By Miles Santiago-Serrano
Letters

Tehachapi Yard Issues
Dear CPF:
I’m a SHU prisoner at Tehachapi State Prison. …
Attention all prisoners housed in Tehachapi State Prison 4B SHU: for us to better our yard conditions and receive our minimum of 10 hours per week (which we are entitled to per Title 15 Section 3343(h)) we must take the time to document this problem. Use the appeals process (602) by demanding our 10 hours per week of yard. If we don’t stand up for our yard time, we are going to continue to be burned on the little we got coming.
Daniel Arenos, Tehachapi, CA

Nag, Rant, Rave but It May Do No Good
Dear CPF:
First of all I’d like to address the ranting and raving in Ed’s opinion pieces. This is the second article that raised my eyebrows and raving in Ed’s opinion pieces. This is NO GOOD of yard. If we don’t stand up for our yard (602) by demanding our 10 hours per week minimum of 10 hours per week (which we are entitled to per Title 15 Section 3343(h)) we must take the time to document this problem. Use the appeals process (602) by demanding our 10 hours per week of yard. If we don’t stand up for our yard time, we are going to continue to be burned on the little we got coming.
Francisco Gonzalez, Crescent City, CA

Retaliation for Fighting Back
Dear CPF:
We used to correspond many years ago while I was housed at PBSP. Since then I have been to several other prisons including Lancaster, Corcoran, MCSP (twice) and this God forsaken hell hole—Salinas.
I could tell you some horror stories! While at Mule Creek, we fought to expose staff misconduct such as sexual assaults, all kinds of harassment, but the worst was the retaliation. The misconduct didn’t go on for weeks or months but years! It took a letter from Senator Feinstein to the governor’s office and interviews by the Prison Law Office for the officer involved to be suspended—for only thirty-five days.
Thirty-five days for years of running his night stick up the cracks of inmates’ buttocks, and much worse. All the inmates who signed petitions, gave statements or affidavits, interviewed etc. were give disciplinary reports, thrown in the hole, or like me, transferred to some hell hole.
If you can access the court records, a pending case would shed light for you CV-05-192-DFL DAD (p) in the U.S. Eastern District Court; it is a lawsuit, Masterson v. Campbell concerning the sexual assault of retaliation.
Daniel Mateserson, Soledad, CA

High Price for Families
Dear CPF:
This letter is my first to you as a non-subscriber; I was introduced to Prison Focus last week. I just read issue #27 and was impressed with the information in each article. It was helpful in many ways and to the point, especially Ed’s page.
The reason I decided to write to you is to share a couple of thoughts.
First issue at hand is restitution or court fees. The California Department of Corrections and Rehabilitation is taking 55 percent of all money sent by family and friends, and any pay received, regardless the amount.
I am prisoner who is being affected by the restitution scheme. I feel it is completely wrong for our family members and friends to be subjected to paying our restitution or fees every time they send us postal money order. They should pay the 55 percent out of their hard earned money. It’s the prisons’ responsibility to assign us prison jobs to earn money to pay off any fine or restitution ordered by the courts.
Second issue I feel should be spoken about is the phone issue. MCI holds the monopoly and has caused much grief among prisoners and their loved ones due to the high phone fees that lead to a lack of communication.
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THANKS

MANY THANKS TO THE BEARS OF SAN FRANCISCO AND THE FUND FOR NON-VIOLENCE FOR THEIR RECENT GENEROUS DONATIONS TO CPF. MANY THANKS ALSO TO POLLY, RON, GEORGIA, HELEN, AND ALL OF THE OTHER VOLUNTEERS WHO HELP GET THIS NEWSLETTER TO OUR READERS. GRACIAS MILES SANTIAGO-SERRANO FOR THE EXCELLENT COVER ART ON THIS ISSUE.
PRISONER WRITING

Greetings Prison Focus readers. We hope you find this issue informative even in its small size. (We have not produced anything under 32 pages in years.) In this section, written by prisoners, you will find a short essay on prison labor today, a longer one using history, a technical piece on the grievance process, an evocative commentary on the fable “The Eagle and the Sow,” and a broad-minded opinion piece about Iraq and politics. We’ve got an array of words, thoughts, news and information. As usual, we receive a diversity of writing and try to bring you a representative sample. Please send along your submissions for future newsletters. Next issue we want to spend some time recalling the work of Prison Focus magazine as we are celebrating 10 years. Let us know what’s been good, not so good, and memorable—we can’t do it without you.

Leslie DiBenedetto, Co-Editor

BASTILLE DRUDGERY

By Jose Heladio Villarreal III

Prison labor is as much a part of prison life as say, being counted several times a day. Prison labor consists of everything from what are called porters (cell block janitors) to license plate makers, although clerks (secretaries) are also part of prison labor. From the state’s point of view, prison laborers are great; the work that correctional staff would end up doing gets done by prisoners. Sometimes they save money because prisoners produce things that would otherwise be made by outside contractors such as glasses or chairs. This set up is sort of like the suburban landscaping company or big city construction company that gets the big contracts and big bucks only to hire cheap labor so they can be paid peanuts or in prison lingo “eleven cents an hour” (the going rate for a California prisoner).

Plenty of prisoners are ready and willing to work for small change. What makes prisoners susceptible to working in dangerous conditions or in a sweatshop environment? The answer is the same all over the world, inside and outside of prison: its desperation and lack of information on labor rights.

Unfortunately, the reality is there will always be [exploited] prison labor. What would prison be like without prison labor? There would probably be more lockdowns because staff would be short (since they’d be the ones cleaning the tiers, yards and kitchens).

Everyone who has been or is a prisoner, or who knows one can attest to the draconian living and working conditions inside. Those of us held captive have seen the yard workers picking up trash bare-handed or the kitchen workers forced to work without proper work boots—prison laborers are always getting hurt on the job. They are also without time off, sick leave or fair compensation. People in prison and their loved ones must work to better prison labor conditions. California is lucky enough to go without the chain gang—we don’t break rocks or dig ditches.

THE POOR LAW, QUAKERS AND IMPRISONMENT

By Donald E. Ward

We are a living extension of tradition and there can be no peace in the world as long as we continue the path of slavery. The slavery imposed on the poor, the death penalty, the criminal justice system, these are all products of centuries past and we continue the tradition without question.

For centuries England bred a society of poor to be used as slaves, and the Poor Law was created there in 17th century. That the crown had any interest in the destitute was attributable to politics and economics, not compassion. Because vagrancy spread dissatisfaction among the masses and might have provided the raw material for a rebel army, the early effort of the English government was to stop vagrancy by making it a death penalty offence.

In 1647 the Corporation of Government, (whose members were powerful financial interests of England), was created to finance enterprises in America. It decided to impose a compulsory poor tax. This was a momentous step: it introduced a new administrative device of the greatest importance that broke decisively with the medieval conception of charity as a religious duty. One aspect of the Poor Law was the employment of the poor in public works and used the workhouse to house them (which became the prison designed to hold lower class people until they were executed or deported). In America, the idea of the workhouse continued.

An excellent account of the Poor Law was given by Charles Dickens in a novel entitled Oliver Twist. Dickens, writing from firsthand knowledge of being “apprenticed” as a child, deplored the Poor Law and sought to expose it through his novel. The period of time of his novel was around 1840, 200 years after the establishment of the Poor Law and 800 years after the Normans enslaved the poor by conquering England. Oliver, a character in the novel, was a nine-year-old orphan who worked in a workhouse. When the hungry child asked for more food, he was beaten by the officer of the parish and confined to his room on bread and water. He was released from confinement when he was apprenticed to a coffin maker, who purchased Oliver from the parish for a sum of five pound Sterling. Oliver Twist was declared to be indentured for a period of seven years, if in fact, he behaved himself. Otherwise, he was threatened with the gallows. Begging was a death penalty offense.

Beginning about the middle of the 17th century, more and more crimes were declared to be punishable by the death penalty. This system of penalties became known as the Black Code, no doubt from the color of the hanging person’s face as it darkened from lack of oxygen. Hanging was public so that the populous could be coerced by the spectacle.

The coercive effect of the threat of execution was held over a large portion of the...
lower class population especially the illiterate and the poor who could not bribe their way to freedom.

With the passage of the Black Act in 1723, an already voluminous list of death penalties was expanded to include such crimes as poaching fish, damaging trees, stealing a silver spoon and appearing disguised in a game preserve. However, kidnapping was not among the offenses because it had become a lucrative trade in England because of the need for slave labor on the plantations of the American south.

A good example of the failure of coercion in a feudal system of government was the rise of the religious group called Quakers. Quakerism began around 1650, which later became one of the primary forces for religious freedom and for prison reform in America. Its founder, educated George Fox, spent much of his time locked up for his beliefs. Fox echoed the voice of Chrysostom heard 1300 years earlier, which relied heavily on direct communication with the spirit world. It was in prison that Fox convinced many others to follow his beliefs. They called themselves Friends but were to become known as Quakers because they quaked and shook from zeal as they spoke the direct knowledge from the spirit world. The early Friends gathered for worship with no liturgy or other rearrangement save an agreed time and place, with no specially appointed person to lead the worship. The responsibilities rested on each worshiper as they gathered in silent expectancy.

Quakerism spread with astonishing speed in almost every county of England, despite severe repression. The more they were imprisoned, the stronger their resolve and the more converts they gained. The more members they attracted, the more threatening they were considered to the crown and the more of them were imprisoned. The more they were imprisoned the more converts they made. Thus prisons became their primary meeting place and supplier of new members. Fox himself was frequently shifted from one prison to another and often released because he was more of a threat inside than out. But the more he and his supporters were mistreated, the more they thrived.

Early America Quakers believed the individual could be reformed from his errant ways if given a place of solitude where he had an opportunity to hear the voice of Christ firsthand and do penance. The Quakers were repelled by the bloody methods of corporal punishment and sought another method of handling the convicted. Hard labor in workhouses became the first true prisons established in human history. West Jersey setup such a system in 1681 and Pennsylvania in 1682. The British government forced the abandonment of this humanitarian innovation, and in 1718 even the colony of Pennsylvania reverted to the usual practices of corporal punishment.

This country, America, was established on the principle of slavery. Some of the slaves who escaped the death penalty were sent to this country.

Now, ninety-five percent of the men and women in prison in this country are made up of blacks, Mexicans and poor whites. Both church and state are leading a conspiracy to train the public to fear criminals and see them as a species apart from the law abiding citizen. With the insane law “three strikes you’re out” men and women who are sent to prison at age 25 will be released when they are 50 years old with no education and little chance to be welcomed back into society.

THE BROKEN 602 SYSTEM: WORK IT

By J. Thomas

My Brotha’s as most of you know, prisoners must exhaust administrative remedies by filing a 602 to all three levels pursuant to the PLP (1996) (42u.sd.c 1997 e (a), before filing a lawsuit.

But there are ways around this when prison officials don’t process or answer your 602. Under the First Amendment you have a constitutional right to utilize the prison grievance system and if staff or administration retaliates in any way because you utilize the prison grievance system then they could be in violation of the Constitution.

Now I hope you’re really taking notes because this is very helpful and useful law we can use it to stop the common misconduct by guards of delaying or disregarding, destroying our 602s. Also, if a prisoner cannot file a grievance because he is unable to obtain a form then no administrative remedy is available, leaving open the possibility for a prisoner to file a complaint in court. Please see Miller v. Norris 247 f.3d 736 (8th cir.2001).

In a multi-step grievance system if staff fails to respond within the time limits established in the title 15, the prisoner must appeal to the next stage. (See White v. Megginson, 131 f. 3d 593 (6th cir. 1997)). If you do not receive a response from Sacramento and the 60 working days have passed, then you have exhausted your appeal. (See Powe v. Ennis, 177 F3D 829 (7TH CIR.2002)). When prison officials do not respond to an initial grievance, administrative remedies are exhausted, or when the appeals coordinator tells you no appeal is possible (See Taylor v. Barrnett 105 f. supp. 2d 483 (e.d. v2 2000). Another case that can help if you have complied with the grievance procedure: Nyhvis v. Reno, 204 f.3de 65 (3d cir.2000)).

Now here is the other part concerning staff complaints or citizens complaints: per CCR 3391 employee conduct (b) you have 12 months to file your allegation of staff misconduct.

The best way to get fast results is to have a friend or family member file on your behalf. All you have to do is write your complaint and send it with a right and responsibility form (CDCR 1858). Have them sign it and send it to the warden. Per the (DOM 54100.25.3) citizens complaint by your people in the free world must be answered in 30 days. If dissatisfied, push the complaint to Sacramento. Never sign off unless you are getting what you want.

Lastly, it is always best to get the issue in the sun light (public) by sending your complaint to newspapers and other publications. If you have to sit down and rewrite 15 copies (always keep a copy). Also send them to:

The Office of Internal Affairs
P. O. Box 30098
Sacramento, CA 95812

Office of Inspector General
P.O.Box 348780
Sacramento, CA 9583-8780

These places might not do anything, but they can’t say they never received it. And if the guards really violate your rights, have your people file charges to the:

State Personnel Board
Merit Appeals Office
801 Capital Mall
Sacramento, CA 94244-2010

“They can only delay those who do know knowledge is power.” ♦
THE EAGLE AND THE SOW

An eagle built a nest on a tree, and hatched out some eaglets, and a wild sow brought her litter under the tree, and the sow rooted around the tree and hunted in the woods, and when night came she would bring her young something to eat.

And the eagle and the sow lived in neighborly fashion. Then a grimalkin laid her plans to destroy the eaglets and the little sucking pigs. She went to the eagle and said: “Eagle you had better not fly very far away. Beware of the sow, she is planning an evil design. She is going to undermine the roots of the tree. You see she is rooting all the time.”

Then the grimalkin went to the sow and said: “Sow, you have not a good neighbor. Last evening I heard the eagle saying to her eaglets: “My dear little eaglets, I am going to treat you to a nice little pig. Just as the sow is gone, I will bring you a little young sucking pig!”

From that time the eagle ceased to fly out after prey, and the sow did not go any more into the forest. The eaglets and the young pigs perished of starvation, and the grimalkin feasted on them.

Fables, Leo Tolstoy (1828-1910)

BEWARE OF THE GRIMALKIN

True seekers of knowledge appreciate the wisdom and knowledge found in fables. Practically every culture has their own fables. There is so much that can be learned from fables, things like strategy, wisdom, practical ways of living, counsel and instructions on various themes of life. How could one not appreciate a good fable every now and then, right? So, I wanted to share this particular fable with you, because there’s a lot of truth in it, truth that applies to our everyday situation as prisoners today.

The strategy of the grimalkin in this fable is very similar to that of the “divide and conquer” strategy our oppressors use on us today. When we become mistrustful of each other, when we fight each other and kill each other, we are giving our oppressor (the grimalkin) absolute power over us. As long as we are going at it with each other, they don’t have to worry about us trying to rise up against them.

How can we be each other’s enemy when we are in the same communities, prisons and in the trenches together, going through the same shit, suffering from the same type of poverty and the same afflictions together? Brothers and sisters, we are not each others enemies; we need to stop hating each other and come to realize that it’s the grimalkin who is profiting off of our self-destructive behavior.

The sooner we realize this, the sooner we will be able to reach some type of middle ground and eventually we can try to come together and run the grimalkin down. There are more than a couple of lessons that can be learned from the fable “The Eagle and the Sow.”

Coyote, Ely State Prison, Nevada

THE SECOND TREATISE OF CIVIL GOVERNMENT 1690

“That the aggressor, who puts himself into the state of war with another, and unjustly invades another man’s right, can, by such an unjust war, never come to have a right over the conquered, will be easily agreed by all men, who will not think that robbers and pirates have a right of empire over whomsoever they have force enough to master, or that men are bound by promises which unlawful force extorts from them. Should a robber break into my house, and, with a dagger at my throat, make me seal deeds to convey my estate to him, would this give him any title? Just such a title by his sword has an unjust conqueror who forces me into submission. The injury and the crime is equal, whether committed by the wearer of a crown or some petty villain.

The title of the offender and the number of his followers make no difference in the offence, unless it be to aggravate it. The only difference is, great robbers punish little ones to keep them in their obedience; but the great ones are rewarded with laurels and triumphs, because they are too big for the weak hands of justice in this world, and have the power in their own possession which should punish offenders.”

John Locke - 1632-1704

http://www.constitution.org/jl/2ndtreat.htm

INFORMATION ABOUT SPECIAL ED STUDENTS SOUGHT

The Disability Rights Education and Defense Fund, Inc. (DREDF) is conducting an investigation into whether young people with disabilities are receiving special education and related services as guaranteed under the Individuals with Disabilities Education Act (IDEA). We are interested in information about county jails anywhere within the state of California, or within the California state prison system for adults. In particular, we are interested in contact from or on behalf of people who have all of the following characteristics:

- Youth ages 18-21
- Previously identified as special education students in the California public school system
- Have not yet received a high school diploma
- Currently or recently incarcerated in a county jail in California or adult state prison facility

If you are interested in contacting us, we request information including:

- Your name and contact information (including CDCR number and housing if you are currently incarcerated, mailing address, city and a telephone number or e-mail address)
- Detail about the disability and special education history of the student
- Which California county jail or state prison facility
- Date(s) of incarceration
- Whether special education and related services were or are being provided

Any communication will be treated as confidential to our office. However, if you contact us DREDF staff may respond to you by telephone or e-mail to follow up on the information that you provide, unless you explicitly tell us not to contact you.

You may contact us as follows:

Attn: Special Education in California County Jails & Adult State Prison
Disability Rights Education and Defense Fund, Inc. (DREDF)
2212 Sixth Street
Berkeley, CA 94710
Tel: 510.644.2555 (V/TTY)
Fax: 510.841.8645
E-mail: hmin@dredf.org
WHAT IS GOING ON AT PELICAN BAY:
SPRING 2007

There are two foci. First is the food service. Because of many complaints over the last few months, especially from inside the SHU, we have sent questionnaires to about thirty prisoners. The questions relate not only to the food in itself, but also to the possible special diet needs of prisoners. We are hoping we will be able to compile a report that can be used in a court hearing, as a prisoner has filed suit against the prison for its poor food service. If a SHU prisoner, who has not received a questionnaire, would be particularly interested in making a report, please write us. We would be interested in any report on the food quality and quantity, cleanliness of containers and other aspects of the service.

The other focus is the Behavior Modification Unit. We have received letters from about eight prisoners, all protesting against one or another aspect of the program. And we have now written to the warden asking for clarification. Examples of our questions based on the memo, are: what are the grounds for being given C status? Are they ever using the same grounds on which a SHU sentence has already been imposed? What opportunity is there for defending oneself against the charges? Are prisoners being prevented from filing a 602 by the

A FEW WORDS FROM MARY RUBACH

As some of you may know, I will be leaving this country in August or September for my native country, England. To anyone who is interested, I will send you my address so we can keep in touch. However, I will not be able to respond with the materials I’ve previously provided.

I am sad to be cutting myself off from my correspondence work at CPF. I am sure I will miss you and even wish I was back here plodding to the office twice a week, and writing from home. However, the move will be timely one. I am 83 and my relatives, all in England, want me nearer to them.

I had hoped to have a story printed in this issue, which, like countless stories told in the past brings the message that evil can be redeemed, and when it is, an even greater good is realized than if there had been no evil. Groups of people in the West whose work we can find today (the Manicheans, the Gnostics and the Cathars) all had this conviction and, of course, it was part of the belief systems of the Orient. There are many people like me today who treasure and foster this tradition.

For me, this has led me in two directions at once. I do what I can to help prisoners to help themselves combat what is so clearly wrong in the criminal justice system. And, on the other hand, I remain convinced that those prisoners who stay the course, through thick and thin, maintaining equanimity that preserves them from untransmuted anger, bitterness, resentment, will have gained through their encounter with all the injustice, corruption, and heartlessness, qualities which can never be torn from them and will ultimately serve others.

I know, however, how hard a path it is to follow, especially for every prisoner, but even for the taxpayer with a conscience who must attend to the government at hand or any member of this society who cares.

SELL YOUR ART ON THE WEB

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 number 28 7
CPF’S DIGNITY FOR WOMEN CAMPAIGN

A letter on behalf of women prisoners

June, 8 2007

James Tilton
Secretary, California Department of Corrections and Rehabilitation
1515 S Street #503 South
Sacramento, CA 95814
916-445-7682
FAX 916-442-2637

Dear Secretary Tilton,

We hope that this letter finds you well and coping with the demands of your difficult position satisfactorily. We write to you on behalf of the Dignity for Women Prisoners Campaign. The Campaign is being spearheaded by California Prison Focus and supported by many organizations, Churches and individuals. In 2004-05 CPF successfully lead an effort to end the cross gender pat searches of women prisoners, and we appreciate all the work done by your office and the Gender Responsive Strategy Commission (GRSC) in ending that abusive practice.

The Dignity for Women Prisoners Campaign demands an immediate end to the assignment of male custodial staff in housing units in prisons for women. We insist that male officers be relieved of their assignments as housing officers in any housing unit (GP, SHU/ADSEG, RC, etc.) and be relieved of their postings as Search and Escort staff. We are aware that the GRSC has prepared recommendations on just this matter, and want you to have our request on your desk without delay. We include below a list of initial signatories to the letter, and want you to have our request on the outside.

Male officers posted in housing areas and assigned as S & E staff create officially sanctioned sexual abuse of women prisoners. The overwhelming majority of women prisoners in California have been the victim of sexual and/or physical abuse from men. To be observed by male officers while at toilet, while dressing or at shower or birdbath is invasive and ignites the pains of prior traumas. The presence of male staff is particularly offensive in the SHU and Ad-Seg where women are observed at toilet and in-cell bath and while in various states of undress, and are not allowed to cover their windows for security reasons. Women under such assault experience the prison as a hostile environment with prior trauma rekindled and are distracted from their efforts at gaining health and rehabilitation.

Search and escort staff are by design invasive in prisoners’ lives. By rule they have unfettered access to any place in the prison at any time. S & E officers must handle the women and search them physically as part of their routine duties. Thus, S & E positions must be filled by female officers.

CPF has been visiting women at the Chowchilla facilities since 1992, drawn there by the tragic death of a mentally ill prisoner in the SHU at CCWF. When the SHU moved to VSPW women asked that CPF intervene and help stop the physical, psychological and sexual ill-treatment they were forced to endure. During these fifteen years the women have described ongoing verbal and physical abuse by staff. Verbal abuse is common including calling women bitches and whores. Taunting using derogatory language including references to their bodies is frequent including references to aspects of their naked bodies. Training for all staff is essential to eliminate the permissive atmosphere of verbal degradation. Particular attention is needed to remedy staff attitudes and actions against transgender and lesbian prisoners.

Male staff buy feel-ups and other sexual favors with candy, pens, trinkets, drugs and privileges. Women often do not report such abuse for fear of retaliation or even sometimes in solidarity with poor women who depend on this sex trade to earn goods that would otherwise not be available to them. We have met women who are selling their bodies in prison, but never engaged in sex work on the outside.

Our demand is supported by a long history of international human rights standards and an emerging body of U.S. case law. Almost three years ago an historic decision was written by the Sixth Circuit United States Court of Appeals in the case of Everson v. Michigan Department of Corrections. The issue of this trial was whether the Michigan Department of Corrections could bar male custodial staff from certain positions in prisons for women. The Circuit Court of Appeals ruled that gender is indeed a BFOQ (Bona Fide Occupational Qualification) for staff working in prisons for women and recognized that a ban on male custodial staff was necessary to ensure women prisoners privacy and safety. The U.S. Supreme Court refused to hear an appeal of Everson making it the standing legal opinion in the U.S.

Everson offers the opportunity for U.S. penal institutions to come into compliance with more than 50 years of international human rights law.

International Human Rights Standards

• Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment
  Principle 1: “All persons under any form of detention or imprisonment shall be treated in a humane manner and with respect for the inherent dignity of the human person.”

• International Covenant on Civil and Political Rights (ICCPR)
  Article 7: “No one shall be subjected to torture or to cruel, inhuman and degrading treatment or punishment.” The ICCPR references the SMRTP.

• The United Nation’s Standard Minimum Rules for the Treatment of Prisoners (SMRTP)
  Rule 53(3): “…women prisoners shall be attended and supervised only by women officers.”
  Rule 53(4): “…male staff providing professional services such as doctors and teachers should always be accompanied by female officers.”

• General Comment on Article 17 (Thirty-second session, 1988) set out by the Human Rights Committee that monitors State’s compliance with the ICCPR:
  “…so far as personal and body search is concerned, effective measures should ensure that such searches are carried out in a manner consistent with the dignity of the person who is being searched. Persons being subjected to a body search by State officials, or medical personnel acting at the
request of the state, should only be exam-
ined by persons of the same sex.”

Every person is not the same, a prisoner
is not just another prisoner, and an officer
is not just another officer. These simple les-
sions have been learned at the expense of
women prisoners for far too long. It took
the California Department of Corrections
and Rehabilitation until the fall of 2005 to
end the abusive cross gender pat searches,
and then only under pressure from the Digni-
ty Campaign. That despite the fact that
the 9th Circuit Court of Appeals ruled in
1993 in the Jordan case that male officers
doing routine pat searches of women pris-
oners violated the Eight Amendment’s pro-
hibition against cruel and unusual punish-
ment.

Women prisoners in California should
not have to suffer one day more of the of-
cially sanctioned sexual abuse attendant to
being guarded by male staff in their housing
units. Women prisoners’ privacy rights and
right to be free from humiliation and de-
basement must be respected. We strongly
urge you to acquire expert legal assistance
in carrying out this reform and recommend
that you ask Attorney Deborah Labelle to
consult. Ms. Labelle is the architect of the
Everson case and the most experienced and
successful lawyer in these matters. Califor-
ia holds the most women prisoners of any
State and has the two largest prisons for
women in the world. What happens here
will set an important precedent for all other
jurisdictions.

We thank you for your time and attention
in reading this letter and anticipate your
timely response to our concerns. We will
inform members of the Campaign of your
response and progress. Please feel free to
call either of us to respond, or write to us at
the above Campaign address. We would be
happy to meet with you or your represen-
tative at our earliest mutual convenience
to discuss this effort to bring California’s
prisons for women into compliance with U.S.
law and human rights principles and stan-
ards.

Sincerely yours,
Corey Weinstein, MD,
CPF Board Member
Pat Parker,
Campaign Manager

[Ed Note: The Dignity Campaign also
sent out a press release following the send-
ing of this letter. We will await the results
for the next issue of Prison Focus.]

LOTS OF REASONS TO SUPPORT
THREE STRIKES REFORM

Economic/Taxes
• Costs about $35,000 a year to house a general population prisoner
• Costs about $50,000 to $65,000 to house a prisoner over 55.
• Costs about an additional $15,000 a year to put a child of a prisoner in foster care.
• Costs about $113,000 to build a new prison bed for each prisoner

Better Alternatives
• Rand Corporation estimates crime would decrease 15 times as much if additional
monies were spent on drug rehab programs rather than prisons
• Rand Corporation estimates crime would decrease 3 to 4 times as much if additional
monies were spent on a voucher program to entice targeted youth into college pro-
grams.

Targets the poor, while white-collar criminals basically get off free
• Savings and Loan crisis was caused by many bankers who intentionally defrauded
the public and drove their banks into bankruptcy while they became multi-millionaires. Estimated cost to taxpayers is $200 billion to $1.4 trillion by the year 2021. Very few bankers were prosecuted.
• Medicare and Medicaid by caregivers fraud costs the taxpayers millions of dollars a
year with relatively minor sentences given to those who are convicted for it.

Racial disparities indicate racial injustice of who is targeted
• African-Americans and Latinos make up over 70 percent of the third strike popula-
ton.
• African Americans make up about 7 percent of the California population, 31 percent of
the prison population, and 44 percent of the Third Strike population.

Lower crime rates without Three Strikes
• Crime started decreasing in 1991, 3 years before the Three Strikes law was enacted
• According to a recent report published by the Justice Policy Institute, New York, a
non-Three Strikes state, had much larger drops in total crime and violent crime than
California. At the same time, between 1994 and 2002, New York’s incarceration rate
dropped 5.7 %, while California’s grew 17.7 percent. New York’s prison population
grew by 315, while California’s grew by 34,724.
• Crime has been decreasing at a greater rate in San Francisco and Alameda counties
where the prosecutors refuse to use Three Strikes for nonviolent and non-serious felo-
nies.

Families to Amend California’s Three Strikes ~ FACTS
3982 S. Figueroa St #209 Los Angeles, CA 90037
213/746-4844 - http://www.facts1.com

Control Unit Information Wanted
Investigative journalist (senior editor for In These Times magazine, author of the forthcoming Women Behind Bars, and PLN board member) seeks interviews for feature story on the trend toward 23-hour lockdown in prisons across the U.S., whether in “supermaxes” or min/med/max prisons. Have you been placed in a control unit (IMU, SHU, Ad Seg, SLU, etc.) for an extensive period of time, and suffered serious psychological duress, hallucinations or other psy-
viatric symptoms or conditions as a result? Were you placed in a control unit for a non-violent or minor offense, or because of retaliation for speaking out about abuses? Have you seen a prison get more lockdown-oriented over the years? Male or female, I want to hear your story. Send letters to: Silja J.A. Talvi, 2424 E. Madison St. #203, Seattle, WA 98112.
[Ed. Note: We recommend prisoners with administrative or indeterminate SHU sentences to write in too.]
FACTS SHOW DISPARATE TREATMENT OF WOMEN AMONG STATES

A new Fact Sheet from the National Council on Crime and Delinquency shows enormous disparity in the way states treat women in trouble with the law. Using the latest available data from prisons, jails, probation, and parole for adult and juvenile women, this concise report shows how differently women are treated depending on the policies and practices of their state of residence.

The disparate incarceration, probation, and parole rates do not correspond to differences in state arrest rates. The most punitive states do not enjoy less crime. In addition the U.S. imprisons more women and girls than any other nation. And within the U.S., women of color are disproportionately incarcerated compared to whites. Plus the proportion of incarcerated women to men is rising.

Some of the report’s main findings are as follows:

- Based on 2005 rates of incarceration in state prison or jail, the most punitive U.S. states for women were Oklahoma, Louisiana, Texas, Idaho, Georgia, and Wyoming. The states with the lowest rates of incarceration were Rhode Island, Maine, Vermont, Massachusetts, Minnesota, and New Hampshire.

- In a ranking of states by incarceration rates for women, the highest is Oklahoma at 1st; Texas is 3rd, Florida is 15th, California is 27th, Illinois is 43rd, and New York is 45th.

- Almost one-third of all female prisoners in the U.S. were held in three states—California, Texas, and Florida. The states with the next largest female incarcerated population were Georgia, Ohio, Pennsylvania, and New York. The states with the smallest female incarcerated population were Vermont, Rhode Island, North Dakota, and Maine.

- Based on 2003 rates of custody (detained or committed) per 100,000 females under 18 years of age in the general population, the most punitive U.S. states for girls were Wyoming, South Dakota, Nebraska, Indiana, North Dakota, and Florida. The least punitive states were Vermont, Maryland, New Jersey, Maine, Illinois, and Rhode Island.

The imprisonment of women across the United States has repercussions in every aspect of society, including the huge costs of incarceration at the local and state levels, the splitting of communities and families, the tragic disruption at crucial developmental stages in the lives of thousands of children, and the unchecked deterioration of the physical and mental health of women in prison.

This report uses data from state and federal agencies—the Federal Bureau of Investigation, the Bureau of Justice Statistics, the National Institute of Corrections, U.S. Census Bureau, the Office of Juvenile Justice and Delinquency Prevention, among others.

The National Council on Crime and Delinquency, founded in 1907, is a nonprofit organization which promotes effective, humane, fair, and economically sound solutions to family, community, and justice problems. NCCD conducts research, promotes reform initiatives, and seeks to work with individuals, public and private organizations, and the media to prevent and reduce crime and delinquency. http://www.nccd-crc.org; 1970 Broadway, Suite 500 Oakland, CA 94612; (510) 208-0500.

CLASS ACTION SUIT ON VALLEY FEVER

Carol Leonard is looking for people and families who might have sued the CDCR with regards to Valley Fever and looking for people from Avenal and Pleasant Valley to share stories on this subject.

Email contact: carolle864@yahoo.com

IN MEMORIUM

DON DYFFY

I}s Don Duffy a name you recognize? Probably not. Don was in his mid-fifties when he died in late May from a blood clot in his heart. He was an ex-con, a gay activist, and during the late 1990s a member of California Prison Focus. But he was a lot more than that too. He was one of those rare people who put his life and liberty on the line to help his imprisoned comrades.

It was the mid-1970s and the Washington State Penitentiary at Walla Walla was a wild west environment—dirty, overcrowded, and violent. I was an organizer of a prison group called Men Against Sexism (MAS), the purpose of which was to stop the rampant rape and the buying and selling of prisoners by other prisoners. Don Duffy was one of our supporters from the gay community in Seattle. We did stop the rapes and the sexual slavery, but to do so we needed tools from the streets. Don supplied us with those tools. When the leadership of MAS was ready to carry the anti-capitalist struggle to the streets Don was there with material support. He was arrested on prison grounds with a car full of weapons and ammunition, which was part of a failed escape attempt. He went to prison as a result of his support for the struggle of progressive prisoners—because of his love for justice and for those of us on the inside. As Che Guevara once said: “At the risk of seeming ridiculous, let me say that a true revolutionary is guided by great feelings of love.”

With the failure of the revolution and similar losses subsequent years would see Don turn to methamphetamine for comfort. He became part of the no-hope-without-dope crowd. The drugs may or may not have contributed to Don’s early death, but they did impact his relationships—including his relationship with me. While Don and I were estranged during the last several years of his life, it is not the demonized and addicted Don that I remember. Instead I remember the Don who repeatedly put his life on the line to give material support to his comrades on the inside. Such people have the greatest merit, for they give of themselves without thought of profit or personal gain, and when such comrades pass away the hole they leave in our lives is always hard to fill. That is the Don I will always remember.

Ed Mead
BATTERED WOMAN FREED

After serving 24 years on a 17-years-to-life 2nd degree murder conviction, Sandra Redmond was freed when a court ruled that testimony about her physical, sexual and emotional abuse by her then partner was a mitigating factor in the murder.

In 1992, the state passed a law that allowed such testimony at trial and in 2001 another law that allowed such evidence to be applied retroactively.

Andrea Bible of the Habeas Project said that if the jury had heard the new evidence, they would have understood how repeated abuse “definitely affected how [Redmond] responded on the day of the incident.”

Redmond, now 47, has been released from CIW.

Los Angeles Times, June 16, 2007

NO MONEY FOR WRONGFUL CONVICTION IN FLORIDA

Despite a federal law that encourages states to compensate wrongfully convicted persons for the time they spend in prison, the state of Florida has refused to pay Alan Crotzer for the 24 years he was locked up on a wrongful rape conviction.

The 2004 federal law suggests that former prisoners be paid $50,000 per year, but Crotzer won’t get a cent, despite the fact that Florida has a budget surplus of $2.7 billion. Mr. Crotzer has moved to Tallahassee and has a job washing dishes.

St. Petersburg Times, May 6, 2007

BLACK LEADERS CALL FOR CONDOMS IN PRISON

The National Minority AIDS Council has called for condoms to be available in all U.S. prisons and jails to slow the spread of AIDS in Black America.

“In 2006, AIDS in America is a black disease,” said Phill Wilson, executive director of the Black AIDS Institute in Los Angeles.

Over half of the new AIDS infections in the U.S. are among Black people, who also make up 40 percent of the U.S. prisoner population. The HIV rate among prisoners is three times higher than among the general population.

Condoms are available in only five percent of U.S. prisons. Mississippi and Vermont provide them, as do jails in Los Angeles, San Francisco, New York City, Philadelphia and Washington D.C.

Reuters Limited, Nov. 16, 2006

GAY & LESBIAN CONJUGAL VISITS

CDCR will now allow conjugal visits to gay and lesbian prisoners. The change in CDCR regulations came as a response to a complaint from Vernon Foeller, a prisoner in Vacaville, and pressure from the American Civil Liberties Union. “The system supposedly wants inmates to keep in contact with their families, but they weren’t allowing that for me,” said Foeller.

In 2003 California passed a law granting gay and lesbian domestic partners the same rights as married partners and CDCR says, “We intend to comply with the law.” California is one of six states that allow conjugal visits and believed to be the first to allow them for gay and lesbian domestic partners.

San Francisco Chronicle, June 1, 2007

COURT ALLOWS TRANSFERS

While the courts decide whether transferring prisoners out of state is legal, the transfers can continue per a stay in the ruling. Unions challenged the plan to move up to 5,000 prisoners to private prisons in other states and the courts ruled that the transfers violated the state constitution.

The Governor and CDCR then appealed and asked the courts to stay the ruling and allow the transfer until the appeal is heard, which could take as long as a year.

Los Angeles Times, May 22, 2007

STATE RESUMES TRANSFERS

Thirty eight more California prisoners were bussed to Florence, Arizona as the transfer of prisoners out of state resumed.

CDCR expects to transfer 400 prisoners per month until it has as many as 8,000 living in private prisons in other states. CDCR has contracts with Corrections Corporation of America to hold 4,056 prisoners; so many prisoners are expected to be shipped to their private prisons in Tallahassee, Mississippi and North Fork, Oklahoma.

CDCR Press Release, June 1, 2007

53,000 MORE CELLS

After weeks of secret negotiations, Gov. Arnold Schwarzenegger and the legislative leaders announced a plan to build 53,000 more prison and jail cells in California and changes in state law that would allow the transfer of another 8,000 prisoners out of state involuntarily.

The closed door negotiations were concluded late on Wednesday afternoon. By Thursday morning, the bill had passed both houses of the legislature without public hearings.

The state will borrow $7.4 billion and local governments another $300 million to build the facilities. The “compromise” includes $50 million for rehabilitation programs. There is no mention in the bill of parole reform or the creation of a sentencing commission.

“This would have been an easy problem to solve if we were willing to just build prison after prison like houses on a Monopoly board,” said Speaker Fabian Nunez.

“For the first time in a decade, we can add prison beds in California,” added the governor.

The plan includes: 16,000 new secure re-entry beds, 16,000 new “infill beds” built at existing prisons (which can include housing prisoners in temporary shelters on prison grounds), 8,000 medical beds, and 13,000 new jail beds.

Don Spector of the Prison Law Office commented, “The deal is mostly a prison construction program, which is going to cost billions without any significant effect on crime. It really ignores any meaningful short-term reforms and it assumes the department will provide quality rehabilitation programs, which is almost a flight of fancy.”

Christian Science Monitor, 4/30/2007

REPORT PREDICTS MORE U.S. PRISONERS

A report from the Pew Charitable Trusts predicts that the U.S. prison population will grow by 13 percent in the next five years, costing states an additional $27.5 billion.

Increased mandatory minimums and declines in numbers of prisoners granted parole will be the two major factors driving the increase, according to the report. The number of women prisoners is expected to continue growing faster than that of men prisoners—16 percent increase for women and 12 percent for men.

USA Today, Feb. 13, 2007
COURTS TO CAP PRISON POPULATION?

Attorneys for California prisoners have asked federal judges to consider “capping” the state’s prisoner population at 137,764, which if implemented would mean a reduction of 35,000 from the current population.

They took the number as the “maximum safe and reasonable capacity” of current facilities from the report written by the Independent Review Panel, created by Gov. Schwarzenegger and chaired by former Gov. George Deukmejian.

The three cases currently before federal judges, brought on behalf of prisoners diagnosed with mental illness, prisoners with disabilities and prisoner health care will be heard in early June.

Attorneys for plaintiff-prisoners argue that “Only by limiting the population can the state remedy the constitutional violations by recruiting and obtaining sufficient clinical staff...Without population limits, defendants can never catch up.”

In petitions filed with the court, they call current plans to build another 53,000 prison and jail cells, “yet another prison building boom.” Even once the cells are built, the petition argues, there is no reason to think the state will be able to fill the many staff vacancies that contribute to poor treatment.

Sacramento Bee, May 28, 2007

Baltimore Prison Fight

A yard fight in a Maryland prison forced 17 people to be hospitalized - all of them prisoners. Eight have serious injured.

webstv.com, June 1, 2007

FEDS COMMIT TO FINISH MENDOTA

The federal government has pledged $115 million to finish the Mendota Federal Correctional Institution in west Fresno County. The prison is 40 percent finished. The funds that would have completed the construction it were diverted to pay for the war in Iraq and relief of Hurricane Katrina.

Fresno Bee, May 3, 2007

FLUSH-O-METERS AT MULE CREEK

Prisoners at Mule Creek S.P. have been informed that “Flush-O-Meters” will be installed in cell toilets to limit the amount of water flushed and the amount of wastewater going through and out of the prison system.

The statement from Mule Creek prisoners says, “The ventilation system does not comply with modern CSA standards, nor do the water and sewer systems meet current codes. By limiting inmates’ ability to flush a toilet during normal use, prison officials are creating a situation that subjects both occupants of the cell to improper ventilation issues, coupled with subjection to human waste, which unnecessarily exposes inmates to various diseases, bacteria, and other health-related issues.”

Mule Creek Inmate Statement, Apr. 22, 2007

KANSAS PRISON LIMITS TOILET PAPER USE

In an effort to save money, Kansas prison officials have limited prisoners to one roll of toilet paper at a time. Prisoners complain that the planning for the alleged cost savings is short sighted.

“Some take this for granted,” prisoner Carl Kennedy wrote to The Hutchinson News. “But in here it’s part of a safeguard for widespread infections. We use it to blow our noses, clean sinks, toilets and tables.”

San Francisco Chronicle, Apr. 30, 2007

MORE ACCESS TO BOOKS

In response to a lawsuit brought by Prison Legal News, the CDCR has changed mailroom policies so that it should be easier for prisoners to receive books and periodicals.

Among the changes: prisoners will now be allowed hardcover books (from which the covers will be removed by corrections staff in front of the prisoner), publishers need not achieve “approved vendor status” at each prison, and prisoners in Ad-Seg will be allowed to receive publications.

Plaintiffs charged that the CDCR set up unnecessary regulations that violated the First Amendment rights of prisoners and publishers, creating “a variety of unconstitutional barriers” to books and magazines, according to Meghan Lang, a legal assistant who worked on the case.

Monterey Herald, Apr. 13, 2007

SYSTEM’S MEDICAL SOLUTION FURTHER AWAY?

Soon after Robert Sillen was named receiver of the CDCR’s adult health care system, he initiated a three to four month attempt to turn around health services at San Quentin. Seven months later, he is still not finished. “We are not done and won’t be done for a while,” he said. “The most instructive thing is the degree of difficulty, the complexity, the intertwined nature of every issue at San Quentin and within the entire prison system,” he said. “There are no stand-alone items.”

The medical records at San Quentin were a mess, yet hiring more records staff led to too many undertrained workers. As a result, “Request for care, procedures, prescriptions, outside consultants reports, and pertinent medical histories are not filed for days, weeks, and even months,” he wrote.

Because so many medical procedures require transportation and transportation requires COs, Sillen might add CO staff to ensure that no prisoner’s medical needs are unmet.

“We are not done and won’t be done for a while,” he said. “It takes a long, long time to get things done.”

Sacramento Bee, Mar. 25, 2007

Do you have a loved one with medical concerns? Contact Robert Sillen’s hotline at: (916) 324-1403. State the prisoner’s name, CDC number, location (including the unit and cell number), the medical concern and your name and phone number. We have been told you will receive a prompt response.

PROTESTS IN OAKLAND & LA

Southern California and Bay Area residents took to the streets to protest the passage of AB900, which will add 53,000 new prison and jail beds to the California system. Protestors targeted the offices of Assembly Speaker Fabian Nunez and Senator Don Perata, the two democratic leaders who negotiated the deal with Gov. Arnold Schwarzenegger.

“Instead of addressing overcrowding, Schwarzenegger and the democratic leadership decided to put more people into prison by adding 53,000 new prison beds. To pay for the beds, they voted to gouge the public with $7.5 billion ($15 billion with interest) of lease revenue bonds”, stated Mary Sutton of LA Prison Times Working Group.

THE PATH TO RIGHT

Everyday I walk along
The path of least resistance
And everyday I carry on
With courage and persistence

I greet each day with spirit
And bask in life’s reflections
I stay the course intended
And drift in hope’s direction

The goals I seek are simple
To live life less erratic
Avoid the weight of ignorance
And speak tones less dramatic

Make the best of everything
And strive for things essential
Work to be a better man
And reach for my potential

Keep the faith inside my soul
Dismiss all things destructive
Walk the path and learn the way
To a life that’s more productive

Sean Bromley

ARCHITECT OF TOMORROW

No surrender for me I got things on my mind
constructing a destiny that’s always been mine.
Inclined to find growth where the sun never smiles,
embarked on a journey that goes beyond miles.
I got goals to pursue – I got knowledge to share,
in a Thugocratic jungle of hate and despair.
Through the air pervades tension,
so thick you could choke
and I have to admit, you can sometimes lose hope.
Take a day at a time – step up to the challenge
where many men resign,
it’s my quest to find balance.
Leave a trail of my own – set a new paradigm
because yesterday’s path almost ate me alive.
Through my bars I see stars, that remind me of friends
who can’t seem to move out of the places they’re in.
From the streets to a cell block where “Thug Life” is renowned,
many won’t venture out to construct on new ground.
Unbowed, I push forward as a soldier of truth
on a necessary mission … to inculcate youth.

David “Sharky” Keeton

A STORY IN CELEBRATION OF THE INTIFADA

David, son of Israel slew Goliath
he smiled that one so small
could defeat one so large
he took Goliath’s house
walked in his shoes
and ate at his table
David, son of Israel became Goliath
greedy, grasping, merciless
he thumbed his nose at
the ageless people
of the olive groves and desert
remembering only that he had been small
he forgot
the daughters and sons of Palestine
do not forget
that a stone is not just a stone
lying in the rubble of their homes
it becomes a missile
ululating resistance
raising a storm of liberation.

Marilyn Buck

My kid was Prisoner of the Month at Orange County Jail!
ED’S COMMENTS

by Ed Mead

The United States spends $60 billion a year on corrections without correcting anything. Indeed, what they do in “corrections” today makes the problem worse, it increases recidivism. Washington state is taking a small step toward closing the revolving prison door by creating a task force to review its community-corrections program. The governor of that state, Christine Gregoire, was quoted in the May 16th Seattle Times as saying, “We cannot continue to build more prisons. We must address the causes of crime and give former offenders the skills and treatment they need to stay out of prison.” Those are not words we will be hearing out of the mouth of California’s governor. After a massive prison building binge in California resulted in a prison population of 173,000 prisoners, about twice the design capacity, and they still failed to reduce crime. The state’s response is to build 53,000 more prison beds. As usual, they will do more of what has clearly not worked in the past. One of the greatest problems in California is not just that it spends so much on prisons but that it gets such poor results—a recidivism rate of between 67 and 82 percent, depending upon whose figures you believe. New York state, on the other hand, is currently enjoying both a declining inmate population and declining crime rates.

In May the California state legislature passed AB 900 to build those 53,000 new prison and jail beds at a cost of $15 billion solely for construction. According to Critical Resistance, “This will be the largest single prison building project in the history of the world!” This $15 billion to build these new prison beds is over and above the current corrections department’s annual operating budget of more than $10 billion. Interest payments alone on the billions of dollars of bonds that will be sold to finance the new construction will amount to $330 million a year by 2011—all money that will not be available for higher education or other state priorities. No other big state spends as much to incarcerate compared with higher education funding. According to the May 21st San Francisco Chronicle article, “Based on current spending trends, California’s prison budget will overtake the state’s universities in five years.”

As a former Washington prisoner myself, I get regular phone calls from prisoners there. Last night I received one from a guy in Clallam Bay (Washington’s Pelican Bay), and was told they are amending the state’s constitution to allow prisoners to receive minimum wage. These are not answers of course, as the problem of crime has social and economic roots that stem from the nature of capitalism. But, unlike what is happening in California, Washington state is taking some small steps in the right direction.

This brings us to the question of how things can ever change here in California. Well, it looks as if the prisoners of this state will be passive spectators as this massive building crime unfolds. Here you are, slaves of the state, disenfranchised, held in a state of dependency and irresponsibility, and yet you remain silent. The struggle against the Thirteenth Amendment, which abolished slavery for all except for those convicted of a crime, and your right to vote, are issues that can be fought for with little resistance. How many are going to jump up and stand on the side of slavery for any U.S. citizen? How many are going to oppose the right to vote by all Americans? The course of history and the cause of justice are on your side!

But there will be no struggle in California. Why? Because your gang leaders, your shot callers, have a vested interest in maintaining this wretched status quo. Their power will be lost should the races come together for the common good of all prisoners. For them it is better that future generations of prisoners suffer the evils of a murderous imprisonment rather than they lose their drug business and personal power. They have more in common with their captors, whose interests they serve, than they do with the plight of prisoners. They love themselves more than they love justice. Those of you who follow these collaborators are even bigger fools. To those of you who know better I offer an old Arabic Proverb: “Fear not the path of truth for the lack of people walking on it.”

But don’t feel too bad. The citizens out here are nearly as duped as you. All over the world people are asking “why the U.S. public tolerates the killing of over a million Iraqis over the last two decades, and thousands of Afghans since 2001?” Good question.

If Saddam did have weapons of mass destruction, so what? So did North Korea (who didn’t have oil). You don’t invade a sovereign nation because you don’t like their leader. To do so is to tell the world that they can freely use military force to overthrow our leader because they don’t like him. What goes around comes around. The American people continue to tolerate a war that has killed and maimed thousands of their soldiers, destroyed the infrastructure of a country, killed hundreds of thousands of Iraqi civilians, and created 4 million refugees for no reason other than greed.

War without cause is nothing but murder. How many of you are serving time for killing just one or two people? The real criminals run the government—the yahoos who gutted habeas corpus, who run secret prisons, kidnap and detain people indefinitely without due process, access to a lawyer, or trial; the ones who read our e-mail and tap our phones without warrants, and who use no-knock searches, etc. This is a government that spies upon its citizens, evades the courts and feels no compulsion to explain itself beyond vague warnings of security threats. The damage caused by the 9/11 terrorists pale against the havoc wreaked...
I’ve always known that the veil of democracy in America was thin, but I figured it would take some gigantic event like a failed revolution by the working class to cause the bourgeoisie that veil aside—to expose the naked reality of their fascist rule. But here it is, rule by fear and terror.

Soon we Americans will be so hated by the rest of the planet that life for us will be like that of the citizens of Israel—a full security state in which its citizens are in constant fear of attack. And the solution is so easy. Osama bin Laden himself told us how to end the conflict. He said if you want peace, remove your troops from our lands and stop killing us. Our response of course was just the opposite—more troops and more killing.

Our criminal justice system consistently imposes harsher punishments and fewer releases, and when that fails to reduce crime and recidivism, they build more prisons and impose harsher terms—more and more of what clearly does not work. Do you see the connection here?

I’m looking for documents produced by progressive prisoners to be made into pamphlets (no books, poetry, etc.) for distribution to prisoners and their loved ones. This would be political consciousness raising material that would work to move the struggle of prisoners forward. Send only a brief outline and if I like it I’ll get back to you. Mail outlines to Ed Mead, P.O. Box 31574, San Francisco, CA 94131.

And that’s my rant for this issue. I leave you with this final thought: Agitate, educate, organize.

NOTES ON A WRECK

By W.T. Harris

Several decades ago, 1976 to be precise, I began an ISL life term, for extraordinary, political rambunctiousness, in a California state prison. My first stop was the SHU (Palm Hall) at Chino, and was soon shipped to the SHU (Adjustment Center) at San Quentin. Within a year that indeterminate life sentence was converted to slightly less than eleven years when California converted most [but not all] life sentences to fixed terms. I was fortunate to parole in 1983, due to a mess of ‘clean time’ credits, from a fire camp.

Over nearly eight years, I got a fair taste of the worst and best CDC offered. I met hundreds of prisoners, during that time, whose political consciousness was elevated by voracious reading habits and the guidance of other prisoners who practiced “Each one teach one.” It was not uncommon to see small study groups in the blocks and on the yard.

During the three years I spent in the SHU, I recall seeing a statistic that revealed the overall population of state prisoners was less than 20,000.

In 2002, I was charged with a 28-year-old homicide and ultimately served another substantial term (after doing twenty clean years as a criminal defense investigator). Luckily, the length of this subsequent prison term was controlled by the sentencing laws that existed in 1975, so I was able to parole late last year.

During the two decades sandwiched around my two prison terms the population of California state prisoners had grown to nearly 170,000 men and women crammed into facilities built to house half that number. As I arrived at the reception center at DVI-Tracy, I was already aware that doing state time would be substantially worse than what I had experienced before. Still, it was shocking to see up close how remarkably the positive aspects of the convict culture, I recalled from the past, had deteriorated.

There has been protracted “race drama” in California prisons seemingly forever, certainly since the mid-1960’s. In spite of a contrary ruling by the U.S. Supreme Court (Johnson v. California), cell assignments, cell block and prison yard common areas remain segregated per CDC(r) policy and de-facto agreement by prison “shot callers” from each race.

The reactionary gangster “ethic” coupled with the machinations of prison guards, insures prisoners remain divided by race and, therefore, ineffectual in dealing with issues that demand unity. Anyone who has been in a California prison knows this is nothing new, but it’s clearly much worse now than it was when I was in the system thirty years ago.

Minor altercations cause general lockdowns. “Riot” has become a term of art applied to a fight involving three or more prisoners and can result in one or more entire race categories being locked down, sometimes for years on end. Level IV joints stay locked down. The Level II half of CSP-Solano, known as a place to do “easier” time, has degenerated into a prison with no program due to interminable lockdowns because of endless racial conflict. Some prisoners come in with mainline status and spend their entire term slammed because of race-based lockdowns that preceded their arrival. Anyone who speaks out to encourage prisoner unity not only incurs reaction from the guards, but also from the handful of organized racists among the prisoners, who essentially work in league with the guards’ divide and conquer agenda.

Interestingly, an event occurred at Solano near the end of my term that should have had an impact on changing this sorry status quo. The 400 or so prison industries convict workers, who have the highest paying jobs, walked off the job en masse when they were unable to get showers at the end of their shifts.

Many of these prisoner workers deal with hazardous chemicals and are designated Hazmat workers and were previously guaranteed opportunities to shower prior to locking up for count at the end of their shifts. An idiotic water conservation plan, written by some bean counter in Sacramento, eliminated these mandatory showers, forcing Hazmat workers to sit in their tiny two man cells for at least a couple hours before showering.

This ill conceived water conservation plan was also causing anger throughout the entire prison and efforts to negotiate logical and equitable changes to the policy were getting nowhere. There was talk on the yard about a work stoppage. The guards were threatening write-ups, lockdowns and cancellation of visitation and it appeared prisoners who felt they had much too much to lose would break ranks. It was determined that on a particular day, no prisoner would report to their job assignment. Many suspected; however, that the higher paid industries workers wouldn’t risk losing their jobs by refusing to report to work.

As it turned out, the industries workers reported to work but soon walked off the job in total unity….all races, no scabs. It was very unusual but incredibly effective. The Water Conservation Policy was canned….for the time being. It is unclear what was really learned from that display of spontaneous unity, because it didn’t last very long.

Soon we experienced more race drama, more lockdowns, perpetual mindless hating on each other, encouraged and applauded by the guards. Think about it. Sixty-two hundred men guarded by 300 klowns…effectively. Moron guards playing cons off on each other as if that few days of fragile unity never existed. Go figure.

♦
CPF’S UPDATED 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.

SOME GUIDELINES FOR CONTRIBUTIONS TO PRISON FOCUS
SOME SUGGESTIONS FOR SUBMISSIONS:
• Artwork or graphics
• Letters (250 words) Let us know if you want us to use your name or we will only publish your initials and city and state of residence. You can also specify “anonymous.”
• Short Articles (250-500 words) The same identification guidelines apply. Topics can be issue specific, or current news or information.
• Helpful resources with address and pertinent information.
• Larger articles are accepted but be aware—our space is limited.

Topics: PF topic of issue; current news; recent or pending legislation or policy; news from your institution; organizing efforts; books—basically anything related to the prison industrial complex as you see it. Individual legal cases are not usually printed.

Sorry, we cannot return your submissions unless a prior arrangement is made. Submissions are not guaranteed to be published and we generally cannot respond to your submissions because of the volume. Please consider them a contribution to the work. PF welcomes all submissions!

PRISON FOCUS 2007
Prison Focus #29 will anniversary issue. Send your articles and artwork please. Due date for submissions for the next issue is September 30th. If you have ideas for issue #30 send them in to us as well.

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