S.H.U
Z
LETTERS

CONCERNS ABOUT HEP C & TB

Dear CPF:

I would like to talk about the HEP C and TB problem in the SHU. Uncom-fortable as this subject is to all of us, I believe it could be brought to a stop if the c/0s would issue disinfectant for our cells, especially for the restrooms and showers.

I know it was problem back in the day because some individuals used the disinfectant to take their lives, which is why it’s not currently issued, but how dumb can you get? Disinfectant is now a necessity! Surely, if a c/o can take the time to look in your file and see if you’re allowed to have a ‘celly’ or not...they can take the time to see if you are a suicide risk!

I personally, clean my cell three or four times a day and you can’t tell what’s in the toilet. We have to clean it and they don’t give us gloves! Not to mention that, those of us who will go home soon take home whatever we’ve gotten here and that’s not cool! Every time I take the HEP C or TB test I hold my breath until I get the results.

I don’t understand some people here. They trip on so many things, but our health should be the number one thing we’re concerned about! This is a genuine issue.

I’d bet if people started asking for disinfectant, doing 602s, and being more concerned about how clean their cells are, there would be a lot less disease. Thank you for your time.

—Gary Taylor, Corcoran

CDC KEEPS “TAKING... TAKING...TAKING!”

Dear CPF:

As I’m sure you’re aware, effective March 2. The CDoC instituted a new policy of forcing “D” status (SHU/AD-SEG) prisoners to send home their personal entertainment appliances (TV’s & Radios) upon placement into administrative segregation and wait a mandatory period of one year before being permitted to purchase a new one. In the memo distributed by CDoC no reason is given for said policy changes. Prisoner appliances pose no safety concerns as described by TITLE XV guidelines. In fact, televisions and radios do a big part in contributing to prisoner tranquility and compliance. These new policies are clearly only meant to antagonize and contribute to institutional unrest, out of spite, on the part of CDoC administrators toward prisoners.

This new rule change sets a dangerous precedent. Government code dictates that (except in emergencies) an administrative agency must give notice to the public before adopting a new rule or changes in existing rules. The statement must include a list of reasons for the change. In addition the public (including prisoners) must be given an opportunity to submit written comments on any and all proposed changes. At no time were we (or our families) given the opportunity to submit comments on the changes. No notices were posted in the law library. No memos were handed out regarding these changes. No public notification was given to concerned citizens groups. These changes were perpetrated without warning, without reason, and without cause.

Administrators have had their feet on the backs of inmates for years—taking, taking, taking for no other reason than hatred and greed. The only vendor SHU inmates are permitted to purchase from (here at Tehachapi) is Walkenhorst’s.

—Bart McIntosh, Tehachapi

RESPONSE TO ED

Dear CPF:

I am responding to “IN ED’S OPINION” from the fall 2004 issue of Prison Focus. My analysis won’t touch upon every aspect of Ed Mead’s article but I would like to offer my perspective.

Those who work with CPF have fought long and hard for prisoner’s rights. No one can dispute their commitment or the things they’ve accomplished. This is particularly true when it comes to Ed Mead. Be this as it may, Ed’s approach and outlook as expressed by his opinion pretty much dismisses any need to liberate individual prisoners or assist with their personal needs until we’ve altogether done away with capitalism.

As harsh as this might sound there is only so much Ed or any small groups like CPF can do for individual prisoners unless they have more funds and a bigger staff. In that case it might be possible to assist more prisoners on an individual level. Without those things, however, it’s impossible to accommodate literally hundreds of thousands of prisoners who write each year seeking help.

Mead states in his piece that he “lacks the inclination to perform errands.” It seems to me that he expresses this attitude without regard to merit or how serious our needs, and while some of us understand his stance, we’re slightly offended by his attitude concerning our requests. [In my opinion] when he was a prisoner himself, he sang an entirely different tune. During those days he had little time or understanding for people who couldn’t or wouldn’t aid prisoners on some level—even materialistic. His inductive was worse by far for anyone on the left who refused to aid political prisoners, or failed to see a need to liberate POW’s like himself or others in his group such as Bo Brown, etc...

There’s no need to dwell on the obvious need to aid these people or anyone else that’s serving time for something they haven’t done. Were we to dismiss the need for this there’s no telling how many innocent people would be executed or locked up. Recent figures indicate that more than 300 prisoners were released after DNA testing proved their innocence. Some had already served 10 to 20 years in prison and others were close to execution at the time of their reprieve.

Having served time for some thing he did not do Ed should be perfectly able to empathize with the need for some of us to have the legal means available to fight for our freedom.

As for our ability to connect or work with other progressive groups or organizations, experience has shown that organizing anything with outside groups who have different interests and goals is tough. This includes groups on the left. In the case of women or other minorities, we must have a way to further our own agenda if others who represent the masses of people in our society by forming organizations sympathetic to our needs, abandon us.

Providing we are able to develop these organizations above ground and under-ground, we would then be able to enforce

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THANKS

Please accept our sincere apologies for this very delayed issue of Prison Focus. Vacations and computer problems were just two of the reasons. Thanks to Tony Gregory for the cover art, Todd Hyung Rae, pages 8 & 20, Jason Treas, all artwork, pages 21-26, and page 39, Robert Garcia, page 4, Mark Makinson, page 7, Dwyne Lawrence page 9. Please continue to send us artwork.
Greeting from the editors of Prison Focus newsletter. This issue features two pieces on the topic of isolation, namely Administrative Segregation (or Ad Seg) – a place general population prisoners can be sent for various reasons such as a pending investigation of a rules violation. In California at least, your property is taken and you lose many privileges and rights. Most often your visits are behind glass and access to the phone is denied. What we have found over the years is that these cells are (mis)used for longer-term segregation and for punishment. Many people include these cells and units in their discussion of control units. Though we planned this Prison Focus to be on the topic of SHU, what we came up with are these two pieces on Ad Seg. We know it is important to make the distinction between the different types of segregations, but recognize that Administrative Segregation is sometimes used like a control unit.

The first essay is by our regular contributor LeNard Andre Scovens who is incarcerated in Florida. His piece is about the violence that can pervade isolation units and how the powerful pick on those that are weaker. Next is a piece titled People Cagers written by a prisoner in California. He equates prison cells to the cages (other) animals are kept. Read on and enjoy.

Please send us submission, including artwork, for the next Prison Focus on the topic of survival inside. Send practical tips, your personal story, philosophy. Please send concise writing. Thank you.

TIT FOR TAT

By L.A. Scovens

I don't remember his name but his screams seared the night as he pleaded with his jailers to stop gassing him with pepper spray. The chemicals turned his brown skin yellow, scouring his lungs, and set him to violent coughing spasms as his eyes teared and his bodily functions went wild. He suffered nightly assaults of these poisonous gasses for no reason other than his big mouth.

Granted he talked too much crap but since when has speaking your mind justified torture? And doesn't being gassed in a cell with toxic chemicals qualify as torture? Further, doesn't confinement in a cell for 23 hours out of every day while at the mercy of sadists who take enormous pleasure in inflicting pain much like boys who pluck legs from spiders just to see them hobble qualify as torture?

Webster’s dictionary defines torture as “the act of willfully inflicting severe pain.” The law has a slippery definition of “sever pain” but I think the bright sensation of your skin burning and the convulsive wretching resultant from being gassed could be considered pretty severe. Further, being deprived of any non-aggressive human contact or sensory stimulation for extended periods of time has been shown to cause psychological breakdowns that can lead to suicide or other behavioral aberrations.

Could that mean that forced isolation inflicts pain? Personally, I don’t think many pain free people cut their wrists, swallow razors or crack their heads against walls until their cells are splattered crimson as dirty tides. But I’ve seen many men in isolation do these things.

I’ve been confined on Ad Seg for four years. I’ve watched guards choose the weakest prisoners to terrorize them for weeks with daily assaults of their toxic gasses. I’ve seen them deny prisoners food until weight dropped from their bones like wax from burning candles. I’ve seen guards beat them bruised and bloody then dare them to report the abuse. I’ve learned that in situations where flawed men have extreme control over others, the line between good and bad guys blurs. The guards justify their behavior by preaching that the convict is an asshole and deserves what he gets—that he’s only ensuring the weakest prisoners to terrorize them for weeks until their cells are splattered crimson as dirty tides. But I’ve seen many men in isolation do these things.

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Violence is self-perpetuated and society’s quiet complicity to domestic prisoner’s abuse creates the ghouls that haunt our future and jeopardized our chance at achieving national stability and safer city streets.
I went to the hole twice in one year. It was a devastating and yet enlightening experience. Devastating for the same reasons one in free society would lament: The horrible feeling of being accused, for starters; losing one’s job, and having your personal property searched and rummaged through by rough and uncaring officers. Also, the fear of the unknown: What’s going to happen to me? What will people think? What about my family ties, my things, my future, etc.?

I had been working as Head Education Clerk for six years and was accused of being over-familiar with a teacher I worked with. Despite the commonality of being human, it is against the rules for prisoners and staff to relate in any personal way. Even favored football teams, technically, cannot be expressed. So, in essence, I was punished for being amicable, or too nice…on both occasions—true testament to the supposed goal of correction: preparing prisoners for reintegration into society.

As the Law of Murphy would have it, I had just broken my leg, two days prior to those damning accusations coming to light.

Having never been to the hole in my eleven years of incarceration, I quickly learned that the hole wasn’t the media’s image of a literal hole in the ground, nor was it some dimly lit dungeon – filthy – smelly – wet, like in the movies.

The hole was a distinct housing unit filled with cells just like on the mainline. But these cells were much closer to cages than the mainline cells. The difference between a cage and a cell is that a cell has more creature comforts like a connecting sink and toilet, metal shelving, a pair of steel bunks, a small mirror on the wall, for grooming, and a ceiling light that remains on 24/7.

Still, whatever you want to call it, it’s where the prisoner spends most of his time. Locked up, stored away, in an unnatural and starkly small living space with no privacy or dignity. Just like an animal in a cage. Cells are merely cages for people, or people cages.

When I first hit the hole – sporting leg and wrist restraints – for the non-violent act of being too friendly, I was a little scared. I didn’t know what to expect. I was impressed with the sophistication used to isolate people from people. Barriers left, right, and above. The perimeter of the building was lined with fifty cells on each of the two tiers, just like on the mainline. But there were also one-man holding cells, cages, in every sense, placed out where everyone could see them.

After an hour or so, I was processed and I graduated from the holding cell to cell 148, in my new restricted housing unit. As I crutched myself into the unfamiliar cell, my first observation was that the window was painted over so that we couldn’t see the wonder of nature outside. The word cell is just a euphemism, a soft play on words. There is nothing comforting or soft about a tiny abode made, filled, and surrounded by the two sole elements of concrete and steel.

There is a distinguished difference between a mainline cell and one in the administrative segregation, the official name for the hole. The biggest difference is the imposed restrictions and deprivation of meaningful creature comforts and needs. I write understanding that prison, by its nature, restricts and deprives. Still, there is a balance for any extreme and the line here begins with dignity, which can be an effective tool for teaching society’s miscreants how people should be treated. Ad Seg cells are that much closer to an animalistic level than mainline cells. They are people cages.

I had no access to information. We weren’t allowed radios or televisions. We couldn’t even talk to one another through the cell doors. In my experience, the hole was unusually cold, much colder than the mainline cells. I wondered if that was by
design. The standard issue for clothing for the hole is one thin jumpsuit, underwear, and socks. I froze like a chilly pop.

I believe the main objective of the administration is to deprive and punish. Never mind that Ad Seg is supposed to be a temporary place of detainment, it is a purgatory where one awaits his hearing (a trial on a lower standard of evidence, with only one juror). Never mind that both of my in-custody arrests were non-violent and violations not even listed in the rulebook. [Note 1]

Still, I was handcuffed wherever I went: to the shower, to the doctor, and to visit my worried parents. That was on the rare occasions I was allowed out. I was cooped up for so long that I was happy to get out under any circumstances. It was like a vacation to feel the warmth of the bright heavenly sun, and its energizing rays. It was a sheer delight to get a breath of real, fresh air, as opposed to that recycled air that blew like soft bad breath at me for months at a time. Despite the fact that the crucibles and various restraints I had to wear clashed, and made for an awkward and laborious journey, I relished in the pleasant outdoor elements as I made each quick trek, that always ended too soon.

I kept wondering why they didn’t have a non-violent section for people like me: guys accused of non-violent acts. Guys made victims by the acts of other prisoners that resorted to violence. The violent, the non-violent, the victims, were all treated the same. Locked up and stored away in these isolated people cages.

After a few months, I had my hearing and was released back to the mainline. Suddenly, after all of that high-powered security, I wasn’t considered dangerous any more.

Had I been found guilty I would have been sent to the real hole. Still, it isn’t an actual hole, but what the administration calls the Security Housing Unit—the notorious Super-max units that are so often reported on in a bad light. The security housing unit, or SHU, is where prisoners are sent to after a finding of a rules violation not even listed in the rulebook. [Note 1]

I won’t deny that the hole can be a dangerous place. Any place of deprivation can predictably be dangerous. Ghettos, prisons, places of oppressive tyrannies are all historically dangerous. The hole is by far the most dangerous place in the entire prison. It is also the area with the longest list of deprivations. The more people are deprived the more dangerous and desperate they become. It doesn’t take a holy prophet to see this. Imposed deprivations lead to acts of violence and rebellion. Ghettos and prisons have that in common, one leads to the other. Ad Seg is a hole. A hole…a vacuum of humane treatment. A hole of destitution – a place of hopelessness – a place filled with people, human beings, empty living souls. For them there are people cages.

Note 1: Over-familiarity and manipulation of staff are not listed in the rulebook, which is officially called the Title IV.

Note 2: Items like televisions, radios, magazines, personal books, and the like are at the prisoner’s expense.

ABANDON ALL HOPE,
YEE WHO ENTER

By Keith Reese J-18088

In northeast California, a signpost on the main road to High Desert State Prison (HDSP) should read: ‘Abandon All Hope, Ye Who Enter.’ Prisoner arrivals would know what to expect beforehand. Seasoned prisoners have never encountered what will soon besiege them within the perimeters of the notorious HDSP. A level IV1 prisoner will never leave the incessant chaos of HDSP unless he paroles or is out to court. Upon settling in after long detentions in holding tanks, an asinine custodian will welcome you to the place of resident evils. He will happily tell you “no one leaves”. The moment you get there, an invisible weight lades you down. As time goes on, and as nothing changes, the pressure and oppression will increase. Most assuredly, your soul will die if superior psychological defenses are not developed. If hatred and racism is estranged to you, it is at HDSP you will come to know it well. All the worldly evils you’ve known will increase five times here. If you are weak, say goodbye to your humanity and morality. If you believe in God, that belief will soon wane under the psychological pressure of this place. The officialdom and its mindless underlings here are steps away from Iraq’s infamous Abu Ghraib prison.

The move from rehabilitation to (extreme) punishment sent a bad message to penologists. Of course, penologists wanted this free-style type of punishment all along. It simply meant, when rehabilitation went out, that no holds would be barred. In the level IV 180 facilities, there is absolutely no programming in vocation and recreation. Usually, a mock school program exists; giving the false illusion that academics are flourishing. Given the lockdowns 24/7 eight to nine months per year, even if programs were in place, it would benefit no one. The idea of this martinet punishment has reached an artful pinnacle. Nothing can stop the incessant lockdowns at HDSP. To sustain one’s mental and physical health, self-will and discipline must be relied on to survive. Upon arriving at HDSP, you will find everything and everyone working against you. On top of that, you will be fed like a dog. There is no comfort zone here; madness abounds. Sleep will assuage your frustrations awhile, but the chaos of HDSP will eventually destroy your soul.

Note 1: Level IV’s are prisons that house inmates who has accrued 52 points and above. There are two types of level IVs; 270 and 180

Note 2: 180 level IVs designates facilities which houses inmates coming out of SHUs
My name is Steve M. Castillo. For more than 12 years I have been challenging the CDoC’s gang validation/segregation policy. I have taken these challenges to the judicial, political and public arenas. And for most of my 18 years of incarceration, I have attempted to unify and organize prisoners and our families into a meaningful and effective coalition. Therefore, I know firsthand about the difficulties of these tasks and the frustration that the author C.L. writes about in the article, “The Road Ahead” in this current issue of Prison Focus. [See page 20.]

I agree with most of the points that C.L. addresses: solidarity on a class scale being non-existent, how complacency and hopelessness have become the poison of our struggle, and that everyone seems to be waiting for what the next man can accomplish. And because of C.L.’s in-depth perspective and posed critical questions, I am compelled to respond to his writing:

“What is our strategy and tactic?”
“What should our primary goals consist of?”

Good questions C.L.

I am a believer and practitioner of the ideology that success begins with the state of one man’s will. Any cause, great or small, begins with the individual. The examples lie in the history of mankind. Thus, the “tactic,” “strategy” and “goal” must begin with you C.L.; and each of our incarcerated brothers and sisters similarly situated.

Beginning with a dialogue is fine. But one factor to consider when analyzing why the struggle is all but dead, is that maybe dialogue is not enough. At some point, words must be put into action.

Let me offer you an example: For nearly four years I engaged in dialogue with other prisoners, and families and advocates on the outside, on a host of issues. At one point I got tired of participating in endless and repetitive dialogue. Soon, I decided to take personal action; e.g., letter campaigns, protests, litigation, etc. Then, others made the decision to act as well.

Has the action been sufficient, or right? Have enough individuals partaken in the action? Maybe not. Is more action required? I would say so.

But the point I am trying to make is that action – to whatever extent or degree – must take place. Dialogue is not enough. What is the purpose of someone buying a nice looking ride if no one is going to put any gas in it and drive it?

Further, action, I’ve learned, requires sacrifice and risk. Today, I see more and more people – inside and outside – who will not identify themselves in their writings. I understand why. Believe me, I know about retaliation from the opposition and cynicism from members of my own class.

However, if you identify yourself and represent your ideologies and actions – no matter the risk or cost – in the long run, you have a better chance at achieving solidarity. I’ve learned that people will not stand by or with someone who is not wholly committed to what they say or do.

Do not be too discouraged. It is true that we have so much ground to make up in the struggle that at times it all seems so useless to pursue. I’ve been busting my ass on the front line for nearly two decades, and I too hate the fact that progress is slow.

But we must not despair. We must not criticize ourselves or each other to the point of discouragement and defeat. Recognize that change is always slow. And that endurance is self-preservation. Besides, the goals of many struggles are never realized in the lifetime of a true revolutionary.

And finally, I am sorry to hear that some of you believe the ten years of litigating my case in Castillo v. Terhune resulted in a failure. Nobody more than I wishes that more could have been accomplished. I passed up a couple of settlement offers to get myself out of the SHU in order to achieve as much change as possible for the class. I remain in the SHU.

Whatever I accomplished in the cases I’ve litigated over the years, is more than what others accomplished, including law firms and legal organizations.

All that any of us can do is the best we can. The solution to all the issues lies not in one individual. So I submit to you: My efforts are mere battles of the overall war. Let history judge my lifetime battles. And know that I am not yet dead.

—Pelican Bay State Prison

[Note: After reading Castillo’s article in another publication, C.L. asked that his full name be used in this printing of “The Road Ahead.”]
INMATE FAMILY COUNCILS

For those of you who do not know about Inmate Family Councils, I urge you to become aware and get your families and friends involved. While there are many good activist groups out here, we have our limits. You folks however, many of you, have at your fingertips a wealth of strength and power to initiate and bring about changes within your prison walls.

I recently spoke with the chairperson of IFC for Pelican Bay State Prison. I had been seeking help to remedy the mail problem there, and sought this person out for help and support.

I have not had much interaction with IFC until very recently. I asked him what kinds of issues their group had been working on in the past year. He said they had been working on the mail problem (at the time it was taking 31-37 days for prisoners to get their mail at PBSP). In addition, they’ve worked on books and education, the number of books allowed in the cells, phone problems in SHU and general population, visiting issues, and vending machines for visitors, to name a few. He said they work on any issue concerning prisoners (other than personal). In addition, he supplied me with the following information:

“The State Family Council was formed in Sacramento to represent the interests of the families and friends of California’s incarcerated. They meet regularly with the director of prisons and his staff to discuss problems and policies that affect all prisoners. They also work with legislators to reform, the policies and laws governing the prisons.

“The director of prisons requested all prisons start an Inmate Family Council group with the purpose and goal of establishing a positive interaction between institutional staff and inmate family members, as well as to open lines of communication between the two groups in hopes of answering questions and solving problems at the prison level.

“Any family member can fill out an application to become a council member. The council sets the agenda for the meetings and the chairperson of the IFC conducts the meeting.

“The IFC for Pelican Bay was started in April 2003. Many of the other IFCs have been running for up to a year and a half now. There is communication between the groups. Although this is relatively new and we are learning as we go, there has been progress in our short existence.

“IFC is made up of volunteers and was formed to help families and friends of prisoners get answers to their questions, and promote change when possible.”

I was told by the chairperson for PBSP that there is an Inmate Family Council for almost every California prison. He went on to say that they receive a lot of letters from prisoners, which are appreciated, but what they need is for more family and friends to get involved.

In discussing this newfound organization with an associate, I was told that the IFC at Folsom was implemental in getting salt and pepper reinstated into the prisoners diets.

I’ve been hearing many complaints from prisoners lately (all legitimate) including that personal hygiene products are being denied, meal portions are getting smaller and smaller and mail is unbelievably slow (PBSP) to mention a few. All of these are issues that the IFC are working on and having success at, but they need the help of your families and friends.

To obtain the address of the IFC for your prison, you can look in your law library where they should be posted or ask your counselor. If all else fails, write to me, Clancey Carruthers, c/o CPF and I will obtain that information for you. Please use the resources you have at hand to better the conditions of your living situation. This organization is invaluable, but needs your help in getting people involved. There is power in numbers….get busy!

—Clancey Carruthers

A LETTER TO DR. WINSLOW

Dr. Dwight Winslow
Chief Medical Officer

June 13, 2005

Dear Dr. Winslow,

I am writing to address the problem raised by the [most] recent reduction in food portions given to prisoners and the possible implications for their health. Besides the many letters we have received from prisoners who tell us that they often go hungry, we wonder how the reduced portions could be adequate when the original portions would not have been larger than necessary. You may be able to explain this anomaly.

We acknowledge that for some prisoners the present portions could be adequate, even though they may be complaining of hunger, but we believe that for others they may not, much depending on the weight, build, and amount of exercise they engage in. We wonder whether you would consider the loss of body weight as an indicator of possible harmful effects. We are concerned especially for those who are not receiving special diet trays and so, because of their particular dietary restrictions like lactose intolerance or wheat allergy, are not able to eat everything on their tray.

To safeguard prisoners from malnutrition, we wonder whether it would be practical to allow prisoners to be weighed on a regular basis (perhaps once a month for three or four months) If and when they are found to have lost body weight, a snack could then be prescribed?

Perhaps you would wish to start with a pilot project, enabling prisoners to participate voluntarily simply to establish the adequacy of the portions. We make this request to you because of your position as CMO and your responsibility to detect any condition of imprisonment which is harmful to prisoners.

Thank you for your attention, Sincerely

Mary Rubach, M.S.W.
REPORT: MARCH VISIT TO CORCORAN

We conducted a survey to assess general health, unit violence and effectiveness of the 602 appeal system with 19 men. We also tried to get data on the length of time each person was confined in SHU. Most of those visited had significant issues and are seeking some sort of support.

We asked most men how long they had spent in SHU. For eight men it was under one year, several had just been assigned as disciplinary actions. The others saw two, three five, eight, 13, 22 and 32 years in SHU. Those with the longer terms say they were gang validated and there has been no relief. They are not willing to go through the debriefing process that would mean itemizing their friends and contacts and can result in someone else being placed in SHU. One man says officials have been against him for all these years because he was a Black Panther leader in Los Angeles. Every six years prisoners in SHU are supposed to be reviewed for transfer out—if there is no new evidence of gang activity, they should be released but we have no way of knowing if the CDoC is actually following their guidelines.

GENERAL APPEARANCE: We observed prisoners’ appearance to gauge the effect of life in SHU. Since many had not been in for extended periods, they generally looked strong, alert, and welcoming of our visit. The two men who were in for the longest amount of times looked pale but not sick. Both complained of stiffness and said it was harder to get their bodies working in the morning. They exercise in their cells but do not go to the outside (exercise) cages because of the required strip search procedure.

SELF CARE: Next we asked a series of questions about how they cared for themselves. Almost everyone said reading and/or studying was the biggest source of recreation plus writing and doing exercises. Some engage in reading the Bible and spiritual practices; one especially enjoys listening to a local public radio station. TV was mentioned by very few as a sustaining practice. One man says he simply focuses on his release date.

ANXIETIES: When asked about sources of anxiety the answers were very similar: idleness, chiding, baiting harassment by the guards, retaliation by guards if you speak out (withheld food or mail) minimal quantities of soap and toothpaste, shampoo. Another concern was falsification of charges against and exaggeration of issues. By far the biggest source of stress reported was guard behavior and treatment. In talking about anxiety and stress, we heard very few complaints this time about mail. Only one person said his mail was held up but he was overjoyed to have heard from one of his sons.

UNIT VIOLENCE: The information about family came up in many different ways. Of all the men visited only four had family visits any time in the last few years. Ten men write frequently, four infrequently and the other five not at all. Most of the men are divorced and have lost track of their children. One man just found out this year that one of his sons died four years ago. On a positive note, in a follow up letter one man wrote to tell us he was working at reconnecting with family and was overjoyed to have heard from one of his children. The men are rather stoic on this topic as one said, “They are so tired of me being in prison.” Another said, “I just want to get out and see my family.” Unfortunately he has no idea when he will be released, and has been inside for many years.

GRIEVANCES: A 602 is a petition for relief by a prisoner over any issue such as the need for a medical appointment, adequate clothing, and adverse guard treatment. A valid generalization is that most prisoners have filed 602s and in the end met no change. Most 602 appeals that get filed are usually partially or fully denied. One problem at every level is that paperwork is delayed meaning it will be dismissed at another level for not meeting time requirements. When a 602 appeal is granted then the unit c/os have been known to routinely ignore the ruling. We heard two exceptions: One prisoner said he petitioned only once and it was granted. This had to do with his medication. Another said that when he had trouble with the staff he talked it out with them.
We’ve got a lot here for you from prisoners at Valley State Prison for Women on two small pages. Please enjoy the fresh, rhythmic poetry of Bambi Peters, and read about the conditions inside VSPW as told by two anonymous prisoners.

A LETTER FROM THE VALLEY

Dear CPF,

I’m writing in regards to the article on page 12 of Prison Focus 22, titled “First Success in CPF’s Dignity Campaign for Women.” While reading the article it reminded me of an officer who years ago was standing on the porch in front of our housing unit on a smoke break, when I overheard him say, “Where else can I get paid this kind of money to abuse women?” It was clearly “his” joke, not ours.

While correctional officers are not supposed to befriend prisoners, for safety sake alone, this comment clearly showed the male officers’ mentality in a women’s facility. Requirements to be a c/o in a women’s facility/prison are:

• GED
• Six-week training academy
• Abuse women

That about covers it. Sad. Don’t find a decent c/o? Somebody always runs them off. What do I mean? A decent officer who can treat us fairly – not judge and who leaves the job at work. One, who if we say we need personal hygiene items finds us some because it’s the right thing to do. There just aren’t enough of the right kind of officers to go around.

We also have the kind of c/0s that if you mess with them, can make you miserable right quick. Tear up your room, locker, bunk. Oh yeah, and all your roommate’s stuff too. They “think” peer pressure works in here. It doesn’t. It’s dog-eat-dog in here. Can’t win.

Here we are, in a women’s facility, menstruating women, with no access to over-the-counter medications such as Pamprin or Midol. For years, just having free access to sanitary napkins and toilet paper has been a struggle. Being a woman in prison is so hard. We’re not men, but we’re not treated like women either. Shame.

CDoC is doing a good job of de-sexing us at every turn. Every year, they take more and more female items from us. We are not men. Will anybody listen to us? Does anybody care? We are daughters, mothers, grandmothers, sisters, and aunts. Women! Yes – I’m incarcerated. But when did I stop being a woman? When did I become invisible? I checked, I know I have not grown a penis in here. Yet, I’m treated more and more like I have one. What happened? When did it happen? Sad. Will women ever be recognized as being worth something? Respectfully,

Prisoner, CCWF
May 1, 2005

Note: The officer from the porch was walked off one evening and quietly retired. He was caught by his partner kissing a prisoner.

SHORTAGE AT VSPW

I’ve only been here for over a month but I’ve never seen such a problem anywhere, not even on the islands. Can you believe that we have to practically fend for ourselves, such as go hunt down a roll of tissue, from room to room? Well unfortunate as it may sound we are suffering here. We are rationed with anywhere from one roll to three rolls per day per room, but remember we have eight women in a room, so how are we supposed to last with that amount per allotted time?

What is going on? Do we not have a reliable supplier? Are we low on funds? Is the buyer on vacation? Is there a paper strike? I truly believe this is a health issue. Women are going through mood swings, and are frantic at being down to the last roll. Let’s hope someone out there reading this article knows someone from a vendor who would like to donate some cases to help our cause.

ASSATA

HANDS OFF
POISON THOUGHTS
You can’t have my mayonnaise, you can’t have my chips
You shouldn’t want either of them with the size of your hips
I don’t want to hear about what you did when you were drunk
You want me to do what? I ain’t getting off my bunk
I don’t have no rollies, I don’t even smoke
I don’t feel like laughing – that was a pretty crude joke
I’m not siding with you – you actually are wrong
You may sing along, but I truly hate that song
I can’t do that for you and put my job on the line
I am not okay and can’t act like it’s fine
I know you smile to my face and talk behind my back
You barely had a bike out there, don’t tell me about your Cadillac
I can’t save you girl, I’m trying to save me!
Better change that attitude if you want to stay free
I see you don’t respect boundaries I’m putting up my fence
I may seem relaxed but actually I’m tense
The energy you spend on gossip should be used on you
You can’t stand alone you gotta have your crew
The poison doesn’t come out my mouth but lives within my mind
With God’s grace – I’ll learn love and acceptance...
and leave the poison behind.

Bambi Peters, W61692, VSPW

DOWN BUT NOT OUT
I mix my paper with my pen, trying to connect,
Well aware I no longer have your respect.
It’s not my 1st time in prison, now it’s No. 3,
Haven’t been good at contact when I do get free.
You know throughout the years I have stolen from you
It appears I failed at everything I do.
You met my different men before we would break up,
When I lost my kids I told you through the mail,
I told you in person how my burglaries got me in jail
I told you things were fine you could not believe
You recognized the part of me that has to deceive
You know that I would lose it all over and over again, We’ve both disappointed you, me and my brother Ken
So what can I say, what can I do
To get some love from my mother – you.
I know it hurts you bad to see the mess my life’s become,
And it doesn’t help that neither of us are young
But now I’m in a program and no it’s not my first
My addiction is not active, it’s not getting worse
I listen to suggestions by counselors now clean,
My attitude’s much better, I don’t feel so mean
I participate fully in the process of my group,
I read the Bible and books like “Chicken Soup.”
I pray hard, so hard that I can finally be healed,
In many of my actions to my God I yield
I write down my mistakes and learn to feel my pain,
I face the fact I never, ever want to steal again
I exercise my body, educate my mind
Hang out with the positive people I can find.
So yes, my mother, I’m now down but I ain’t out,
Please believe with God’s grace, I can come about
I love you!

Bambi Peters, W61692, VSPW

OPENING DOORS
There are doors that were closed that can open to you,
But it’s your choice to decide if you go through.
Raise your head and let the sun pour over your face,
Put on your shoes and run the human race.
Things that trip you can be kicked out of the way,
The darkness of night will turn into a brilliant day.
Eyes that were closed can open to see,
Hands in cuffs can be unlocked and free.
Legs that were crippled can learn to walk tall,
Faith can grow huge from no faith at all.
Hands that used to hit and steal,
Can now learn to clean and make a meal.
Muscles too weak can learn to be strong,
You can learn what’s really right or wrong.
Grace will flow like sunshine from heaven above,
Your children will be raised in the warm glow of love.
Tasks that seemed impossible will magically ease,
Opportunities will materialize instead of be a tease,
Possessions will no longer go up in smoke
You’ll be respected instead of a joke.
Parents scared away will come back in your life,
You’ll learn comfort instead of strife.
Your friends will love you for who you are,
You’ll own your own house, have your own car,
All the tears that you cried will fade into the past,
Just work for the things that really last.
So that door is right in front of you,
Just open it up and proudly walk through.

Bambi Peters, W61692, VSPW
By Judy Greenspan

Branding California’s infamous prison system “terribly broken,” U.S. District Court Judge Thelton Henderson announced June 30 that he would appoint an independent authority to oversee health care in this state’s prisons. According to Alison Hardy, an attorney with the Prison Law Office, “The judge has clearly recognized the ongoing risk of death and harm to patients is unconstitutional.”

Henderson’s decision, after hearing two weeks of testimony and scathing reports of prison visits in the class action suit Plata v. Schwarzenegger, represents the most radical and complete takeover of a prison health-care system in U.S. history.

Henderson, who began his legal career as the first African American lawyer in the U.S. Justice Department who investigated civil rights cases, has taken bold action in other class-action lawsuits involving prisons and civil rights in this state. In 1995, Henderson ruled in favor of Security Housing Unit (SHU) lockdown prisoners in Pelican Bay State Prison. Henderson also tried to block implementation of Proposition 209, the antiaffirmative action initiative in this state. Unfortu-nately, his ruling was later overturned by a higher court.

California, with a prison population of nearly 165,000, has set a national trend in the building of mega-prisons. With the cooperation of racist sentencing laws, it has packed its prisons to double and triple capacity with poor people of color.

Ten years ago, the legal and public spotlight was on the abysmal care and medical neglect in this state’s women’s prisons. A class-action lawsuit called Shumate v. Wilson exposed needless deaths and torture of women prisoners. An unprecedented legislative hearing inside one of the women’s prisons brought forth heart-trending testimony from women prisoners about their poor care.

According to Cassie Pierson, staff attorney with Legal Services for Prisoners with Children and one of the litigators of the Shumate case, “Judge Henderson’s decision validates what women prisoners have been telling us for many years and may give them hope. In 2000, women prisoners voiced their concerns before the legislature and nothing happened. Right after the hearings, eight women died and women have continued to die unnecessarily.”

Women prisoners inside the Central California Women’s Facility have told this reporter that, if anything, medical care is worse than ever.

Yvonne/Handiyah Cooks, Executive Director of the California Coalition for Women Prisoners, worries that women prisoners, who are often “invisible” with in the predominately male prison population, will continue to have their health care needs overlooked, even by a federal monitor.

Prisoners’ rights advocates, community activists and family members see Henderson’s decision as an important step forward. However, many emphasize that the appointment of a federal receiver is only one of several measures that should be taken to change this brutal system.

PRISONS STUFFED WITH POOR

Medical neglect and abuse are no strangers to the California prison system. For the past 20 years, civil rights attorneys, prisoner activists, human rights advocates and family members have pointed the finger at the California Department of Corrections for its inhumane treatment of prisoners.

SO MUCH NEEDED

Corey Weinstein, M.D., a founder of California Prison Focus, a statewide organization fighting for the human rights of prisoners, points to the massive and unnecessary incarceration of poor people in this state, along with a legacy of prison guard brutality and murder, as equally serious problems to address.

Gov. Arnold Schwarzenegger and his newly anointed California Department of Corrections and Rehabilitation have used the excuse of prison overcrowding to prepare the public for the building of more prisons. However, groups like Critical Resistance, and the Prison Moratorium Project have made a strong case for releasing large numbers of prisoners convicted of drug-related and nonviolent crimes into community programs and treatment centers.

Battered women’s groups and Families to End California’s Three Strikes laws are calling for the expedited release of lifers who have been held years beyond their expected release dates.

Mark Smith, a recently released lifer with serious medical problems, stated, “I am thrilled with Judge Henderson’s decision to tackle this terribly troubled system. If, however, the guards’ union is allowed any influence in this much overdue undertaking, like all else they get their hands on, then we can expect a watered-down version with little long-term benefit.”

In California, prison guards with a nursing assistant license are able to dispense medications and decide whether prisoners can see a doctor. This conflict of roles for these medical technical assistants (MTAs) has had deadly consequences for prisoners with chronic and serious illnesses.

According to prisoners’ rights activists, trying to access care from an MTA is like having to go to the state police for your yearly physical. The California Correctional Peace Officers’ Association (CCPOA) is a wealthy political action committee that “contributes” to the cam-
WHO’S TO BLAME FOR THE DEPLORABLE AND ABUSIVE MEDICAL CARE IN CALIFORNIA PRISONS?

By Corey Weinstein, MD, CCHP

The medical service for California’s 165,000 prisoners is teetering on the brink of collapse into receivership. [Note: See article above: “Feds Takeover Healthcare.”] After three years of U.S. District Court supervision, the California Department of Corrections has not been able to bring a single one of its 32 prisons into compliance with the court settlement governing medical care.

After spending another $1.1 billion for medical services in the past year, each prison’s health care remains so substandard that it has been judged to be cruel and unusual punishment. CDoC’s leadership has publicly thrown up its hands and admitted that they can’t do the job. Prisoners are dying, becoming disabled and being neglected and returned to our communities worse off than when they entered prison.

California Prison Focus, a San Francisco based human rights organization, has been conducting investigative visits to our prisons for 15 years. Our scrutiny of prison medical care has produced a continuing stream of complaints that we have carried to every level of CDoC administration and government.

While we agree with what has appeared in the press during the last month, we believe that only part of the story is being told. There are forces that have not been mentioned at all that are key factors in CDoC’s hopeless incapability. The two most important of these impediments to change are the severe and unnecessary overcrowding of the prisons and the hostile atmosphere and work environment created by the custodial staff, particularly the leadership of the guards’ union.

There are just too many women and men in prison. In California, everyone who can be in prison is kept in prison, rather than everyone who needs to be in prison being kept behind bars. More than any other state, thousands of prisoners serve extra lengthy sentences. People are serving what are called life terms and are denied parole year after year for no good reason. And thousands are doing long terms for second and third strike offenses that were petty, often minor offenses committed 10 or 20 years after other more serious crimes they committed in their youth. Thousands of nonviolent offenders would be better served with drug treatment or job training.

Even more striking is the fact that the average person entering a California prison is a nonviolent person who has violated nothing more than a technical rule of parole or was caught using drugs while on parole. The governor just ended parole programs that would have diverted those folks from prison. None of these men and women needs to be in prison to preserve public safety, but they do keep the prisons overfull and challenge all of the services of humanity and rehabilitation in prison.

An overcrowded prison system does serve one group well. It keeps lots of prison guards fully employed and collecting lots of overtime pay. It helps make prison guards among the most numerous six figured salaried employees in public safety, but for their own narrow self interest, and fights normalization of nursing services for the same reason.

The HIV/Hepatitis C in Prison Committee of California Prison Focus works on behalf of all prisoners

Fight for consistent access to quality medical care including all new HIV and hepatitis C medications, diagnostic testing and combination therapies.

End the discrimination faced by incarcerated lesbian, gay, bisexual and transgender people.

NEW MEETING TIME:
The HIP Committee meets every fourth Tuesday of the month, 7:30-9 p.m. at our office. You can contact us at: (510) 665-1935 website: www.prisons.org/hivin.htm

VOLUNTEERS NEEDED! PLEASE CALL FOR MORE INFORMATION!
Five years ago, I was jailed on charges of public drunkenness and resisting arrest for the “crime” of flaming like the diva queen I was. I was not drunk, nor was I resisting anything, other than outdated stereotypes of how male-bodied people should behave. Since I’ve continued to transition away from male norms, I’m scared of getting arrested again, and this time, beat up by law enforcement. That’s why it’s important to me to learn what trannies in federal and state prisons experience, and to find out what I can do to make it a bit easier for people on the inside. Now I volunteer with TIP, the Trans/Gender-Variant In Prison committee of CPF. There’s so many people inside who don’t act the way men or women are “supposed” to act, like people who were born looking like a man but live as a woman, or who were born female but just know that they’re something else. I’m talking to all you butches, queens, studs, and divas in there, and anybody who knows what we’re talking about and wants to help, read on.

Just like there’s an artificial divide between those on the inside and those on the outside, there’s a fake fence that splits humanity into ‘male’ and ‘female’. These are “gender variant” folks, the studs, butches, queens, divas, gressors, gay boys, and A.G.’s. Sometimes the wall is electrified and sometimes its real wide and stable enough to walk upon and congregate. Transgendered bodies, especially people of color who are also trans, bear the brunt of many societal and cultural conflicts.

People in Corcoran know about the “Gladiator” fights when guards set up members of rival gangs by placing them in the exercise yard together then placed bets on who would win the fights they expected to see. Less known is that guards promise not to punish anyone who jumps the trannies in their yard. By assaulting people in prison, depriving people of needed medical care, and dehumanizing prisoners in every way imaginable, prison staff create a culture of violence and they’re the ones who benefit in the end — it’s easier to run a prison when people are fighting each other than one where they are working together. Guards who participate in or encourage physical attacks or forced sex know that their jobs are easier if they get prisoners to do the brutalizing for them.

So what do we do? When the prison system itself is so unjust, people ask, why is it important to focus on the struggles of transgender folks, a seemingly small portion of the prison population? Well, people who ask that question don’t know just how many trannies do live in prison. TIP estimates there are several thousand transgender and gender variant people in prison. Additionally, to understand what’s going on, we’ve got to talk about what the system does to everybody. Talking about the trannies inside, advocating for their support, means looking at how guards use gender hierarchies to enforce attitudes of male supremacy on everyone in prison. In this way, talking about the experiences of trans and gender variant people in prison forces us all to confront male supremacy in society in a whole new way. TIP operates on the assumption that people can change the way they act, just like how people change from man to woman, or woman to man, or something else entirely.

Dr. Lori Kohler treats many of the women at Vacaville State Prison, where many transwomen are housed. In response to the question: “Why are there so many transwomen of color in Vacaville?” she detailed how hard it can be for people to find steady jobs, when so many employers discriminate. Dr. Kohler described prostitution and credit fraud — the majority of the crimes her transgender patients were convicted for — as crimes done for the sake of survival.

Guards have harassed prisoners sick, and then neglected them to death. The recent federal takeover of the CDoC’s medical system shows, prison health care is wholly a danger to all 165,000 prisoners. In addition to the general lack of competent health care, many transwomen and transmen in prison have a hard time finding a clinician who will fill their prescriptions for hormone therapy — even if they’ve been on them for years. Sudden shifts in medical treatment like this can make people more susceptible to infectious diseases, irreversible heart and liver damage, and chronic depression that continue to denigrate a person’s ability to get back into society after prison.

TIP members, inside and out, seek to end the discrimination, neglect, abuse and violence experienced by transgender, gender-variant, and people with intersex conditions in California prisons (the specific challenges of intersex people in prison will be covered in a later article). Our members’ abilities to draw upon their unique skills, bodies, and stories as transpeople serves to suggest the possibility of an end to the state-sanctioned torture that is prison, and also a beginning of a new world where we no longer need prisons to solve our problems, and we no longer need gender hierarchies to be full human beings. TIP meets monthly to plan campaigns for prisoners’ rights in California. If you’re interested and want to help, contact us at CPF or at tip@riseupnet. You can also call us c/o Alex Lee, TIP staff, at (510) 677-5500.
THE SAGA OF PATRICK HOOTY CROY, SISTER NORMA JEAN AND THEIR THREE COUSINS

Hooty’s adult life began and almost ended in 1978 in what began with a two-dollar argument and scuffle with a rural store clerk but ended with Indians being chased by the law, captured by gunfire and condemned to die in San Quentin’s gas chamber.

One July evening, Hooty Croy, a 22-year-old Karuk Shasta Indian along with his Sister Norma Jean and their three cousins, stopped to buy beer at a convenience store in Yreka before going deer hunting. Provisioning the family larder with wild game was what tribal Indians customarily did in this remote redwood realm of Siskiyou County. Instead, the Indians would find themselves the hunted.

The irate white store clerk summoned the police. They chased the five Indians into the hills outside Yreka. Among the youth was one rustic but well-oiled 22-caliber rifle. Abandoning their car by rocky gulch road, near gramma’s hillside cabin, the Indians fled for their lives.

The police pursued the five youth and immediately let go with a fusillade of gunfire from an arsenal that included, M-16’s, AR-15’s, riot shotguns and an assortment of handguns. Two of the Indians were captured at the cabin, bundled up and whisked to jail.

Meanwhile more reinforcements, sirens blaring, kept arriving at the scene until, 28 police, county sheriff and CHP surrounded the hillside. At one point an officer using a bullhorn called out for the remaining Indians to surrender. From out of the night and in pain, cousin Darrel requested a cease-fire because he thought Norma Jean was dead.

According to later testimony, Hooty took advantage of the lull, to move up behind the cabin to see if gramma and aunty had been hurt. As he was about to climb through a back window, an officer who had crept up behind him, opened fire with a 357-magnum pistol hitting Hooty in the rear, once in the buttocks and once in the elbow.

Spun by the impact, the 22-rifle Hooty was clutching went off, discharging one bullet hitting the officer in the heart and killing him instantly.

Hooty would lie bleeding a few feet away not knowing if Norma Jean was alive, not knowing if he would live. Their native blood would soak the hunting ground as days of yore, and posses vigilante times. They would all survive their wounds, but in their hearts know, that their once free lives were over and long imprisonments just begun.

From this point on, the story of what really happened that balmy night varies, with the official version having led to quick-lynch trials and multiple convictions all-around. Only years later, would a more equitable retrial be forthcoming with the Indian version being told and believed.

Some of the facts were not in dispute. Norma Jean was shot through the back and knocked down in the first round of gunfire. Cousin Darrel was also shot through the lower body. And Hooty shot twice. The trial would establish that 300 rounds of ammo were fired by law enforcement during the half hour standoff. And none fired by the defendants except the one shot that went off. Historical racism and modern day vigilantism, operating under the law would be corroborated in the course of trial testimony.

In the 1979 trials, all five of the defendants, two who had separate trials, were convicted of homicide on a police officer. An all-white jury convicted Hooty of murder, attempted murder, conspiracy, assault and robbery.

His court-appointed lawyer at the time, a former district attorney, would plea “diminished capacity,” portraying his client as a drunken Indian who couldn’t much remember what happened that evening.

Hooty would spend the next six years on San Quentin’s death-row awaiting appeals. He met men while there who were later executed. During this time, the Rose Bird Supreme Court of California openly opposed to capital punishment, would upon automatic review, hear and grant Hooty a retrial.

While sparing this appellant from dying in the gas chamber at San Quentin prison, the justices would in effect forfeit their own judicial careers. (They) would be made to step down from the high court after being successfully recalled for their unpopular decision, led by the reactionary law enforcement lobby. Brought down by pro-death-penalty powers, the (three) justices would rise in the estimation of many other people in public, touched by the humane spirit shown by their act of conscience.

Hooty’s new attorney would be Tony Serra, a great fighter for lost causes, and those most in need. Serra would obtain a
change of venue to San Francisco where beginning September of 1989 through April 1990, a unique and ultimately successful “cultural defense” would be brilliantly mounted in the courtroom before judge jury and supporters of Indians from all quarters. Indians drums would beat outside the courthouse during this retrial.

Testimony given on the defendant’s behalf would demonstrate a historical and frequent propensity and predisposition in the northern regions, for shooting Indians. Fear and distrust of white authority would be solidly established as a deciding factor for Indians to run to evade capture, and even death.

Self-defense was sufficiently evident for the jury to acquit. The presiding judge as a matter of record would afterwards state, “Had Norma Jean been [re]tried in the case I heard, Norma Jean would have been found not guilty.”

Justice too late, was justice too late.

Only Patrick Hooty Croy had been granted retrial. Only Hooty would benefit. This was due to the separate paths their different appeals took upon conviction.

Norma Jean would continue to languish more years in prison while in theory, her imprisonment would now be technically illegal, since acquittal of murder meant no case could now exist. (They) would hold Norma Jean at Chowchilla Women’s Prison until her release in spring of 1997.

Meanwhile, a capricious Dept. of Corrections, having scorned the courts handling of the case, and criticizing the judge as liberal would drag its feet and scheme to delay Hooty’s freedom. The state prosecutors office would devise devi lish probationary terms for Hooty that would be sure to give future cause for probation revocation.

After several years on probation, having gainfully and productively worked at the Indian Resource Center in Oakland, and learned computer skills, following upon a minor mishap, Hooty’s probation was yanked. He was returned to prison to complete a little understood, so-called, “suspended-life sentence” still held over his head from past cumulative charges.

Hooty, now middle-aged, was released on March 20. Upon expiration of sentence, he was let go out of SVSP prison after eight years. He was warmly greeted by sister Norma Jean, family, past attorneys and loads of Indians and friends from defense times.

A quarter-century having passed, among friends and acquaintances, again seen after many years of no see, seen a few weeks ago, in joyous celebration, whooping it up, at Jelly’s, Pier 50, free gourmet ala-doo on the serving table … the journey from freedom lost to freedom regained … seemed like … the experience hadn’t made anybody seem any older in my view, seen again hopping and hopping on the dance floor, with wild music blaring, twanging, Blackhorse Band playing … Seemed like … the journey had gained ALL for many, by way of All sharing, in the native spirit And in the Indian way.

—Bato

NOTE: Anybody seeking more information on this extraordinary case or obtaining the case Video “Reason To Fear,” can contact the legal offices @ PIER-5, 506 Broadway, San Francisco, CA 94133; (415) 986-5591. Attn: Hooty Support Network

FURTHER NOTICE: Hooty’s son “CC” recently suffered a severe car accident and is in critical need of both extensive medical care and financial help. PLEASE consider a financial donation to the general family cause and in helping Hooty resume a better life for himself and family. Love and Peace.

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ADVOCATES FOR INDIGENOUS CA LANGUAGE SURVIVAL

By Bato

The Advocates for Indigenous California Language (AICLS) is an educational resource and training, non-profit organization. The Advocates mission is to preserve and revitalize California’s indigenous languages.

This past year, the Advocates expanded its University of California extension work to include prisons and detention facilities in California. Both in-state and out-of-state responses to the program have been great. It is our wish to try to help as many imprisoned individuals as possible. At present we can only ask for prisoners who send us mail to have patience and faith we will find a way to respond and help them on their way towards regaining their people’s language and heritage.

Native Americans have a history of being taken captive and kept restricted on reservations. Today native peoples are being taken into correctional facilities at twice the rate of the white population. It is not always clear, the exact number of Native Americans in prison at any given time. The practice of prison classification committees to classify inmates based on race, does not always allow prisoners to claim their native heritage. Many native peoples are instead lumped into categories of White, Hispanic, Black or Other.

Since the Advocates founding in 1993, we have witnessed the rehabilitative power that working on one’s language has on program participants. Reconnecting to the culture seems to be the single most healing activity for dealing with the internalized oppression that ravages all economically depressed communities.

California has the largest prison population in the country. The state built 20 new prisons since 1980 and only one new institute of higher learning. Current estimates indicate that each public school student in California has $5,000 of public money spent on their education annually, while the state’s budget for incarcerating a single prisoner ranges from $25,000-$50,000 per annum.

The Advocates have been joined by Heyday Books, publishers of News from Native California, who has sent each prisoner a copy of “How to Speak Your Language: A Commonsense Approach to One-on-One Language Learning,” as well as an issue of the News. We wish to thank them for sharing their wealth of resources with Native prisoners.

The words below are excerpted letters from prisoners involved in the Advocates:

(Crescent City, 3/4/05) I want to say thank you very, very much for the book. Enclosed is a little card I did for the Advocates thanking you for your kindness. I was so elated to receive the book and the News. I was so in jubilation that I almost hit my head jumping up from my bunk. LR [This particular prisoner wants someone to help him with Tarascan and he articulates the crisis of indigena in Mexico and Latin America, being absorbed. into the mainstream Latin culture.]

(Crescent City, 1/24/05) Thank you
very much for responding to my letter with great news about being able to help me learn my Chumash and Yokut languages. I’ve tried to acquire materials on both languages before but was unsuccessful, so your postcard brought me a ray of sunshine.

(Coalinga, 1/17/05) I’m a Pomo Indian, I’m from Pt. Arena (Manchester and Kashia Band of Pomo Indians). I’ve been within the system 17 years now and I would like to know about my people’s language on both sides. Thank you for your time and hearing me out, you don’t know how much brothers and sisters appreciate all you are doing. May your struggle be successful in all that you do.

(Crescent City, 2/15/05) Advocates— I’m also interested in Cocomo: language or Quechan. I don’t know too much about them, but they are my native indigenous people. I would appreciate any literature to study and practice if any is available. Take care and may you walk in the light and may mother earth nurture you all of your staff and familia. MV

(Crescent City, 2/5/05) Approximately last year, all the Mexicans here that have indigenous roots were denied our right through a “Memorandum” to learn our Nahuaat language. I am writing various agencies throughout California and other states to notify the local Prison Law Project about this development. PR

(Coalinga, 2/23/05) In these times of turmoil every human being is being asked to remember their connection to the creator and to mother earth-making those connections strong. The great mystery is available to every human being if they are willing to give away to need to hold onto fear, hatred, jealousy and separation. DP

(Manchester, 2/27/05) Hello and greetings, may Peace and fortitude be with you. I received the Creek/Muskogee dictionary. I learned that there are Oklahoma Seminole and Floridian Seminole dialects, both Creek mainly, with slight differences. I would like to make a “contribution from the heart” for all my cousins at your organization. My respect and support to you. Momem cem atuk-ita hisa-kita-misi-ohl-merrekas. May God bless your work. NV

(Ione, 5/20/04) Advocates, I and all the brothers here thank you for all that you do for us. We know it’s the Creator that has blessed your heart to bless us. Thank you so much. AC

(Ione, 8/2/04) Dear Advocates: Me and a few brothers got together and sent you this thank you letter, as well as a pair of Apache earrings from a brother in our circle. We all thank you for everything you are doing and have done for us brothers. We all hold you in our payers, you are our friend forever, and may the creator bless and protect you all. DG

(Ione, 4/30/04) Dear Advocates: Thank you so much for the word list from the Miccosukee-Seminole Dictionary as well as for the books. I tell you I can’t wait to get off work so that I can begin to read them. With each piece of literature I receive on my people, my life is beginning to take shape, as my sense of origin becomes clearer. I guess what I’m trying to say is that I feel like I have a more profound sense of identity as to who I really am.

Chowchilla, CA 5/4/05 Yes, I danced in the Brush Dance when I was younger. I’m 36, so I guess that would be along time ago! My elders, my great Aunts, made our ceremonial dresses for the dance and they also made baby baskets and rattles. I fished with a Gill net to catch salmon and sturgeon either to eat or to sell. I know the way of my people, well, not all of it because I strayed at 18 years old from my aunt. I totally, totally regret ever leaving her side. SR

There are too many out-of-state requests like the one that follows. Indians that have been pulled from their tribal homes and raised in cities and suburbs, knowing they’re Indian, but not learning enough until too late.

(Pekin, IL 4/3/05) I’m presently incarcerated in the Federal System and after reading about your organization I thought I’d write. I would like to learn my people’s language. I grew-up in a mixed society and did not know of my lineage. I’m searching for the necessary family records to become tribally enrolled. In the meantime, I’d like to learn the language.

Many of these men and women are in for lengthy sentences. A few are looking towards eventual parole. These prisoners all want to know where they can find a job. Anyone that has any leads on companies or work places that give Indian ex-prisoners a chance, it would be appreciated to have some recommendations sent to us. There is currently an Advocates list of 45 Indians that are looking to work on languages from Yurok to Tarascan, Choctaw to Chumash. Not only would it be good for them to have someone to work with more closely on language, but also to have a positive connection to their communities and culture. If you or anyone has the time and inclination or any information you could share on possible resources, please contact Marina at the Advocates c/o CPF.

RECENT HISTORY

SALINAS VALLEY C.O. SENTENCED

Leon Holston, former guard at Salinas Valley State Prison and alleged member of that prison’s infamous “Green Wall” band of guards, was sentenced to two years, eight months in a plea bargain for assault with force likely to produce great bodily injury and filing a false report. The DA agreed to drop three other charges and guaranteed a sentence less than four years.

A week before the plea bargain was announced, nine other SVSP guards were fired for their roles in the 2003 beating of another SVSP prisoner, Rafael Serrano.

Monterey Herald, Feb. 18, 2005

COURT TAKE-OVER OF CDOC MEDICAL?

A federal judge may be forced to take control of the CDoC medical system. Judge Thelton Henderson of San Francisco has called on Gov. Schwarzenegger’s administration to appear at a July 11 hearing to argue why the court should not appoint an interim receiver to run the medical system.

“When prisoners are dying due to the neglect or incompetence of doctors and other medical staff employed by the state...there can be no doubt but that the Constitution is being violated,” Henderson wrote.
Henderson’s 19-page order described the CDoC medical division as “a highly dysfunctional, largely decrepit, overly bureaucratic and politically driven system…” Judge Henderson added that the system “is too far gone to be corrected by conventional methods.”

In April, Judge Henderson received a report from independent examiners on CDoC health care. That report looked at all deaths in custody and determined that “most deaths were preventable.”

CDoC administrators assured the public that steps were being taken to fix the system, but the report noted that within the last 10 years San Quentin has emerged from a federal order to improve medical care. The report noted “these problems have not occurred overnight.”

G. Kevin Carruth of CDoC told a senate committee that the state hopes to contract out health care at all 32 prisons to managed care providers within the next 18 months. Senate Committee Chair Gloria Romero told Carruth she doubted that privatization of the system could happen that soon.

Sen. Mike Machado asked why many examination rooms did not have such basic features as wash basins. Renee Kanan, head of CDoC health care replied that she did not have the authority to install wash basins.

In frustration, Sen. Romero told Carruth that it appears the CDoC is incapable of operating a competent health care system. “Correct,” he responded.


[Ed Note: As of July, the CDoC handed over medical care to the state.]

PRISON DOCTORS SUE OVER NEW STANDARDS

The union that represents the doctors in the system has sued the CDoC. At issue are new regulations requiring doctors either to be board-certified in internal medicine or family medicine or to pass a competency test.

The Union of American Physicians and Dentists claims the new requirements violate state law and that prison doctors are being scapegoated for a broken prison medical system. A union statement claims that the CDoC is “arbitrarily, capriciously, and unilaterally imposing new minimum qualifications for prison doctors to divert attention from its own execrable manage-

ment spanning two decades.”

Todd Slosek of the CDoC responded that the “evaluation is designed to ensure that the department has competent physicians that can provide a constitutional level of care to the inmate population.”

Associated Press, May 3, 2005

COURT SENDS MORE MINORS TO PRISON

The California Supreme Court ruled unanimously that lower court judges must send juveniles to adult prisons under Prop. 21, passed by California voters in 2000.

The question before the court was whether someone under 18, tried and convicted in adult court could be sent to CYA. A pre-Prop.21 law allowed prosecutors to veto judges’ sentencing of minors convicted in adult court to CYA. The Supreme Court found that law an unconstitutional infringement on the discretion of judges, but ruled that Prop. 21 is not unconstitutional in preventing judges from exercising discretion in juvenile sentencing.

San Francisco Chronicle, Apr. 19, 2005

EVEN MORE PRISONERS IN U.S.

The number of people held in U.S. prisons jumped again last year, according to figures released by the Bureau of Justice Statistics. By June 30, 2004, jails and prisons held 2.1 million people, up 48,000 from the year before, a 2.3 percent increase.

The prison system grew last year at a rate of approximately 900 prisoners per week. The rate of incarceration has also increased as well. In 2004, one in every 140 people was locked up. This year the rate increased to one of every 138 people and current data finds more than 60 percent of U.S. prisoners are people of color.

Despite the disturbing overall increases of both state and federal prisoners, 12 states showed decreases in their prison populations led by Alabama (down seven percent), Connecticut and Ohio.

Associated Press, Apr. 24-2005

FEDS OFFER $1 MILLION FOR ASSATA

The U.S. Department of Justice has offered a bounty of $1 million for the capture of a revolutionary activist. Assata Shakur, former Black Liberation Army member with asylum outside the United States, has had a reward of $150,000 out for her by the New Jersey police since 1998.

Shakur has been living openly in Cuba with political asylum since her escape from Clinton Correctional Institution in New Jersey in 1979.

The Department also added her name to a number of international terrorist watch lists.

Star-Ledger, May 02, 2005

STATE ASKS FOR HELP IN VALDIVIA HEARINGS

The California attorney general has filed a motion on behalf of YACA to have the court appoint a special master to oversee parole hearings required by the Valdivia settlement. That settlement, signed by Gov. Schwarzenegger, requires those facing parole revocation to have hearings within 35 or be freed.

California revokes parole at twice the national average, and has revoked parole on 28,000 parolees in the first four months of this year. Of those, 231 did not have their hearings within 35 days and were released pending the hearing.

According to CDoC spokesperson, J.P. Tremblay, “Some mistakes were made.” He added, “There’s nobody more upset about this than this administration and this agency.”

The state has established 14 “decentralized revocation units” across the state to conduct the hearings and awarded a no-bid $37 million contract for lawyers to defend parolees.

Sacramento Bee, May 3, 2005

DEATH ROW MOVE STALLED

Ongoing attempts to move the state’s death row from San Quentin hit another roadblock when CDoC officials determined that state law requires that it stay put.

The CDoC plans to build a new bigger $220 million death row on 40 acres adjacent to the existing row.

The final 500-page environmental impact report states that “the California Penal Code requires that all male condemned inmates be housed at San Quentin and that all executions occur at San
Quentin. The [CDoC] has no authority to change this law.”

In a separate legislative move, Sen. Jeff Denham introduced a bill that would force the state to sell San Quentin. “It makes no sense to pour millions of dollars into an old facility so prisoners can have a waterfront view,” Denham said. His bill would force the Governor to pick a new site for Death Row by 2007.

*Marin Independent Jnrl., Apr. 16-2005
San Francisco Chronicle, Apr. 22-2005

**RATS IN CALIPATRIA?**

Captain Serschel Leapheart and acting Warden Stuart Ryan filed charges of excessive force against three prison staff at Calipatria. In response, the president of the CCPOA chapter hung a rat trap on the union bulletin board in the prison. Prison officials claim that the trap was a suggestion that the captain was “ratting” on his colleagues and is a tool in maintaining the code of silence.

According to CDoC spokesperson Todd Slosek, the trap “is exactly the type of intimidation practice” Hickman has vowed to remove. “This type of activity is entirely unacceptable, completely unprofessional, and will not be tolerated under his leadership.”

The CCPOA has removed the trap from the bulletin board and replaced it with a memo that explains that the rat trap was “misinterpreted.”

*Los Angeles Times, Apr. 22, 2005

**PAROLE REFORM: DOA**

Just over a year after the CDoC launched its heralded New Parole Model, the Schwarzenegger administration, bowing to pressure from the CCPOA and others, has cancelled those parole reforms. The Model was designed to use alternatives to reincarceration such as sanctions, drug treatment and electronic monitoring to increase public safety and reduce the state’s parole revocation rate, by far the highest in the nation.

In a memo to the state’s 3,000 parole officers, YACA head Rod Hickman said, “At this time, we have no evidence that these three programs, as originally designed and implemented, increase public safety.” And until such evidence is forthcoming, “intermediate sanctions in lieu of parole revocation will not be a measure used by this agency.”

The New Model and its implementation by the CDoC was criticized from all sides. The CCPOA and their Crime Victims United criticized the program for allowing criminals to remain on the streets and mounted a statewide television ad campaign against the New Model.

Prison activists criticized the CDoC for dragging their heels in implementing the reforms and not forcing parole officers to use the new intermediate sanctions. Expected reductions in parole revocations and the number of people in prison never materialized. Dan Macallair of the Center on Criminal and Juvenile Justice said, “So far, most of the Schwarzenegger administration’s reform efforts have been rhetoric, not reality. I don’t know where they will go from here. I don’t want to say correction reform in California is dead. But it’s dying.”

*Sacramento Bee, Apr. 12, 2005

**BEWARE OF DOG**

By Keith Reese J-18088

Adjacent to Nevada’s border, north of Lake Tahoe, sits a solitary maximum security prison. Its cynical activity follows a diurnal cycle of paroxysmal violence. The tumultuous place is the infamous High Desert State Prison (HDSP). A corrupt officialdom reigning over HDSP prisoners, has found the catalyst and ingredients to breeding an angrier and more violent inmate and parolee... Abject conditions and ineffective operating policies have pushed rationale and intellect beyond the envelope. HDSP has become a simulacrum of sorts, to test the will and humanity of an oppressed prisoner population. Through the grapevine, HDSP is known as the worst prison in California. It serves as a foreboding example to all prisoners, should they become a management problem elsewhere. Many prisoners from southern California cities are purposely exiled and held incommunicado, to cause family and, loved ones to despair. Thus, a wedge is driven between them. Visiting has been reduced from a right to a privilege. Even the families of prisoners are considered criminals. Lockdowns have become such a frequently, overused, and abused pseudo-solution by officialdom, that HDSP may have three to four operating months out of the year. Highly suspect of this corrupt impolicy, is the harsh and extreme treatment of the Black prisoners of the collective ethnic groups, Blacks have become a laughing stock and a byword to HDSP's officialdom. Prison logs show Blacks suffer greater punishments and discipline than other races for lesser infractions. The adverse pressure and treatment is so great that prisoners intentionally seek protective housing (PC or PHU), catch new cases to be sent to security housing units (SHUs). Others unfortunate enough to live in this madness, are caught in an arena of violence. Succinctly put, HDSP is no less than a breeding grounds for angry dogs. This anger is vented through violence even under tightly controlled security and monitoring, as though some type of açaí has possessed the prisoners and staff of HDSP. Assaults bodaciously occur in front of gunners. A suicidal-homicidal mentality reigns. The in-betweens walk in despair and fear. Everyone down from the warden to the lowliest prisoner swells in misery. As dogs, our training continues daily. The military has its “Dogs of War”. Now, the prisons have its “Dogs of Destruction.” William Shakespeare said in *The Tempest*, “Hell is empty, all the devils are here.” In the final analysis, the devils and dogs will be at large. Personally, I will resist my vicious training as a rabid dog. For other, I say, beware of dog.
THE ROAD AHEAD

By C. Landrum, A California Prisoner

INTRODUCTION

By Red Ryder

Is it true what they say—that there are none so blind as those who won’t see?

This does appear to be true for some California prisoners, those who are so boggled down in their racial and other self-destructive games that they’ve completely forgotten where their real interests lie. This element seems unable to see beyond its petty internecine squabbles.

You know what the situation is: Slavery is legally sanctioned today in America by the 13th Amendment to the U.S. Constitution. As a result of this crime an entire segment of the U.S. population has been systematically disenfranchised, and much worse. How big a deal is it? If ex-prisoners in just Florida alone had been permitted to vote in the 2000 presidential election, George W. Bush would never have been president—100,000 plus Iraqi civilians (mostly women and children) would still be alive, not to mention the thousands of dead and wounded Americans. If prisoners had the vote, not just absentee ballots but the right to vote in the communities where their census is taken, where they are incarcerated, then the local politicians in these remote areas would be seriously wooing the prisoners’ ballot. When that day comes there would be measurable change. Of course the roots of crime and prisons lie in the nature of the existing social system, and cannot be changed through the electoral process. Indeed, if elections would be illegal if they had the potential to actually result in fundamental change.

In this day and age who in their right mind would oppose a mass struggle against slavery? Who is against all citizens having their human right to vote? Talk about having justice on our side! But where is our struggle for these basics of democracy? It is lost in the alienation that has been conditioned into us.

Every time you turn on your radio, television, or pick up a newspaper, magazine, etc., on some level you are being told what to think. The cumulative effect of this incessant bombardment is adjustment oriented politics. Yes, even as you read this I too am working to twist your thinking in a certain direction, to wrap your mind around the concept of prisoner empowerment and progressive change. This is what I do, I am a propaganda officer for a revolutionary prisoner rights movement that does not yet exist.

Yet the article that follows, which I have named “The Road Ahead,” does not attempt to teach you what to think. Rather, its purpose is to start the process of teaching you how to think. It applies the science of dialectical and historical materialism to the prison construct as it exists within the California prison system today. This little pamphlet is an introduction to this science; a jumping off point from which you can start implementing the dialectical process of constructive personal and social change.

Like any science, this material in these pages will require study. The information is not going to passively wash over you, like a television program or fiction novel. You are going to have to do some actual work. Unlearning old idealist thinking patterns and replacing them with materialist methods and analysis is not easy. But the reward of being in touch with the material realities around you, and in finally understanding the world, the whole global construct, is the reward at the end of the rainbow. There is also the additional satisfaction of being on the side of justice, democracy, and truth—on the side of poor and oppressed people everywhere. Approach this document with a serious mind, then, after you’ve studied it, start the process of continuing your social studies.

And now....
further increase its wealth and continue its privileged status, or imprisoning over two million of its own population in an effort to maintain social control, i.e., protect its property rights, the essence of the state remains the same.

“Never try to teach a people that through education alone they can conquer their rights. Teach them, first and foremost, to conquer their rights...”

– Che Guevara

In the last ten to fifteen years, we have undeniably experienced and continue to experience drastic transformations within the California prison system. The two most noticeable changes are the number of prisons being built, including various solitary confinement facilities. The second most noticeable change is the deteriorating quality of our living conditions and the mentality of the overall prison population itself. These two developments, the increase of new prisons and their populations accompanied with the declining quality of our material conditions, is interconnected and having a profound impact on the entire prison population.

Over a decade ago with the opening of Pelican Bay SHU, followed by Corcoran and then Tehachapi SHU, the CDoC implemented its first stage in a steady campaign aimed at all of us with the intention of creating a passive and compliant prison population. As convenient as it is for most not to acknowledge this, so far the CDoC’s strategy an tactics are proving very effective, but worse and self destructively, we’re unknowingly assisting them in achieving their agenda. One look at the rapidly expanding “soft yards” will confirm this. If we have any intentions of reversing this course of deterioration, we not only have to acknowledge what is happening, but more importantly, recognize that it will require mass cooperation from all sectors of the prison population before we can implement a correct plan of action.

In the early- to mid-1990s, the CDoC began taking everything from us, a little bit here and a little bit there and only from one yard at a time to avoid the possibility of mass organized resistance from the entire prison population (level 3 and 4 yards). These are the rights that the convicts of prior generations had fought and struggled to achieve, the very rights that we are now shamefully giving up freely without any form of resistance. Our living conditions have and continue to deteriorate, and as a prison population we are experiencing its effects daily in numerous forms. No individual, race, or group, is immune from these changes, and the essence of these changes run much deeper than what appears on the surface.

Our access to medical treatment is becoming more difficult and accompanied with longer waits for treatments, if any. In regards to hepatitis and other life-threatening afflictions, as a result of financial interests, our treatment is either intentionally thwarted or blatantly denied. In many circumstances we’re being denied adequate clothing, sufficient hygiene and supplies to maintain healthy living quarters, adequate access to legal materials for relief and defense. They’re increasingly denying us the ability to develop socially while their practice of permanently isolating us is simultaneously increasing. They’ve taken family visits from all lifers, the weights, educational and recreational programs, and day room from most lifers in GP. They’ve already begun cell feeding on most level four yards and have put most level four prisoners in jumpsuits. They’ve taken all concrete SHU yards from the convicts and have put us in individual isolated dog cages, while rewarding those in protective custody with the concrete yards. They’ve taken the tobacco. They’ve monopolized the packages by replacing personal packages with state approved vendor packages so they can work less and have put most level four prisoners in jumpsuits. They’ve taken the tobacco. They’ve monopolized the packages by replacing personal packages with state approved vendor packages so they can work less and have put most level four prisoners in jumpsuits.

The CDoC can receive kickbacks from these “ex-correctional officer”-owned businesses that they’ve given these package contracts to. The CDoC, hand in hand with MCI, have even monopolized our collect calls and are further victimizing our families by charging up to six times over the normal rate for a collect call. They’ve discontinued many of the appliances and the ones they do offer, for the most part, are overpriced. Under the guise of institutional security they’ve imposed a fascist policy concerning the educational material we can study. No more culture, history, or political literature, it’ll be ideologically limited to the interests of our captors. For those who owe restitution, the CDoC has convinced themselves that they’re not stealing when they slap their greezy hands into the pockets of our family members and tax them for restitution debts that have been imposed on us. In the last ten years the CDoC has extracted $50 million dollars form our families, and let’s not forget the restitution will be increased to 55% in the near future. (Can the CDoC account for this $50 million dollars?) The prison administration and its lazy army of correctional officers have been sniveling budget crisis because they’ve plundered the state budget allocated to them by clocking in excessive amounts of overtime hours in a greedy frenzy to fatten their paychecks even further. And instead of cutting back on excessive overtime hours, they’ve cut corners in other areas which amounts to further stripping us of what little we do have left. They recently attempted to discontinue all appliances form the SHU facilities in order for the CDoC to save money on electricity, allowing for them to continue collecting their overtime pay. It would not only be naïve, but another mistake on our part to believe that the CDoC won’t be back at a later date for our appliances once they’re convinced that we’ve lost our leverage and ability to
resist. They’ve gone so far as to shorten our food portions and for those who are confined within the hole or a SHU facility, this is a compromise of our health. This deterioration of our material conditions is continuous and only increasing. It was Emiliano Zapata who said, “I prefer dying on my feet than living on my knees…” The question I ask: Why do we continue living on our knees?!

In regards to the 602 process, it’s an important and necessary aspect of struggle, but it’s ineffective when we rely on it as the only form of struggle. When utilized by itself, we shouldn’t continue deceiving ourselves and those around us. It doesn’t, and it never has produced any long term or meaningful results, and on the rare occasions that it does, these victories are short-lived and in appearance only. These so-called victories are nothing more than illusions and temporary crumbs being tossed to us with the intentions of pacifying us while they’re simultaneously depriving us of something else and implementing other measures to counteract and neutralize the victory we supposedly achieved. This is the same old story of taking one step forward and three steps back.

The 602 process serves two main simultaneous functions: 1) By seeking relief on an individual basis, it distracts and divides us from the issues that affect all of us as a group. 2) The administrative process is dragged out for so long and the petitioner is required to jump through so many unnecessary hoops that eventually the petitioner grows exhausted and abandons all attempts at seeking relief from violations committed by the state.

The CDoC’s fascist validation policy is a prime example in regards to the 602 process and it’s futility when utilized by itself. The ten year long legal battle to overturn the validation process has recently come to a conclusion without victory. Although prior to its conclusion the CDoC was growing concerned with the possibility that the courts might rule in our favor. So to counteract and neutralize this possibility, the CDoC began and continues to hand out indeterminate SHU terms to prisoners who have a record of serving prior SHU terms regardless of the alleged offense. Despite the CDoC’s claim that indeterminate SHUs (validation) is solely to deter violence associated with prison gang activity, what this truly demonstrates in practice is that the CDoC’s primary objective is to create a defeated and passive prison population by repressing and dismantling those prisoners they perceive as potential threats and obstacles blocking the path to their goals, regardless of alleged gang association or violence.

As for those select few who are released back into general population under the six year inactive status, not only has this proven to be a sham, it’s not a solution. Seeking relief on an individual basis (602 process) only serves to divide and distract us, while leaving the foundation of the validation process as a whole intact and untouched. For the majority of the small number of individuals who are released into general population, they’re soon snatched back up off the yards and slammed down again. And as usual the CDoC applies their standard tactics to secure their revalidation with fabricated 10-30’s and unreliable confidential informants that can’t be cross examined or challenged in the 602 process. This is nothing less than the CDoC’s version of an illegal military tribunal. Snatching these individuals back up off the yards is part of IG’s agenda before they even cut them loose. They use this farce as justification to Sacramento that inactive validators are active and cannot be reintegrated back into general population. This farce not only justifies the continuation and existence of the SHU, but worse, it can only work so long as we continue to participate in its process. And aside from the fact that this is just another one of their numerous tactics being implemented to further their long term objective of creating a defeated and passive population, this is also a clear demonstration that reforming the validation process will not work. Besides the validation process, they’ve now designed other methods of keeping us permanently confined. Our only solution, as overwhelming as it may seem, is to launch a long protracted campaign of resistance throughout the prison system (level three and four yards), not only to close the SHU facilities down completely, but to gain back everything we’ve given up over the years. The time for us to get off our knees is long overdue. With the application of “new” and “correct” tactics employed throughout the system, accompanied with class action 502s and lawsuits, “coordinat-ed” written statements from us to the media and support form the various prison activist groups, and of greatest significance, mass solidarity, we can achieve this.

Although before there can be a mobilization within the population of this magnitude and in order for us to be successful, some very important questions must be addressed first. For example, the legal struggle that was being waged in the interests of the entire population to overturn the validation process failed to provoke a unified response. This was our shortcoming and it has cost us a huge setback. We as a prison population are oppressed as an entire population; therefore the solution is to be found in a group response. Several forms of struggle should have coincided with the legal one. The question is, why weren’t other forms of struggle pursued on a large and coordinat-ed scale? Addressing this in itself draws forth other pertinent questions that must be addressed before we can transform ourselves into an effective material force.

As was acknowledged above, over the years and increasingly so in the last ten, our living conditions continue to deteriorate. And as convenient as it may be for most to turn a blind eye to all of this, the quality of the overall population’s way of thinking is also deteriorating. The deteriorating, material conditions and the population’s deteriorating way of thinking is interrelated and goes hand in hand. Not only are they reflections of one another, they influence the development of each other’s deterioration in a continuous interacting process. We as a prison population are becoming increasingly more self-centered and driven by self interests as our material conditions continue to deteriorate, and in turn we become contributors and accomplices to the CDoC’s agendas and the further downward spiral of our own deterioration, and more often than not, we do so unconsciously, that is, we do so unintentionally and unknowingly. We live within circumstances where the existing and predominating ideology of “individu-alism” is self defeating and destructive to all of us as a population and where the “collective” mentality is an absolute necessity for the improvement of our living conditions.

The vast majority of prisoners were not only indifferent, but made no effort to push for other forms of struggle to coincide with
the legal one that was being waged to overturn the CDoC’s validation process. Prisoners from all sectors of the prison population would rather take a free ride and let others sweat for them and bring change rather than do everything in their ability to push for and participate in one capacity or another. Why? This is just one demonstration of the many we see on a daily basis of the backward and individualist mentality that has not only poisoned the consciousness of the prison population but has contaminated it on every level. And with continued and increasing momentum, this mentality and practice when fully developed to its conclusion, becomes the 10-30, the confidential informant, etc. As a population we are in the later stages of transforming into our opposite, not only in regards to our material conditions, but in our way of thinking also. Everything we are opposed to (at least in words), we are in the later stages of becoming. If we are going to change the direction of this deterioration, we must “struggle” to improve our living conditions and this process we will simultaneously improve the thinking of the overall population. A correct line and guide to action must be introduced and applied, and dialectical materialism provides us with these necessary tools.

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

– Mao Tse-Tung

Though most are not conscious of it, the fallacious thinking of “idealism” prevails and is interwoven within the consciousness of not only mainstream society, but within prison society as well. This convenient mode of thinking is not only incorrect, it’s self-deceiving and destructive to us as a prison population. For example, we convince ourselves that “we can do our life in solitary confinement” because “nobody can break us” and “we know how to do our time,” etc., etc. Well this may be true for many, but regardless of what we conveniently convince ourselves of, Truth is found in the external world and exists independently of our minds, and the truth is, we’re still being oppressed when we are subjected to a lifetime sentence of solitary confinement behind fabricated and frivolous information no matter what we conveniently convince ourselves of. Once we make up these convenient excuses to justify our inaction, we’re essentially laying down in defeat and accepting our oppression. Not only is idealism poisonous, it must be discarded as a way of thinking if we are to progress in any meaningful way.

Idealism and this mode of thinking is incorrect on a scientific level because it doesn’t correspond with objective reality; that is, it doesn’t correctly reflect the external world around us, and therefore it is untruthful. This way of thinking must be corrected if we are going to stop being accomplices (dead weight) of the CDoC and agents of our own oppression and improve our living conditions on a material and conscious level.

Dialectical materialism, the opposing thought and philosophy of idealism, serves as a scientific guide to the action necessary for changing the course of this deterioration that is now in motion.

There is nothing in this world except matter, and all matter without exception, is in continuous motion. And the source of this motion is primarily internal, that is, the source of motion is primarily the result of the internal conflicts of opposing forces (unification of opposites) that is present and struggles within all things, i.e., its development and movement. This is true of social development, the development of human thought and knowledge, organic development and inorganic development, all development including the developments that are in motion throughout the CDoC. Although the source of motion (change, development) is primarily the result of internal contradictions, external forces and influences play a significant role in motion. External forces and influences create the conditions necessary for change but are only operable through the internal contradictions themselves.

All “quantitative” changes of either increase or decrease at a certain point will inevitably leap to a change in “quality.” For example, water can undergo a certain quantitative change of either increase or decrease in its temperature without undergoing a change in its quality, so long as its temperature doesn’t increase beyond 99 degrees or decrease below 31 degrees. Although as soon as it increases beyond 99 degrees it is at this point that it undergoes a quantity-quality transformation and changes from a liquid to a gas. The same is true of a decrease in its temperature. As soon as it decreases below 31 degrees, it is at this point that it also undergoes a quantity-quality transformation and changes from a liquid to a solid.

All things in the universe are not only in continuous motion, but are continuously transforming themselves at certain stages of their development into other things through quantitative increases and decreases. It is no coincidence that with the drastic increase in new prisons and their populations, that this has led to a drastic change (deterioration) in the quality of our prison conditions. It is also important to remember, external forces and influences can only create the conditions necessary for change and are only operable through the internal contradictions themselves and that the actual basis of change and development takes place internally. For example, the CDoC has only been successful in imposing these changes on us as a result of the internal contradictions that exist within the prison population itself.

As was mentioned above, our minds, that is, our consciousness also develops in this way, through the continuous interaction and struggle of the unification of theory and practice. Dialectical materialism teaches us that the external world (matter) is reflected in our brains through
The second stage of cognition begins when we test the truth and validity of our ideas by putting them into practice, that is, transforming subjective consciousness back into objective matter, from ideas back into existence. Those ideas that fail to correspond with the external world are incorrect and untruthful, while those ideas that do correspond with the external world and achieve their intended results, are correct and truthful. The continuous interaction and struggle between the material world and our ideas is inseparable, and through this continuous struggle and interaction, knowledge is gained, our consciousness is raised, and we simultaneously transform the external world around us which inevitably gives shape to new ideas and ways of thinking in a continuous process of practice-theory-practice.

Although there are times when our consciousness (ideas and ways of thinking) lags behind the changes taking place in the external world around us, and it is at this point when once correct and truthful ideas become incorrect and untruthful and no longer correspond with the external world that we must form new judgments according to fresh knowledge and make new decisions that will correspond with the new and developing situations.

As was pointed out above, “truth” is found in objective reality, that is, in the external world that exists outside of our minds and the truth is only true so long as it correctly reflects and corresponds with the external world. As a result of the poisonous idealism that runs so rampantly amongst us, we hold personal feelings and views that do not correspond or reflect reality correctly as being true. By holding these personal views, we not only deny ourselves of truth but we deny ourselves of correct ideas, thus preventing ourselves from developing in a direction that is necessary for the improvement of our living conditions. All possible development for struggle – social relations, ideas, communication, solidarity, cooperation, etc., are hindered and retarded as a result of these incorrect and untruthful ideas that do not correspond to our changing conditions. And to further function as a break on progress, this creates the conditions that allow for the CDoC to exploit these incorrect ideas in an effort to further their campaign against us.

All things are in continuous motion and are continuously changing from one thing into another. Prison conditions have and will also continue to transform, in our material conditions and in our reflections of them. Although currently our consciousness (ideas) lags behind the material transformations that have been in motion over the last ten to fifteen years.

We’ve lost a great deal and have been subjected to a great deal of changes in our material conditions. The CDoC has advanced and developed their methods of repressing us and yet we haven’t advanced or developed our forms of resistance. In our minds (idealism) we have convinced ourselves and each other that we are warriors, soldiers, soldados, etc., and although the potential exists, preying on one another doesn’t make us soldiers. It makes us accomplices to the CDD and furthers its agendas, because in truth, that is, in practice, we have laid down and submitted to the changes the CDoC has and continues to impose on us without any form of organization and resistance. We have stagnated in our old ways of thinking and have thus become contributors to our own conditions, especially by the utter lack of cooperation between the prison population when it comes to improving the quality of our lives.

In other words, the material conditions within prison has and continues to change drastically with every passing year month, and day, and our ideas and methods of resistance does not correspond to these changes in order to struggle effectively and counter them, therefore our ideas have become untruthful and no longer reflect reality correctly. And as a result of this stagnation in our consciousness and lack of action, we have allowed our living conditions to deteriorate and this deterioration finds its reflection in the self-destructive and defeatist idealism that has spread like a disease contaminating an extremely large portion of the prison population’s way of thinking and finds its ultimate reflection amongst the so-called “soft yards” – the most defeatist sectors of the population. As a result of the existing status quo within prison society and its current way of functioning, we unwittingly contribute to the creations of these “soft yards” and the mentality that accompanies them. This mentality and way of thinking first originates and begins its development from within us, the so-called “solid yards.” It is of absolute necessity that we develop in the opposite direction and struggle to unify and create cooperation, organization and solidarity amongst the prison population so that we can begin to improve the quality of the convict, gain back what we have given up and stop being accomplices to the CDoC and its agendas as we have become over the years.

Cooperation, solidarity, and organization at this stage is a necessity. A new and correct theory for the prison masses must be introduced, studied, and applied to lead us out of these deteriorating changes that continue to transpire throughout the prison system. Otherwise our situation may deteriorate beyond repairability. With the prison population completely divided and the will of the people completely defeated, there will be no ability to effectively organize and counteract the damage that is now in motion. The SHU facilities and the repression will continue to increase and what little we do have left will continue to be used as incentive for so-called “solid” convicts to betray other prisoners, and eventually there will be no distinguishing between so-called “soft” or “solid” yards as is already becoming the case. This course of deterioration has been in motion for years and it continues to develop in this
direction with increasing momentum. We must adhere to the scientific revolutionary concept: It is not enough to interpret the world, it must be transformed.

Can a bad thing be transformed into a good thing, that is, can unfavorable circumstances be transformed into favorable circumstances? As was previously explained, contradiction (unification of opposites) is the source of motion, i.e., development, change, movement, etc. In fact, motion itself is contradiction. To further expand on this universal law, in the development of a complex process or thing, there are numerous contradictions involved that are all interconnected and which struggle with one another pushing development forward. And within the development of a complex process or thing and its various interpenetrating contradictions, there is always one principal contradiction, that is, one dominating contradiction whose existence and development determines and influences the existence and development of the other lesser and secondary contradictions. Only by correctly identifying the principal contradiction can we then harness and guide the direction of its development for a resolution, will the secondary ones be resolved.

It is important to remember that there are two states of motion (contradiction), relative rest and conspicuous change. Like the example of the quantity-quality transformation of water that was given above, relative rest is a non-antagonistic state of motion that goes through purely quantitative changes without undergoing a change in quality. This state of motion is relative, that is, it is only temporary. Conspicuous change is an open antagonistic state, when at a certain point quantitative change leaps to a change in quality. It is only through the state of conspicuous change that true progress in our living conditions and the raising of our consciousness will be achieved.

The principal contradiction within the prison system is that between the prison population as a whole and the CDoC. This is an interdependent contradiction, that is, we create the conditions for each others’ existence. Without the CDoC there would be no prisoners, and without the prisoners there would be no CDoC. Not only is this principal contradiction interdependent, but so long as the prison system exists, i.e., class society, this contradiction is “inseparable.” The other contradictions that exists within the prison population itself are secondary contradictions. It is the contradiction between us and the CDoC that is principal and that will continue determining and influencing the development of our existence.

Within a principal contradiction, of the two aspects engaged in struggle, there is one “principal aspect” which determines the struggle’s direction and development, although at certain stages in the process of struggle (development), the roles of the principal aspect and the non-principal aspect are reversed as a result of an increase or decrease in the force of each aspect engaged in struggle. That is, at certain stages in struggle, the principal aspect and the non-principal aspect are transformed into their opposites. By correctly identifying the principal contradiction within the prison system as that between all prisoners and the CDoC, and by correctly identifying the CDoC as the principal aspect of this principal contradiction, we can correctly focus our energies and efforts to reversing these roles and improving our living conditions on a material and conscious level. That is, we can transform unfavorable circumstances into favorable circumstances.

In order to transform unfavorable circumstances into favorable circumstances and wage successful struggles to improve the quality of our living conditions, there are necessary conditions that must be present as prerequisites for conspicuous (qualitative) change. Objective and subjective conditions must be ripe and coincide with one another. The objective conditions, that being our deteriorating material conditions, already exist. The subjective conditions, that being the consciousness (ideas and ways of thinking) of the prison population is lacking and does not correspond with the objective conditions. The consciousness of the prison population must be raised through correct political education and guidance. In other words, not only must we be aware of our oppression, its origins, and the various stages it has and continues to develop through, we must all be on the same page before a qualitative improvement and transformation in our living conditions can materialize.

At this point it is necessary to address the question of strategy and tactics and their interdependent relationship. A strategy is a long term, more or less, stable plan of actions for achieving a specific long term goal, while tactics are the more fluid aspects of that strategy.

Moreover, what is our strategy and tactics? Our main objective must be to close down the SHU facilities and gain back all that we have given up, while our strategy for achieving this objective needs to consist of legal struggles accompanied with acts of physical demonstration. In order to pursue this strategy effectively, our tactics of struggle will have to remain fluid, changing with, and corresponding to the new and developing situations that will emerge as a result of the CDoC’s countermeasures that they will take against us.

More specifically, what should our primary goals consist of? Close down the SHU facilities, end the CDoC’s unwritten policy of no parole for lifers, reinstate family visits weights, recreational programs, college education financed by the
state, end the criminal taxing of our family members for restitution debts that have been imposed on us, guarantee our constitutional rights to read and study the history, culture, language and political education of our choosing, provide adequate access to legal materials and defense, adequate access to timely medical treatment, reinstate personal packages, and end the monopolization of our telephone calls. Provide a minimum wage for all prison labor and end the use of prison labor that produces goods for profit. (See note below)

As mentioned above, when our consciousness (ideas) lags behind and does not correspond with the changes transpiring in the external world around us, our ideas become incorrect and untruthful. This is the result of the world around us continuing to develop while our ideas and ways of thinking become stagnate and left behind undeveloped and unmatchted with the changes transpiring around us. This is true of our tactics, that is our methods of struggle have not developed an inch in years. Our methods have become worn out and rigid, thus rendering them ineffective as a result of the CDoC’s tactics and methods of repression becoming more refined and improved in all aspects over the years. To be effective we must break with tradition and its unchanging rigid methods and adopt a more fluid guerilla tactic of hit and run struggle where defensive maneuvers are transformed into offensive maneuvers so that our tactics will correspond and counteract theirs.

When they raise the alarm bells and announce budget crisis, rather than continue to lay down in passive defeat and allow ourselves to be relegated to the victims of their budget cuts, transform these unfavorable circumstances into favorable circumstances in order to further our struggle and improve our living conditions. Make them spend as much money as possible while simultaneously depriving them of the monies they extract from us and our family members. Make it more expensive to take our rights than it would be to give them back to us. Wear them down in every possible aspect. Be unpredictable as possible and keep them continually guessing while causing them to expend as much of their resources as possible through a long, organized and centrally led protracted struggle of our own. We’d have to deny them kickback and profits from those who they do business with. This would require that we boycott all packages, store, and special purchases and stop receiving money orders. We’d also have to create as big of a work stoppage as possible. No doubt the CDoC will have their countermeasures for our tactics, such as bring in workers form the lower levels to break the work stoppages, etc. It is important to recognize that nothing develops exactly straight, that is, nothing goes exactly according to plan, so when the CDoC applies countermeasures to our tactics, we must not continue to commit the same mistakes as we have and continue to do by sticking to the same unbending and rigid tactics. The creativity and ingenuity of the prison masses must not only be unleashed, it must be continuously developed. Improvise when necessary and remain fluid. And although the fluidity of our tactics is essential to counter and correspond to their tactics, the one thing that must remain solid and firm is our objectives. We must not deviate form our objectives and sell them short with a compromise, that is, with a surrender and betrayal.

And also essential to the continued progression of our living conditions, we must not repeat the same mistake as we have in the past and retreat into a passive and content state of mind and abandon the struggle as gains are achieved. As was pointed out above, prisoners and the CDoC create the conditions for each others’ existence. And so long as the prison system exists, i.e., class society, this contradiction between the CDoC and ourselves is inseparable and will continue with or without our participation. Therefore, we must actively and consciously participate in it in order to maintain what we gain. Without contradiction there can be no progress.

Note: When the state contracts our prison labor to companies, the companies not only provide the state with a kickback (percentage) for using this source of cheap labor, the companies sometimes provide a minimum wage to the prisoners as incentive. In appearance, that is, on the surface, the prisoners who participate in this labor believe they are benefiting, and in the immediate short term individualist sense they are. Although in essence, whether prisoners receive a minimum wage or not, what is essential to recognize is that these same companies would have to pay workers outside of prison higher wages for the same labor. Being that these companies could use prison labor at a much lower cost, this creates for these companies and the CDoC a financial interest in the availability of this cheap source of labor. Therefore, not only will these companies contribute financially and any other way they can to politicians who support and propose harsh and mandatory sentencing laws, etc., the CDoC also has a financial interest in the creation of a defeated and submissive prison population (labor force) for the percentage they will receive from the companies who use prison labor. By participating in these work programs that produce goods or services for profit, not only are we essentially contributing to our own incarceration, we’re contributing to the existence and expansion of SHUs and internal repressive policies such as the validation process which is designed to break us up into a defeated and submissive mass.

Although the use of prison labor which produces goods and services for profit is fairly low on the level three and four yards at this time, we should expect as the CDoC continues its campaign to dismantle and break us up, prison labor for profit will simultaneously increase as the population becomes more defeated and compliant and the “soft yards” continue to expand.
THE SHU SYNDROME

At a recent meeting of the SHU committee there was agreement that it needs all of the information it can get on the psychological effects of solitary confinement as suffered in California State prisons within the last ten years.

In his closing statements a the Madrid v Gomez hearings in 1995 Judge Thelton E. Henderson said "Many if not most inmates in the SHU experience some degree of psychological trauma in reaction to their extreme social isolation and the severely restricted environmental stimulation in the SHUs" (Revolutionary Worker 11/24/2002). He went on to say "Though it is not clear that every inmate would be likely to suffer trauma as a result, those who are already mentally ill or at risk of instability should not be housed there" (SF Daily Journal, 1995, Rex Bossart).

After ten years, what evidence do we have of psychological deterioration? Our correspondence is clearly with prisoners who are 'holding their own' We must seek such information from other sources, concerning “those who are not”.

We are seeking any information on this topic from prisoners and/or their relatives. In particular:

1. Are prisoners aware of neighbors who have ceased to communicate, or have become unstable?
2. Are there relatives or prisoners who can tell us about the course of the symptoms in prisoners who have been transferred to the Psychiatric Services Unit?
3. Are there family members or friends who can describe the change in behavior of prisoners who have come directly home from the SHU?

Letters should be addressed to:

Charles Cardone, ESQ.
California Prison Focus
Attn: SHU Syndrom
2940, 16th Street,
San Francisco 94103

Prisoners should write LEGAL MAIL on the envelope.

By Mary Rubach and
Clancey Carruthers

CA PRISONER DEATH RATE GROWS

According to the California Attorney General the death rate among people in the custody of California law enforcement agencies increased between 2000 and 2003, after dropping over the six previous years.

The rate is based upon the number of deaths per 100,000 people. From 1994 to 2000, the death rate for people in state correction facilities dropped from 203 per 100,000 prisoners to 181.1 per 100,000. But it climbed to 212.6 in 2003. In local jails, the death rate dropped from 161.8 per 100,000 in 1994 to 138.5 in 2000, then climbed 189.9 in 2003.

The death rate among white prisoners increased between 2000 and 2003 while the death rates among Hispanics and blacks remained about the same, the report said.

Altogether, 4,506 people died in law enforcement custody between 1994 and 2003. The biggest one-year increase was in 2001, when the number of deaths jumped 14.8 percent.

Sixty-two percent of the deaths were from natural causes. In 2003, the most common reason other than natural causes was hanging or strangulation, followed by shooting and drug overdose.


CA COURT THROWS OUT CON GROOMING POLICY

SAN FRANCISCO (Reuters), 8/6/05 - The California prison system acted improperly when it tried to trim the hair of an American Indian inmate who said a haircut violated his religious beliefs, a U.S. appeals court ruled on Friday.

Billy Soza Warsoldier, who had not cut his hair in 25 years, filed a lawsuit after a minimum-security prison punished him for refusing to comply with a rule that men's hair be no longer than 3 inches (8 cm) long.

The U.S. 9th Circuit Court of Appeals, reversing a lower court decision, said the state had failed to show the grooming policy was the least restrictive way to ensure prison safety and security.

"It applies to all male inmates, but to no female inmates regardless of a female inmate's security threat; it does nothing to distinguish between inmates housed at maximum security facilities and those low level offenders in minimum security institu-

KEEP UP ON PROPOSED RULE CHANGES

Notice of Change To Director's Rules
P.O. Box 942883
Sacramento, CA 94283-0001

Prisoners should include their name, CDcO#, unit location and mailing address along with specific request... "please put me on the mailing list for notices of change to director's rules."

GET YOURSELF A COPY OF THE CA STATE CONSTITUTION

Legislative Bill Room
State Capitol, Room B-32
Sacramento, CA 95814

Prisoners should include their name, CDcO#, unit location and mailing address along with specific request... "please send me a free copy of the state constitution."
ONE NEW AFRIKAN NATION TOWARD BLACK AUGUST MEMORIAL

My New Afrikan Nation (NAN), and Hip Hop Communities (HHC), must prepare for the 25th Black August Memorial (BAM), which is an integral aspect of our historical development, and we encourage all of our people to learn the true history of BAM, and not those half truths. In order to truly understand the significance and origin of BAM, it is important to do our research first, so we can speak on BAM and teach its values and purpose. Let’s not forget those words of Mao Tse Tsung: “No investigation, no right to speak.”

Let these historical facts be your guide to the origin of BAM. On August 1, 1978, inside of the San Quentin notorious Adjustment Center, and North Block is where the Kalifornia Department of Corrections (KDK) held alleged members, associates, and suspects of the Black Guerilla Family (BGF) i.e. Joka Khatarri the torchbearer of comrade W.L. Nolan, comrade George L. Jackson and comrade Steven “Hacimu” Browning. It was on this day; August 1, 1978 that Joka Khatarri sustained a head injury while playing football with his comrades on the exercise yard. Due to San Quentin prison officials’ and the medical staff’s intentional lack of prompt and adequate medical treatment, our beloved comrade Joka Khatarri died. Never forget! Never forgive! Never give up! During the following year, the BGF leadership under the tutelage of their supreme commander Shujaa established the Black August Organizing Committee (BAOC), commemorating our fallen revolutionary comrades, who were killed for serving the interest of New Afrikan Black folks on both sides of these prison kamp walls.

This is why we commemorate the following days:
• January 13, 1970: W.L. Nolan, Cleveland Edwards and Alvin Miller were assassinated by the state’s KDK, shooting them on the Soledad prison exercise yard. Their principles/beliefs were that of NARN ideology.
• August 7, 1970: Jonathan Jackson took over the Marin County Courthouse to demand freedom for the Soledad Brothers. Brother Jonathan, took several court officials hostage along with three San Quentin prisoners who were in the courthouse that day: comrades William Christmas, James McClain and brother Ruchell MaGee. Law enforcement was alerted and opened fire on the van killing all but two people.
• August 21, 1971: The state shot comrade George L. Jackson of the infamous Soledad Brothers case. He was a revolutionary nationalist.
• August 1, 1978: The state murdered Commander in Chief Jeffery “Joka Khatarri” Gaulden by systematic denial of prompt and competent medical care for a severe head injury.
• Special Dedication: This is a special dedication to our first BAOC chairperson, motha, wife and beloved fallen comrade Peggy “Adama Kambon” Carter, for her selfless acts, and heroine leadership. Comrade Adama’s transformation was highlighted through her life journey with the Black Liberation Movement, and then New Afrikan Independence Movement (NAIM). She lived and was united by her consciousness, the obdurancy love for our NAN and the immortal spirit of “Refu Kukaa Weusi Agosti!!” For decades and centuries to come, we shall continue to echo comrade Adama’s name, in the spirit of comrades, peers, and fellow heroines (to name a few): Wanjiru Nyamaru Amau Mau General, Harriet Tubman, Amy A. Garvey, Sandral L. Pratt, Betty Shabazz, Queen Nzinga of Angola and Sojourner Truth. We equally salute the many unsung Afrikan heroines. Long live the spirit of comrade Adama!!

How can you participate? BAM is a 31-day salute that begins at midnight, August 1, BAI with a 24-hour fasting that we term FLEA Days. There are a total of four FLEA days during this month: the 1st, 7th, 13th and 21st with each retreat from the intake of food for a full 24 hours period, and will only consume six cups of liquid according to one’s preference. Each day represents the death of a staunch New Afrikan Revolutionary freedom fighter. As test of one’s endurance, dedication and commitment in the true spirit of “Weusi Agosti,” each individual is to take part in exercising a total of four times a day, every six hours. During the 27 non-FLEA days of BAM no solid food is consumed before sunset. (The time may be amended from after sunrise to between 4 and 8 p.m.) Meals should be taken together.

The FLEA days are essential to BAM, as they help to build spiritual unity, and remind us of our collective self-sacrifice. We unite with the minded and kindred freedom fighting spirits, because we are doing something together, letting us know we are not alone in this struggle, regardless of where we might be; i.e.: in prison, or economically, culturally and spiritually drained.

As we sit here at Pelican Bay State Prison (PBSP), Kalifornia’s notorious control unit/holes, we are thinking about the plight of our NAN being held unjustly. We hear the echoes of our ancestors, to which they said: “stand up against oppression” by strategically and tactical aims, for our liberation as an NAN.

Black August Resistance (BAR) is the spirit of our legacy in this country (USA), and we shall never forget our ancestors’ struggle for liberation and true justice, for which we still struggle today:
• 1800: New Afrikan Revolutionary, Gabriel Prosser
need to resort to raw, brutal force. The controllers of modern empires
are able to preserve law and order by controlling masses of people. They
hold elites in awe and fear. They are then able to preserve law and order by
controlling the minds of the masses through their mass-oriented information and enter-
tainment media—teaching the people to hold elites in awe and fear. They are then
able to preserve law and order by controlling the minds of the masses without the
need to resort to raw, brutal force.

In recognizing the role of prestige in society we’ve identified a subjective phe-
nomenon which allows people to submit to oppression and exploitation. In his politi-
cal writings, Niccolo Machiavelli examines overall whether a ruler should base his
command on the basis of love or fear. He too recognizes the centrality of prestige in
controlling masses of people. He concluded that if there must be a choice between
love and fear, fear is preferable so long as it is that quality of fear which prompts
respect and not contempt or hatred. To avoid provoking hatred, the ruler must
avoid violating the person, possession and honor of his subjects unreasonably. He
must always maintain an appearance of good and he must aspire towards achieving
great accomplishments in matters of state and industry. It is through these methods
that the ruler acquires prestige, fame, and the submission of his subjects.

For example, in here the prisoners vastly outnumber the cops – yet our resistance
to their power is relatively non-existent. The cops’ ability to rule and keep order is
based upon fear, upon the majority of cons to accept the uniforms’ power as legiti-
mate, unquestionable, unchallengeable and therefore invulnerable. They actually hold
the cop and the social order that empowers him, in awe.

Indeed, George Jackson recognized that prestige in and of itself exists nowhere
except in peoples’ minds. “Prestige is an abstract, an intangible. It has no mate-
rial basis, no substantial objective reality. One can’t taste it, see it or smell it, it can’t be heard.”
So how does it exist? It’s subjective. In a taped speech given shortly
before his death in 1971, brother George further elaborated on prestige as
follows: “The prestige of power at its maturity is a thing that will prevent
people from acting against that power. The pig is a psychological thing, a
state of being wherein the bourgeoisie reign of terror need not rely on violence
to sustain itself. It’s relying on something that happened in the past ... where it secured itself. And it’s drifting at this

FOOD FOR THOUGHT DURING BLACK AUG

The Honorable George L. Jackson
once observed, “Prestige bars any serious attack on power. Do people
attack a thing they consider with awe, with a sense of its own legitimacy?” The answer
of course is “no” which is a primary reason why the controllers of modern empires incessantly glamorize their opulence as
well as the sophistication and prowess of their military-police bodyguard through
their mass-oriented information and entertainment media—teaching the people to
hold elites in awe and fear. They are then able to preserve law and order by control-
ling the minds of the masses without the need to resort to raw, brutal force.

In recognizing the role of prestige in...
EUGENE ALEXANDER DEY is an prisoner serving 26-years-to-life for a nonviolent drug offense at the California Correctional Center in Susanville. He is a college-educated writer, activist and represents himself in pro se as he challenges his conviction and sentence.

DEY WORDS

NO PRISONER LEFT BEHIND

ot too long ago professors from the nation’s colleges and universities made the intrepid sojourn into America’s vast prison system to educate those of us who needed it the most. This was a different era, just before the heavy-hand of justice came down on deviance like Inquisitors on heretics. Being an incarcerated undergraduate at the time, the very idea of canceling such a program seemed to fail every test of logic.

“The debate over barring inmates from receiving federal Pell educational grants baffles me. How is it that both sides of the political spectrum, apparently fervently opposed to crime are considering discontinuing funds for a program that lowers the rate of repeat offenses, I wrote in the San Francisco Chronicle on May 23, 1994.

In the name of public safety, the population wholeheartedly bought into the proposition draconian sentencing laws and a myriad of ruthless measures would sanitize society. It didn’t work. Utopia couldn’t be brutalized into being.

THE GULAG: More than a decade later, with roughly 7 million people either locked-up or under some form of court-ordered supervision, the citizenry has lost faith in the $200 billion a year crime control industry. Because this war-on-people is an open-ended engagement with no exit strategy; unrestrained support for perpetual incarceration is no longer viable.

Here on the West Coast, the California Department of Corrections (CDoC), the largest prison system in the country, exemplifies the American Gulag Archipelago with roughly half a million men, women and children in or on prison, jail, parole and probation. For their dogmatic belief in the principles of internment, Californians are rewarded with astronomical rates of recidivism and malignant incompetence at all levels of the department.

The Schwarzenegger administration promises to restore the public’s confidence in a prison system plagued by weak management and a powerful guard’s union (who are blamed for transforming the agency into a quagmire of dysfunction). The CDoC is the epitome of the failed American prison experiment.

PENDULUM: While the outlook on corrections is dismal, a recent development holds tremendous potential. Approximately 60 prisoners from California Correctional Center (CCC) and High Desert State Prison (HDSP) are lucky participants in a ground-breaking program offered by Lassen Community College (LCC). Funded by Extended Opportunity Program and Services at LCC, these fortunate felons have embarked on a two-year pilgrimage to earn an AA degree in liberal Arts.

One such inmate is 34-year-old Thomas Wallen from Kern County. He proudly displays vocational certificates, bible college diplomas, and documentation of completing a number of self-help seminars.

Despite all this, the potential for a college degree is an unexpected development.

“It’s a wonderful thing to be given such an opportunity to further my education,” Wallen said. “This program has given me a chance to truly seek rehabilitation.”

In a volatile environment with unconstitutional segregation policy the Supreme Court said exacerbates the violence, a diverse group of 29 students have come together at CCC. A member of this academic collective is 30 years old Michael McDonald for LA. With his own exhaustive resume of institutional accomplishments, he understands the importance of this program.

“We’re excited about the opportunity. We realize this is a rare occurrence, and very grateful for it.” McDonald said.

FEDERAL PELL GRANTS: During the civil rights movement, congress passed the “Higher Education Act of 1965.” Later named after the law’s sponsor, Sen. Clairborne Pell, Pell Grants offered financial aid to those who could prove financial need – including prisoners.

Pell resulted in an academic migration into the nation’s prisons. By 1973, 182 colleges participated in a wide range of prison programs. The last official count was conducted in 1982; roughly 350 institutions of higher learning took part.

While a number of studies tracked the achievements of providing post-secondary education to prisoners, the statistics varied from source-to-source – though all were excellent. A 20-year study reported 20 percent of those who earned an AA degree recidivated, compared to the national average of 70 percent. Even better were the numbers when a prisoner received a BA degree or higher.

Despite a plethora of impressive data, tough-on-crime lawmakers viciously attacked Pell Grants. In the “Omnibus Crime Bill of 1994,” a bi-partisan measure approved by Pres. Clinton, prison college programs became the object of intense scrutiny. “Pell Grants were sold [to congress] to help low-and middle income families send their kids to college,” said Sen. Kay Bailey Hutchinson, R-Texas, who in 1994 led the fight against the grants. “They were not sold for prison[er] rehabilitation.”

To justify slashing an effective crime-fighting tool, the proponents of the heavy-handed approach advanced a false doctrine: prisoners were accused of taking educational opportunities away from low-able students. This wasn’t true because Pell doesn’t turn away anyone who qualifies. Furthermore, the program awarded $6.3 billion in aid to 4.3 million students, wile only $35 million went to 30,000 prisoners – less than one percent of Pell’s expenditures.

Even though providing higher education to prisoners produced tangible results, warehousing and punishment, recidivism-friendly policies both, became the nation’s official correctional methodology.

POST FELL AND THE PALO VERDE MODEL: The CDoC used to offer an interesting array of college programs. Some consisted of a few classes, while others offered both Associates and Bachelors degrees. However, Congress’s actions in 1994 signaled the demise of PSCE. By the end of the 1990s about a dozen colleges found a way to survive.

In San Quentin, Patten University (PU), a Christian college in Oakland, extended a privately funded volunteer program. Beginning in 1996 and recently ending, PU awarded more than 40 AA degrees and maintained an enrollment of 200 students. Boston University’s Prison Education Program offers a Bachelors of Liberal
The last time corrections approached the subject of prison gangs and ethnic issues, they hypothesized bitter rivals could be forced to get-along. This resulted in seven years of staged, gladiator fights, in the Corcoran SHU and a statewide shooting policy that amounted to sanctioned murder. No one got along, too many to count were shot, and seven SHU inmates were killed—gunned down by correctional officers for fist fighting under a forced integration policy.

**PRISON REFORM NEEDED:** The same corrupt officials who built the most out-of-control correctional agency in the country are still in charge, and he few managerial changes to take place have barely made a difference.

With all eyes on prison officials to restore the public’s confidence, the Little Hoover Commission voted to adopt Gov. Schwarzenegger’s plan to overhaul the CDC. This plan emphasizes rehabilitation, education and accountability. While that might sound good to some, I’ll believe it when I see it.

In all fairness, prison reform is by no means an easy subject to broach. Revitalizing a huge agency rooted in a code of silence and systemic cost overruns depends on total illumination and dedication to social responsibility. From where I sit, based on how they’ve performed and who’s still in charge, the CDoC in its present form is an abomination.

To achieve real reform, a plethora of changes must occur to end decades of huge rates of recidivism, institutionalized violence and absolute hopelessness such as computerizing every aspect of corrections, lifting the restrictions placed on the media, restoring due process to the prisoner grievance system, free release-worthy prisoners once they’ve served their sentences, bringing mental health an medical services to standard, providing marketable education and vocation programs, reestablishing visiting, the end of extorting all monies received by inmates at a rate of 55 percent for restitution, and stopping price gouging prisoner’s families with the most expensive collect call fees in the country.

This might sound like a disgruntled prisoner with a wish list; sadly, this is the short list. Reforming corrections might make interesting copy for some or heated debate for others. But for us, it’s about human rights—and being buried alive in the worst prison system in the country.
WHO STOLE YOUR FREEDOM

There’s a mean wind a-blowing,
Most Americans aren’t a-knowing,
The prison system is the largest in the world,
2.5 million and a-growing.
America used to be the land of the free,
Before they learned to make money
Off of prisoners like you and me…
They got the people fooled…They got the power,
Fascism is a-coming by every tick of the clock,
Hour by hour…

Looking through the wide lens of reality,
Our government is a collection of people,
Who aren’t governed.
Their claim of moral supremacy,
Smacks of pathological narcissism…
The sad part is that the show more passion
For their malevolent policies
Of heightened emptiness…than depth…
When questioned
About their misguided strategies
They brand you a troublemaker…or, Un-American.
Then they will give you
A dissertation about pervasive disparities among the races
To facilitate a smoke screen
To divert attention from the questions at hand.

Their allegiance is to the money,
Nothing but the money…
So help the money…
I’m left with the feeling…so distant,
That I can’t touch my shadow…

—Clayton Parrish 301924
Waverly, VA

PLEA BARGAIN BLUES

Today the D.A. offered me 20 years
But I counter offered a fin (five)
He looked at me like I was crazy
You’ll do 25 with a ‘L’, my friend

I said, “Now don’t be so hasty!
Tell you what I’m willing to do.
I’ll be more than a little generous
And let you bump it another Two.

The D.A. started to sputter
Then he began to choke
Slowly his face turned red
I thought the fool was having a stroke!

“And for your grand generously
He said with a smiling grudge.
“You can tell your silly jokes
To our hanging judge.”

With a puffed up chest, I shouted
“screw you then sucka! Cuz it’s
dragons I slay.” But this here
dragon was the head K.K.K.!

He had exchanged his white sheet
for a black robe, his hood for a
gavel. One look into his beady
blue eyes, and my nerves started
to unravel.

My knees turned to jelly
My bowels got loose
My stomach started to rumble
I felt like I had to pout.

In the court of jurisprudence
Where the rule of thumb is law
I recognized this son-of-a-bitch
He tricked with my sister-in-law!

“What’s this I hear, boy?
You wasting the court’s time?”
“Now hold on a moment, your honor,
I’m just trying to get it under a dime.”

“If you can pull that off, son.
You’ll be an artful dodger.
Cause the kinda time you lookin’ at
now,
They should call yo’ ass Buck Rogers.

—Michael “Yahya” Cook
T-42786, PBSP

HELP ME UNDERSTAND

We gave Saddam Hussein the weapons of mass destruction to fight Iran.
Now were going to jeopardize the lives of three hundred thousand troops to disarm
the man.
Help me understand!
Was it us, who trained Bin Laden in Afghanistan?
So him and the Taliban could fight off the Russian soldiers From their land.
Now he’s the number one terrorist against Americans.
Help Me Understand?
When Americans protest the war in Iraq other Americans label them unpatriotic and
traitors to there government.
Help me understand!
If a person who protests the war is a traitor, what is our political leaders in our gov-
ernment?
Who gave these mad men weapons and superior military training?
Help me understand?

—Kirkton P. Moore C-77603, Represa, CA
many directives concerning treatment and conditions already worked out by people pursuing change in our prison system.

As for whether or not reforms are necessary so long as we haven’t eliminated capitalism, Ed already knows the answer to that tired old question. Changing one economic or political system for another is no guarantee it will be better for those in prison.

In any event, this sort of thing has been talked to death for years. Others have argued it better than I. Bottom line is: national standards for the humane treatment of prisoners must be uniformly implemented and enforced regardless of who is in power or which economy provides for our material needs.

—Mark LaRue, Baltimore, Maryland

NEW CDoC CHANGES

Dear CPF:

I’d like to take this opportunity to send you this information and to thank California Prison Focus for all the support you’ve given us prisoners throughout the years.

I’m quite sure that you folks at CPF are aware of the new Directors Rule Change regarding prisoner property. (Per letter number 05-01, revision dated March 2, 2005, chapter 5, article 43 which are; Food/Hygiene, rev. 54050.17.4.). These changes are senseless due to the fact that we prisoners need our personal hygiene cosmetics in SHU in order to remain clean and neat. Not to mention, we must comply with the Title XV’s other regulations, CCR 3060, which states all inmates shall “keep themselves clean and practice good health habits.” Title XV also states under CCR 3061 that inmates “must” keep themselves clean and maintain “physical well-being.” Finally under CCR 3062 grooming standards it states all inmates shall be “clean, neat, and groomed as specified in these regulations; 3062 (a) (b) (c) (d) (e) (1) (2) (i) (j) (k). “Failure to comply with the given regulations under 3062 will result the inmate to program failure; subject to Progressive discipline and Classification Committee Review for appropriate housing and program placement.”

These new rule changes, adopted March 2 are contradictory because we are not going to be able to keep neat and clean with only two bars of soap and one shampoo per month. Toothpaste, lotion, deodorant, denture cream, conditioner shampoo, hair grease and shave cream are no longer allowed in SHU. It’s simply not possible to stay well groomed without the above-mentioned items.

In addition to the grooming items, they’ve also taken coffee, tea, cocoa, and soups. Due to the small portions of food, these items help us get by every month. Unbelievably, they’ve even taken away salt and pepper, stating that the budget makes no allowance for it, it is too difficult to obtain, and has no nutritional value! According to the CDoC, the removal of these items is due to budget cuts.

What is obvious to us prisoners is that the removal of these items is to save the CDoC money; meanwhile, the c/o’s continue to work overtime increasing their own wages.

As a result, the CDoC is creating a very hostile environment here in the SHU. It seems to me that this is to their advantage. The more that we prisoners react, the more often they can place us on emergency lockdown, the more overtime money they get! Something must be done.

—Larry Viera, Tehachapi

DON’T THEY KNOW?

Dear CPF:

So many times, I have thought of writing to you, but when I read the article in your fall 2004 issue: “Activism Will End the SHU’s” by Charles Carbone, I had to put pen to paper. When he wrote “through education and mobilization of the public…. I was inspired and had to write.

I became a convicted felon almost 10 years ago. I have many times asked myself: “Do the kids and public know? Do they know what jail and prison are really like? Do they know about the abuse, the suffering, and the lives of the walking dead?”

I didn’t know. Someone on the 10 o’clock news, being sent to prison didn’t mean anything to me. I didn’t care. I didn’t know, didn’t think twice about it; nothing touched me back then. Boy, have I changed!

I’ve thought for a long time now, that if some people would go to the schools, and talk to the kids about crime, accountability, prison, and gut-wrenching grief, perhaps it would make a difference. If they were to talk in a language the kids could understand, maybe they’d get through to them. If they were to show these kids photos, films, truth…all the negatives of prison…perhaps it would have an impact.

I think they need to discuss the civil death a prisoner experiences as well, such as the things a prisoner will never do again in this lifetime. They need to explain what happens when you are on parole. Let them know how absolutely shameful and humiliating prison is. Someone should tell them about how we are abused by cops, and the non-existent medical care; how lousy the food is and how incredibly cold it is here. The walls are made of bricks and cinderblocks; the bars, cold metal; the lack of heat inside these inhumane lockdowns.

I truly believe that if someone could get to these kids, (before it’s too late) that they’d make better choices in life.

The reason I say that is because I met a very young man on the bus many years ago. Upon speaking with him for a short while he told me he had just been sentenced to life in prison for killing the guy who killed his only brother. I spoke to him about how his Mama just went from having two sons to having no sons. He said, “What?” I then explained to him how he was supposed to be his mama’s strength, to help her overcome the grief of losing a son. It was up to him to take care of his mom. Now she has no one. No one to take her to church, no one to take her to the cemetery, no Sunday picnics and no Sunday bar-b-que’s with her son. He wouldn’t make her a grandmother. He wouldn’t be there for her. She went from two sons to none.

What he said next was hard for me to hear. He said, “I didn’t know. No one told me. I didn’t know.” He went from smiling to being totally confused, almost sad.

I felt bad. No one told him, so the badge of honor he thought he was wearing was gone.

Had someone been out there, talking to him as a youth, maybe, just maybe this
young man’s life could have been different. Instead, kids like him learn: if you can do the time—do the crime!

What they need to be hearing about is how much time you get for certain crimes, how much money it costs the state to keep one prisoner in prison, how difficult and expensive it is to visit, how hard it is to get phone calls and how short they are and how expensive. They should be told how miserable lockdown is and how violent our prisons are, always having to watch your back. Then ask them how many want to go.

I see kids glamorizing gangs and violence. Rather than instant riches and bling-bling (jewelry), cool clothes, and cars that the gangs flaunt, kids need real life education. They need courses in accounting, law, management and the education to run a business. Even singing is good if they are serious, but we need great scientists, doctors, surgeons and mental health workers. We need, somehow to inspire these kids to want to learn, to discover a cure for cancer, to do great things and steer them away from instant gratification. We need to teach them to take pride in hard work and earning their successes. There are not enough dollars in the entire world to get them out of prison. We need courses in accounting, law, management and the education to run a business. Even singing is good if they are serious, but we need great scientists, doctors, surgeons and mental health workers. We need, somehow to inspire these kids to want to learn, to discover a cure for cancer, to do great things and steer them away from instant gratification. We need to teach them to take pride in hard work and earning their successes. These kids glorify the almighty dollar, but there are not enough dollars in the entire world to get them out of prison. We need to educate, inform our young people before it’s too late.

—Donna K. Lee, Chowchilla

THE WAR ON DRUGS

Dear CPF:

I truly hope that your organization will get all the facts and figures on the war on drugs and how much this war is costing the state of California.

It’s my understanding that two-thirds of California prisoners (as well as elsewhere) are the result of the war on drugs. Governor Arnold is from Europe, so surely he knows the futility and insanity of the war on drugs policy v. a health policy.

Given California’s gigantic budget problem, it seems that if CPF, other groups, college students, etc. united and put a dollar cost to the war and it’s ramifications and then showed Arnold your findings you could end the war. As a result, the state could save 5-10 billion dollars a year, plus create billions in the farming of drug plants. California’s money woes could be the key to ending this un-American, political, racist war.

—H.J. Halm, Auburn, NY

INTERNATIONAL DAY OF SOLIDARITY WITH POLITICAL PRISONERS AND PRISONERS OF WAR

Saturday, December 3

They have made us know the way to jail
Shut us in their concentration camps
But we have not lost sight of our goal
We are a people of resistance
Slavery, occupation, nothing has broken us
We have slipped through every trap
We are the people of resistance!

Sung by Annette Auguste

Haitian Political Prisoner Sundiata Acoli, Gloria Arenas Agis, Annette “So Ann” Auguste, Marilyn Buck, the Cuban 5, Manal Naji Mahmoud Ghanim, the Mamuroo 7, Yvonne Neptune, Jacobo Silva Nogales, Leonard Peltier, and Inaki Uria.

Have you heard of these people? Are any of their names familiar? They are all political prisoners held in prisons and jails around the world.

For example, So-Anne is a Haitian cultural worker and popular leader who has been held since the 2004 coup in Haiti. Sundiata Acoli, a former Black Panther and Black Liberation Army member, is a New Afrikan freedom fighter who has been imprisoned for over 30 years, making him one of the longest held political prisoners in the world.

There are more than 8,000 Palestinian political prisoners being held in Israel, and more than 1,000 in Haiti. Thousands are being held in Indonesia. In Mexico there are right now more than 500 political prisoners, many of whom are indigenous peoples. In Turkey there are more than 8,000 political prisoners, many from the Kurdish national struggle and many leaders and militants from the revolutionary movement that are being held in complete isolation drawing on measures and torture techniques imported from the US, Europe, and Israel. There are Basque political prisoners being held in Spain and France, political prisoners in Ireland, England and Denmark. There are more than 100 political prisoners in the United States and since September 11, thousands more have been put in detention. All of these men and women are joined by the other thousands of political prisoners being held in jails, secret prisons and penitentiaries around the world. Many have been tortured, many women have been raped.

These prisoners have been arrested for many reasons. Some are freedom fighters waging wars of liberation in their countries. Still others have been imprisoned for expressing their political dissent. Many are imprisoned because they are members of the wrong ethnic or nationality, some for just being in the wrong place at the wrong time. But one thing binds all of these prisoners together: they have been jailed not for committing “common” crimes but for expressly political reasons.

Under the leadership of the United States and the European Union most prisoners have been denied their political status and have been criminalized. This trend will continue and will help hide the fact of political repression in country after country.

The United States likes to portray itself as the protector of human rights. Of course nothing could be further from the truth. Prior to September 11, 2001, there were nearly 100 political prisoners and prisoners of war incarcerated in the US. They are men and women imprisoned for their political beliefs and actions against racism, imperialism and injustice. Many were victims of an FBI counterintelligence program of the 1960s and 1970s called COINTELPRO. They come from organizations and struggles like the American Indian Movement (AIM), the Black Panther Party, MOVE, the Republic of New Africa (RNA) and the Puerto Rican independence movement. There are also North American anti-imperialist prisoners jailed for acting in solidarity with these movements and fighting for changes in the current economic and political system.

Since September 11 many have experienced additional abuse by being held in isolation and being refused mandatory release or parole eligibility. Although most of these men and women have been imprisoned for more than two decades, they continue to fight for their beliefs. Still
the U.S. government denies that they are political prisoners and calls them criminals.

The US is also holding political prisoners from throughout the world. There are currently more than 100 Colombian political prisoners from the Revolutionary Armed Forces of Columbia (FARC), several Irish Republican political prisoners, and hundreds if not thousands of Arab and South Asian political prisoners, whom are falsely being labeled “enemy combatants.” The US imperialists are also holding five Cuban political prisoners whom are being held for infiltrating US sponsored anti-Cuban terrorist organizations.

Imprisonment and torture are becoming more widespread and accepted. All of this is now justified by the War on Terror! High-ranking government officials openly admit the right of the US to suspend international human rights laws and the US Patriot Act codifies an end to long-standing civil and human rights protections: secret detentions in Guantanamo, sweeps of Arabs and Muslims with subsequent detentions and isolation, denials of releases to political prisoners at the completion of their sentences, criminalization and prosecution of attorneys who defend people targeted for prosecution, ghost detainees and secret prisons throughout the world, US sanctuary given to murderers form around the world, support for contra armies.

The now infamous pictures from Abu Ghraib prison in Iraq show this only too well. Torture is now deemed to be legitimate and legal by the imperialists. The policy of the US government has always included supporting death squads, massacres, disappearances, clandestine prisons and unmarked graves. Countless exposures of the School of the Americas, US supported contras, coups, invasions are historically documented. Today, especially with the neutralization of the US media, these acts are clouded behind the “plausible deniability” of the CIA: the rendition program of transporting political prisoners to countries willing to conduct torture on the behest of the US, mercenaries who violate human rights but are not direct employees of the US, secret prisons where people are disappeared and kept incommunicado.

Given the determination of the imperialists, led by the United States, to crush any opposition to its rule, all of this will become even more commonplace in the future. And the number of political prisoners will grow larger and their imprisonment will be for longer periods of time.

The reality is that most political prisoners are unknown outside of their own countries (and often within their own countries). Given the growing globalization of repression, human rights activists are calling for a globalization of solidarity and resistance. As Donato Continente (former Filipino political prisoners, released in early July 2005) put it: “why don’t we have a day in solidarity with political prisoners world wide? Each country can have its own form of solidarity and resistance.”

We know that international campaigns often work. If the eyes of the world are focused on political prisoners, governments are forced to acknowledge their existence. Therefore we are initiating the International Day of Solidarity with political prisoners and prisoners of war on Saturday, December 3rd, 2005 to launch an international freedom campaign that will demand the following:

• National and international recognition of the political prisoners and prisoners of war.
• The immediate application and compliance of all international laws and statutes pertaining to the capture, treatment, and legal standing of political prisoners and prisoners of war.
• Freedom for all political prisoners and prisoners of war.

Please join us as we demand freedom for all Political Prisoners and Prisoners of War! And the end to torture and all human rights abuses!

Contacts: Kali Akuno, Malcolm X Grassroots Movement, kaliam@sbcglobal.net; Judith Mirkinson, GABRIELA Network, Mirk2@comcast.net.

WILD POPPIES: THE CD

...a poetry jam across prison walls
Poets and musicians honor poet and political prisoner Marilyn Buck

This CD is a poetry jam in space—created across and despite razor wire, prison bars and censored phone lines. It is a gathering of poets to celebrate the work of sister poet Marilyn Buck, who has spent more than 20 years in U.S. prisons for her anti-imperialist politics and actions.

In the eyes of the government, Marilyn is an enemy of the state, despised for her role in freeing BLA leader Assata Shakur, hated for her willingness to risk her life and freedom for a world imaginable only to a revolutionary—or a poet. Yet for the poets who rushed to lend their voices and their words to this collection, Marilyn is someone very different—a woman who lives for transformation.

Through her political activism and writing, she creates the possibility of a world of social justice and peace. Through her approach to prison, she transforms the repression and censorship of imprisonment and, in the process, has become a poet. Includes tributes from Kwame Ture and Amiri Baraka.

$12 (includes shipping) from: The Freedom Archives
522 Valencia StreetSan Francisco, CA 94110 - (415) 863-9977
By Red Ryder

Family Members and Friends of People Incarcerated, an organization based in Montgomery, Alabama, called for individuals and organizations to travel from their respective communities and to come to Washington, DC, on August 13 to protest that over two million prisoners is too many. California Prison Focus sent me as a representative to that event.

The issue is that the United States imprisons its citizens at rates three to ten times higher than other democratic societies. Rigid sentencing laws and ‘get tough’ policies have made prisons crowded and dangerous; and don’t make us safer. The impact of continued punishment after a person’s release from prison adds to the despair that keeps our communities weak.

The March and associated events were intended to send a message to our leaders, and was an opportunity for the world to support our demands. The organizers insisted that we must stop relying on incarceration, give people an education and rehabilitate our communities. People who pay their debt to society should be able to participate in society again. Millions of citizens can no longer vote. Laws that partially or permanently discourage good citizenship from formerly incarcerated people is not supported by evidence and is bad policy.

The event organizer, Roberta Franklin, a radio talk show host from Montgomery, Ala., said she mortgaged her home to pay for the rally. Several years ago, Franklin said she began to receive letters from inmates at Alabama’s Julia Tutwiler Prison for Women detailing their lack of medical care—including one woman who said she weighed 80 pounds because the false teeth that she needed to eat properly were not provided, and another with ovarian cancer getting only Tylenol for pain. A lawsuit prompted by the conditions led to a court settlement last year. Franklin said the experience was eye-opening and fueled her desire to change U.S. sentencing laws, improve prison conditions and shift the focus to education, poverty alleviation and rehabilitation.

“I used to believe in this system,” Franklin said. Now, she added, “it’s my belief when good people . . . hear the story of America’s prisons, they’ll be disgusted.” She noted that the United States is the world’s leading jailer, and that the march is a long overdue event.

While there were at best only a few hundred of us in attendance in the sweltering August heat for the event, the spirit of all who attended was one of ongoing commitment to struggling for progressive change. It was noted that this was a “journey for justice”, and that we still have a long way to go.

There were many good speakers, including Bonnie Kerness from the American Friends Service Committee and Dorsey Nunn of the Bay Area’s All of Us or None. Bryan Stevenson, a lawyer with the Equal Justice Initiative of Alabama said, “We’ve represented dozens of people sentenced to life in prison without parole for stealing a bicycle, writing a bad check or simple possession of marijuana. And it’s that kind of sentencing policy that has resulted in the prison population growing from 200,000 to two million in the last 30 years.”

Although many of the family members in attendance, a group that made up the bulk of the attendees, were focused more on religious and moral grounds than political considerations, there was a common unity of purpose in terms of doing something about the growing prison crisis.

In addition to All Of Us Or None, there were at least two other organizations made up of ex-cons (I believe the politically correct term these days is “formerly incarcerated people” or “previously incarcerated persons”). As was the case with the family members, these ex-convict organizations predominately consisted of people of color.

A couple of hundred copies of Prison Focus were handed out to attendees.
A few of the signs brought to the spirited “Journey For Justice” march held in Washington, D.C., on August 13, 2005.

One of the banners brought by the New York Campaign for Telephone Justice
http://www.TelephoneJustice.org

A mothers solemn message.

Three ex-con members of New York’s “Queers for Economic Justice”
http://www.queersForEconomicJustice.org

Dorsey Nunn of Oakland’s All Of Us Or None talking from the speakers platform.
Aho My Relations,

On August 15, I was transferred to USP Lewisburg in Pennsylvania. Life has been extra difficult for me since I was transferred from Leavenworth. This system is designed to make one feel very powerless, and what they are doing with me now is definitely aimed to erode my body and spirit even more. My loved ones, and all of you, my friends and allies who continue to support me, keep me sane and hopeful.

They say that it is in times of crisis that one can really see who your real allies are. Those of you who have contacted the Terre Haute Prison and the Bureau of Prisons on my behalf, keep me in your prayers, and are supporting my Defense Committee, have made an enormous difference in my situation. I humbly thank each and every one of you, and firmly believe that your actions most certainly saved my life and prevented me from living in an institution that is well known for its extremely high crime and violence.

Although I have been forced to endure many hardships, I will never surrender, even if all that is left of me is my spirit. Your love and support inspire me to overcome everything.

I hope that here at Lewisburg I will be able to resume living in the general population, practicing the traditional ways and continuing with my artwork. My defense team is preparing to go through some major milestones. They need your support more than ever to re-establish our office and prepare for upcoming reviews and legal battles. Since Russ Redner, Paula Ostrovsky, and Toni Zeidan do not want to accept any salaries or remuneration of any kind, all of your donations will go directly to the office transfer and upcoming campaign.

I again want to express my sincere appreciation and tell you once more that without you I am not sure I could have survived this last month. Every day I think about and pray for a time when I will be among you, shoulder to shoulder, fighting for justice for my people and our Mother Earth.

In the Spirit of Crazy Horse,
Leonard Peltier

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CALIFORNIA PRISON RIOT LEAVES ONE DEAD

By Don Thompson, A.P., 8-19-2005

Inmates at the state prison in Calipatria remained locked in their cells Friday as investigations continued into a deadly riot that erupted in an exercise yard Thursday and spread to two buildings.

One inmate was killed during the uprising at the prison east of San Diego and 25 inmates and 25 guards were injured.

Just the one fatal round was fired, from a semiautomatic rifle, said Terry Thornton, a spokeswoman for the California Department of Corrections and Rehabilitation. But both inmates and guards used every other weapon at their disposal, Thornton said.

"In the buildings, the inmates were using broken broom handles and crutches and they were ramming the employees with laundry carts,” Thornton said. Tower guards fired non-lethal weapons while other correctional officers used pepper spray and batons.

The slain inmate was identified as Richard Albert Zamora, 33, who was shot in the abdomen. Zamora had been serving an 18-year sentence for gross vehicular manslaughter.

Another inmate was originally believed to have been shot in the head, but doctors determined he suffered only blows to the head. He was returned to the prison Friday.

About 20 other gang members joined in the attack, prison officials said, and the officer suffered about five slash wounds to his head. He and another officer who was struck in the head were the most seriously injured.

Another inmate was originally believed to have been shot in the head, but doctors determined he suffered only blows to the head. He was returned to the prison Friday.

Five inmates and 22 guards required hospital treatment. Authorities said the fight began when a correctional officer was attacked by a member of the Southern Hispanic prison gang about 3 p.m. as he tried to search the inmate.

About 20 other gang members joined in the attack, prison officials said, and the officer suffered about five slash wounds to his head. He and another officer who was struck in the head were the most seriously injured.

More than 90 inmates were taken to segregation units as the investigation continued Friday. Other inmates remained locked in their cells.

The prison houses more than 4,000 inmates, more than 3,850 of whom are maximum security. The remainder are minimum security inmates who work around the prison and were not involved in
Thursday’s riot, officials said.  
By Joel Whitney, 08/11/05

Late last month, the case of so-called “dirty bomber” Jose Padilla made a blip in the news when the U.S. Department of Justice appealed a lower court’s decision that Padilla had to be either tried or released. In order to maintain the president’s right to keep Padilla locked up forever, the solicitor general was prompted to call the whole of U.S. territory a “battleground” in our perpetual war on terror, implying that anyone could be jailed and blocked from mounting a defense, as Padilla has been.

No one denies Padilla’s checkered past, not even his defense team, which includes Yale-based lawyer Jonathan Frieman. A former gang member with friends in the worst places, Padilla was arrested in Chicago in May 2002 after flying into O’Hare. Initially he was held in New York for questioning, but a month later the president ordered Padilla turned over to military personnel.

Using the neocon neologism “enemy combatant,” the government claims it can deny Padilla a trial—whether he was picked up on a literal battlefield in Afghanistan or on a figurative battlefield, yet to see fighting. A test case for a new kind of preemption—preemptive conviction—Padilla has been held in solitary confinement for three years, only allowed to see his lawyers two years into his confinement. Even then it was treated not as his inalienable right but as a “discretionary measure” (read: government gift).

It’s difficult to muster sympathy for someone with a resume that reads “trained by Al Qaeda” and “conspired to explode radioactive material.” But keep in mind that, even if the government is telling the truth about Padilla’s putative crime, this case isn’t about Jose Padilla alone. It’s about a process that has remained intact through American catastrophes like the Civil War and the cold war.

Indeed, when one of Padilla’s lawyers, Andrew Patel, said before a three-judge panel of the U.S. Court of Appeals for the 4th Circuit, “I may be the first lawyer to stand here and say I’m asking for my client to be indicted by a federal grand jury,” what he signaled was that the executive government needs to try in court even those it deems guilty of the most heinous crimes, or else we and generations to come will be stuck with the consequences.

To get a sense of the gravity of the case, and of the precedent it could set as it works its way to the Supreme Court, I called Frieman, one of Padilla’s lawyers and a senior fellow at Yale Law School.

Frieman called Padilla’s case a “landmark,” underscoring that “no president has ever been granted the power to detain indefinitely an American citizen seized in a civilian setting on American soil.”

While the Bush administration insists 9/11 “changed everything” and that the authors of the Constitution could never have imagined planes flying into buildings, black-market nukes or homemade bombs, Frieman dismisses this line of reasoning.

“Not long after the drafting of the Constitution,” he says, “Britain sacked Washington and burned the White House to the ground. It was in this very context of danger... that they limited the power of government.”

History lessons aside, certainly some rights are negotiable during emergencies? “Some rights can be waived,” Frieman says. “But a waiver has to be knowing and voluntary. There are no constitutional rights that the government can waive for you.”

Frieman answered indirectly but firmly when asked about Padilla’s demeanor during his only visit with lawyers: “Imagine spending three years completely alone, your meals slid into your cell, your captors the only people you ever see. And the whole time you’re being told that this can go on forever, you may never leave.”

Frieman got patriotic when asked about defending Public Enemy Number 3 or 4. Admitting to having received hate mail and threats, he asked, “Why subject oneself to that? Because of what’s at stake here. The government argues ... that the time has come to go back to the old model of the British kings, where the military can seize citizens in their homes and city parks and hurry them away to secret prisons where they’re held incommunicado and without charge.

“We argue that the framers rejected that model,” he continued, “that our Constitution took us on a different path, a path of democracy and freedom that only we, the people, have the power to change. I’m happy to defend that vision, not just for me and my generation but for my children as well.”

Information Clearing House
PRISON FOCUS #23 AND #24

_Prison Focus #24: Survival in Prison_. Please send writing on how you do your time both from a practical perspective and a philosophical one. What has worked for you? What has not? Give us a little (brief) background on who you are and the conditions you live under. Due 9/15.

Got an idea for a theme for issue #25? Send your suggestions for 2006 issues to Prison Focus editors.

CPF GOALS
1. End all human rights abuses against prisoners.
2. End the use of long-term isolation.
3. Close the Security Housing Units.
4. Offer rehabilitation of SHU prisoners as torture survivors.
5. Improve medical care and living conditions for prisoners living with HIV, hepatitis C and other life-threatening diseases.
6. Help gain compassionate release for prisoners with serious illnesses and physical disabilities.
7. Stop all discrimination against LGBT prisoners.
8. Abolish the prison system as we know it.

ABOUT CPF
California Prison Focus is a non-profit community-based human rights organization working with and for California prisoners. Our two main issue areas are fighting against the long term isolation, torture and abuse of Security Housing Units (SHU) and demanding an end to the medical neglect and abuse of prisoners with HIV, hepatitis C and other life-threatening diseases. The focus of our work is our investigative trips to women and men’s prisons with SHU facilities and/or medical units. We make at least one visit per month. We work to build strong bridges between the prisoners and the community, and to bring forth the voice of the prisoners through our newsletter, **Prison Focus**, and our ongoing educational outreach and community forums. Central to our work is training ourselves, prisoners and their loved ones in self-advocacy through public protest, networking, coalition building, letter writing and contacting prison officials and policymakers.

Founded in 1991 (as Pelican Bay Information Project) we have made 100 prison visits and conducted more than 3,000 interviews with prisoners. Our membership is comprised of prisoners, activists, family members of prisoners, former prisoners, human rights advocates, attorneys, and prison visitors.

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SOME GUIDELINE FOR CONTRIBUTIONS TO PRISON FOCUS

_Some suggestions for submissions:_

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

Topics: PF topic of issue; current news; recent or pending legislation or policy; news from your institution; organizing efforts; books-basically anything related to the prison industrial complex as you see it. Individual legal cases are not usually printed. Sorry, we cannot return your submissions unless a prior arrangement is made. Submissions are not guaranteed to be published and we generally cannot respond to your submissions because of the volume. Please consider them a contribution to the work. _PF_ welcomes all submissions!

ATTEND MEETINGS
CPF’s general meeting is the second Wednesday of the month at our office at 7 p.m. Everyone is welcome. Please join us to discuss important topics affecting California prisoners and to familiarize yourself with our day-to-day work.

BECOME A VOLUNTEER
Come to our monthly volunteer night, every third Wednesday of the month from 7 p.m. to 9 p.m., held at our offices or make an appointment to meet with us for another time. CPF depends on volunteers to do our invaluable work. We need your help answering mail, working on our newsletter, staffing our office, fundraising, and outreach.