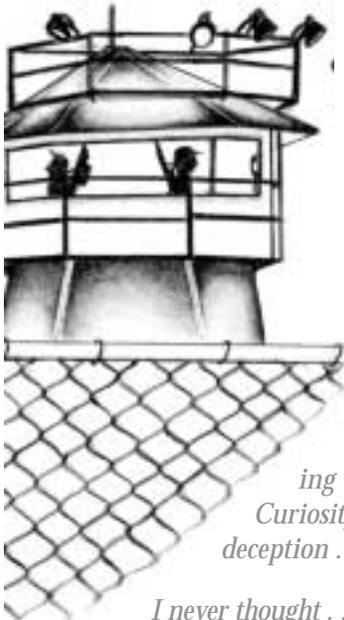




# PRISON FOCUS

Number 16 • SUMMER 2002



## LOCKED OUT: Challenging Access to Prisoners

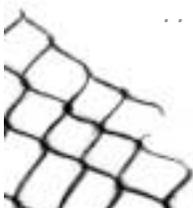
*. . . When I was a young  
boy of Innocence,  
Emptiness and a yearning  
to be filled with the  
Curiosity of Life's Wonders and  
deception . . . .*

*I never thought . . . this boy, this "oh" so gentle  
Innocent boy. Would come to have a past,  
that has yet to recognize its future . . . .*

*I never thought . . . Life's Many Detours and  
Obstacles that have seem to always be in the  
mist of our path. Would only provide the  
Essential needed Strength to Carry a greater  
Load . . . .*

*I never thought . . . the . . . Trials and  
Tribulations of Suffering that accompany  
ones Life Would ignite a Progression of . .  
Maturity, Knowledge and Wisdom . .*

*I never thought . . being able to have  
patience, an open mind, and a Long per-  
spective view of thought would I find  
peace, understanding and all of  
Life's Answers within the mind*



poet/artist: Terry K. Pleasant

**Inside: The Illogic of Visit Restrictions**

# LETTERS

## FRIENDS CAN'T VISIT

Dear CPF:

I don't know if you are aware or not but I felt it necessary to bring to your attention the proposed visiting rule changes (Notice of Change to Directors Rule Sections 3170-3179, Number 02/03). Specifically of concern is subsection 3170.1 which "is adopted to ensure inmates who are assigned to the administrative segregation units and security housing units (SHU) receive only non-contact visits . . . [by] immediate family members [which] only likewise reflects the concern that these inmates have demonstrated that they pose a serious safety and security threat to the institution due to involvement in acts of violence or possession of weapons".

This particular subsection is designed to further limit prisoners' access to friends and community - many of us do not have family and are heavily dependent on friends and spiritual advisors. Additionally, some family members are unable to make it up this far due to economic reasons or work-related problems.

This seems to have constitutional ramifications as it relates to freedom of association. Please keep us informed on the visiting issue.

- Clyde Jackson, Pelican Bay

## 3-STRIKES

Dear CPF:

This letter is in response to "Ruling: Case May Effect Hundreds," which appeared in Orange County Register recently. Here we go again - another highly regarded politician who made a very derogatory statement concerning Three Strikers. His name is Bill Jones, California Gubernatorial Candidate. His statement was "The get-out-of-jail-free card offered by the Ninth Circuit threatens to return the most serious and violent repeat felons back on our streets." First and foremost Mr. Jones did not do his research very well if he is able to make a statement which is so totally wrong and misleading.

The Ninth Circuit ruling was about non-violent cases. Let's make this clear to the public so that there will be no misun-

derstanding about something which is grossly mis-interpreted by Mr. Jones. I am very saddened to hear such a remark from a very high elected official.

Mr. Jones is dangerously advancing toward obliterating rehabilitation. The growing attitude, shown by Mr. Jones, is to punish. All prisoners reading this know exactly what I mean. Most prisoners who spend years for a petty crime never hearing a kind inspiring word of hope are becoming staggeringly alienated behind these walls and, obviously, within the hearts and minds of our "legislators". We really do need something to embrace, something which is completely contrary to the attitude Mr. Jones conveyed.

We need to let society see our positive contribution. In prison the lesson is even more poignant. The prisons do not reform individuals: people rot and decay inside. The human psyche is naturally broken down within the repressive environment of prison walls. Low self-esteem, negative peer pressure, and demoralized environment result. So Mr. Jones, don't point your finger at prisoner and make statements which are not true. Mr. Jones, do you know what it means to rehabilitate a prisoner? Well, if you don't know what it means then I can tell you that in the prison system rehabilitation does not exist at any time. So Mr. Jones first and foremost, before making such a statement think of how to help these prisoners to be rehabilitated. Now that's the key to our solution and I believe you as a politician and many other like you did not do your homework as you should have, so you are as guilty.

- Hrach Baliozian, Lancaster

## TEHACHAPI SHU

Dear CPF:

First and foremost, let me extend the utmost respects to one and all. Myself, along with a number of other indeterminate SHU inmates currently reside here in Tehachapi State Prison. Supposedly, we're just here on "lay-over" awaiting transfer to either Pelican Bay or Corcoran SHU. Most of us have been here for more than a year, and from what we've been told, it appears as if we'll be here for many years to come.

From my understanding, both 4A and 4B Facilities house validated indeterminate SHU inmates. We are kept segregated from

regular SHU inmates (e.g. all indeterminate SHU inmates attend their respective yards and are only celled up with other indeterminate SHU inmates), but both indeterminate and regular SHU inmates are housed in the same blocks, depending on their validation.

The purpose of this letter is to make the California Prison Focus aware of the SHU program here in Tehachapi State Prison and to let you know the struggle continues!

- Antonio Guillen, 4B Facility 6 Block, Tehachapi

## MEDICAL ABUSE AT CCWF

Dear CPF:

There is a building here at CCWF numbered 805. When you enter it is a normal prison clinic. But there is a set of double doors marked "out of bounds." Behind these doors exists the "out of sight - out of mind "SNF" (Skilled Nursing Facility). We are patient-inmates housed back behind those doors - unknown by most - forgotten by many.

This is where I live. My judge sent me to prison because the CDC reassured him they could "take care of me." I arrived here in an ambulance from the county jail to my bed in SNF. I don't have a yard to go outside to - only a patio where the others smoke and I can't go. I'm on oxygen 24/7. My existence outside my room is a 100 foot hallway I can't stop in and a dayroom.

Chronically terminally ill - fighting to breathe - three months later, they get a machine to keep me breathing at night. Seven months later: no knee brace, no therapy to help me walk, constant pain but they can "take care of me." Getting the wrong medication is excused because the

continued on page 44

### WRITE TO PRISON FOCUS

SEND LETTER OF UP TO 250 WORDS TO PRISON FOCUS, ATTN.: EDITORS, 2940 16TH STREET, ROOM 307, SAN FRANCISCO, CA 94103.

IF YOU WOULD LIKE TO BE IDENTIFIED PLEASE NOTE ON YOUR LETTER, OTHERWISE WE WILL PRINT YOUR INITIALS AND LOCATION ONLY.

# PRISON FOCUS

Issue No. 16  
Summer 2002

*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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## DONOR THANKS

CPF IS FUNDED IN PART BY THE FUND FOR NON VIOLENCE, THE VERBENA FUND, THE COMER FOUNDATION, THE SISTERS OF PERPETUAL INDULGENCE, AND MANY DEDICATED INDIVIDUAL DONORS.

# THE ILLOGIC OF VISIT RESTRICTIONS

By Terry A. Kupers, M.D.

One of the strongest predictors of prisoners' post-release success is the quality of their ongoing contact with loved ones, yet prison policies are making it increasingly difficult for family and friends to keep in touch with prisoners. There are also a growing number of restrictions and delays of prison mail, and prisoners in ever greater numbers are being relegated to round-the-clock cell confinement in supermaximum security units situated in remote locations where

beginning and end of visits, and greatly restrict visits to prisoners in Security Housing Units.

A passionate group of 150 friends and families of prisoners and prison activists from all over the state were in Sacramento on March 8 to express their pain and outrage about the proposed (and acting via "emergency") prison visiting regulations. At a spirited 8 A.M. demonstration preceding the hearing, the wife of a prisoner complained about the unreasonably strict

went ahead with the visit restrictions they had already planned. Cassandra Shaylor, Co-Director of Justice Now, pointed out that since there are vast racial disparities in arrests, convictions and sentencing, restrictive visiting regulations disproportionately impact people of color. Neeve Reddick, a medical insurance administrator whose husband is serving seven years to life for burglary at Corcoran State Prison, told the *Sacramento Bee* "They don't get it. If you keep taking away and taking away and not giving anything back, they lose their leverage over the inmates. Sooner or later, a man will snap. But a guy who gets visits from loved ones will do anything to be able to see his wife and kids. That's the sad thing."

Heidi Jones, who has a family member in prison, urged the CDC to consider the financial hardship of low-income families being forced to obtain legal ID's for their children over 6 years of age. She said, "The one thing the CDC doesn't seem to understand is that the loyalty, devotion and love of our families lets prisoners know that they still exist during the endlessly long days when they're away from their loved ones."

There was great enthusiasm in the hearing room, as family members of prisoners and advocates for human rights cheered and witnessed each other while speaker after speaker bravely took the CDC to task for proposing such cruel and punitive visit restrictions. According to Chris Jackson, wife of a prisoner from Southern California, "The hearing was amazing! We laughed, we cried, we cheered, we spoke out; we made our feelings and opinions abundantly clear. I pray to God we made a difference." (The CDC is required to take the public's feedback into consideration before finalizing any changes in the visiting regulations.)

**"According to Chris Jackson, wife of a prisoner from Southern California, 'The hearing was amazing! We laughed, we cried, we cheered, we spoke out; we made our feelings and opinions abundantly clear. I pray to God we made a difference.'"**

relatives and friends find it extremely difficult to visit. When visitors do manage to get to the prison, they face long waits in line, and increasingly humiliating and intrusive searches. Then there are the proposed changes in the CDC's visiting regulations that were the subject of a hearing in Sacramento on March 8.

The CDC is proposing that prisoners convicted of "possession for sale and/or manufacture" of drugs be forbidden contact visits for the first year of their confinement, that all visitors including children be put through a criminal background check before they are approved for visiting, and that prisoners be forbidden from holding children over six on their laps during visits. The CDC would also like to limit embraces between prisoners and loved ones to five seconds at the

and arbitrary dress code for visitors, and about the patronizing and downright sexist and racist attitudes on the part of prison staff. Speakers at the hearing pointed out that it takes them hours to drive to the prison where their loved ones are incarcerated, there is a wait in line for a couple more hours, and then it can take an hour or two longer for the prisoner to be brought to the visiting area. By the time they get through all these obstacles, it is a very short time until the close of visiting for the day.

Judy Greenspan, Chair of the HIV/Hepatitis C Committee of California Prison Focus, spoke of her experience at previous CDC hearings such as the one about ending family visits for lifers a few years ago, recounting that in each case the CDC ignored the public's concerns and



Attending Sacramento visit hearing, 2002

Often, the rationale for restrictions of visits with prisoners has a surface appeal, even an apparent logic. For example, "zero tolerance" is usually held up by corrections administrators as a rationale for restricting visits for prisoners who have a history of substance abuse, as if visitors bring the drugs into the prisons. The CDC claims that 52 percent of illegal drugs found in prison come from visitors. They are being entirely disingenuous. Of course, if the only people they search are visitors, most of the contraband they find will "come from visitors." But everyone knows that most drugs are brought into prison by staff, and anyone who has visited a prison can readily see that staff are not searched as they enter.

California's is not the only Department of Corrections that is intent on restricting visits. The same kind of "zero tolerance for drugs" rationale was given for a policy of punitive visit restrictions that held sway in the Michigan Department of Corrections (MDOC) from 1995 until it was ruled unconstitutional in federal court last year. (*Bazetta v. McGinnis* No. 95-CV-73540-DT. U.S. Dist Ct, E. Dist. of Michigan, So. Div., April 19, 2001.) The Michigan policy stipulated that any prisoner with two substance-related infractions during a prison term lost the right to have visitors (the prisoner could apply for reinstatement after two years). The infractions that triggered restrictions on visits in

Michigan usually involved a "dirty" urine test. But in the several cases I reviewed in preparation for my expert testimony in *Bazetta v. McGinnis*, an infraction resulted from a prisoner possessing Motrin tablets beyond the prescription's expiration date. A male prisoner was even given a disciplinary write-up for "refusing" to produce a urine specimen when, because of prostatic hypertrophy, he was unable to urinate on command.

There are even more serious flaws in the logic of zero tolerance. It is known that sixty to eighty percent of prisoners come to prison with a substance abuse problem, while only six to eight percent turn in a dirty urine sample so the large majority of prisoners do not actually use drugs or alcohol while they are incarcerated. We know that a prisoner with a substance abuse history who does not undergo any serious treatment for the problem in prison is likely to relapse into substance abuse after being released. Yet, nationally, the percentage of those provided with substance abuse treatment while imprisoned dropped from seventeen to ten percent during the 1990s. Obviously, a large number of prisoners who would benefit from drug and alcohol treatment do not receive it. Instead of restricting visits as punishment – something that is prohibited by the U.N. and other international human rights organizations – the corrections departments could make an attempt

## VISITATION REDUCES CRIME

There is little, if any, contrary argument or conflicting data with this general principle: the better the quality of visitation throughout a prisoner's incarceration, the better the effects on the prisoner, his or her post-release adjustment, the family of the prisoner, and the community.

There is such strong and universal consensus on this point that many states assume the positive correlation in their official policies. For example, Florida's 1999 statute (944.8031) begins: "The Legislature finds that maintaining an inmate's family and community relationships through enhancing visitor services and programs and increasing the frequency and quality of the visits is an underutilized correctional resource that can improve the inmate's behavior in the correctional facility and, upon an inmate's release from a correctional facility, will help to reduce recidivism." Oklahoma's 1999 statute (OP-030118) : "Visitation" begins: "Because strong family and community ties increase the likelihood the inmate will succeed after release, visits are encouraged."

Research on the relationship between visitation and recidivism strongly supports such policy statements. The classic study (Norman Holt and Donald Miller, 1972) showed that California prisoners with no family visits were six times as likely to re-enter prison during the first year of parole as prisoners who had regularly, continuing visits with (at least three) family members.

A 1998 law review article (William Wesley Patton) summarizing research found that "Female prisoners who have contact with their children and who complete family reintroduction programs which reintroduce them in a community-based setting have lower recidivism rates than female prisoners without access to their children or such programs."

*In Prison Madness: The Mental Health Crisis Behind Bars and What We Must Do About It* (1999), Psychiatrist Terry Kupers reports, from a clinical perspective, how case studies demonstrate "the importance of quality family visitation in terms of the prisoner's mental health, his or her ability to participate in prison programs and stay out of disciplinary trouble while incarcerated, and his or her potential for success at becoming a productive citizen after being released; and the negative consequences of impaired or less-than-quality visitation during incarceration."

A review article on inmate-family ties (Eva Lee Homer, 1979) summarized the extant research literature: "The convergence of these studies, the consensus of finding, should be emphasized. The strong positive relationship between strength of family-social bonds and parole success has held up for more than 50 years, across very diverse offender populations and in different locales. It is doubtful if there is any other research finding in the field of corrections which can come close to this record.

to "correct" by providing adequate substance abuse treatment.

The same illogic is involved in the CDC's plan to further restrict visits for prisoners in Security Housing Units. Restricting their visits is the best way to cause prisoners to despair and resort to acting out all the more. In other words, the prisoners the CDC is singling out for visit restrictions are precisely the prisoners who should never have their visits restricted.

The contradiction between what we know to be the benefits of quality visitation and the authorities' inexplicable campaign to obstruct visiting belies any aura of logic that may surround contemporary prison policies. The same illogic is involved in the dismantling of education and rehabilitation programs, which are known to be effective in reducing recidivism. And the CDC is confining a growing proportion of prisoners to Security Housing Units, and releasing many straight out of isolated confinement back to the streets, essentially setting them up to fail.

The cruelty that emerges when one group of people wields total control over another requires a great degree of secrecy. Correctional staff cannot feel anywhere near as free to brutalize prisoners if their behavior receives significant public scrutiny. But most of the public does not really wish to hear about the worst forms of prison brutality. The perpetrators of abuse rely on that detachment. Family members and friends are the most likely to go public with complaints of inhumane conditions and abuse of prisoners. Meanwhile, the prisoners most likely to be brutalized are the ones who receive few if any visits. Perhaps the nationwide move to make it more difficult for families to visit and stay connected with their loved ones in prison, like the implementation of "gag rules" to restrict press access to prisoners, is simply motivated by a wish to avoid public scrutiny. As a general rule, when the public permits itself to be seduced into silence by slogans like "zero tolerance" and "no coddling," prisoners lose all hope of protection from cruel and unusual punishment.

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**Shirts and Posters have original prisoner artwork  
showing the inside of the Pelican Bay SHU**

**Help support CPF and grace your body  
and wall with great art!**

### US JUSTICE STATISTICS 2001

- 33 California Prisons
- 266,508 Locked-Up in California (includes people held in state and federal prisons and jails, juvenile prisons, county & local jails, and juvenile halls/ranches)

#### **State Prisoners: CA**

#### **Percent increase between 1990 & 2000 . . . .Total (women & men)**

African American prisoners . . . . .	.46%
Hispanic (Mexican) prisoners . . . . .	.90%
White prisoners . . . . .	.65%
Other (Native American, Asian, non-Mexican, etc.) . . . . .	.84%

(source: *Characteristics of Population in California State Prisons by Institution*, June 2000, Dept. of Corrections, Offender Information Services Branch, and Historical Trends 1979-1999)

#### **Change in the Portion of the State Budget for Prisons: U.S.**

1981-82 . . . . .	2000-01
2.0% . . . . .	7.2%

- 200 (avg.) federal prisoners added to the system per week
- 1 of every 145 person in the U.S. is locked up in local, state or federal prisons
- 1,318 male prisoners / 100,000 U.S. men
- 113 female prisoners / 100,000 U.S. women
- Men age 20-35 who are incarcerated (female rates are similar):
  - 12% . . . . .Blacks
  - 4% . . . . .Latinos
  - 1.8% . . . . .whites
- Biggest Local Jail System in Country - Los Angeles County (daily avg. 19,300 persons)
- Second largest - New York City (daily avg. 14,490 persons)

[Statistics are for first half of 2001, SF Chronicle, 2002]



## ACCESS AT PELICAN BAY

strikers and helped to broadcast the demands of the hunger strike to the wider audience outside. Since Senator Polanco interceded on behalf of the strikers to

wrinkle in their implementation plans, garnering much publicity along the way. In the meantime, we will have to rely more heavily on correspondence than ever.

**“CPF has worked with a coalition of family, friends and prison activists to oppose the proposed new visiting regulations. We managed to put a little wrinkle in their implementation plans, garnering much publicity along the way. In the meantime, we will have to rely more heavily on correspondence than ever. ”**

**T**hough it might appear as though CPF has lost interest, we assure you nothing could be farther from the truth. CPF has a long and unique relationship to PBSP, and the fight against the SHU remains an important priority for our organization.

Unfortunately, it's been a long time since we've been able to visit with most of you. Moreover, our *Prison Focus* magazine has been beset by production problems. (After not having any issue for more than a year, we suddenly have two issues ready for publication.) We apologize for the long delay – and we want to reassure you that you're still on our mailing list – and we will of course honor your subscriptions.

At this point, CDC has denied access to CPF's non-attorney interviewers since last summer under a strict interpretation of Title 15. Consequently, we've been limited to the few visits our lawyers can undertake themselves (rather than the multitude of visits we previously accomplished with the aide of volunteer investigators under the supervision of our lawyers). CPF absolutely will not accept the CDC's new, restrictive visiting policy at Pelican Bay, or anywhere else for that matter. We are strategizing with other organizations and lawyers about the best way to fight it.

We believe the CDC has made a political decision to deny CPF access in the wake of the last summer's hunger strike (July 2001) because CPF supported the

investigate how best to meet their demands, meetings have been held in Sacramento between CDC officials, representatives of Prison Law Office, the Archdiocese of Los Angeles, and the Mexican Consulate. CPF was not included in these meetings, making it difficult for us to report on the substance of the meetings. However, CDC has yet to issue a report, and forgive us if we're mistaken, but we haven't witnessed much movement on the part of CDC.

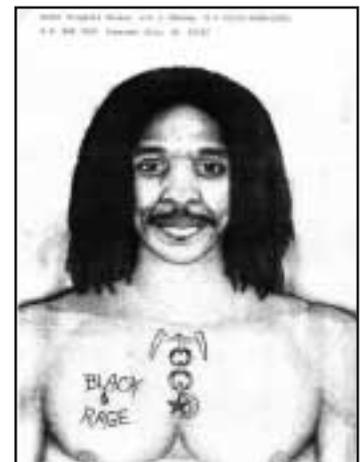
In order to hold their feet to the fire, CPF has joined forces with the Criminal Justice Consortium to kick-off an emergency petition drive to support the demands of the Hunger Strike. [See enclosed petition, p.31] We will call a joint press conference in Sacramento on the day the petitions are delivered to CDC. We hope these efforts will help to popularize the demands of the hunger strike.

On another front, CPF has worked with a coalition of family, friends and prison activists to oppose the proposed new visiting regulations. We managed to put a little

We hope to hear from you:

- 1) Let us know of any changes in your situation and/or in your living conditions;
- 2) Let us know what you think about the CDC's new visiting regulations.

Be assured the information you provide us is invaluable. We can't guarantee a response in every case. Please be patient with us!



# A LETTER ON PROPOSED VISITING REGULATIONS

*[Following is an original letter from Steve M. Castillo, PBSP, to Edward Alameida, Director of the Regulation and Policy Management Branch of California Department of Corrections]*

**March 1, 2002**

## **Re. CDC Notice of Changes to Director's Rules, No. 02/03 Issued January 4, 2002**

Dear Mr. Alameida:

I hereby submit these comments regarding the above mentioned rule changes to the Title 15, California Code of Regulations (CCR) sections 3170 through 3179.

1. A review of the history of CDC visiting regulations reveals that CDC – for over 25 years – has provided prisoners with the "right" to have personal visits. (See Existing Section 3170(b)). Now, without so much as a reason, CDC wishes to have that "right" taken away. The new regulation section 3170 begins with the statement that visiting is now a "privilege." I believe prisoners, and the public, are entitled to a reason for this drastic change being proposed because the implementation of this "right" in the first place was preceded by public hearing, comments and debate. Further, any reason by CDC for this drastic change should be supported by some real and exigent need to maintain institutional safety and security, and not because of anyone's political agenda. I request review and consideration of the original record implementing this "right" in the first place, and for those same reasons given, that the "right" to have personal visits not be extinguished.
2. Proposed section 3170(c) seeks to reduce visiting from 3 hours to 1 hour and with "immediate family" only for those prisoners housed in administrative segregation or security housing units. One reason was "the lack availability of non-contact booths." However, CDC is not letting the public know about the distinct realities and differences in design, layout and plans from one prison institution to another.

For example, security housing units at prisons like Pelican Bay and Corcoran have dozens of non-contact visiting booths. And that is because the security housing units are there for disciplinary reasons. Many prisoners are housed in the security housing units for administrative reasons and have been disciplinary free for years.

On the other hand, prisoners housed in administrative segregation units usually have 5 or 6 non-contact visiting booths. And that is because prisoners are generally housed in administrative segregation units for a temporary period of time, e.g., pending the outcome of disciplinary proceedings. If anything, allocation of visiting resources or budgetary proposals should be used to expand non-contact visiting booths where they are short and maintain visiting for periods of at least 3 hours. Furthermore, visitors often times have to travel from one end of the state to the other. To limit visiting to just one hour seems to be out-right cruel and an unnecessary burden and hardship on those visitors. (Visitors who are taxpayers and who pay the wages of CDC employees and the visiting resources).

Also, limiting visits with "immediate family" only poses an unnecessary hardship on prisoners and their non-immediate family and friends. Many prisoners may not have any surviving "immediate family" and their only other support comes from friends and non-immediate family. And many volunteers visit prisoners because they provide support to the prisoner when families cannot make the costly and long trips to visit the prisoner. CDC is ignoring the true value of maintaining relationships between prisoners, their families, and friends. Not only do the visits assist in a prisoner's reintegration back into society, but for those prisoners housed in isolation units at Pelican

Bay, visits can often times constitute the only human interaction they will have, and lend support to a prisoners delicate balance of his or her sanity.

3. Proposed section 3170.1(d) seeks to deny contact visits for those first 12 months of incarceration in CDC if they have been convicted of drug related offenses. CDC states this restriction will "prevent these individuals from immediately continuing their enterprise." However, prisoners with such offenses have already been on non-contact visiting status for 12 months or more while they were in the county jails before their CDC commitment. County jails rarely, if ever, allow for contact visiting. Whatmore, under Proposition 36 most prisoners with drug related offenses are committed to substance abuse rehabilitative programs. Contact visiting can only bring these prisoners closer to their families and support system during their rehabilitation. I request the new section not be implemented.
4. Proposed section 3172.1(b)(1)(2) seeks to deny ex-felons from visiting Incarcerated family members or friends if they have been convicted of felonies within specified periods of time, e.g., one felony within 3 years, two felonies within six years, and two or more felonies within 10 years. However, current CDC practice is sufficient in determining whether or not a practice is sufficient in determining whether or not a person is currently involved in criminal activities. Existing section 3177(c)(7) allows felons to visit incarcerated family members or friends if they are currently on parole or probation and have permission if the prospective visitor is not complying with parole conditions or the law. Further, section 3177(c)(6) allows prospective visitors to visit if they have discharged from parole and have permission from the warden. The warden's permission is preceded by a check to see if the prospective visitor has any outstanding warrants or criminal proceedings. These current procedures and practices are sufficient for determining whether a prospective visitor is currently involved in criminal activities. It is difficult to imagine that CDC would actually allow visits to be denied between prisoners and their families and friends because the prospective

visitor is an ex-felon and no longer involved in criminal activity. There are various scenarios to be presented, but one that comes to mind is that CDC wishes to deny visits when the prisoner or prospective visitor may be terminally ill and again, when that prospective visitor is no longer involved in criminal activity.

**“You mean to tell me that CDC is really wanting to post staff member to time an embrace between a father and child who may be meeting for the first time, or, who have not seen each other in years?”**

5. Proposed section 3175(e) restricts embrace and/or kiss between prisoners and visitors for no longer than 5 seconds at the beginning and end of the visit. You mean to tell me that CDC is really wanting to post staff member to time an embrace between a father and child who may be meeting for the first time, or, who have not seen each other in years? Many times, I have witnessed and experienced children rush to greet their incarcerated parents. They embrace, lovingly, desperately, with eyes streaming tears, and all the while bonding and thanking their God in prayer. I cannot begin to fathom a guard shouting, "Time!" and the parent having to pry their children from their arms after five seconds and trying to explain – especially to the young children – that they cannot embrace them any longer and will not be able to again until the visit is over. This is wholly unbelievable and outright sickening. But then, as the next comments will illustrate, it gets worse.
6. Proposed section 3175(f) allows children of all ages to sit on female Prisoners' laps because of "the relative desirability of mother/child bonding and a very low propensity for child molestation." However, as to male prisoners, children 7 years or older cannot sit on their laps so as to guard, "against the potential for child molestation." If CDC has attempted to make this disre-

spectful statement so as to arose the anger, stress, and tension already prevalent throughout the system to a higher degree, well, they have succeeded. For fathers, such as myself, there is no greater pain or disrespect than placing me in a category of potential child molesters. And what makes this even more hard to understand is that CDC

has already proposed a rationale regulation under section 3173.1 that prohibits contact visits between child molesters and children without a court order.

7. Proposed section 3175(g) prohibits all bodily contact between visitors and prisoners except holding hands. (proposed section 3175(d)). That means a prisoner cannot walk around the visiting room with their arms over the shoulders of their mother, father, grandparents, spouses, children, etc. Once I recall my mother had a headache and tension at her neck and shoulders. I stood behind her and massaged her temples, neck and shoulders. Once, my 13 year old daughter was upset over personal problems. We embraced while she cried and I stroked her hair from her face and consoled her as a father would. And on several occasions, I would have to do the same with my wife.

#### **Conclusion**

The "right" to personal visits should be maintained. The restrictions being proposed to limit visiting time and prospective visitors should not be implemented as described above. And the elimination of virtually all contact between prisoners and visitors – and the five second limit of contact – should not happen and an apology should follow by CDC for even thinking of these barbaric, inhumane and outright disrespectful regulations. For over 8 years I

have been trying to get CDC to define in 3 or 4 sentences, the prohibition of "gang activity" because prisoners have been placed or retained in the security housing units for 5, 10, 15 years or more for reasons unrelated to "gang activity" or criminal conduct. Yet now, CDC has invested many tax dollars, energy and time to put together this lengthy packet of visiting restrictions and regulations. This is yet another attempt by CDC to drive further wedges between prisoners and their families. If isn't indefinite confinement in the security housing units, it is the removal of as much human contact as possible and topped with the disrespectful statement that male prisoners are potential child molesters. Yesterdays evolving standards of human decency within the department are replaced now with oppressive, political and cruel agendas. Now, we await the repercussions, not only in prison and the family nucleus of prisoners, but in our society as a whole.

– Steve M. Castillo, PBSP-SHU

*[ED NOTE: Many prisons, including Pelican Bay, have failed to post the proposed rule changes - an ongoing problem for prisoners. Please keep each other informed of what you know regarding rules and regulations.]*

#### **CRITICAL RESISTANCE RADIO IS ON THE AIR.**

Critical Resistance has joined forces with KPFA's HardKnock Radio (KPFA 94.1 & KPFB 89.3 in Berkeley and KFCF 88.1 in Fresno) to bring up-to-date news, personal stories, and cultural highlights about the Prison Industrial Complex to the free speech airwaves of California, reaching inside a majority of California's prisons while bringing the voices of prisoners and prisoners' families outside the prison walls.

Critical Resistance Radio will air every other week from 4pm-5pm on Tuesdays.

CR seeks input from prisoners, via call-ins, written materials, poetry, ideas for shows, stories...Please send materials to CR at 1212 Broadway, Suite 1400, Oakland, CA 94612.



## VISITING ACCESS

loved ones in the SHU and Administrative Segregation, and despite their efforts they run the risk of being turned away. The prison also reserves the right to close down visiting at any time. Family members have recounted stories of arriving on time for visiting appointments, waiting to see a loved one, and ultimately being denied the opportunity. If a family member flies across the country to see their loved one, the least the prison could do is guarantee a visiting appointment.

As anybody who has ever visited CSP-Corcoran knows, gaining entrance to the prison is a feat unto itself. In order to schedule a visit one must call at least two weeks in advance between the hours of 8a.m. and 1 p.m., Thursday through Saturday. This task would appear simple, yet many Corcoran prisoners, friends and families who visit the prison report being unable to reach a live person or being told no actual visiting appointments are available. The process of gaining visiting access to the Security Housing Unit (SHU) poses an even greater challenge.

SHU prisoners report that visitors' access has become increasingly difficult over the past two years. Two years ago SHU visits were scheduled at a rate of 12 per hour. Now only four to eight visits are scheduled per hour. Corcoran SHU houses over one thousand individuals, so four to eight visiting spots per hour is hardly an adequate allotment of visiting spaces relative to the potential number of visitors. Family members and prisoners alike testify that scheduling a visit can be impossible. One prisoner tells us his family called to schedule visits repeatedly over a nine-month period, to no avail. His family finally gave up resigned not to visit. Another family member reports flying in to California from out of state, yet visiting staff refused to schedule an appointment for her. Family members drive hundreds of miles or fly across the country to visit

As if the difficulties of scheduling a visit are not enough, the prison administrations also fails to maintain visiting facilities. During California Prison Focus' January 18 investigation of the Corcoran SHU, nine of the twenty-two phones in visiting booths were found to be out of order. A correctional officer informed CPF that the phones had been out of order for months, and fixing them was not a priority for the prison. Of the four confidential attorney-client visiting booths, two of the phones were out of order. Prior to the investigation we were informed that the facilities would be inspected and any necessary repairs made. Like in the regular SHU visiting area, guards informed us that the attorney-client phones had been in disrepair for months and required rewiring. After we applied pressure, maintenance was called and in a brief period of time the attorney-client phones were made functional. The fact that the phones were promptly fixed attests to the prison's ability to maintain its facilities. Several calls were made to follow-up on the maintenance of SHU visiting phones after the January investigation. Visiting staff were unable to answer questions regarding the maintenance of phones, and stated there was no way to access such information. The litigation office failed to return calls regarding this matter. One wonders how corrections officers and maintenance staff spend their days. Easy remedies are ignored. If all SHU visiting phones were maintained, prisoners would receive a

substantially larger number of visits, dramatically improving their quality of life.

Observations from prisoners and visitors alike attest to the fact that guards can often be found reading newspapers, drinking from large slippy cups, and hanging out talking. For all intents and purposes corrections officers appear to make every effort to remove themselves from the work environment, to divert their attention to discussions of recreation or family so as to pass the time. As a result simple actions that would better the lives of prisoners are neglected. The fact that basic tasks are neglected appears less and less about carelessness, and more about malicious intent. Prisoners are denied access to the outside world because the prison staff does not attend to their jobs with consistent care. Mail and quarterly packages can take up to one month to process, and money is not being placed into prisoners trust accounts in a timely manner. The neglect of simple tasks like these causes unnecessary tension and frustration to mount within the prison population. Staff members could easily dispel such tensions if they adhered to a consistent scheduling program. Imagine what it would be like if a visitor could call and schedule visits easily or a package could be received from a loved one in a few short days.

Often when we visit the SHU there are very few people visiting. According to prisoners and family members, this is not for lack of their trying, but rather a lack of access. With the impending changes to the Visiting Regulations already limited access will be further curbed. SHU prisoners will only be permitted visits from attorneys or immediate family members. Decreasing prisoners' access to the outside world continues to lighten staff workload while making terms of confinement increasingly unbearable and dehumanizing.

### INTERNAL COMMUNICATION:

As increasing limits are imposed upon prisoners' communication with the outside world, internal communication

between prisoners, staff and the prison administration continues to deteriorate. The dissolution of the Men's Advisory Councils (MACs) throughout Corcoran highlights increased efforts to deny prisoners a voice. The MAC was created with the intent to serve as a liaison between the prison administration and the prison population. It is a forum in which prisoners are able to recommend programmatic changes and voice the collective concerns of specific yard populations. In the past six months both chairmen of the MACs on 3A and 3C yards have been suspended from their respective positions.

Each MAC Chairman had retained his position for several years, approaching the work in a pragmatic, thoughtful and deliberate manner while serving as representative spokesman for his constituency.

Although many of the prisoners on the yard question the effectiveness of the MAC, the chairmen attempted to recognize individual and collective concerns as they proposed programmatic changes to alleviate tensions. The 3A MAC chairman filed a group 602 appeal on behalf of general population, protesting the inconsistent programming of yard activity. Approximately 400 signatures were obtained and proper procedures were followed. When the appeal was filed, staff became upset with the 3A MAC chair and attempted to intimidate him into rescinding the appeal. He refused, persisting with the appeal, only to end up in Administrative Segregation.

Similarly, the 3C MAC has been suspended from functioning 2 times in the past six months. The reason given for these suspensions were individual actions. In one instance a MAC member was said to have removed a small piece of cardboard from the hobby shop, in the other case the MAC chair was said to have had a radio in his possession that did not belong to him. In both cases the allegations were untrue and later retracted, yet the 3C MAC Chair continues to be targeted as an instigator. He was recently accused of instigating a work stoppage, a charge that landed him in Administrative Segregation. Subsequently all charges were dropped, yet he continues to be held in Ad. Seg.

Despite the fact that the above allegations have been proven untrue, yard staff continue to undermine the efforts and

effectiveness of the MAC by obstructing attempts to organize. In short, prison staff are attempting to utilize false allegations of the actions of individuals to undermine an institutional organization approved and created by the prison administration. According to Title 15, the MAC can only be suspended by the warden of an institution, yet yard staff have taken it upon themselves to orchestrate their own suspension of MAC. Despite ongoing efforts to have these matters investigated by the Warden's office, no action has been taken by the prison administration. Guards continue to run their own kangaroo-court style programs without documenting their actions, thus leaving no trail through which to chronicle accountability.

Thus, prisoners voices are silenced. Voices that speak truth to power, voices that hold a mirror in front of the institutions face are erased. Why? Because the staff feels challenged by the truth of a prisoner's observations and recommendations? Indeed a request by the MAC to discuss staff misconduct does not threaten the safety and security of the institution, nor do ongoing requests for the yard program to be better run. Yet it appears that the MACs' persistence have been effective in shedding light on the chaotic and failed attempts by prison staff to run programs.

**CSATF In Brief:**

Not far from CSP-COR stands the California Substance Abuse Treatment

Facility (CSATF). Prisoners housed at CSP-COR are transferred, sometimes en masse, to CSATF. During January prisoners organized themselves in response to actions perpetrated by correctional officers. Since that time the prison has been on lockdown. Despite the fact that the 25 individuals involved in the incident have reportedly been transferred out of the prison, black and white prisoners remain on lockdown, and all visits are on a non-contact basis. Family members report that only 22 visits are allowed per day, and despite having previously scheduled appointments, visitors are denied the opportunity to see their loved ones. Visitors report traveling over three hundred miles for scheduled visits, arriving at the institution ahead of time, and after waiting from 9a.m. until 2p.m. being informed that they will not be able to visit their loved ones. As a result family members are becoming increasingly hesitant to trek across the state to visit their loved ones. They are frustrated and demoralized by the disrespectful behavior they experience from prison staff. Prison officials seem intent on deterring visitors from gaining entrance to institutions, rather than encouraging sustained communication between a prisoner and his family. Continued visiting restrictions will only exacerbate the understandable frustrations and dissatisfactions of prisoners and family members.

**PRISONS ON FIRE:**

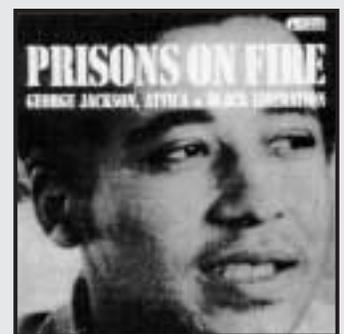
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IN CALIFORNIA PRISONS!**



# HIV In Prison

**Q: WHEN IS IT LIFE THREATENING TO SEE A DOCTOR?**  
**A: WHEN YOU'RE IN PRISON.**

Access to real medical care, with little exception, is not available in prisons and jails. That's why most prisoners consider themselves lucky if they make it through their sentence without having to go to sick call.

Unfortunately, with the growth of both the HIV and hepatitis C epidemics, the aging of the prison population due to longer and harsher prison sentences (including indeterminate life terms) and state and federal "no-parole" policies,

many of injection drug use among the incarcerated. The CDC puts the number of prisoners with HCV now receiving treatment as somewhere between 500-700 prisoners. Even if that number was accurate, it would indicate that only a very small percentage of prisoners living with hepatitis C within a prison population of over 155,000 have access to life-extending treatment.

The reality for most prisoners living with HCV is that treatment is unavailable

within a period of three months. A not-so-impartial investigation by CDC doctors admitted that many of the women died because they could not access medical care in a timely manner. This year, another access crisis is unfolding at CCWF which may have equally serious ramifications for the women prisoners involved.

#### Is it a SNF or a SHU?

CCWF is the only women's prison with a "licensed" medical facility, or in reality, an infirmary which is (optimistically) called a skilled nursing facility (SNF). Several women housed in the SNF recently contacted us about serious problems there. It seems that in December 2001, a physically paralyzed woman was physically and sexually abused by one of her nursing assistants. The woman involved wrote an official complaint with the help of a member of the Women's Action Committee. Right after she filed it, the SNF was placed on strict lockdown conditions. The women were locked into their rooms approximately 22-23 hours per day. They were denied access to the telephone, had restricted shower access and were not adequately assisted with cleaning and bathing. The first outside witnesses to have the doors slammed in their faces were the peer educators. It seems that several members of the peer education program had been going into the SNF to read to and provide psychosocial support for the women. Well, that ended. And the second group that was harassed and had their access severely limited was the porters, the women who work in the SNF as janitors. Several porters were even questioned by SNF staff about being spies for the Women's Action Committee!

A copy of the weekly schedule of activities in the not-so-skilled nursing facility reads like a Security Housing Unit schedule. The only saving grace for the women is the two hours of games organized by the recreation therapist. Unfortunately, when he doesn't show up for work the women

**"Prisoners lucky enough to get tested for HCV often wait several months for their test results to filter back from prison medical staff. We have met with many prisoners who had to file 602 grievances just to get the results of their tests or their follow-up bloodwork."**

more and more prisoners are forced to make the attempt to access medical care.

#### No Access to Hepatitis C Information or Care

The hepatitis C (HCV) epidemic is exploding in California's jails and prisons, and has easily become the most serious disease since the early days of the HIV/AIDS epidemic in the mid-1980s. A very conservative estimate of the more than 4 million people living with HCV places one-third of these people in the penal system. The California Department of Corrections (CDC) puts forth another unbelievably low estimate that one-third of the prison population is infected with HCV. The HIV/Hepatitis C in Prison (HIP) committee (based on meetings with prisoners inside), places that figure in the 70 percent range, largely due to the histo-

ry of injection drug use among the incarcerated. The CDC puts the number of prisoners with HCV now receiving treatment as somewhere between 500-700 prisoners. Even if that number was accurate, it would indicate that only a very small percentage of prisoners living with hepatitis C within a prison population of over 155,000 have access to life-extending treatment. The reality for most prisoners living with HCV is that treatment is unavailable and/or out of reach. Somehow in the CDC logic of "care," prisoners do not meet the stringent and ever-changing criteria for this treatment. In fact, for prisoners with HCV, the first barrier to overcome is merely getting information about the disease and their relationship to it. Prisoners lucky enough to get tested for HCV often wait several months for their test results to filter back from prison medical staff. We have met with many prisoners who had to file 602 grievances just to get the results of their tests or their follow-up bloodwork. Other prisoners have recently found out that they tested positive for HCV over ten years ago, news which no one bothered to tell them!

Last year, nine women prisoners living with serious and chronic illnesses at the Central California Women's Facility died

are locked in their rooms almost all day.

Not only are the women being denied basic programming and dayroom access, they are also being denied even minimal medical care access. Besides the callus and uncaring attitudes of most of the nurses, nursing assistants and MTAs (Medical Technical Assistants) who work in the SNF, the women who live there report a litany of atrocities and staff inaction bordering on human rights abuse. One woman who hurt herself in her unit did not receive prompt medical intervention for her injury. When she finally collapsed on the yard and was brought to the SNF she was placed alone on the floor of a room, after being humiliated by nurses who didn't believe she was in pain. She cried out for two hours for someone to help her get to the bathroom. After finally receiving surgery at a Fresno hospital, she was brought back to the SNF where the doctor denied her a back brace and when she was released from the infirmary to the yard a month later, she was denied a wheelchair. Both the back brace and the wheelchair had been ordered for her rehabilitative care by the surgeon who operated on her.

Another woman who suffers from paralysis and seizures had her fingers smashed and bruised on a wooden bar by a nurse who then threatened her with administrative segregation if she filed a grievance on him.

Many of the women filed official complaints against the SNF with the California Department of Health Services, Licensing and Certification Division. A coalition of outside advocacy groups have launched a media campaign and a statewide demonstration was held April 27 at the front gates of CCWF to support the women inside. Several of the women in the SNF are willing to go public with their particular stories.

### **Prisoners Denied Adequate Pain Medication**

Perhaps one of the biggest issues for prisoners living with life-threatening diseases like HIV, hepatitis C and cancer is access to pain medication. To put it bluntly, for most prisoners there is none. Both advanced HIV and hepatitis C are quite painful to live with. When prisoners request pain medication for neuropathy (a painful condition associated with AIDS) and advanced cirrhosis, they are denied by

medical staff who claim that prisoners are merely drug addicts looking to get high. This treatment contrasts with the practice in the outside public health community of insuring that people who have full-blown diseases are given humane palliative care. Unfortunately, the only "pain" medication offered to most prisoners is either Tylenol or Motrin, both of which are toxic to the vast majority of prisoners living with hepatitis C. Toni, a prisoner at California State Prison at Corcoran, died from a toxic build-up of Tylenol in her bloodstream. She had both HIV and hepatitis C.

As a direct result of Governor Gray Davis' "pine-box parole" stance of only releasing lifers when they are dead, many prisoners need access to compassionate release (early release from prison for terminally ill prisoners within six months of death). However, both compassionate release and parole are being denied prisoners serving a life term. Prison doctors are refusing to initiate the process by issuing a six months to death medical chrono. Recently, we were contacted by family members of a life term prisoner at Soledad prison who was just diagnosed with a fast-spreading cancer. His daughters watched him deteriorate from visit to visit but the prison doctor has yet to recommend him for compassionate release. This process is supposed to be above political concerns, but even prison doctors are reluctant to begin the lengthy bureaucratic process of early release from prison. And, of course, for life prisoners, those who knew Charisse Shumate know that even if a case reaches the Board of Prison Terms, Governor Gray Davis holds true to his "pine-box" policy. Charisse, who died this past August 2001, even had local and international support for her release and for her years of advocacy while inside.

These are only some examples of how prisoners with serious and life-threatening illnesses are affected by "access" issues. Any of you who are on the inside or who have a loved one inside can probably cite a number of other medical atrocities. By providing negligent and sometimes abusive medical care the CDC has found one more way to punish its "captives." Health rights are human rights and we are fighting to get good medical care inside!



### **AZTECS OF NORTH AMERICA COMMITTEE**

was founded to promote study of the Azteca culture, history and language by conducting classes and seminars, publishing literature, offering lectures, and preparing and producing information in a variety of media for distribution to the public.

We are circulating a petition throughout the State of California regarding legal recognition as Native American Indians for the descendants of the Azteca Indians of the North American Continent.

For more information contact:  
AZTECS OF NORTH AMERICA COMMITTEE  
P.O. Box 325, Hayward, CA 94543-0325.



### **WELCOME HOME BOO BOO!**

Boo Boo (Theresa Martinez) was released from Central California Women's Facility on March 29. She has been instrumental in CPF's work with women prisoners at CCWF. Boo Boo testified at legislative hearing in October 2000 about the medical neglect and abuse that women prisoners with HIV and hepatitis C face at CCWF. She has worked with California Prison Focus, Justice Now, the California Coalition for Women Prisoners, Legal Services for Prisoners with Children and other human rights and advocacy organizations throughout her incarceration to expose the criminal care inside.

Boo Boo's work and dedication both as a peer advocate and educator has been inspirational to those of us on the outside who have visited with her.



# IN MEMORY OF CHARISSE SHUMATE

June 7, 1954 – August 4, 2001

## THIS IS ABOUT WE

by Charisse Shumate

"This is not about me. This is about we. As I sit here trying to express these sad but true facts about the issues at CCWF. . . . First of all, thanks to an inmate named Joaan Walker, may she rest in peace, who put her life on the line to make the California Department of Corrections know how important it was to reach other inmates about the hard cold facts of HIV behind these walls. She spoke out loudly and clearly. She was a "we" person, not a "me" person. . . . When I first came behind prison walls at the California Institution for Women, lifers worked in unity. We were big sisters to each other. We fought for the betterment of all inmates. We explained to the short timers on parole violations the importance of helping one another. . . . Charisse Shumate knows no other way but "we." Will you please join the we and get the hell off of me. The real warrior is on a never ending battle. Pray for us as our lives are on the line."

- December 2000

**C**harisse Shumate died last year of complications from sickle cell anemia, cancer and hepatitis C. Charisse was the reason that many activists and advocates got involved in defending the right of women prisoners to medical care and adequate treatment inside. She was the inspiration that kept us in this battle year after year despite the constant setbacks, the losses and the deaths.

Charisse championed the cause of battered women when no one else was rallying to their support. She made the California Department of Corrections shake in its boots when she stepped forward to be the lead plaintiff and prisoner spokesperson in the class action lawsuit challenging the medical neglect and abuse of women prisoners (Shumate v. Wilson)

By not granting Charisse a compassionate release, Governor Davis robbed Charisse's family (her mother, son, daughter-in-law and grandchildren) and friends the opportunity to be with Charisse, to hold and comfort her, to make sure she did not die alone shackled to a hospital bed. Charisse Shumate's death is another crime against humanity on the hands of Governor Davis and the entire prison industrial complex.

- CPF

# Poetry

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## Close Your Eyes

Close Your Eyes and You Shall See  
How My Life Appears to Me  
Just Close Your Eyes, Close Your Eyes  
You'll See the World That I Despise  
Blind Yourself and Touch Cold Walls  
No One Hears Your Anguished Calls  
Doors Are Locked, the Air Is Thick  
Your Head Is Spinning, Your Stomach Sick  
The Pressure Builds upon Your Chest  
The Constant Noise Deprives Your Rest  
Muscles Tighten, Your Nerves Soon Fray  
How Long Can You Live this Way  
Steel and Concrete Ache Your Bones  
Pride Muffles Your Weakened Moans  
The Walls Close in More and More  
The Ceiling's Moving Towards the Floor  
There's Evil Lurking Twenty Four Seven  
You've Reached the Point Furthest from Heaven  
You Pray for Life, You Pray for Death  
But You Will Pray with Every Breath  
You must Forget All You Hold Dear  
Cause You Are Now Forsaken Here  
There's Still More and Then Some  
For Late at Night the Demons Come  
Just Close Your Eyes, Close Your Eyes  
You'll See the World That I Despise  
Close Your Eyes and You Shall See  
How My Life Appears to Me

*By Mark R. Fish, W.V.C.F. Carlisle, IN*

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## Untitled

To know folks care means more, much more,  
Than words could ever tell.  
I liken it to deeds well done,  
And pride, some folks sometimes feel.

Like goosebumped flesh, from well loved songs,  
Remembrance of way back when.  
When life was good, and simply stated,  
Stood for family, love and friends.

But family dwindles down the years,  
Time steals love from most.  
"I Love You, But,"'s an awful sound,  
You can't quite hear their ghost.

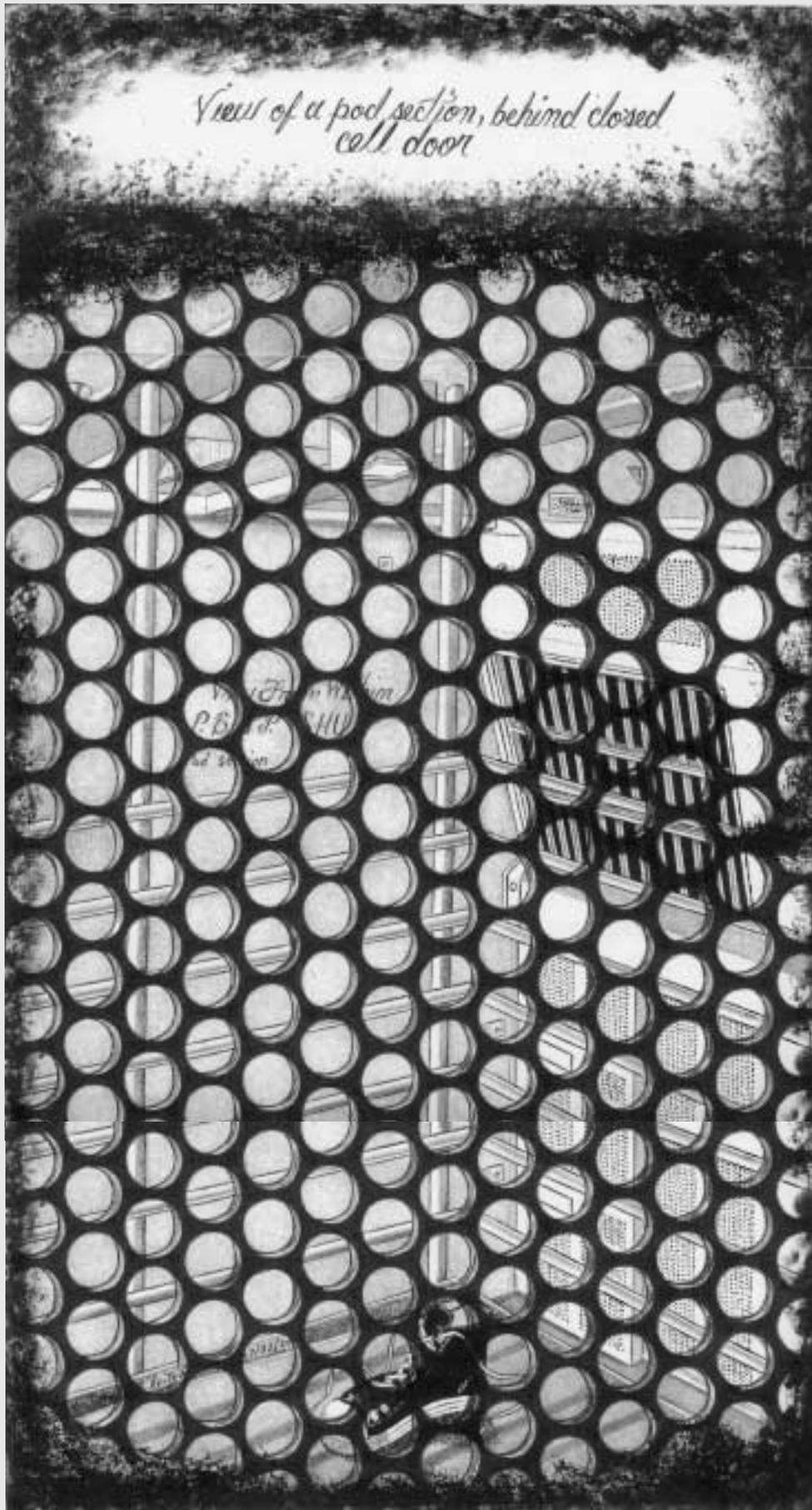
*By Clayton McCormack, PBSP*

## Listen to the Children!

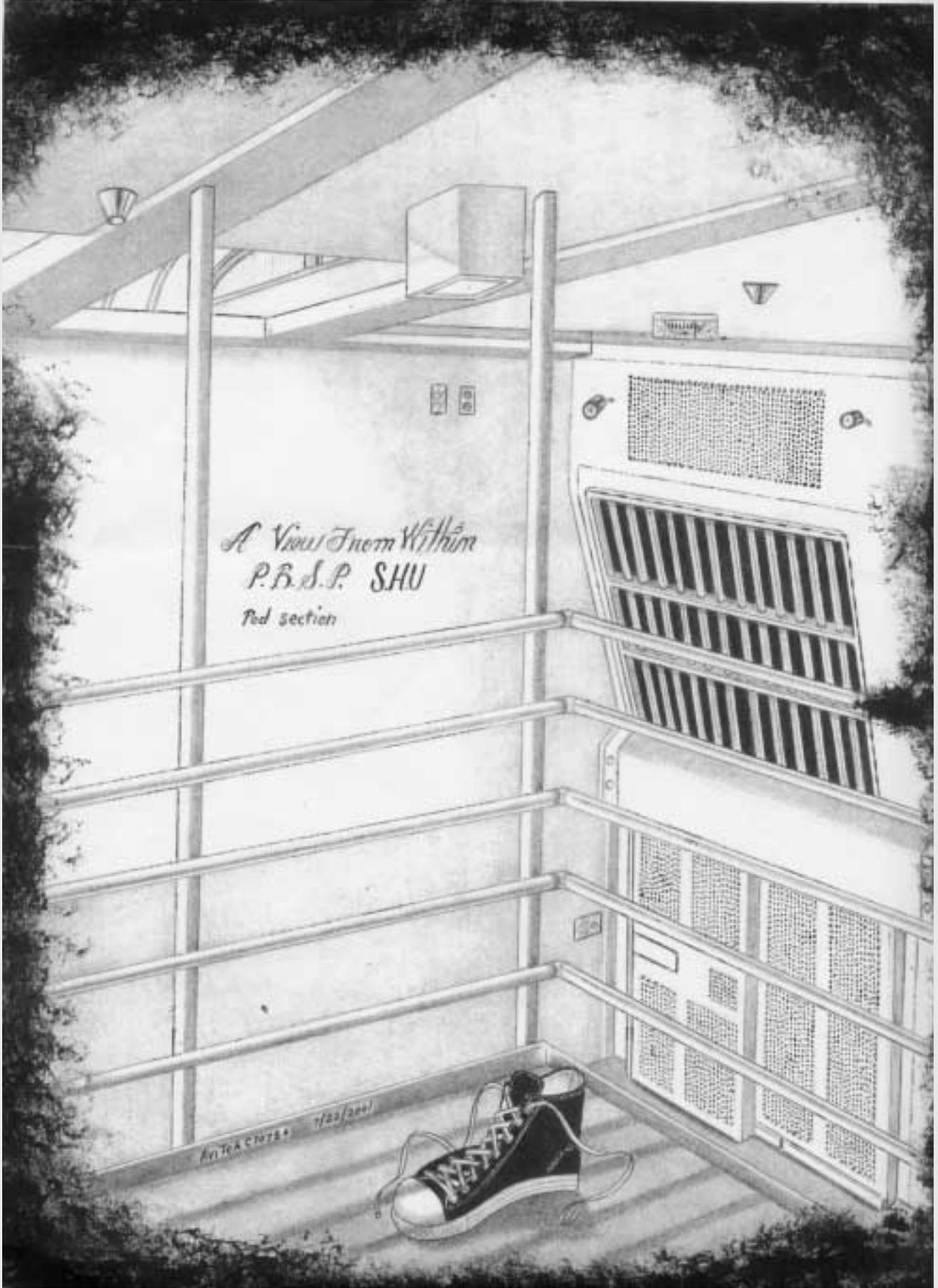
Could someone please explain to me, explain to me the way,  
This "Three Strike Law" can be explained with any logic,  
To all these children left behind, who've had their fathers  
Taken away?  
My father didn't murder anyone,  
He didn't rob a bank,  
He didn't even smoke cigarettes,  
And very rarely drank,  
As far back as I can remember,  
My dad would always be,  
Loving, tender, teaching, giving,  
The entire family security,  
Then one day, when I arrived home, after being in school all day,  
I remember that day at school I had this nagging pain,  
And it refused to go away,  
When I got home,  
I could tell by the expression on my mother's face,  
That something was very wrong, something wrong had taken place,  
My mother's eyes, still filled with tears,  
Told how hard she had cried,  
I knew right then she needed me,  
To stay right by her side,  
As she tried to explain to us,  
And make sense of it all, still nothing she said made any sense,  
Even kids know there's no making sense, to this unjust "3St. Law!"  
To send the father that you love & need, away for 25 to life,  
All us kids just can't believe it, and all for having a small knife,  
Those people who took my dad away, should be behind bars instead,  
Give them a trial like the one they gave my dad, sent to prison,  
All of them, for what they did, I'm accusing all of them,  
Right here in front of God, for shooting and killing my mother dead,  
They may as well have pulled the Trigger & shot her in the head!  
You see, for seventeen years every single day,  
My mom and dad had never ever been apart,  
Now, they felt their love was dying,  
From lying words, court & law injustice, greed & power,  
Each one of them stabbing through their slowly dying hearts,  
If nothing else before we start to judge and criticize,  
Think of what it'll plant & leave inside our children's minds,  
And me, well, I'm older now, but since that day it seems,  
As though I've lost my lust for life,  
All I have is my last memory,  
Of a beautiful morning, and my dad dropping me off at school,  
Be a good boy son, study hard & don't forget,  
"I'll always love you very much, my little baby boy "Jule"

*This poem is dedicated to my husband & son, Robert & Julian Cabral*

*By Mrs. Marian B. Cabral*



artist:  
Chris Avitea, PBSP  
7/22/2001





On March 2, California Prison Focus conducted a legal investigation at Valley State Prison for Women (VSPW) with a particular focus on hepatitis C (HCV). In order to respond to the health care crisis within the prison system, we needed specific information about the Peer Education Program and the various barriers women face in accessing health care. Our previous investigations revealed a dramatic lack of services provided to women with serious disabilities such as mental illness, Cerebral Palsy, and other chronic illnesses - all conditions that require specialty care. The California Department of Corrections' (CDC) refusal to adhere to the community standards of health care will ultimately result in growing numbers of women with treatable illnesses becoming terminally ill or dying in prison.

Women prisoners concerned about the health crisis inside founded the Peer Education Program, which was then sanctioned by the administration at VSPW in 1996. It now consists of 25 peer educators who provide information and resources as well as advocacy on behalf of their sisters. CPF estimates that at least eighty percent of the women inside have Hepatitis C (HCV). Therefore it is crucial that all peer educators as well as all women inside have access to accurate and up-to-date information.

The peer educators we spoke with provided us with information about the flaws of the program and the severe lack of support provided by the prison administration and medical staff.

As none of the peer education positions have a pay slot, and none are considered to be "programming," the peer educators can only work in that capacity during their free time, which is approximately two hours per day. In November 2001, additional restrictions were placed on the peer educators, denying them access to women in other yards. They were also no longer permitted to meet as a whole committee and can only interact with peer educators on their same yard.

According to one peer educator, very limited medical training is provided. She received a two-week training in 1996 and an additional one-week training in December, 2000. Peer educators who are new to the program are provided only one week of training. During this training each woman selects a specific topic to study and makes a presentation to the group. Thus, each peer educator has a limited knowledge of only one specific topic.

Since more women are being diagnosed with HCV, and the medical staff is only providing very limited services, there is a greater reliance on the Peer Education Program. Several of the peer educators revealed that they do not have enough information to effectively advocate for the many women who need access to doctors, treatment options, resources and regular follow up and monitoring. In fact, the first time HCV materials were provided by the staff to the peer educators was two months ago, and the peer educators have no way of knowing if the information is up-to-date and accurate. Prior to that the only materials permitted were intake forms.

No established medical protocol to effectively monitor disease progression has been implemented, and the percentage of women accessing treatment, liver biopsies, liver function tests and CBC's (complete blood

count) is random and very much at the discretion of the medical staff. Some women reveal that they are given treatment, but follow up testing is denied, while others are denied treatment but given a liver biopsy.

One woman we spoke with had a liver biopsy in February 2001, and is still awaiting the results. We have had additional reports from women about the long delays in receiving test results and often their written test results are not provided. A special request has to be made, and this process can take up to several months. While the CDC claims they are effectively responding to the hundreds of women who have HCV, there is no infectious disease specialist on staff, and the yard doctors have limited or no experience in infectious disease.

A vast majority of the women inside the SHU have hepatitis C. The lack of HCV monitoring and treatment is of particular concern for women serving long SHU terms, because they routinely go without medical care for long periods of time. One woman was called in to see the nurse and was informed that she had hepatitis B. When she asked for more information she was threatened with a 115 (disciplinary write up) and promptly escorted to her cell.

During this visit we learned that women with disabilities such as Cerebral Palsy and Multiple Sclerosis are routinely denied access to wheelchairs. Most women who are lucky enough to have a wheelchair find them in desperate need of repair and the prison does not have enough wheelchairs to go around. A memo was recently distributed stating that women in wheelchairs were to be released from their housing units early in order to get to the chow hall on time. Not only is this policy not being implemented, but women using canes and on crutches are not included. Clearly VSPW is not making a serious attempt to provide care for the women inside. We encourage women from the prison to write to us (c/o Valley State Committee) and keep us informed about their experiences accessing medical care.



# UNDER ATTACK: LGBT AND VISITING

**L**esbian, gay, bisexual and transgender relationships are under attack by the California Department of Corrections (CDC). On March 8, new and more punitive restrictions will be placed on families, partners, and friends who wish to visit their loved ones in California prisons. The CDC has made it clear that it has only a heterosexist view of marriage and immediate family, meaning that Lesbian, Gay, Bisexual and Transgender spouses of incarcerated individuals will be further denied rights married, heterosexual partners currently have. Of course, this change not only includes LGBT folks, but common law heterosexual relationships and common friendships will be affected as well.

Psychiatrist Terry Kupers, author of "Prison Madness: The Mental Health Crisis Behind Bars and What We Must Do About It", further explains the problems with the proposed visit changes. He says that "with prisoners who act out and get sent to the SHU, and with prisoners who have substance abuse problems, every effort should be made to increase their visitation, not restrict it, because contact with loved ones is the best opportunity there is for helping them to stop acting out and halt their drug use. In fact, research clearly shows that sustained quality visitation during the entirety of a prison term is the strongest factor in the prisoner's eventual success at 'going straight' after being released, and quality visitation is negatively correlated with recidivism rates. Inversely, restricting their visits is the best way to cause prisoners to despair and resort to acting out or drugs all the more. In other words, the prisoners the CDC is singling out for visit restrictions are precisely the prisoners who should never have their visits restricted."

Denying visitation to prisoners for reasons as arbitrary as this is a fundamental affront to the human rights of prisoners and an escalation of the contempt the CDC has for all poor people in California. While our domestic partnerships are acknowledged throughout the state, the CDC refuses to recognize such relationships, as if they are above the law. To add insult to injury, LGBT prisoners are denied overnight family visits with their loved ones and any show of affection during a social visit carries the threat of total

California Prison Focus has been documenting these abuses for years and while we have continuously complained about them to the prison administration, our cries often fall upon deaf ears. Now the CDC wants to further attack our rights by denying us precious visits with our loved ones who are in prison. It would serve the CDC well not to restrict visitations to LGBT prisoners, but to expand them, thus curbing rates of recidivism. Unfortunately, many of us feel that this is not the goal of some officials, whose careers rely on keep-

**"Denying visitation to prisoners for reasons as arbitrary as this is a fundamental affront to the human rights of prisoners and an escalation of the contempt the CDC has for all poor people in California"**

visit termination. What we see in policy is only an extension of the discrimination, abuse, and harassment LGBT prisoners suffer daily.

Transgender and gender variant prisoners, and their visitors, are singled out for the harshest treatment. For instance, although medically and psychologically necessary, transgender prisoners are routinely denied hormone medications, regardless if they had been on them before being incarcerated. They are subject to strip searches in front of non-trans prison guards, called names and ridiculed by both inmates and staff, humiliated by the medical staff, and denied the appropriate clothing and hairstyles for their gender identity.

ing people incarcerated. As these further attacks on the rights of prisoners continue, we in the Trans/Gender Variant in Prison (TIP) committee are only strengthened more in our commitment to resist such abuses. Through our outreach to California prisoners, former prisoners, and free people, we are organizing, educating, and mobilizing the community towards the realization of human rights for all prisoners.

## CPF PROPOSES NEW LEGAL INVESTIGATION FOR TEHACHAPI

Since the CDC reopened a Security Housing Unit at the California Corrections Institute at Tehachapi a few years ago, we've lost contact with several men who were transferred there. And we have to admit: at this stage, we don't know a lot about what goes on behind the walls at Tehachapi.

Modeled upon our ongoing, legal investigations at Pelican Bay, Corcoran, Valley State and CCWF - California Prison Focus seeks to establish legal visits with prisoners in the Tehachapi SHU, as well as general population. Our proposal was well received by prison activists from Southern California at the recent Criminal Justice Consortium conference. We are poised to combine efforts and take the next steps towards organizing a legal visit at Tehachapi later this year.

You can help by providing us the names (as much information as possible) of prisoners currently housed at CCI Tehachapi. We will then contact these men directly to see if they're interested in meeting with us.

We also need names of potential attorneys and investigators for this project. Please contact us if you're interested in participating in this project in any way.

### WE NEED YOUR HELP

Send CPF replies to the Tehachapi Committee.

# CPF GETS LITIGATION GRANT TO REPRESENT SHU PRISONERS

Nearly everyone reading this knows that SHU prisoners bear the weight of CDC's policies which favor punitive regimes over rehabilitative ones. Worse yet, once subjected to CDC's abuse, SHU prisoners have few legal resources available to defend and advance themselves against the CDC.

Understanding this plight, CPF decided to take action. After years of investigative legal visits to SHU's, CPF has secured a small financial grant to provide legal representation to SHU prisoners. CPF attorneys - Charles Carbone and Thorn Che Meweh - have initiated the CPF Litigation Advocacy Project or "LAP" to represent SHU prisoners in state and federal court. While CPF retains the sole discretion to decide whose and which cases to take, LAP intends to focus on cases related to the three critical areas of abuse: 1) bogus gang validations and SHU retentions; 2) medical and mental health neglect; and 3) excessive and deadly force.

In an effort to identify the most worthy cases, LAP is already communicating with many SHU prisoners who have valid legal claims against CDC. LAP urges all prisoners who believe they have a worthy claim to as quickly as possibly exhaust their administrative remedies by reaching the third level - Director's Level Review Board ("DRB") - appeal so that LAP's attorneys can consider filing in a court (many SHU

prisoners know already, a prisoner lawsuit can not be filed without first reaching the third level appeal). Please send a copy of your third level appeal along with a short explanation of your claim to attorney Charles Carbone, of LAP at CPF. Prisoners who have waited unusually long for the DRB appeal also should notify LAP of these severe time delays.

The dimensions of LAP also may transfer the evidence and information exposed through litigation to the reach of legislators, prison officials, media outlets, and the public to identify and implement reforms of California's massive prison system. Furthermore, given the current lack of effective prison advocacy, LAP also is likely to play a pivotal role in deciding cases that will create precedence for the benefit of other attorneys, prisoners, and activists.

LAP is quickly learning through its litigation efforts how uneducated many judges are to the issues facing SHU prisoners. We hope to rapidly inform judges on the severe hardships facing SHU prisoners. Already, courts in Arizona and Wisconsin are starting to realize the cruel and inhumane conditions which exist in the SHUs. It's now time to demonstrate these realities in California, and to have SHU prisoners' voices heard in court. As the legal successes and battles play out, we'll be sure to keep you informed as CPF fights for SHU prisoners in the courts.

## THE CHICANO MEXICANO PRISON PROJECT MISSION

- To raise the social and political consciousness of Raza prisoners and win them over to the struggle for national liberation, rather than committing crimes against the people.
- To bring an understanding to the masses of our people and our allies, about the true nature and role that the "criminalization" of Raza and prison play in maintaining colonialism, capitalism, and imperialism.
- To advocate for the civil and human rights of all prisoners. Specifically to struggle for the safety and freedom of political prisoners - a situation in which someday those of us involved in the movimiento might find ourselves.

Contact the CMPP at P.O. Box 620095, San Diego, CA 92162, (619) 696-9224

# RECENT HISTORY

## DELANO II NEWS

Through a truly multi-faceted organizing effort employing litigation, coalition building, grassroots organizing and media advocacy, Critical Resistance-California (CR-CA), in coalition with the California Prison Moratorium Project (CA-PMP), has been fighting California's plan to build its 24th new prison in 20 years.

In 2000, CR-CA filed a cutting-edge environmental lawsuit, *Critical Resistance vs. California Department of Corrections*, to stop construction of the \$335 million, 5,000 bed prison.

In Spring 2001 the case went to trial and CR-CA won! The Court barred the state from building Delano II without further environmental review, thereby putting the prison in an indefinite holding pattern and, most significantly, reopening the process to public participation.

Our victory in court followed CR-CA's creation of an unprecedented and powerful statewide coalition of nearly 30 organizations to oppose Delano II. The coalition included environmental organizations such as the Rainforest Action Network, civil rights organizations like the Los Angeles NAACP, professional associations such as the California Chapter of the National Association of Social Workers, and numerous organizations from California's Central Valley, such as the Fresno County NAACP and the Delano Center on Race, Poverty and the Environment.

At the close of the public comment period on the revised environmental impact report, more than 1,000 people, including the Delano School District, the City of Delano, the California Department of Transportation and Delano residents had submitted comments raising deep concerns about the state's plan.

The CDC made it clear that it had no interest in the fact that many Delano residents have been disenfranchised by the CDC's decision to issue the report in

English only. In response to the request of dozens of Delano residents that the Environmental Impact Report be translated into Spanish, the CDC wrote, "The government does not have a duty to make itself understood to non-English speakers."

The CDC went back to court in January asking the judge to approve the new environmental report. CR-CA, its coalition partners and Central Valley community members filled the courtroom. The judge has yet to rule.

Meanwhile, CR-CA and the CA-PMP continue to build the coalition, which has created the pressure to cause the state legislature to finally take note. Budget hearings on operating funds for Delano II will take place in April, and Senator Richard Polanco is covenanting a meeting of the opponents of Delano II in the State Capitol.

CR-CA continues to broaden the coalition (now nearly 70 organizations strong!), raise the issue publicly and in the media and create a grassroots mobilization that cannot be ignored. It is CR-CA's commitment to create dynamic constituencies that lie outside of or sometimes even defy common knowledge about who wants to stop the reach of the prison industrial complex.

*[ED NOTE: In June, the joint budget conference committee voted to fund Delano – the struggle continues]*

## MO MONEY FOR PRISONS?

On April 23 State Senator Polanco will hold a press conference calling on the state legislators to cancel the funding and construction of the second maximum-security prison in Delano, CA.

This press conference is following an assembly budget hearing, which has been reviewing the CA Dept. of Corrections budget. It precedes a senate budget-hearing meeting on April 24, where Polanco and other senators will push to vote down funding for the prison.

As Michelle Foy, CPF and the CA Prison Moratorium Project, states, "In the midst of a budget crisis, when education, health care and social services are being cut, we don't want another prison and more people in cages in California." [CPF]

## SHU SYNDROME IN WA

The media and the public will finally get a close look at the carefully concealed mental illness caused by Washington

State's Department of Corrections "intensive management units": the Security Housing Unit (SHU) Syndrome.

The often-postponed trial of James Curtis, which will take place this May, raises the diminished capacity defense (inability to form the intent to commit the crime). Mr. Curtis is being charged for allegedly assaulting a correctional officer while being extracted from his isolation cell by six armor-clad C/Os.

Supporting evidence will include expert testimony from Dr. Terry Kupers, a practicing psychiatrist and professor at the Wright Institute in Berkeley, CA [See lead article], and extensive testimonies on inhumane treatment of SHU prisoners.

[Western Prison Project]

## PBSP ART ON THE ROAD

PBSP art and writing exhibit, "A View From the SHU: The Human Face of Those Labeled the Worst of the Worst," has traveled from north to south to central California since it opened last November. The exhibit features works submitted by more than 30 prisoners. It is co-sponsored by Bar None, a prisoners advocate group, and has been on display at Barrios Unidos centers and other locations throughout the state.

[Fresno Bee, April 2002]

## NO JUSTICE WITH INEFFECTIVE COUNSEL

Stephen Wayne Anderson was executed at San Quentin January 29 at 12:01 a.m. Mr. Anderson was one of 607 people on California's death row.

Two other men sent to death row by Mr. Anderson's court-appointed attorney, Don Ames, have had their sentences voided by U.S. 9th Circuit Court of Appeals because of Mr. Ames "deficient" work.

The Court acknowledges that "... [Mr. Anderson's] death sentence may well have been imposed, not because of the crime that he committed, but because of the incompetence of an attorney with little integrity and a pattern of ineffective performance in capital cases."

## CRUEL AND UNUSUAL! 3-STRIKES

The U.S. 9th Circuit Court of Appeals has struck down three Three Strikes sentences. Crying "cruel and unusual punishment," the court held that a 25-

year-to-life term for petty theft violates the Eighth Amendment. The decisions say that a sentence has to be proportionate to the last crime committed, and could affect hundreds of others serving long sentences under Three Strikes.

The second ruling, in favor of Ernest Bray, Jr. and Richard Napoleon Brown, both serving 25 years for shoplifting, is noteworthy because both men had prior convictions for violent offenses. The Court stated explicitly that it was not overturning California's Three-Strike law against repeat offenders.

The U.S. Supreme Court has said that it will hear the "three-strikes" issue this October.

Read the decisions:

*Andrade v. Attorney General of the State of California*, 270 F.3d 743 (9th Cir. 2001)

*Brown v. Mayle*, - F. -, 2002 WL 187415 (9th Cir. 2002)

[AP, Nov. 3, 2001; Los Angeles Times, Feb. 8, 2002]

### WILL 3-STRIKES BE AMENDED?

Proposition AB1790 proposes to put on the public ballot a proposition to amend the 3-Strikes law to be used only for violent and serious offenses. AB 1790 passed the Assembly Public Safety Committee on March 12 and will be re-referred to the Committee on Appropriations.

[ED NOTE: AB179 did not garner the votes needed to pass to the next level.]

### AUTOPILOT PAROLE

A Los Angeles judge has overruled Gov. Gray Davis' "pine-box" parole policy in

#### "TRUTH"

A large mural by Artist Rigo 02 was dedicated on April 22 in San Francisco to Robert H. King, a Black Panther who survived 29 years of solitary confinement at Angola Prison in Louisiana.

Mr. King was released in 2001 and has since traveled the world speaking out about human rights abuses in the United States, about his experiences and about the plight of his comrades still in prison at Angola.

The 140 x 55 mural entitled "TRUTH" is on the exterior of the OddFellows building, across from United Nations Plaza, S.F.

the case of a man who was recommended a compassionate release by the state Board of Prison Terms, but whose release was blocked by Davis.

Davis came into office vowing that no murderers would go free while he was governor and has blocked all but two of almost 100 persons the Board has recommended released (the exceptions were in the cases of women who killed their batterers).

The decision on behalf of Mark Smith this March is the second time a court has reversed Davis' no-parole policy. The Court held that there was no evidence to support the governor's action and that Davis had wrongly labeled Smith a killer rather than an accomplice in the case.

Mr. Smith's release is pending review by the entire California Supreme Court.

[LA Times, April 3, 2002]

Cheryl Sellers, who killed her batterer husband, was the second convicted murderer paroled by Davis. The same day Davis freed Ms. Sellers this April, he denied parole to Valerie Boyd, who was also convicted of killing her abusive husband.

There are at least five other cases involving battered-woman syndrome in the parole pipeline. A two-member panel of the Board of Prison Terms has granted parole to four of the women. The case of Maria Suarez is likely to reach Davis' desk first, in May or June. He will have 30 days to accept the board's decision, reject it or ask for a hearing by the full board.

[LA Times, April 9, 2002]

### WARFARE, NOT WELFARE.

The 1996 ban of anyone convicted of a drug felony to receive food stamps and welfare (Temporary Aid to Needy Families) was a devastating blow to this country's struggling poor. Since the ban, 37,825 women have been declared permanently ineligible for welfare benefits, according to the Sentencing Project, a research organization based in Washington. This March, the Senate passed a repeal of the ban. It is unlikely, however, that the House or the Bush administration will lift the provision with this year's new welfare measures.

[Safety Net, March 21, 2002]

### TAXPAYERS PAY FOR PRIVATE PRISONS

Large sums of taxpayer money are being spent providing economic development

subsidies to private prisons, says a study by Good Jobs First, a national research center tracking state and local economic development practices.

According to the study, which covered about half of the private-prison market, 73 percent of private prisons receive subsidies such as tax-advantaged financing, property tax reductions or other tax cuts.

What's missing is proof of cost-benefit results.

"We are struck by the uneven quality of information available from local development officials," said Mafruza Khan, co-author of the study. "[D]espite granting hundreds of millions of dollars in subsidies, not one public official could cite a cost-benefit analysis or impact study on their facility."

Facilities that were extensively subsidized include those operated by the United States' two largest private prison companies, Corrections Corporation of America and Wackenhut Corrections Corporation.

[Good Jobs First, Oct. 25, 2001]

### MEDICAL MARIJUANA WORKS

Former Black Panther and Sickle Cell disease patient/activist, Sister Somaya Kambui was found "not guilty" of marijuana-related charges on March 18 in Los Angeles.

A big win for medical marijuana proponents, her testimony and that of medical experts and patients convinced the jury of the legitimate medical use of marijuana, upholding the Compassionate Use Act (Prop 215).

Sister Kambui faced five felony counts, including cultivation and possession for sale, going into the trial and, at a minimum, could have received a misdemeanor offense of possession. Instead, she was acquitted on all counts.

Sister Kambui has provided marijuana to Sickle Cell sufferers for the last 20 years.

[reported by Mikki Norris, March 21, 2002 via internet]

### CONDOMS IN PRISON?

A federal task force may soon recommend condom distribution in prisons. Secretary of State Colin Powell and Secretary of Health and Human Services Tommy Thompson are set to evaluate the condom issue. According to AIDS Action, the rate of HIV infection in individual

prisons ranges between 1 and 20 percent, the exact number is unknown because many prisons and jails don't test prisoners for HIV.

Condoms are only distributed in county jails in Washington, D.C., New York, Philadelphia, Los Angeles and San Francisco and in state prisons in Vermont and Mississippi.

[PlanetOut.com, April 3, 2002]

### HAIRCUTS MAYBE HAZARDOUS

AIDS activists have filed a class-action lawsuit asking the federal courts to prohibit California prisons from using unsterilized instruments to cut prisoner hair. The suit supports former prisoner James Stern, who says he was placed in solitary confinement when he refused to have his hair cut after seeing prisoners with "bleeding scalps after getting haircuts with unsterilized instruments."

Although there are no reported cases of HIV or hepatitis being spread by blood on haircutting implements in the United States, physicians say that both viruses could potentially be spread that way.

[LA Times, March 12, 2002]

### DNA COLLECTION BY "REASONABLE FORCE"

California legislators have introduced a bill (SB 1242) that would enable law enforcement to forcibly obtain DNA samples from violent felons. Currently, state correctional officers are required to have a court order before using "reasonable force" to obtain DNA samples. This bill would back regulations that the Department of Corrections has already proposed to allow officers to collect DNA without a court order. State Senate leader John Burton had demanded changes in the bill, objecting to the immunity provision, a lack of uniform procedures related to DNA collection and what he calls an ambiguous definition for "reasonable force."

[Sacramento Bee, April 10, 2002]

### NEW HEALTH SERVICES DEPUTY DIRECTOR

Michael Pickett has been appointed the new Deputy Director, Health Care Services Division, of the Department of Corrections. Pickett has worked for more than 32 years in the CDC as a correction-

al officer, warden, regional administrator, corrections consultant, expert witness, and on the Criminal Investigations and Ethics and Value Statement task forces.

The position does not require Senate confirmation and he will receive a salary of \$117,600.

### UNFAIR LABOR ALLEGED IN WA PRISON

The Washington Department of Corrections is being sued for unfair labor practices which undercut outside jobs. Signature Packaging Solutions, which contracts for companies such as Starbucks and Nintendo, says that it provides a benefit to the inmate, the state, and the taxpayers by paying prisoners the federal minimum wage to package their products.

Opponents claim that the 50 percent shaved off a prisoner's paycheck helps cut the DOC's costs while subsidizing the contracting companies, who aren't required to pay salaries competitive with outside rates or health benefits.

Paul Wright, a prisoner and the editor of *Prison Legal News*, says private businesses are "paying prison workers less than they're paying on the outside, but they aren't reducing the markup to the consumer," they're pocketing the profits.

[Seattle Weekly, Dec. 27-Jan. 2, 2002]

### TOXIC JOBS FOR PRISONERS?

The U.S. Penitentiary in Atwater, California will employ approximately 350 prisoners in the handling of discarded PCs, monitors and related devices.

Critics call this labor unfair both to the inmates and to the private sector because of wages that are well below those paid outside prison walls. They also question prisoner's occupational safety, given the proximity to potentially toxic materials.

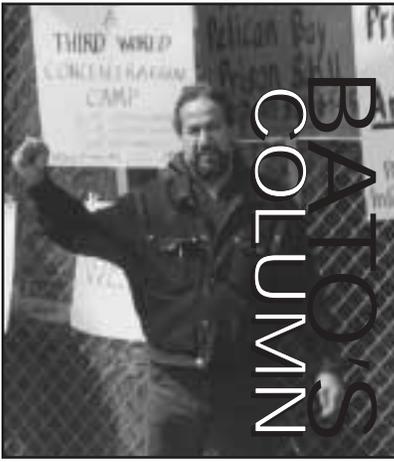
"Atwater is just the latest and probably the worst" example of prisoners being exploited in the name of providing them with job skills, says Ted Smith, executive director of the Silicon Valley Toxics Coalition (SVTC), an advocacy group. "It's pretty clear that it's a way to use a low wage, but really it's an involuntary servitude type of approach to dealing with e-waste, and I think that's pretty scandalous."

"We work them hard, but they enjoy it," says Larry Novicky, general manager of recycled electronics products and services group Unicor. "They like to be productive; they like working on electronics. . . . It provides them the opportunity to learn something that, quite frankly, they can use when they get out."

[CNETNEWS.COM]

artist: F. Alejandrez





## EMERGENCY RESPONSE: PRISONER VISITING

State Capitol, Sacramento, Ca.  
March 8, 2002.

8am. Meet in front of bldg. Press and Rally.  
9am. Hearing to begin. valid ID required.  
Microphone open to Public. People encouraged to sign-up to speak. Say No To Visit Cuts. Support Loved Ones.

**B**ato in Sacto., to Scope out, and Report back on Current Crisis. From up and down state, people have come together collectively to oppose and, individually to challenge with heart and soul, CDC's (Cal.Dept.of Corrections) Proposed Changes to Prison Visiting Regulations. We see the state's bureaucracy, in commission of yet another regulatory, statutory rape and pillage of the imprisoned class and it's extended family and communities. Exploitation of the imprisoned masses in innovative ways has become the course of business for the CDC. The exorbitant phone rates with kickbacks to CDC is but one example of such practices perpetrated by the state's prison regimes. If people could be charged for visiting, there would be no visit cutbacks. It's as simple as that. Forget the sympathy and rehabilitation angles, the CDC and its henchmen care nothing about being humane.

This current act of cruelty, disguised as necessity, as an institutional security measure, as means of stopping drug flow, is meant to severely impact - like never before, the state's current 161,000 inmate body. The crunch is real and psychologically will devastate a majority of prisoners, especially those doing Life and Beyond. Supporters, now gathered here in the cold of March, are waiting to file inside. "Sign up ASAP," we're being told by the women

organizers. The Hearings will go on all day, but nobody is setting time limits on what people have to say. Everybody has a bitter pill of personal history to tell. Grief and hardships endured by people on the arduous journey of co-imprisonment with a loved one. Prisoners who live for us, who depend on us, who wait months and years, for us to come and see - they're still alive. Still worth something to someone, somewhere. Still holding onto Hope. Holding out against the New Order that is intent on crushing and breaking down prisoners to the perverted prison rule of Law. Nobody here is going to hold back, or back down, from what they've come all this way to say. This is a do and die situation for many families hanging together by a thread. My friend who's driven up from San Francisco with me, and has nephews doing time, signed up late and been given a stub with the number 64. Forget it, I tell him. We ain't staying the week. People have taken off work and come long distances, but nobody's complaining. I see people from LA. From San Jo. From San Diego. Most of the women here are pissed, ain't scared and ain't backing down. "Fuck this..." many are saying, loud enough for bldg. security to hear. Feisty is not the word. I stay mum. I Write it down. More money for staff - From \$50,000 to \$65,000 - will that be enough? The governor is deathly afraid of the gang in green fatigues. He's looking to them to help him win another term. (They)'re playing both political parties as per usual. (They)'re mission now is to shut down prisoners where it hurts - in the family visiting rooms. It was already bad enough when visiting was a right. But now that visiting is considered a privilege it's open season on visitors.

The dept. has posted its CDC robocops in civilian dress at the auditorium entrance. Checking bags, checking ID, checking us out, incase we... some of us happen to fit the terrorist profile - Dark skin. Pretending congeniality, smiling thru their faces, go right in, yeah sure, humph, hope you do life someday, see what it's like. The officials appear a bit nervous, trying not to show it, but they do. Everybody is being loud as they want to be. This could turn into a mini riot under certain circumstances, I'm speculating. My comrade looks askance at me. "Stay by the isle," I advise, just incase. (They)'ll nab Xcons first. We feel the surging energy of the anxious crowd; things could boil over. I feel the power of everyday people, closely allied with the imprisoned class, who've come together to make a difference. Win or lose. Does that make us all criminals - for being here? It makes a big difference, when you have large numbers with you. When prisoners hear we were here for them they will not despair so much. Each person here is yet another lethal weapon in the fight against the growing fascism inside this Californicating beast that's oppressing us all. The prison state within the police state in the once great state of California. Help beat this beast back I'm saying to myself, before it eats all the people we know.

The auditorium is filling up. Nobody seems disposed to remain quiet. Contact with loved ones hangs in the balance. Most of the people here are women, and to be sure, they are planning to be heard loud and clear by the bureaucrats inside. As proposed: All current visitors are to be terminated, except for Immediate Family, reads the writing on the wall: Immediate



Photo: Bato and freinds in support of prisoner hunger strike, Pelican Bay 2001.

to be defined by unsympathetic, mean and arbitrary prison staff. Wives, girlfriends, life long friends, cousins, any steps or significant others, without proof of immediacy, along with anyone else without proper ID, not fitting into the narrow definition of Immediate, will be barred. No exceptions made. Children will be required to have California state issued ID, along with criminal background checks. The proposed changes are extensive, vague, absurd and mean. They have not been made available to the public except piecemeal. Prisoners at the state's 33 prison sites, have not been informed. In the eyes of their keepers, prisoners don't count or need to be told anything. These changes are clearly designed to further isolate and debilitate prisoner's already wretched lives. The devastating intent in the measures is obvious and instigated by the hated state's guard's union that has long pressed to restrict, limit and terminate prison visiting altogether. The issue of drugs entering the prison system - through visitors, is merely a smoke screen. The \$17 billion hole in the state budget, created by an inept governors office and which has squandered budget reserves on bad energy deals has now forced all state agencies including the dept. of Corrections to make adjusted cutback on personnel and positions is the real reason for prisoners being

cut off. Visit staff are the first cuts made.

I feel this is a protracted fight, we won't win today. Like everything else with the CDC it's duplicity, it's class hatred of the imprisoned classes. This is a Done Deal. The decision to do this class-action attack, has already been decided. The decision to cut off most prison visits has come down from the top. It's been written in stone since 9-11. (They) got us listed as the 'enemy within'. Prisoners and terrorist, somehow being equated as same-same, as a threat to institutional security. These Hearings are for show only, to partly comply with APA requirements, calling for public input. Fair hearings conducted by the CDC... are never fair. Never come out evenly. It's a sham. Some of us have been here before, many times over the years. Not once, has it ever stopped CDC from its prearranged disposition to go forward as already planned by state policy makers. Nothing has changed. (They've already gone and implemented visit rule changes, at some prisons we know about. Prisoners are being caught, unready, for this drastic change in their lives. No more girlfriends, common law, or unverifiable marriages. No more children sitting on parent's laps. But, What about the Waiting Period? - There wasn't any! The Capitol is where the public is directed to come and vent, to take part in a process that is much like kanga-

roo court behavior, inside the walls. You never win. It's a fiasco for holding down lucrative jobs. Low level Dept. minions, have been placed before us, sitting up on their raised tables, pretending to listen, pretending to jot something down, "good point, we'll look into it," sincere too, listening to us, pouring our hearts out, then, throwing away their scribblings once they've left. The Deal is Done. (They) sneer at us behind our backs.

First rule of working within prison bureaucracy: You can't climb the dept. ladder if you carry one iota of sympathy in your portfolio. Treat the class below you like animals and you will succeed. Treat prisoner sympathizers the same. It's as simple as that. (Their) duplicity is self-evident. It's obvious, the puppets placed before us now ain't got no real say, about what's already been decided - by higher ups. This deal has come from the top. Partly from the governor's office, guard union brass and CDC prisoncrats. (They) won't allow loss of work positions, cut-backs, without visit-staff going first. Money is the bottom line. The \$17 billion state budget deficit since the governor's energy dealing went bust, has given impetus to this bureaucratic scheme to help fix the state's fiscal debacle. State bureaucrats are having to squeeze other state agencies to make ends meet. The mammoth prison system is where state officials go first, to pick at the bones. Cut back. Downsize. Trim a quarter of a \$billion: the prison bosses are being told. Cut prison staff positions, cutback on overtime, too much overtime, double time, vacation time, hazard and emergency time. Skin the inmates however possible, is the first priority. Trim, trim.

A Done Deal. It's Done. Prisoners know if anyone knows. They have no power to change policy. Our fight will continue over the years, and will be won in the long run. Prisoners cannot win this fight alone. The Right of Access by the Community... ACCESS to our incarcerated community members ...the Reestablished Right of Families to Keep and Hold Families Together... Will be fought and won by local organizations, by Churches, By Loved Ones, putting politicians and lawmakers within our communities and voting districts... ON NOTICE. Let Our People Go... And Eliminate guard positions For Good.

# BLACK PANTHER PRESS PRESENTS

Within the last 15 years an organized campaign has been initiated to criminalize our people and community, and this criminalization has facilitated the implementation of fascist and racist-based laws such as three strike and mandatory minimum for crack co-caine, the rapid growth of the Industrial Prison Complex and military style police occupation of our communities, not to mention a so-called criminal justice system committed to locking up New African (Black) people. We are presenting three (3) very important pamphlets designed to assist the people in resisting the criminalization of our people and community. The following pamphlets were written by Abdul Olugbala Shakur, a New Afrikan Political Prisoner of war, who has served the last 19 years in solitary confinement. These pamphlets are strongly recommended.

**Poverty, Crime and Government:**

**The Other Secret War** \$5.00

**Ghetto Criminology:**

**A brief Anaysis of Amerikkka  
Criminalizing a Race** \$5.00

**The U.S. KKKoverment fraudulent  
Annual Crime Report** \$3.00

Black Panther Party Press  
Sharifa Dafina Shakur  
PO BOX 135  
Daly City, CA 94016-1305

## IN THE SPIRIT OF TUPAC AMARU SHAKUR

### RECOMMENDED READING TOWARDS UNDERSTANDING SOCIAL INJUSTICE, THE INCARCERATION OF GENERATIONS AND THE FIGHT AGAINST RACISM & OPPRESSION WITHIN THE POLICE STATE.

- Jailhouse Lawyers Manual (4th Edit.) by Columbia Human Rights Review
- In Our Defense/the Bill of Rights in Action by Alderman & Kennedy
- The Road to Hell by Liberatore
- Survivors Manual / edited by Holbrook Teter & CPF
- Blood In My Eye by George Jackson
- Soledad Brother by George Jackson
- Prison Madness by Terry Kupers
- Deadman Walking by Sister Helen Prejean
- Lockdown America by Christian Parenti
- Last Man Standing by Olsen (in re Geronimo)
- Liberation, Imagination & the Black Panther Party by Kathleen Cleaver
- The Felon by John Irwin
- Long Term Imprisonment by Flanagan
- Melancholy History of Soledad Prison by Min Yee
- If They Come in the Morning by Angela Davis
- Donny/Life of a Lifer by Donny Johnson & CPF
- Prison Writings/My Life is my Sundance by Leonard Peltier
- Live From Death Row by Mumia Abu Jamal
- War, Racism And Economic Injustice by F.Castro
- Bandido by Ilan Stavans
- Criminal Injustice / edited by Elihu Rosenblatt (PARC)
- Defending Civil Rights/Under Internationla Law by Francis Boyle
- Handbook for Writers in Prison by PEN prison writing Program
- Down in the Valley/Lagrimas Prison by Michael Snedeker
- The Prisoner's Guide to Survival by L. Powell Belanger
- Corcoran Papers by Tom Quinn & CPF
- Cages of Steel by Ward Churchill & J.J. Vander Wall
- Women in Prison: Inside the Concrete Womb by Kathryn Watterson
- Social Justice edited by Critical Resistance

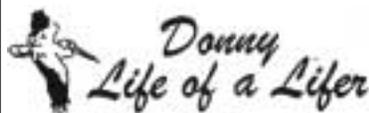


**Restitution Inc**

Restitution Incorporated has been promoting healing between offenders and victims since 1998, by

helping offenders make restitution for their crimes. Restitution Inc. provides a forum for offenders to apologize for the harm they have caused and for victims to share their journeys from grief to healing. While the inmates involved with Restitution Incorporated receive no financial benefit from their restitution efforts, the healing effects from making restitution are limitless.

For more information contact: Betsy Wolfenden, President, Restitution Inc., 106-E Melrose Place, Chapel Hill, NC 27516. www.restitutioninc.org



**A Prisoner's 20-year Odyssey**

Life in California Supermax SHU Prisons. Includes memories of growing up, letters, poetry, reflections. 161 pages

Every mother who has someone inside should read this book.

Regular: \$12.95 (includes shipping)  
Prisoners: \$10.00 (includes shipping)

Make checks payable to: CPF/Book  
655 Llewelling Blvd.

Bx-113, San Leandro, CA 94579

# Poetry

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## *Not Her Mission*

mind your own business  
is the Flip side to the Trade  
of September 11th and its pains:  
Trotting the globe dictating her wishes  
She Forgets that people are the same  
And they'll fight for what they belief in too:  
miss Liberty wears too many shoes,  
And hard-headed she won't listen  
but, some things,  
Are Just not her mission . . .

Proudly Folks stand and look to the Sky  
As Americas Plans Pass by  
Eager for a moment, to make "even" our pains,  
We forget her foolish crimes:  
Showering food and gifts to men  
that have not asked and don't accept,  
While standing by as folks starve in her land;  
Looking down at those that ask for help . . .  
The World Trade fell and collections poured forth!  
everyone with something to give,  
Though the families aren't "poor"  
and insured, for sure!  
Yet, look at how our fellow men live:  
Begging; Homeless;  
Too Poor to give gifts;  
sacrificed bodies  
being traded unend,  
for a mother to put food on her plates:  
Housing that cost much more than cash  
Beaten, Battered, or 'Had'  
to make do,  
Yet,  
We leave her and Judge her to . . .  
but,  
America claims this is not her mission . . .

food being given to those that don't want  
money Raked and donated  
to those without need . . .  
maybe America's too "free"!?  
or too blind in one eye to even see  
her own people and their needs . . .

How can one love a nation  
That spits in the face of their pains?  
How can one openly Join in a mission  
and gather with strength unswayed  
for a land where they are not known  
Yet, still feel a need to call home?  
How?!

I'll tell you how:  
In tragedy.  
There is strength. You see?  
And struggle is not new; it's learned:

These lives have endured so many shattered dreams  
They know the strength of group love.  
Even when the group doesn't honor them,  
or accept the fact they exist,  
Their lives and souls still rally when  
A need, they see, is unfilled:  
giving their last, to help another pull through  
inviting mass, to another pained group;  
unlike the 'crust above'  
Doors, here, are never closed; shut  
on a life that comes in need  
open arms, warm meal, or a hug  
Found on America's cold streets;  
Even though it's 'not her mission' . . .

I sit and see prisoners giving their all;  
rallying to collect and give aid  
to those effect on that tragic day:  
money, not earned, but often begged,  
being sent to do what it can  
for the blind ignoring land  
that shares with them nothing,  
but hate and bitterness in return;  
disenfranchisement their only gift,  
As new laws and unseeing eyes  
continue still  
to vote in new Laws  
And forget they exist,  
yet,  
They give, without request, what they can  
To help their Fellow man  
in a land,  
Where they don't belong;  
the only land they know to call 'Home'

For,  
They feel a needers need  
and know not the selfish greed  
of one that has  
but will not give:  
They understand  
The loss of a friend;  
The loss of Love;  
of Life;  
Humanity; Justice; might  
And they make it their business to listen,  
to the sound of a strugglers cries.  
but, why?  
Why, when their own American Plight  
is ignored and . . .  
not her mission??

How can we continue to dictate to men,  
As if our will is right?  
Do not they deserve  
to command their own lands

And heed their own calls to fight?  
With so many failings, by America, ignored,  
Should we not clean our own hous First?  
Yea, 9-11 was a great tragedy, but,  
it wasn't where tragedy woke:  
Tragedy Rose  
in the unseeing yes;  
in the struggles of thrown away lives;  
it Rose  
in the nose  
of coke brought and planted;  
in the diseases created by man;  
Tragedy Rose  
in the homeless at the trade centers door;  
it rose in the wars, like 'nam,  
without reason  
it rose, in america's treason  
It Rose . . .  
It Rose  
in the clothes that fall to the Floor  
as legs spread  
for a warm meal and bed . . .  
but,  
Then again, huh!  
This is ol' selfish America  
Yeah,  
So,  
Who in the Hell's really listening?  
When we all know  
This is not Her mission . . .

God Bless those stars and stripes  
for,  
Even still,  
it's 'freedom's' makes this a proud home  
I Just wish that 'mama' would tend to her own kids first,  
and quit trotting in search  
for murk  
not hers.  
But,  
Just maybe  
this time she'll learn . . .

*By Mr. Wesley "Godfather" Hunter, Centinela*

# POLITICAL PRISONERS UPDATE



Photo: Robert King Wilkerson with friends and supporters 2001.

## ONE DOWN, TWO TO GO

The Angola 3 have received a favorable ruling in an American Civil Liberties Union civil suit filed against their 30 years of solitary isolation. The preliminary ruling allows the A3 to continue pressing their claim that the "lockdown review board" hearings they receive every 90 days are a sham. The suit calls the men's 29-year stay in solitary confinement unconstitutional and cruel and unusual punishment. It seeks monetary damages for all three and to release the remaining two A3 into general population.

Robert King Wilkerson, one of the A3, was released in 2001 after spending 29 years in Angola Prison for a murder he did not commit. Albert Woodfox and Herman Wallace, framed for the 1972 murder of a prison guard, have also been held in solitary confinement for 29 years, despite the fact that there was no physical evidence linking them to the crime.

Wilkerson, Wallace and Woodfox have always believe that they were framed by prison officials because they organized the Angola chapter of the Black Panther Party

and led a campaign to end prisoner rape, improve race relations, and ameliorate conditions at the slave plantation-turned prison.

Write the two A3 brothers still inside:

Albert Woodfox #72148, CCR Upper B Cell 13, Louisiana State Penitentiary, Angola, LA 70712

Herman Wallace #76759, CCR Upper C Cell 1, Louisiana State Penitentiary, Angola, LA 70712



## MUMIA ABU-JAMAL – POLITICAL PRISONER!

This February Mumia's legal team filed a brief with the U.S. Court of Appeals, Third

Circuit, which includes a Jan. 28 affidavit from Evette Williams refuting the prosecution's key eyewitness, Cynthia White, in Mumia's 1982 frame-up trial.

Mumia Abu-Jamal is an award-winning African American Pennsylvania journalist and Black Panther party member who exposed police violence against oppressed communities.

On death row since 1982, Mumia was sentenced for the shooting of a police officer. New evidence, including the recantation of a key eyewitness, new ballistic and forensic evidence and a confession from Arnold Beverly (one of the two killers of Officer Faulkner) points to his innocence and the need for a new trail.

Write and Support Mumia's Fight for Liberation!

Contact: Mumia Abu-Jamal, AM 8335, SCI Greene, 175 Progress Dr., Waynesburg, PA 15370

## LEGAL UPDATE ON MUMIA:

A federal appeals court has decided not to consider the appeal of Mumia Abu-Jamal, opting to wait until the Pennsylvania Supreme Court takes up the case.

Abu-Jamal appealed to the 3rd Circuit Court of Appeals, hoping to get his original conviction overturned. State prosecutors also appealed, in an effort to restore the original death sentence.

The appeals court got the case late last year after a judge ruled that Abu-Jamal was entitled to a new sentencing hearing, at which a new jury could set the penalty at either life in prison or death.



## LEONARD PELTIER – POLITICAL PRISONER!

Attorneys for imprisoned Native American activist Leonard Peltier filed a lawsuit April 4

accusing former FBI Director Louis Freeh, the FBI Agents Association and a long list of active FBI agents of violating Peltier's Constitutional rights by making false and unsupported statements to the public, the Department of Justice, the United States Parole Commission, and former President Clinton in a highly controversial campaign conducted by the FBI to stop former president Bill Clinton from issuing Peltier a grant of executive clemency during his last days in office.

Leonard Peltier has served more than 26 years in prison for the deaths of two FBI agents killed in a 1975 shoot-out on the Pine Ridge Indian Reservation. Peltier's supporters assert the FBI terrorized witnesses, utilized false testimony and withheld a ballistic test proving Peltier's innocence to gain his conviction. Senior Eighth Circuit Judge Gerald Heaney, who denied Peltier a new trial based on a legal technicality, has since come forward to support Peltier's release, citing FBI misconduct.

Contact: USPL, Leonard Peltier, #89637-132, USPL P.O. Box 1000, Leavenworth, KS 66048



**MARILYN BUCK –  
POLITICAL PRISONER!**

Marilyn Buck is serving an 80 year sentence for her activities in support of the Black Liberation struggle and the struggles of oppressed people everywhere. These charges include participating in the successful escape of Assata Shakur, being a leader of the Black liberation movement and participating in a series

of political bombings in the mid-80s to protest U.S. government military interventions and racist attacks against the Black community. She has been in prison since 1985 on these charges.

Contact: Marilyn Buck, 00482-285, Unit B, 5701 8th Street, Camp Parks, Dublin, CA 94568.

Outside contact: Friends of Marilyn Buck c/o Legal Services for Prisoners with Children, 1540 Market Street, Suite 490 San Francisco, CA 94102.

E-mail: fombuck@yahoo.com.

Web: www.prisonactivist.org, 2002



**ALVARO LUNA  
HERNANDEZ,  
CHICANO MEXICANO  
PRISONER OF WAR!**

Alvaro Hernandez Luna was sentenced in Odessa, TX in 1997 to 50 years in prison for defending himself by disarming a police officer drawing a weapon on him (unarmed). The trial evidence clearly showed Alvaro was the victim of a police-orchestrated conspiracy to frame or eliminate him.

Alvaro was recognized nationally and internationally as the national coordinator of the Ricardo Aldape Guerra Defense Committee, which led the struggle to free Mexican national Aldape Guerra from Texas' death row after being framed by Houston police for allegedly killing a cop. Alvaro's human rights work was recognized in Italy, France, Spain, Switzerland, Mexico and other countries. The police knew of Alvaro's history of community-based organizing and his legal skills when they targeted him for arrest.

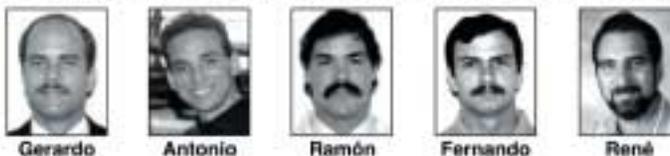
Contact: Alvaro Luna Hernandez, #255735, Hughes Unit, Rt. 2, Box 4400, Gatesville, TX 76342-0009

**FREE RUCHELL CINQUE MAGEE ...  
IT'S BEEN TOO LONG SINCE FREEDOM!**

Forty years straight time is way too much for a Black prisoner in America to have to endure with unjust imprisonment. Since 1963, for a minor marijuana conviction in Los Angeles County, Ruchell has served an indeterminate life sentence. He has fought solitary battles against the prison system that has kept him from justice and freedom for the last 40 years. At every turn and chance, the prison system, has tried silencing, isolating, tripping up, obstructing and confusing with false information Ruchell's quest to pursue his justice claims. The Fight Continues ... La Luta Continua!

Contact Ruchell Cinque Magee: CSP #A92051, 3A2-121, P.O. Box 3461, Corcoran, CA, 93212

**Free the Five Cuban  
Political Prisoners  
Unjustly Held in the U.S.!**



Five Cubans, Gerardo Hernández, René González, Fernando González, Antonio Guerrero and Ramón Labañino, were sentenced from 15 years to two life sentences in the U.S., after a politically-motivated trial by the federal government last June.

The U.S. claimed they were spying on military facilities, when in fact these five brothers were in Miami — sent by Cuba — for the sole purpose of monitoring the right-wing terrorist groups in southern Florida that have carried out countless acts of violence against the Cuban people for many years.

They were trying to prevent further acts of terror on their people by groups such as Omega 7, Alpha 66, and Brothers to the Rescue, which all owe their existence to the CIA.

**René, Fernando, Ramón, Antonio and Gerardo never harmed anyone** in carrying out their duty to defend their people and country of Cuba. They are not criminals, they are heroes!

To get information on their case, to get their addresses, and to learn how you can help win their freedom, call the National Committee to Free the Five Cuban Political Prisoners at:

**415-821-6545 • freethefive@actionsf.org**

nurse got me "mixed up" with another patient. Medical staff also asks me to explain my condition. Suffocating at night because of lack of air - too hot - too stuffy. Hands that won't open in the morning from arthritis: can't peel my grapefruit, can't eat, no one to help, no pain meds till 9

or 10 - they're too busy at eight. Needing my linens changed is called a "comfort not a necessity" after a week.

I'm in a wheelchair, on oxygen, but we are locked down all but three and 3/4 hours a day because of "security." The lockdown began, amazingly, at the time we filed some 602s (grievances) about conditions:

Diet meals that serve salt to low sodium diets, sugar to diabetics, fried chicken and ice cream to low cholesterol diets. Vegetables cooked to mush, "salad" consisting of a handful of iceberg lettuce, yet the staff physician says we don't need vitamins.

Doctor visits - must request him to see you - must talk fast because you have less than 1-3 minutes with him. Want to know how you are - what the results of your tests are - ask again - he has no pen - no chart - no memory - yes, "they take care of me."

602 the situation - they don't go past the doors. Compassionate release - they don't know how long I will exist - six years - six days - you can't predict my disease. Doctor says she needs a second opinion, send me to the hospital but I'm still here - didn't go anywhere. My judge sent me here with my disease - he didn't understand it either. Now my heart's enlarged - I get weaker day by day. I lay in my bed now and wonder - is six feet under their way to "take care of me?"

- Delores Garcia, Central California  
Women's Facility

## LOCK-DOWN IN SUSANVILLE

Dear CPF:

I want to inform the public of the oppression inflicted upon two prisoners at California Correctional Center-Susanville, for reporting and witnessing staff misconduct. We have been locked-up in Administrative Segregation for 115 days and counting, in violation of government

code of ethics, which states: "No government official shall while serving as such, have any interest, financial or otherwise, direct or indirect, or engage in any business transaction or professional activity, or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest and his responsibilities as prescribe in the laws of this state (Government Code Section 8920)." Clearly there's a conflict.

- Theotis Golden, Susanville

## PARENTS DOING LIFE IN PRISON

Dear CPF:

It is the opinion I would say that millions of people in society would think that parents can't be parents if they are incarcerated. Mothers and fathers by the thousands are now serving life in prison, and thousands of more are being sent.

This is leaving the children to be forced into foster homes, or they become turn-outs who are doomed to live their lives in the streets and gangs which are grossly infested with crime and drugs. So many children grow up with hate and bitterness towards their parents because they were no where around in their times of need.

Some kids had no choice but to drop out of school. They would point the finger at the system that looks down on them for having parents who are locked up. The lack of education keeps them out of the job market, while more crime and drugs enter our society, which adds more pressure to their freedom and future.

True there are programs where mentors are coming between parents and the child to blot out the thoughts of a parent who is locked up; but you also have to ask yourself, "what goes through the child's mind when they see other parents in everyday life with their kids.

The problems may go away for a short time, but soon it will return and it will have a stronger effect on that child's future. Am I saying the system should let these parents go? "Yes and no."

Yes, let those parents out that were given 25 years to life for a non violent crime and seal back the bond between parent and child before it's too late, and that child grows up with a bitter outlook on life. Flip to the other side and put yourself in the parent's shoes and ask yourself, "Will you have the time after serving 20 or

30 years in prison to walk out and start spending most of your time with a bitter adult, who was once your child?" You could never make up for lost time.

"20 or 30 years for a petty non-violent crime." You can only get out and pray that someone will take you in, give you a job if you are strong and able to work, or if the people will even allow you to enter their community without protest.

When the three-strikes law came into effect and I myself got caught up in the net of this law, I asked myself what was going through the minds of all the people backing this when they decided that life in prison would be satisfactory to the cause of fighting the war on crime?

And that when these people are set free 20 or 30 years later who's responsibility will it be to get back into society and blend in with those who are 30 years ahead of you, and all you have to work with is \$200 gate money.

You would think that after doing all that time behind bars a person would be so bitter, that their only priority in life would be to remain free. As for those parents who are stuck in prison, you would think that conjugal visits would be very appropriate to re-unite family and keep the bond between parents and their kids strong.

Before the politicians are elected by the people we hear them speak about the future of our children, but when you remove the parents from the picture by replacing them with life in prison for small crimes the future of our children will be doomed.

- M. Young, Folsom

# SUPPORT THE SHU HUNGER STRIKERS!

On July 1, 2001 more than 1,000 prisoners in California began a hunger strike in an attempt to change the unfair rules governing their Security Housing Unit (SHU) placement and to initiate a dialogue to encourage conflict resolution between prisoners and staff. 700 men at Pelican Bay State Prison and 300 at Corcoran protested for 7-14 days by refusing their meal trays. Some ate no food, others ate small amounts required by their medical conditions or special needs.

The strike was suspended at the request of State Senator Polanco who arranged meetings with CDC officials. It is Summer 2002 and the outcome of those meetings is uncertain and the strike could resume at any time the prisoners choose. The prisoners need your help!

## BACKGROUND

More than 3,000 of California's 160,000 imprisoned men and women are held in the highest security lockups, or SHU's. They are locked in their cells 23.5 hours a day with no access to work, education, social or religious activities. All meals are taken in the cell. Visiting is very limited and always noncontact. They are subjected to medical and psychiatric neglect, and guard harassment and assault in a brutal environment of boredom punctuated by violence and madness.

California and Arizona are the only two states to use their SHU's as an important part of their prison anti-gang strategy. Here, the CDC puts anyone labeled as a prison gang member or associate in the SHU indeterminately. Weak and unreliable information is used to lock up thousands in these prisons within prisons. The only way to gain release from the SHU for a gang labeled person has been to snitch, parole or die. Recent litigation forced the CDC to create a "six year top" procedure in which a gang labeled person could petition for release from the SHU after proving no gang activity for six years.

In its latest report the United Nations Committee on Torture criticized the United States for its violations of the UN Convention Against Torture, objecting to the excessively harsh regime in US supermaximum prisons like California's SHU prisons. This criticism of our violation of the Convention Against Torture fell on deaf ears at the CDC.

## HUNGER STRIKE SUPPORT PETITION

The SHU strikers put forth four basic demands:

- 1. Fair rules of evidence in classification hearings.**  
Weak and unreliable information often obtained under coercion is used in the Kangaroo Court of prison classification to gang label a prisoner. "Evidence" might include a name in an address book, signature on a get-well card or an old picture of a group of prisoners on the yard. Prisoners forced to snitch to get release from the SHU may give false information under coercion and guards can use the process to carry out personal vendettas. Prisoners wrongfully labeled have no gang information to divulge.
- 2. No SHU terms given for mere alleged association with a gang unless criminal activity is shown.**  
Only California and Arizona make the gang label itself enough to result in SHU placement. In all other prison systems a serious rules violation like an assault with a weapon or assault on staff must be proven to require SHU housing.
- 3. Release of inactive gang members after one year in the SHU.**  
Litigation has forced the CDoC to establish a six-year release rule. But that is way to long to be in the SHU.
- 4. The re-establishing and maintaining of dialogue amongst prisoners and staff to bring about conflict resolution.**  
The SHU prisoners had been willing to help the prison administration at Pelican Bay negotiate for peace on the prison yards in the general population areas of the prison. When the proposal was presented to the central office in Sacramento it was denied. California has one of the most violent prison systems in the US with a very high rate of fights among prisoners, assaults of prisoners by guards and assaults of guards by prisoners.

We, the undersigned, support the demands of the SHU prisoners and insist that the CDC and legislative oversight and appropriations committees take immediate action to implement the proposals.

NAME PRINTED

NAME SIGNED

DATE

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Send to: Hunger Strike c/o CJC (CPF) 980 North Fair Oaks Avenue, Pasadena, CA 91103

# PRISON FOCUS

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## ABOUT CPF

California Prison Focus (formerly Pelican Bay Information Project) investigates conditions and treatment of prisoners in three of four of California's control unit prisons: Pelican Bay State Prison, Corcoran State Prison and Valley State Prison for Women. Our HIV/Hepatitis C in Prison committee focuses on education, advocacy and compassionate release campaigns. We have just formed a new committee to focus on transgender prisoner rights. CPF members are former prisoners, activists, families, prisoners and concerned people.

## OUR MISSION

Founded in 1991 California Prison Focus is dedicated to identifying, monitoring, challenging and ending the human rights abuses that take place in California prisons and particularly in Security Housing Units (SHUs). CPF educates the public about violations of prisoners' rights and engages in advocacy for pris-

oners and their families as well as providing training for self-advocacy. Our goal is to bring the communities on the outside together with those on the inside. Essential to that task is working in solidarity with prisoners and providing them a voice through our newsletter, other publications and speaking out. CPF seeks to end the use of long-term isolation in California's prisons, to close all SHUs with the ultimate goal of abolishing all US prisons as we know them and fight for quality medical care for prisoners with HIV/AIDS and other serious illnesses.

**JOIN US FOR OUR MONTHLY GENERAL MEETINGS, THE SECOND WEDNESDAY OF EVERY MONTH, HIP MEETS EVERY FOURTH WEDNESDAY BOTH AT 7 P.M.**

**PHONE (415) 252-9211.**

**WEB: [www.prisons.org](http://www.prisons.org)**

## BILL NUMBER: AB 2133

PASSED THE SENATE AUGUST 8, 2002  
PASSED THE ASSEMBLY MAY 23, 2002  
AMENDED IN ASSEMBLY APRIL 17, 2002

INTRODUCED BY Assembly Member Goldberg  
*An act to add Chapter 10.7 (commencing with Section 6400) to the Penal Code, relating to prisons.*

### LEGISLATIVE COUNSEL'S DIGEST

*AB 2133, Goldberg. Prisons: inmate visitation.*  
Existing law includes legislative findings and declarations indicating the importance of visitation to prisoners as an effective correctional technique that reduces recidivism, and provides for specified services for visitors to prisons. Existing law includes regulations governing the policy and practice of the Department of Corrections concerning prison visitation.

This bill would require that any amendments to existing regulations and any future regulations adopted by the Department of Corrections which may impact the visitation of inmates recognize and consider the value of inmate visitation as a means of increasing safety in prisons, maintaining family and community connections, and preparing inmates for successful release and rehabilitation.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:  
SECTION 1. Chapter 10.7 (commencing with Section 6400) is added to the Penal Code, to read:

### CHAPTER 10.7. PRISON VISITATION

6400. Any amendments to existing regulations and any future regulations adopted by the Department of Corrections which may impact the visitation of inmates shall do all of the following:

- (a) Recognize and consider the value of visiting as a means to improve the safety of prisons for both staff and inmates.
- (b) Recognize and consider the important role of inmate visitation in establishing and maintaining a meaningful connection with family and community.
- (c) Recognize and consider the important role of inmate visitation in preparing an inmate for successful release and rehabilitation.

