book club includes three other men and a facilitator, Ms. Done, besides *Mr. H*. Ms. Done asked an officer by the name of Bailey—who apparently heads the implementation of Step-Down at Corcoran and apparently “chaperones” the book club—if men participating in the club could receive certificates for doing so. (Such certificates help when the men go up for parole). She did this in front of the group participating in the book club. Bailey denied the request, but stated that the participation of individuals would be noted in their central files.

Mr. H estimated that around 90% of those validated at Corcoran are still waiting for DRB reviews. In his area, he reported, he knew of just two people who were placed in Step 1, two people who were placed in Step 3, two people who were placed in Step 4, and four others who were placed in Step 2. To his knowledge, DRB will next be visiting Corcoran in April.

Mr. J told us that, as a result of his 2013 DRB CBC review (he was one of the first to receive one), it was determined that evidence used to revalidate him in 2010, pursuant to his six-year inactive review, didn’t substantiate gang activity. The DRB concluded that there was no reason to hold him in the SHU any longer. Yet, confidential informant information suggested that he had a security concern—i.e., that others wanted to hurt him—for events going back to 1996. The DRB decision was to retain him in SHU for another year. During this time, the IGI was supposed to investigate and determine if security concerns remained valid. *Mr. J* claimed that IGI interviewed nobody, and filed a report saying that, since they found no new evidence to discredit security concerns, the concerns remained valid.

In anticipation of a follow-up DRB hearing in November 2014, *Mr. J* submitted letters of support from his family and other materials in October. He has been free of write-ups since 2007. However, the DRB didn’t come in November. At first he was told that the teams busy doing reviews at Pelican Bay, and he could expect his follow-up DRB in January. January came and went with no review. Upon inquiry with his counselor in February, *Mr. J* learned that a DRB decision was reached in his case in Sacramento in absentia. The decision was to retain him in SHU for another 24 months. *Mr. J* was then asked to enter the debriefing program. He refused. This refusal was noted on his paperwork and it was recommended that he continue in SHU due to security concerns.

Mr. J happens to be a successful litigant who in the past won a significant settlement against CDCR for guard misconduct. Thus, this case has the clear appearance of retaliation. Furthermore, CDCR has put him in a Catch-22 situation. The only way he can prove that he does not have security concerns is to associate with other supposed STG members or associates. But if he associates with them in any way, this will be misconstrued as gang activity and he will be revalidated. This situation further exemplifies the lack of due process otherwise remarked upon herein.

Mr. K affirmed that although CDCR claims many men are placed in Step 5, many of these same individuals remain in the SHU. ●

Not Just Me, We!

By Paul Sangu Jones, March 29, 2014

The new Security Threat Group/Step Down Program is not designed to allow prisoners to become free.
Mandatory journals, coercive debriefing – it’s nothing more than hyperbole!
Another CDCr administration scheme.
Using solitary isolation to turn our dreams into a nightmarish scream!
The murder of the spirit lives in solitary confinement, in its own hell.
Who can account for the resulting deposits of our madness on the floor of the isolation cell?
The silence has an isolation all its own.

Massive head trauma, psychological injuries, destination
A path on a road to branded memories ...
Crushing and suffocating the intelligence of those who continue to resist and fight for what we know is right.
It took a hunger strike, putting our lives on the line,
to get rid of the stench of indifference and bring our inhumane plight into the daylight.
Not just me, we, the isolated, want to have our say.
LONG TERM SOLITARY CONFINEMENT ISOLATION MUST BE SHUT DOWN TODAY!

THE LAW OF PRISON SLAVERY

Both A Political Struggle And A Judicial One?

By Ed Mead

In the early 1990s Prisoners in various Minnesota correctional facilities filed a class action suit in an effort to secure minimum wages for the work they performed in the many prison industries. The industries in question produce items such as furniture, truck and auto body products, mattresses, textiles, and notebooks; they also provide services such as data entry, assembly, market research, and printing to private companies with whom the state has contracts. The plaintiff prisoners also alleged that prison officials sell prison industry products in interstate commerce to governmental entities and to the private sector. The plaintiffs alleged that in 1991, total sales for prison industries exceeded \$11 million, and forty percent of the sales were in the private sector.

The prisoners were being paid between fifty and seventy-five cents per hour, and they may earn good time credits on those days they work. The substance of their complaint consisted of an alleged violation of their statutory and constitutional rights by the state's failure to pay them minimum or prevailing wages for the work performed in prison industries, and by punishing prisoners who refuse to work in industries by depriving them of good time credits.

This case, like so many others filed on the prison employment issue, boils down to the thirteenth amendment's¹ sanctioning of slavery for this segment of society. Regarding prisoners, the district judge said, "they are in fact engaged in involuntary servitude, not employment." "The law is clear," the court continued, "that prisoners may be required to work and that any compensation for their labor exists by the grace of the state." The bottom line, it was held, is that "the Thirteenth Amendment's exclusion of prisoner labor from the prohibition on involuntary servitude is a[n] economic reality"

The prisoner-plaintiffs argued that Title 18 U.S.C. § 1761, the Ashurst-Sumners Act, provides that: "[w]hoever knowingly transports in interstate commerce any goods, wares, or merchandise manufactured, produced, or mined, wholly or in part by convicts or prisoners shall be fined or imprisoned or both." Even though it was alleged that prisoners working in prison industries produced products sold in interstate commerce, the court ruled that prisoners could not enforce the provisions of the law.

The prisoners raised the Fair Labor Standards Act (FLSA), 29 U.S.C. §§ 201-219, which requires employers to pay their employees a minimum hourly wage. The Act defines "employer" as "any person acting directly or indirectly in the interest of an employer in relation to an employee," and defines "employee" as "any individual employed by an employer." Courts were ordered to construe these terms expansively in order to further the congressional goal of outlawing from interstate commerce goods produced in violation of the Act.

Where the employee/employer status is uncertain, the law requires that the economic realities of the relationship, and not technical concepts of employment, are to control. The court in the instant case ruled that "[w]here inmates work in the prison pursuant to penalogical work assignments, the economic reality is that they are not employees." The district judge then launched off into some technical concepts (ignoring the economic realities) to justify his ruling that the FLSA does not apply to prison industrial workers.

The court of course grants the state's motion to dismiss.²

The ultimate solution must be a political one because the judicial system cannot rule that a portion of the constitution is unconstitutional. The government will, however, recognize political strength. Strength is gained through a nationwide organization of rights and class conscious prisoners and their supporters. This organization must, at the very least, be prepared to wage an ongoing fight for the abolishment of the thirteenth amendment to the U.S. constitution. As long as that amendment exists, prison slavery will continue to be a reality. And from that reality will flow additional generations of needlessly destroyed or damaged individuals. It is not in the interests of any society to maintain such a failing and destructive approach to crime and punishment.

As you can see, there is little to be gained by continuing to knock on the judicial door in an effort to secure relief in this area. Even if one were to educate the courts on the futility of expecting some good to come from maintaining a segment of society in a perpetual state of irresponsibility, dependency, and slavery, their hands are tied by the constitution.

I can see only one possible avenue for judicial relief in this area. The U.S. constitution, Article Six, Clause 2, states in full: "This Constitution, and the Laws of the United States which shall be made in pursuance thereof; and *all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding.*" (Emphasis mine)

The International Declaration of Human Rights, a treaty

1. Section 1. Neither slavery nor involuntary servitude, *except as a punishment for crime ...* shall exist within the United States, or any place subject to their jurisdiction.

2. See: *McMaster v. State of Minnesota*, 819 F.Supp. 1492 (D. Minn. 1993)

the U.S. is a signatory to, states that we, as human beings, have the right to peacefully organize ourselves. Article 4 of said declaration states in part "No one shall be held in slavery or servitude...." Article 5 says "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." Article 19 states "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers." And lastly, and getting to our point, Item 4 of Article 23 guarantees that "[e]veryone has the right to form and to join trade unions for the protection of his interests."

These basic rights should be enforceable as the International Declaration of Human Rights is a treaty and the U.S. is a signatory to that treaty. And while judges cannot overturn the thirteenth amendment, they must honor the supreme law of the land which, as we've noted, proclaims "judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding."

For the rights conscious prisoner, here's your shot. For the class conscious prisoner, it is long term political organizing on the inside. •

TOWARD DEMOCRATIZING THE POLICE

By Steve Martinot

The US prison system has not become the largest in the world because there is more crime than anywhere else. It has become the largest in the world because (as Michelle Alexander has shown) policy decisions were made to disrupt communities of color by police raiding homes, stopping people on the street, and tearing them away from their communities and families. This is not law enforcement; it is massive racial profiling. And in the US today, it is done with impunity – sometimes with lethal violence by the police. Impunity transforms the police into a "law unto themselves." Real law has been left far behind.

The paradigm for the impunity of power is the prison. According to prison administrations, entering prisoners have no rights, human or otherwise. It is an assumption of the most arbitrary power to punish those in prison, as if being in prison were the crime, and not itself the punishment. Solitary confinement for indeterminate periods is the main way this is done. Holding persons in solitary constitutes a form of torture. And the reasons are most often fraudulent – the most prevalent of which is gang membership. The reality is that they are in solitary for their political thinking and consciousness.

...no dent has been made in the Police Officers Bill of Rights, which is what removes all possibility of police accountability from civilian government. As long as that condition remains in force, the police are only accountable to the police.

Both in prison and in the communities, the target of power with impunity is both political activity and communities of color. There is police suppression of political demonstrations, and wanton arbitrary killings of people on the street. And the demonstrations most often attacked by police with brutality and military tactics are those calling for justice for the victims of police killings.

Demonstrations can be easily "criminalized" by police by simply declaring them "unlawful assemblies," ordering people to disperse. Refusal to do so then leads to the use of painful or damaging weapons and actions (beating with batons into unconsciousness). Since the infliction of pain for the purposes of obedience constitutes torture, these police practices constitute state sanctioned torture – paired with indefinite solitary in prison.

Social outrage, however, has erupted in many Bay Area cities like Oakland, San Jose, and Berkeley against arbitrary police power. Since August of 2014, cities across the US have seen massive demonstrations over police murders, focusing on those of Michael Brown and Eric Garner – cases in which grand juries refused to indict the killers. Though not the only police killings of the last 6 months, they became signal issues. The town of Ferguson, where Michael Brown was shot with his hands up, flared into months of protest against the police, calling for justice. And the death by strangulation of Eric Garner in NY was caught on video.

Indeed, the degree of police violence has only grown. In 2012, over 600 people of color were killed by police, 312 of them black (one every 28 hours). In the last 6 months, that number has been surpassed. Ten days after Michael Brown's murder, two other black people were killed by police in St.

Louis. When people fill the streets chanting "black lives matter," as they have been for months, they are not only calling for justice for those murdered by police, but speaking about those still living far away in cages.

Recently, in the East Bay cities of Oakland and Berkeley, the force of social justice movements has gained the attention of city councils. After grand juries whitewashed the killings of Brown and Garner, thousands of people took to the streets, marching through downtown, organizing rallies, and stopping traffic (even on the Bay Bridge). And the police responded with violence, using tear gas and rubber bullets. In Berkeley, those beaten by the police included city employees, students, professors, lawyers, homeless people, and movement activists. Hundreds were arrested.

The damage the police were doing to the people became unignorable. The community got involved. The NAACP called town hall meetings, as did various other neighborhood organizations and the Black Student Union on campus. A rally expressly held to bring the problem of police violence and the mass arrests to Berkeley city council scared the mayor into cancelling the meeting.

Though the media tried to quell the outrage by focusing on a few broken windows, part of what the demonstrators wanted to get on the official record was that the police had been there watching the vandalism, leaving the perpetrators alone, and then turning their violence on the other demonstrators. It was the demonstrators who actually stopped a number of incidents of vandalism.

The outrage of the people continued, and caused the Berkeley city council to call special expanded meetings. There were two, in December and in January. At the first one, in a middle school, lines were drawn between the people and the council. Over a hundred people came forward to testify to being wounded and injured at the hands of the police. And various councilmembers chose to focus instead on the broken windows.

This actually amounted to a dishonest inversion of two concepts. To hurt a person is to do violence to them. To break a window is to do damage. For the police and the media, however, what demonstrators do (to tranquility and windows) becomes violence, and what the police do to arms and heads and ribs and lungs is simply called "collateral damage." By inverting those terms (violence and damage), the police are making the windows more important than the people.

At the second special meeting, a month later, more people gave testimony. There was even a panel of experts. And city council listened (or appeared to). Many people called for the police to be investigated, and that those who had committed crimes against individuals through the use of weapons be punished (though for that, arrest and procedure records would have to be obtained from the police). Others proposed that the police be "democratized." This would mean that all procedures, internal rules, and training concepts would be open to community scrutiny, discussed, and modified. The police should have no standards of comportment or procedures that are secret, and that had not been ratified by neighborhood assemblies.

Again, rather than compile the evidence given, and make rules to prevent criminality by the police against the people, the council simply delayed the process. It has taken until the end of February for the Council to pass rules that could become ordinances restraining the police.

It is as if the police were a more powerful political force than the elected council. The Berkeley police have ignored former city council directives concerning the use of "mutual aid" (which stated that no assisting police force was to use weapons not legitimized by the city council). And the BPD has refused to release the records of those they arrest, as well as those who do the arresting, thus violating the principle of transparency and accountability. Indeed, the records of the killing of Kayla Moore in her own apartment two years ago by Berkeley police have still not been made public.

The Berkeley Peace and Justice Commission came forward with a proposal that the National Ferguson Demands be implemented. In outline, these demands include demilitarization of the police, open and transparent civilian review of all local police abuses, shifting some police funds to community alternatives to incarceration, Congressional Hearings on racial profiling, and the passage of the End Racial Profiling Act.

Only with enormous community pressure has the city council agreed to address the question of who controls the police. It passed a resolution supporting the Ferguson Demands, while taking no action to put them into practice. And it passed a temporary moratorium on the use of certain weapons – specifically, tear gas, chemical agents, stun grenades, rubber bullets. But no dent has been made in the Police Officers Bill of Rights, which is what removes all possibility of police accountability from civilian government. As long as that condition remains in force, the police are only accountable to the police.

Ultimately, the city council could only refer these issues to the Police Review Commission, which has no power. It has no subpoena power, and can only hear testimony from those who volunteer to come forth. It can make recommendations to the council, but the council has shown it is only willing to

Democratizing Police.....Continued on page 19

PRISONERS' AGREEMENT TO END HOSTILITIES AS THE BASIS FOR THE ABOLITION OF 'LEGAL' SLAVERY

"When bad men combine, the good must associate; else they will fall, one by one, an unpitied sacrifice in a contemptible struggle."

– George Berkeley

"Slavery is nearly as old as human civilization itself, but ... (in) 1698 ...the construct of 'race' was hardly formulated ... This racialization of American slavery was rooted in economic calculation and psychological anxieties ... In fact, the human family was carved into modern "racial" pigeonholes – white, black, red, brown, yellow – in order to control, confine, discipline and dishonor ... Racialized persons and racist practices were systemized and canonized principally owing to the financial interests and psychic needs that sustained the slave trade and New World slavery."

– Dr. Cornel West

"Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States."

– Amendment XIII, U.S. Constitution

By Michael Zaharibu Dorrough, J. Heshima Denham and Kambui Robinson, NCTT Corcoran SHU

Greetings, Sisters and Brothers. There are moments in human history when doors to genuine human freedom are opened. This does not mean we, as a species, always take advantage of the opportunity to walk through those doors – but every once in a while, the true potential for our liberation arises. Often, we fail to take advantage of those opportunities because we genuinely don't know they exist; in such cases, a lesson in dialectics is learned.

However, more often than not, it's because there is some social force standing in our way – be it unprogressive attitudes, backwards ideas, old style tendencies, or the very real fear of freedom that's been deeply imbedded into so many of us. Something acts to bar us from entering that new world of unrealized promise.

On Oct. 10, 2012, the Pelican Bay D-Short Corridor Collective, men from various cultural groups and walks of life, put into effect the historic "Agreement to End Hostilities," perhaps the single most significant "door to genuine freedom" opened in American society in recent human history. What makes it so significant is not simply its motive force but, more importantly, its true potential for our collective liberation as a society.

On this second anniversary of this historic agreement, we'd like to give you all a glimpse through the door the Agreement to End Hostilities has opened for us all. For us to appreciate the path the Agreement to End Hostilities has paved for our futures, we must look back at the "road" we traveled thus far and understand its interconnections to both those forces which have historically opposed progress and those which foster it.

Owing its origins to the primitive accumulation of capital within the chattel slave system and the extermination of the Native Americans, the very concept of race was manufactured by European colonial slavers and business interests to develop a "legal" and ideological foundation for establishing the socio-economic hierarchy and dehumanization of various cultural groups – an ideology of superiority and inferiority which reflected the European capitalist world view of economic, political and military domination and exploitation of the Earth.

This system of global white supremacy was forged on the dehumanization of the remainder of humanity by embedding the artificial ideology of "racism" in its every institution. The correlation between the chattel slave system and Native American genocide in the "New World," the development of the "race" ideology and "racial" antagonisms in American society, the slavery provisions of the 13th Amendment for convicted felons, and the years of "race"-based hostilities among U.S. prisoners – and the communities they hail from – cannot be accounted for simply through the macrocosmic-microcosmic reflection of society and prisons.

No. It is much deeper and more disturbing than this, and it is why the Agreement to End Hostilities is so potentially devastating to the pillars of American capitalist exploitation.

"(We) always agree that "race" is invented, but are then required to defer to its embeddedness in the world."

– Paul Gilroy

The system of American capitalism has always used the fictitious construct of race as the central means to maintain the fluid functioning of the class system and in turn the dominance of the ruling class. It is woven into the base and superstructure of American Society.

As James Yaki Sayles observed, race has come to function on the superstructure; it's become part of our distinct way of life and cultural existence. The interests of race – as a characteristic of the peculiar class and national social relations of capitalist and colonial exploitation – have become part of the group interests that we share and which stand as antagonistic to the interests of other groups of people, classes and nations.

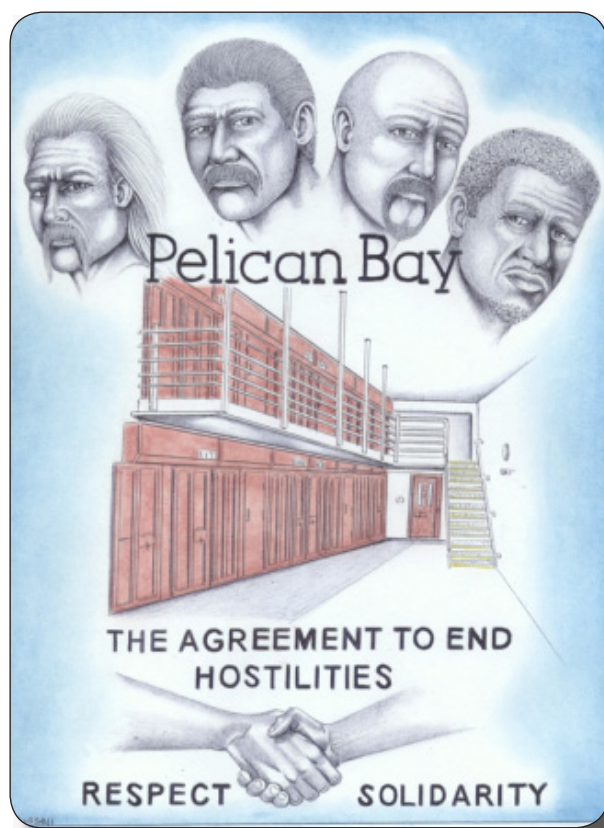
It's part of the collective consciousness which informs the

creation of the organizations and institutions we use in pursuit of our aims. Now all this is really less about race than about class and national formation and consciousness. It's not about race, since that's a fiction.

As we've observed, racism developed as an ideological concept to sustain slavery and as a justification for the extermination of First Nations people. It was anchored in the economic deliberation, financial interests and the panic of Europeans of the age over their numeric inferiority in relation to the remaining human cultures of the world.

Conveniently, the same socio-economic and political motivations – slavery and population containment – which "codified" racism as an ideology and institution then are the same interests which maintain and maximize them in the prison industry today. These racial antagonisms, like so many other social ills, are magnified and concentrated in the socially hostile microcosm of prison.

This intentional warping of man's social being – forcing the false construct of "race" to be manifested as a social force in U.S. capitalist economics – has been so thorough that it has allowed dehumanization to not only be codified in the supreme law of land, the slavery provision of the 13th Amendment, but "normalized" it. Now tens of millions of people in America accept dehumanization – disenfranchisement, third and fourth class citizenship, "civil death" and diminished constitutional and human rights – as a natural outgrowth of their economic position in relation to the productive system.



Solidarity by Michael Russell

There was a time when questioning a people's humanity was tantamount to a declaration of war. Yet millions so affected simply accept it – as does American society as a whole. EVERY PRISONER in the U.S., including parolees, regardless of cultural identity, religious or organizational affiliation, is considered by the state to be a slave and is viewed no differently from Afrikans in Amerika in the early 1800s.

"The slave went free, stood a brief moment in the sun, then moved back again towards slavery." – W.E.B. Du Bois

The chattel slave system in the U.S. required Euro-Americans – and not simply those engaged in the slave trade – to dehumanize the subjects of the brutal practice: slaves. They went so far as to develop baseless, pseudo-scientific rationales for phenotypical human variation, a product of human evolutionary adaptation, and to connect these to a stratification of the human species.

Their rationale reflected the irrational world view of the European proto-capitalist: The European male was the only "true" human and the creator of civilization; the rest of humanity was reduced to various retrograde sub-human phenotypes with the Afrikan being the hindmost – a mere "three-fifths of a man."

When the Prison Industrial Complex erected the "new Jim Crow" on the backs of the poor nationally, the "legal," ideological and political structures already existed to extend this dehumanization to those who refused to accept the status quo of property relations and the dictates of the ruling elite: the felon, the outlaw, the prisoner.

When we speak of America being a locked, anti-poor society, we are speaking of the conscious dehumanization of the underclass and the lumpen. Just as a quack "science" sought, and failed miserably, to create some scientific justification for "racial" ideology and racist dehumanization so as to legitimize its material force in society, so has modern quack "science" sought to create justifications for criminalization ideology and "criminal" dehumanization to legitimize the disproportionate policing and imprisonment of "citizens" from poor, non-European and underclass communities.

"Doctors" like Stanton Samenow and Dr. Yochelson have produced a body of pseudo-science based on the eugenicist premise that "criminals" are "born bad" and "genetically different from other humans" and the "only solution is to separate them from society." That every objective sociological, physiological and psychological study refutes such baseless claims as hokum is not what's relevant.

What's relevant is authoritarian powers want to believe them and penal institutions across the U.S. have latched on to this tripe and transformed it into a material force, building an entirely new sub-industry of the PIC: cognitive restructuring. Their hope is to brainwash hundreds of thousands of the imprisoned poor to absolve the nature and structure of capitalist society of all culpability in the lack of viable choices available to them and for the existence of social automation technology and instead accept their innate criminality and that they were born social degenerates.

Instead of moving away from the "Bell Curve" [a 1994 book by that name arguing that racial differences in intelligence are genetic and immutable], Samenow, Yochelson and their ilk have simply expanded it to encompass anyone convicted of a crime – almost exclusively non-Europeans, the poor and the underclass – an absurd notion in a nation where the average person violates several "laws" daily that they are unaware even exist. In the case of cognitive restructuring, it's just the latest way to monetize social control and add an air of "scientific" legitimacy to dehumanization.

"For every system of state and law, and the capitalist system above all, exists in the last analysis because its survival, and the validity of its statutes, are simply accepted (by the colonized) ... And these laws retain their validity even when personal motives or the force of circumstances have induced him to violate them."

– George Lukacs

The truly disturbing aspect of all this is so many of us for so long accepted this, even acted in accordance with it – much as slaves did in the 1600s, 1700s and 1800s. The system of slavery was NOT maintained for so long because of the lash, the noose or the guns of the slavers. One can only be a slave master if the subjugated accept their roles as slaves.

No. It lasted so long due to the way slaves were disoriented and divided. It was the science of "man breaking and slave making." They pit the male slave against the female slave, the dark skinned slave against the light skinned slave, the young slave against the old slave, the field slave against the house slave – none would trust the other, yet ironically they all "trusted" the slave master.

Prisoners, parolees and those under other forms of social control are the only remaining "legal" slaves of the day and the new "slave master" is the state. The state is the primary tool and weapon of the ruling class. The state's interests are the ruling class's interests, period. It is their chief weapon of dominance over the remainder of society.

There was a time in American history when that weapon was always pointed at the Native American, the Afrikan slave, the unruly Mexican or the European indentured servant. Now that weapon is always aimed at us – the lumpen, the underclass, the convicted felon, the prisoner – because we, like the Native, slave or indentured before us have no interest in upholding and perpetuating a system which declares its imperative to dehumanize and repress us. Again, see the U.S. Constitution's 13th Amendment.

There is an entire body of law which articulates the "legitimacy" of the "civil death" of prisoners and the "appropriateness" of the absolute despotism of the state in their lives. We tacitly support it by accepting our dehumanization, though it runs contrary to our interests.

As a wise man once said, "The question I've asked myself over the years runs this way: Who has done most of the dying? Most of the work? Most of the time in prison (on max row)? Who is the hindmost in every aspect of social, political and economic life? Who has the least short term interest or no interest at all in the survival of the present state? In this condition, how could we believe in the possibility of a new generation of enlightened fascists who would dismantle the base of their hierarchy?"

The modern Prison Industrial Complex has picked up right where the "Peculiar Institution" [of slavery] left off, only substituting the long standing cultural divisions of "race" ideology for traditional slavery's labor and social function-based divisions. They intentionally pit the New Afrikan prisoner against the Mexican prisoner, the prisoner from the North against the prisoner from the South, the European prisoner against the New Afrikan prisoner, the young prisoner against the old prisoner, the Kiwe against the Damu, the folks against the people, the European have-nots from one group against the European have-nots from another – and for decades WE ALLOWED them to do this to us.

They used our antagonisms, antagonisms born of this system they created, as a basis to erect torture units – Security Housing Units (SHUs) – and a system of mass incarceration which continues to devastate the working class and the poor. They broadcast our conflicts and contradictions to an uninformed public to secure ever larger portions of the social

product (taxes), further enriching themselves, their industry and their labor aristocracy – as we were further dehumanized and despised.

Just like the slaves of the chattel era, many of us helped them out by embracing this fiction, these manufactured categorizations, and fought each other with delusional gusto, as they built a monolith of money and political power in pools of our blood ... until the Agreement to End Hostilities was announced; and just like that – hundreds of years of capitalist institutional exploitation was immediately put in jeopardy.

“Only social practice can be the criterion of truth ... Marxist philosophy holds that the most important problem does not lie in understanding laws of the objective world and thus being able to explain it, but in applying the knowledge of these laws actively to change the world.”

– Mao Tse Tung

Correct ideas come only from social practice. In two short years since the Agreement to End Hostilities was enacted by a relatively small population of prisoners, it has manifested itself into a social force which has accomplished the liberation from SHU of some of the most severely tortured prisoners in the history of modern imprisonment.

There are few among the entire population of prisoners and their family members who, just five years ago, would have believed this possible. That in just two short years of social cooperation which defied the ideology of “race” antagonism and the “civil death” of the prisoner-slave status could produce such a result.

Though this victory, in actuality, simply exposed the fact that the state has housed hundreds of men in torture units who should have never been there, it does not mean the struggle has approached its logical conclusion. On the contrary, the struggle has only begun.

The next logical step is to move to reclaim our humanity and reorganize the social life of ourselves and our communities in such a way that it serves our interests. The Agreement to End Hostilities has provided us with the impetus to organize ourselves to abolish not only indefinite SHU torture, but the “slavery” provision of the 13th Amendment upon which the civil basis of our dehumanization rests.

Doing so would ensure we reclaim our humanity and become self-actualized human beings with the right to influence our world and participate in the social processes of life. To do this we must not only ensure the Agreement to End Hostilities succeeds here in the kamps, but we must extend the Agreement to End Hostilities to the streets.

It is within our communities where the “school to prison pipeline” opens its maw to consume our youth and subjugate our collective future to the role of slaves, powerless to do little more than poison, pimp and slaughter one another on our way to the concentration kamps of the state. The Agreement to End Hostilities offers our communities the opportunity to confront and overcome our own internal contradictions while forging new areas of social cooperation from which closer and more harmonious relationships many emerge.

“This new humanity cannot do otherwise than define a new humanism both for itself and for others. It is pre-figured in the objectives and methods of the conflict. A struggle which mobilizes all classes of the people and which expresses their aims and their impatience, which is not afraid to count almost exclusively on the people’s support, will of necessity triumph.”

– Frantz Fanon

When social cooperation is strengthened, state power and oppression is always weakened. Our capacity to manufacture and mobilize underclass political power – not to validate the bourgeois political process but to expose its contradictions, truly democratize its mechanisms and reclaim our human right to influence society – will determine if we are collectively capable of conquering our rights. Abolition of the slavery provision of the 13th Amendment means the abolition of prisoner disenfranchisement, instantly transforming the prisoner class into a constituency.

A recent Pew poll showed how new authorization, right-wing backed voter registration and ID laws have reduced voter access to underclass, nationally oppressed and youth voters by 30 percent. Direct access to the political process for the prisoner class would push back against this trend of legislative disenfranchisement.

These “legal” attacks on the people’s democratic rights are designed to further marginalize the underclass into a solely labor and surplus labor role – to work, be chained by debt, submit to exploitation, accept criminalization and not be heard.

Abolition of the slavery provision of the 13th Amendment would mean the end of compulsory and uncompensated prison labor. Involuntary servitude is fundamentally inhumane and only serves to reinforce the essential condition of oppressed man as the laborer whose production is appropriated by his “masters.” It would create new spheres of social cooperation to de-criminalize prison unions and provide the underclass and other affected communities with the political will to defend and expand organized labor unions in their communities.

Abolition of the slavery provision of the 13th Amendment would reinforce our human right to peacefully protest tor-

ture and other state sponsored brutality without it being also branded a crime. Brothers and Sisters, do you not see the correlations?

As Michelle Alexander observed in the section of “The New Jim Crow” titled “The Birth of Mass Incarceration,” “conservatives systematically and strategically linked opposition to civil rights legislation to calls for law and order, arguing that Martin Luther King Jr.’s philosophy of civil disobedience was a leading cause of crime.”

In classic irrational fascist reasoning, it was not the inhumanity of Jim Crow law which was criminal; it was protesting against that inhumanity which was criminalized. Identically, it is not the inhumanity of systematic torture in indefinite SHU confinement which is deemed criminal; it is our protesting against the inhumane practice which is criminalized.

“One function of the entire cultural apparatus at any given period has been to internalize in men of subordinate position the idea of a necessary domination of some men over others, as determined by the course of history... As a result and as a continually renewed condition of this cultural apparatus, the belief in authority is one of the driving forces, sometimes, productive, sometimes obstructive, of human history.”

– Max Horkheimer

Restoration of our humanity by abolishing the basis for our dehumanization is the first step in us all reclaiming our rightful voice in social affairs. Intentional underdevelopment in the chattel slave epoch and intentional underdevelopment in the modern Prison Industrial Complex – enforced idleness, all-encompassing dependency, repression of political expression, retardation of socio-economic self-determination etc. – are both social control mechanisms reliant on legalized dehumanization to accomplish that end.

They point to our intra-cultural (“racial”) antagonisms and conflicts as “proof” of our sub-human nature, while simultaneously reinforcing the ideology of racism as a material force in every aspect of human activity – though not for the reasons many of you may believe.

“...do not allow personal, individual issues to escalate into racial group issues!!”

“Race” serves the base by hiding its true nature and core contradictions, such as the contradiction between workers and the relations of production – specifically the trends of ownership of the means of production and the appropriation of labor’s surplus value. The ideology of race antagonisms obscures the origin, the source, of social contradictions and hinders the progressive development of humanity as a whole.

“Race” obscures “class,” so we cannot locate and understand the source of social contradictions or the foundation of social development, which are primarily the province of “class” relations. The Agreement to End Hostilities clears away this “fog” and provides a basis for broad class cooperation. Without the divisional dynamic of racial antagonism, the truth of our human suffering of both its source and our own unwitting participation in it is revealed – allowing us to move against it.

To be sure, already the Agreement to End Hostilities eats away at two of the many pillars of modern solitary confinement: political and cultural isolation. Men whose ideas and ways of life once kept them from even talking to one another are now finding common cause, shared social and political aims, and realizing that they may not be so different after all. A more dangerous portent for the current nature and structure of capitalist society does not exist.

“Instead of the ritual indignation and despair at the cultural condition of ‘the masses,’ it is necessary to break through to the central fact that most of our cultural institutions are in the hands of speculators, interested not in the health and growth of society, but the quick profits that can be made ... The real question is whether society can afford to leave its cultural apparatus in such irresponsible hands ... We should be much clearer about these cultural questions if we saw them as a consequence of a basically capitalist organization, and I at least know no better reason for capitalism to end.”

– Raymond Williams

We, ALL OF US, are under assault at every point of human activity. Even the food we eat is governed by industrial interests that intentionally structured the modes of production to maximize profits, minimize food safety, increase the intake of unhealthy corn based, genetically modified, sugary, sodium packed processed foods by the underclass – while ensuring healthy and/or organic produce is cost prohibitive. This in turn ensures a steady influx of chronically ill, low income patients whose health care costs and debt will ensure the profiteering of the pharmaceutical, health care and debt based industries.

All of these industries in turn legally bribe your “elected” officials by lobbying them into maintaining these modes of production. Meanwhile, high blood pressure, diabetes, obesity, heart disease and ever increasing incidences of e coli contamination disproportionately ravage the underclass and threaten the entire food supply – turning workers not merely

into paupers, but sick paupers.

By extending the Agreement to End Hostilities to our communities, we establish the foundation upon which we can build Sustainable Agricultural Communes, Closed Circuit Economic Initiatives, Health Care Co-ops and Community Clinics, Block-Vote Democratic Initiatives and Youth-Community Action Programs [described in “A discussion on strategy for the Occupy Movement from behind enemy lines.”] We can finally begin to re-organize social, political and economic life (transfer culture) so we can actually live and not simply exist.

Every one of you who are reading our words right now, regardless of culture, class or social standing, are by your inaction supporting the maintenance of slavery and dehumanization in America. All of us subject to social control institutions, by our failure to support the extension of the Agreement to End Hostilities to the streets, are actually supporting our own slavery and dehumanization and enriching the very class which has organized and structured the apparatus of our collective human misery: the bourgeois authorization, the capitalist, the ruling class.

From Ferguson to destabilizing imperialist adventurism in the Middle East, from the e coli factories of the U.S. beef industry to the maintenance of the U.S. domestic torture program in supermax prisons across the U.S., the greed, hate and hypocrisy of the ruling class has demonstrated in every area of human activity – particularly in the codification of dehumanization for prisoners and the poor – that it is unfit to dictate social life.

At almost this same time of year in 1847, Karl Marx and Frederick Engels observed: “The modern laborer ... becomes a pauper, and pauperism develops more rapidly than population and wealth. And here it becomes evident that the bourgeoisie is unfit any longer to be the ruling class in society and to impose its conditions of existence upon society as an over-riding law. It is unfit to rule because it is incompetent to assure an existence to its slave within his slavery, because it cannot help letting him sink into such a state that it has to feed him, instead of being fed by him. Society can no longer live under this bourgeoisie; in other words, its existence is no longer compatible with society.”

“At the end of this massive collective struggle, we will uncover our new man (woman), the unpredictable culmination of the revolutionary process. He (She) will be better equipped to wage the real struggle, the permanent struggle after the revolution – the one for new relationships between men (women).”

– A Wise Man

Finally it is here in this observation as relevant and accurate today as it was in 1847 wherein lies the great significance of the Agreement to End Hostilities. It has the potential to topple the Ruling Class by transforming the nature and structure of the human relationships upon which the capitalist system is based. The “race” caste system and economic class systems are interconnected and mutually reinforcing.

Without cultural antagonisms – especially within the underclasses of society – the system cannot function as designed. To end hostilities among cultural groups, to engage in social cooperation which serves our collective interests – in both society and prison – erodes the very purpose of the race caste system. It ceases to perform its function to bar broad class cooperation and uphold European male dominance. Thus the core contradictions, the “face(s)” of our true enemy, are revealed and together we have moved and can continue to move against it – until we win or don’t lose.

Our futures – and the future of humanity itself – is in our hands. Will we be equal to the demands of history, or will we buckle under the weight of our collective contradictions and descend once again into the miasma of the mass psychology of fascism?

Our confidence is as ever with YOU, the people. We would like to thank the Pelican Bay Short Corridor Collective Human Rights Movement for giving us all the opportunity the Agreement to End Hostilities represents.

We would like to encourage you all to support the Agreement to End Hostilities in YOUR communities. Support the New Afrikan Prisoners Rights Coalition Movement and, most importantly, support one another. Our love and solidarity are with you all always. Until we win or don’t lose.

NCTT Corcoran SHU

For more information on the NCTT or its work product, go to NCTTCORSHU.org or contact:

1. Michael Zaharibu Dorrough, D-83611, CSP Cor SHU 4B1L-22, P.O. Box 3481, Corcoran CA 93212
2. J. Heshima Denham, J-38283, CSP Cor SHU 4B1L-39, P.O. Box 3481, Corcoran CA 93212
3. Kambui Robinson, C-82830, CSP Cor SHU 4B1L-28, P.O. Box 3481, Corcoran CA 93212 ●

Give Us A Hand!

Publications such as PHS News, S.F. Bay View, the Rock newsletter, The Abolitionist, Prison Focus, etc. are out here for you. You can be there for us by contributing what you can in money or stamps. Tell your friends and family too.

Keep it going!

AGREEMENT TO END HOSTILITIES

August 12, 2012

To whom it may concern and all California Prisoners:

Greetings from the entire PBSP-SHU Short Corridor Hunger Strike Representatives. We are hereby presenting this mutual agreement on behalf of all racial groups here in the PBSP-SHU Corridor. Wherein, we have arrived at a mutual agreement concerning the following points:

1. If we really want to bring about substantive meaningful changes to the CDCR system in a manner beneficial to all solid individuals, who have never been broken by CDCR's torture tactics intended to coerce one to become a state informant via debriefing, that now is the time to for us to collectively seize this moment in time, and put an end to more than 20-30 years of hostilities between our racial groups.
2. Therefore, beginning on October 10, 2012, all hostilities between our racial groups... in SHU, Ad-Seg, General Population, and County Jails, will officially cease. This means that from this date on, all racial group hostilities need to be at an end... and if personal issues arise between individuals, people need to do all they can to exhaust all diplomatic means to settle such disputes; do not allow personal, individual issues to escalate into racial group issues!!
3. We also want to warn those in the General Population that IGI will continue to plant undercover Sensitive Needs Yard (SNY) debriefer "inmates" amongst the solid GP prisoners with orders from IGI to be informers, snitches, rats, and obstructionists, in order to attempt to disrupt and undermine our collective groups' mutual understanding on issues intended for our mutual causes [i.e., forcing CDCR to open up all GP main lines, and return to a rehabilitative-type system of meaningful programs/privileges, including lifer conjugal visits, etc. via peaceful protest activity/noncooperation e.g., hunger strike, no labor, etc. etc.]. People need to be aware and vigilant to such tactics, and refuse to allow such IGI inmate snitches to create chaos and reignite hostilities amongst our racial groups. We can no longer play into IGI, ISU, OCS, and SSU's old manipulative divide and conquer tactics!!!

In conclusion, we must all hold strong to our mutual agreement from this point on and focus our time, attention, and energy on mutual causes beneficial to all of us [i.e., prisoners], and our best interests. We can no longer allow CDCR to use us against each other for their benefit!! Because the reality is that collectively, we are an empowered, mighty force, that can positively change this entire corrupt system into a system that actually benefits prisoners, and thereby, the public as a whole... and we simply cannot allow CDCR/CCPOA – Prison Guard's Union, IGI, ISU, OCS, and SSU, to continue to get away with their constant form of progressive oppression and warehousing of tens of thousands of prisoners, including the 14,000 (+) plus prisoners held in solitary confinement torture chambers [i.e. SHU/Ad-Seg Units], for decades!!!

We send our love and respects to all those of like mind and heart... onward in struggle and solidarity. ●

Presented by the PBSP-SHU Short Corridor Collective:

Todd Ashker, C58191, D1-119

Arturo Castellanos, C17275, D1-121

Sitawa Nantambu Jamaa (Dewberry), C35671, D1-117

Antonio Guillen, P81948, D2-106

And the Representatives Body:

Danny Troxell, B76578, D1-120

George Franco, D46556, D4-217

Ronnie Yandell, V27927, D4-215

Paul Redd, B72683, D2-117

James Baridi Williamson, D-34288, D4-107

Alfred Sandoval, D61000, D4-214

Louis Powell, B59864, D1-104

Alex Yrigollen, H32421, D2-204

Gabriel Huerta, C80766, D3-222

Frank Clement, D07919, D3-116

Raymond Chavo Perez, K12922, D1-219

James Mario Perez, B48186, D3-124

[NOTE: All names and the statement must be verbatim when used & posted on any website or media, or non-media, publications.]

Notice

Anyone given a 115 for possessing, reading, or distributing the Agreement to End Hostilities should report this, including details, to CPF. We are also interested to hear about your thoughts and experiences regarding The Agreement to End Hostilities. Do you feel a change? Let us know. Unless you direct us otherwise, we may share what you tell us anonymously. See Statement of Confidentiality on last page.)

Democratizing Police..... Continued from page 16

make a few rules, and not bring to justice the real criminality against the people that the police have committed. To top that off, the decisions of the Police Review Commission are barred from public disclosure.

If there is to be change, it will have to come from the communities – just as if there is to be change in the prison system, it will have to come from the communities. In both cases, the issue of justice is primary. Those police officers who commit crimes need to be brought to trial. And the prison administration that has impunity to do what it wants to prisoners must also be put under community scrutiny. The prison administration has no legitimacy to act as a judicial body, condemning prisoners to punishment without due process or judicial procedure.

When the communities acted in their own interest, they get attention. When they give the ball to representatives to get results, very little happens.

There are now many organizations and groups to which communities can turn to begin to organize in their own interests. These organizations included ONYX, Copwatch, Black Brunch, the NAACP, the Black Student Union and the black fraternities, the Catalyst Project, the Justice for Alan Blueford Committee, and others.

The issue is not simply to stop police violence, or to call for justice for those killed. The ability of the police to just steal people from the communities by racial profiling must be brought to a halt. One way to do that is for the communities to institute forms of restorative justice, taking the responsibility to deal with local problems out of the hands of the police and making it the concern of the community in dialogue. Democratizing the police must begin by demanding that the police open their personnel records, procedural manuals, and training manuals to public scrutiny and modification by democratic means. ●

THE SAFARI FROM PELIKKAN BAY

By KIJANA TASHIRI ASKARI

On 1/29.2015, my quest of travel began with a wakeup call at 2:30 A.M., where I was told to be ready in 30 minutes, by the 1st watch unit officer. Myself and a total of 17 prisoners were all rounded up like "chattel slaves" and placed in the C-Facility (SHU) Visiting Room Holding Cells, til we boarded the bus at 6:00 A.M. In hitting the highway, my sensibilities immediately went thru the whirlwind cycle of "shock and awe" via the vivid reminder of what freedom used to entail. I mean think about it, we're talking about 20 years of being entombed in Pelikkkan Bay's Torture Chambers, without any environmental stimulation or human contact!! So just imagine how my senses voraciously feasted upon: The sight of Cows and Horses parlaying in the open fields; the sight of the ocean's waters roaring and brushing up against the elements of Motha Earth; the sight of enormous mountains/trees, along with green grass and birds flying in the clear blue sky – as free as they wanna be!! The sight of social activity, in seeing other human beings exercising, walking, driving their cars, and doing everything they wanted to do – simply because they were free!!

To my surprise – it got better!! We had a 1-hour layover at San Quentin, and time definitely have changed since I was last there in the late 80's and early 90's. San Quentin's lower yard now has tennis courts?! And they've completely remodeled the Receiving & Release (R&R) Building.

As we left San Quentin, I was reminded of the old saying: "that some gifts just keep on giving." I was able to take in the sights of the historic landmarks of the new Bay Bridge extensions; the BART train; and parts of my hometown, in West Oakland, California, via the West MacArthur maze freeway. While not a religious person, I thought I had died; gone to heaven. Because as a person serving a life sentence, I never would've believed that the good fortunes of seeing home, would come to fruition in my lifetime...ever again.

The Safari from Pelikkkan Bay continued...while awaiting transfer to Corcoran (SHU) per. Step-4 Status of the Step-Down Program ("SDP") in the Ad-Seg. Unit at DVI-Tracy State Prison (e.g. "Slave Kamp") via the now standard week long lay-over. The only good things about DVI-Tracy were:

1.) The food is prepared with seasoning & taste a whole lot better, and they still issue real jelly & syrup unlike Pelikkkan Bay; 2.) You finally see prison guards of color ("Afrikans/Mexicans") who treat you fairly decent; and 3.) They've upgraded the R&R Holding Cell area with top of the line flat screen T.V.'s where they've showed us quality "grown-folk" movies that just came out. Which is a complete 360 from the kindergarten flicks shown at Pelikkkan Bay.

However, the living conditions in the Ad-Seg. Unit (L-Wing) cells is outright deplorable (filthy/disgusting)!! The sinks are broken with holes in them; and the drinking water is brown!! It's like drinking water from a water-hole in an under-developed country!! And you know that the water has been compromised, when the prison guards are walking around with bottles of drinking water for themselves and when your soap doesn't even lather up during showers. Ev-

ery environmental water agency needs to be notified about this – so that it can be investigated and corrected A.S.A.P!! There is no telling what level of contaminants these prisoners are being forced to drink?!

On 2/3/2015, we were back on the road and for the first time in 20 years, I had the pleasure of seeing the sunrise!! The script couldn't had played out any better, until the rude awakening of my arrival to the Corcoran Slave Plantation... my new internment kamp for the next foreseeable years, via indefinite (SHU) status.

Unfortunately, we had a New Afrikan of the Damu tribe; lose his discipline, as he fell for the fascist antics of the Corcoran welcome committee that greet you upon exiting the bus, where they intentionally rough house you to try to provoke a "reaction". As I approached the stairs to exit the bus, I was immediately identified by Sgt. A. R. Perez, who told me I would be going to 4B1L (e.g. "The Validated Prison Gang Housing Unit"). But for reasons unknown, I'm currently housed in 4A4L (e.g. "A Unit for Informants/Debriefers"), which is a typical Cointelpro tactic, aimed at neutralizing/isolating all committed revolutionaries. Upon my relentless protest I have since been rehoused. ●

Our struggle continues!!

For more info contact me at:

Kijana Tashiri Askari

(s/n Marcus Harrison)

CDCR# H54077

(4B1L #31/Step-4)

Corcoran State Prison

P.O. Box 3476

Corcoran, CA. 93212

People's Hearing..... Continued from page 14

ria, Tunisia, Egypt, Libya, Jordan, Yemen, Bahrain and in the Occupied Territories. So, when we come together with many tactics and many people and a vision, and see that all things are possible, then all things really are possible—if we harness the power of solidarity and use our power to make demands like the demands that we made and won....

We ran out of demands almost, as far as specific concrete things that people were asking for. But we have to remember and practice that we will never fall for these divide-and-conquer tactics that will be talked about tomorrow; that we will never put the needs of the government above the needs of the people, because power concedes nothing without a demand. It is [our] right to rebel, and we are not apologizing for anything.

So I wanna thank you all for coming out and being a part of this—especially the families and friends and people who have been directly impacted personally—because [of] police violence, racial profiling, anti-immigrant hysteria; all of these things. ...A lot of people haven't spoken out before. ...

The murder of Oscar was not a first time and it won't be the last, so let's use this hearing to make our movement bigger, stronger, faster and smarter.

Power to the people. ●

Statewide Coordinated Actions To End Solitary Confinement Launching Monday, March 23

California prison activists are maintaining the momentum of the 2011 and 2013 prisoner hunger strikes with a new initiative referred to as Statewide Coordinated Actions to End Solitary Confinement (SCATESC). The statewide coordinated actions respond to the proposals for action issued by Pelican Bay's Short Corridor Collective following meetings on November 12–13, 2013. Ideas that came out of those meetings were published by the *San Francisco Bayview* and included the following:

"We want to consider the idea of designating a certain date each month as Prisoner Rights Day. On that date each month, prisoners across the state would engage in peaceful activities to call attention to prison conditions. At the same time our supporters would gather in locations throughout California to expose CDCR's actions and rally support efforts to secure our rights. We hope to see this action growing from month to month as more people inside and out become aware of it and join our struggle." Organized community-based pressure is key in the effort to end solitary confinement.

SCATESC will launch Monday, March 23, 2015, and will take place on the 23rd of each subsequent month. This date emphasizes the 23-plus hours every day that people are kept in solitary confinement. The initiative, developed by the Prisoner Hunger Strike Solidarity Coalition's outreach committee, has allies across the state. If you have friends or family on the outside who may be interested in participating, either by attending the actions or organizing one in a new location, contact the PHSS outreach committee at (510) 863-0477 or phssoutreach@googlegroups.com.

PRISON FOCUS

1904 FRANKLIN ST., SUITE 507
OAKLAND, CA 94612

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CPF MISSION STATEMENT

California Prison Focus fights to abolish the California prison system as we know it. We investigate and expose human rights abuses with the goal of ending long-term isolation, medical neglect, and all forms of discrimination. We are community activists, prisoners, and their family members working to inspire the public to demand change.

ABOUT CPF

California Prison Focus is a non-profit community-based human rights organization working with and for California prisoners. Our two main issue areas are fighting against the long term isolation, torture and abuse of Security Housing Units (SHU) and demanding an end to the medical neglect and abuse of prisoners.

The focus of our work is our investigative trips to prisons with SHU facilities. We make as many SHU visits as possible. We work to build strong bridges between the prisoners and the community, and to bring forth the voice of the prisoners through our newsletter, Prison Focus, and our ongoing educational outreach. Central to our work is training ourselves, prisoners and their loved ones in self-advocacy through public protest, networking, coalition building, letter-writing and contacting prison officials and policy makers.

Founded in 1991 (as Pelican Bay Information Project), we have made hundreds of prison visits and conducted thousands of interviews with prisoners. Our membership is comprised of prisoners, activists, family members of prisoners, former prisoners, law students, attorneys, and human rights advocates.

PRISON FOCUS #46

Submissions are Welcomed

CPF depends on our readers to keep us informed. *Prison Focus* welcomes all submissions. Submissions are not guaranteed to be published, nor will they be returned (unless prior arrangements have been made). We generally cannot respond to individual submissions because of the volume of mail we receive.

Suggestions for general submissions:

- Artwork or graphics
- Letters, articles or creative writings (250-500 words)
- Helpful resources, including addresses and other pertinent information.
- Larger articles are accepted, but inclusion will depend on available space.
- For all personal writings, let us know if you want us to use your full name. Otherwise we will use your initials and city/state of residence. You can also specify "anonymous."

Special Topics

Following are some current topics of interest that we invite you to comment on:

- Step Down Program
- Agreement to End Hostilities
- Family/Community Activism. We would like to address more regularly how family and community members of incarcerated individuals can become involved and how people on the inside can foster family/community activism. Please share your own relevant stories and ideas.

NOTICE OF CONFIDENTIALITY

California Prison Focus (CPF) treats all incoming mail as confidential. We respect your privacy and understand that there are risks for you involved. Therefore we will keep what you tell us anonymous unless you give us permission to use your name. *Unless you direct us otherwise, we will share what you tell us anonymously* in order to educate the public about conditions here and to support advocacy for prisoners. We rely on you to tell us if you want us to treat your information differently (for example, to use it with your name, or not to share it with anyone).

BECOME A VOLUNTEER

CPF depends on volunteers to do our invaluable work. We need your help answering mail, working on our newsletter, staffing our office, fund-raising, and outreach, IT, and more. Check our website for additional information.



SUBSCRIBE IF YOU LIKE THIS

A one year subscription is provided with a donation of \$20 or more, or \$6 for incarcerated individuals. Free subscriptions are provided upon request to those with SHU addresses, though stamps still welcomed.