LETTERS

HATE CONTINUES TO HURT
Dear CPF:

So much hate and misguided rage have pitted our collective selves against one another. I read Prison Focus Summer 2006 issue, And sadly I realize the degree of which prisoners have allowed separation. I am a gay inmate whose insight spans from 1988. My fellow gay and transgender peers behind bars are forced by their races and prison staff into SNY or SHUs. No longer is it race against race, or gang against gang. It’s each and every poor demented soul against another more oppressed soul. Our futures are based upon our own ability to overcome judgment of one’s peers, and focus truly on dictating our struggle over. I ask my brothers: With each new day are you going to feed into the mixture CDC continues to pollute us with?

Matthew B., Delano, CA

FIGHTING CORRUPTION AT PBSP
Dear CPF:

This writing comes at a very critical time for several prisoners trying to fight some of these crooked officers at Pelican Bay SHU. Some of these correctional officers are abusing their power with physical and psychological torture, inhumane conditions, and discriminatory and oppressive policies. The appeals coordinator does not want to process appeals when it is against a correctional officer, and there is a three year limit to file a complaint. In my situation, a correctional officer made it clear to me he was going to mess with my medical diet. I filed an appeal complaining about what this officer said to me and the appeals coordinator refused my right to appeal this officer’s misconduct. Also lieutenants, captains and sergeants been keeping some inmates in the capped cell indefinite. We have an inmate who has been in a capped cell for the last nine months. I’m not sure if he’s been treated that way because he is African or the staff forgot about him. This inmate has no personal property, no legal property, not even a book to read. That’s abuse of power and mental torture. food. Now I do not eat anything that comes on the hard tray or when my hot tray is without the plastic that it seal it.

A.R.B. Crescent City, CA

HELP KIDS AVOID PRISON
Dear CPF:

I just finished reading about the SHU Syndrome in the latest edition of Prison Focus. I did 13 years in the SHU from 1980-1993. I’ve been out now almost 13 years.

Let me say when I got out it took me at least two years to clear my head. I’m talking about sitting at the chew hall with other people, feeling paranoid around crowds. Also social behavior, I was sensitive to comments made by others, and had a constant fear of being placed back in the SHU. I have a claustrophobic feeling that never really goes away.

The more time in a cell the more paranoid I believe inmates become, even on the main line. If we are locked down for a while you can feel the psychological trauma. Tolerance is lowered, and people act anti-social.

SHU is a place where I believe anyone will be subject to cruel and unusual punishment because of the psychological trauma, even the strongest of us will undergo a measure of it. Sure we can make it through, with exercise routines and TV watching but I firmly believe from what I’ve seen and experienced 13 years in the SHU, everyone is effected. What we need is a lot less punishment, more prevention, and a lot more sincere employees that really want to help.

I have started an organization called American Gate Blockers using what I’ve learned. It is a plan for parents to follow to help keep their children from ending up in prison:

1. Give emotional support
2. Earn the child’s trust
3. Tell them often you love them
4. Nurture them
5. Respect their privacy
6. Give them hugs
7. Give them compliments
8. Never put them down

The absence of these things led me to prison and to 13 years in the SHU. Had I been afforded these simple things I do not believe I would have come to prison.

Gary Beardon, Salinas, CA

SCREWS TIGHTEN AT HDSP
Dear CPF:

The screws tighten once again. We visit the capped cell indefinite. I’ve been a long-time reader and contributor to CPF but when I read the editorial comments of co-editor Ed Mead in the Spring-Summer 2006 issue of CPF newsletter, I found myself questioning the direction this man is attempting to take the organization. For one I don’t believe any editor should be forced by mass discontent to apologize for articles written and placed in their newspapers. To do so is an admission of partiality and a denial of free speech (i.e., censorship). It has always been

Continued on page 38
Prison Focus is a publication of California Prison Focus, a nonprofit organization that works with and on behalf of prisoners in California’s control units and other institutions.

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PRISONER ESSAYS

This issue of Prison Focus is full of great writing by prisoners on the theme of prison slavery, as well as incarcerated women and political imprisonment and execution. More prisoner essays are continued on page 28. We were hoping for more pieces on our theme, so keep sending them. Next issue will focus outside our national borders, so send your thoughts and art soon.

TRUTH IS

By Anonymous

Back during chattel slavery, our oppressors snatched us up early to groom us to be the best servants as possible for them once we became older. Removed from our family’s love and support, we were forced to subject ourselves to their treatment for survival. Look at us today, and this includes all of us incarcerated, not just Afrikans, though we continue to be our oppressor’s main target: they’re snatching us up as early as the age of 14 if I’m not mistaken, trying us as adults to be thrown in this updated form of slavery, to serve on these new plantations: prisons.

Look at the settings of most prisons. It’s no coincidence they’re built in some far out place where our loved ones aren’t too willing to venture, so we are far from those who truly care about us. Why do you think that is? Is it so you can’t depend on outside help?

Sometimes I have to question myself because I am willing to subject myself to this treatment for the day I will obtain my freedom. In my case, I’m privileged enough to have a family and fiancée to supply me with the love, support, and the material possessions I need or desire. But is this really enough? Is it enough to wake up each day to be fed through a hole in the door like some animal? Is it enough to survive in this cramped, cold, steel and concrete crawl-space day after day and pretend everything is okay?

Of course you have those that say, “I ain’t no slave!” Well if you’re not a slave then answer me this: Why don’t you vote like the rest of society? How come you don’t earn what the rest of society earns for doing the exact same job? What is around your ankles and wrists whenever you go certain places or whenever they feel like you need them? If you’re not a slave, just try to walk off of one of these plantations without their permission and see what happens. As-Salamaa Alaikum.

FROM CHATTEL SLAVERY TO CORRECTIONS

By T.V. Smith

In the early years of the twentieth century, the reform of the late nineteenth century came into full flower: parole, probation, the indeterminate sentence. States that had not yet adopted them now did so. California enacted an indeterminate law in 1917. During the twenties in the Massachusetts reformatory, the “Elmira system” came into full use. When the doors first closed on an inmate, he was classified as a prisoner of the second grade. If he earned 750 credit marks within five consecutive months, he graduated to the first grade. “Perfect conduct, industry and labor, and diligence in study” earned five credits a day. Misconduct, of course, cost credits; and a second-grade inmate who failed to earn 125 marks a month for two months in a row dropped into the hell of third grade—a rare condition, which at one time meant the convict was forced to wear a uniform of “flaming, cardinal red.” First grade, on the other hand, meant a uniform with yellow chevrons; for a perfect record, a diamond was added to the chevrons.

Parole also came into its own in the twentieth century. By 1925, forty-six out of the forty-eight states in the union had parole laws with two exceptions: Mississippi and Virginia. Even these two states fell in line by 1942.

Parole, like the indeterminate sentence, was part of the process making criminal justice better suited to the individual case. And this was, in theory, profoundly humanizing. In practice, the results were somewhat checkered. In Illinois, which adopted a parole system in 1897, prison sentences actually grew longer rather than shorter after the law was passed: men sentenced to the penitentiary at Joliet were serving an average of 2.1 years by the mid-1920s as opposed to one-and-a-half years before parole was introduced.

Moreover, parole in Illinois tended to replace pardons and commutations, which had shriveled almost to zero by 1926. Parole and the indeterminate sentence were deeply discretionary; they were also powerful instruments of control. A 1925 Pennsylvania report put the matter succinctly: “parole is not leniency. On the contrary parole really increases the state’s period of control.” If the prisoner is “liberated by any other means,” he leaves prison “a free man.” The state has lost its control.

Society is no longer safe. Parole, however, kept the convict on a string, even after release. That report had a point. In the 1940s, a man on parole was subject to a tremendous range of conditions.

In Illinois, it was a parole violation to drink or use drugs; in Minnesota, to go into debt or to buy goods on the installment plan; in Connecticut, a parolee had to file monthly financial reports; in California, speaking out in public was forbidden; in Massachusetts, a parolee could not “live with any woman not [his] lawful wife.” Prison discipline, in a sense, went with the man onto the streets.

THE AGE OF BACKLASH

In retrospect, the 1950s and 1960s represented a peak, or high point, in a movement to make criminal justice more humane. In time, a reaction set in. A wave of conservatism swept the country which led to the collapse of the campaign against the death penalty. The crime rate increased cata-
strophically. Politically speaking, crime and punishment were suddenly like an exposed nerve. The public put enormous pressure on politicians to do something about the problem.

In the light of this pressure, the system did a kind of about-face. There was a backlash against those institutions that seemed too lenient. These included both parole and the indeterminate sentence. The system began to shift its emphasis from the offender to the offense.

Most who were returned to prison for parole violations were in fact accused of, suspected of, or arrested for a crime. Though many of them were probably guilty but the process was quick and summary, lacking in due process.

When fear of crime is reduced from a boil to a slow simmer, professionals can put through programs of reform and rehabilitation. This was the case in the late 19th century and in the first part of the 20th century.

The political system accepted the various plans to separate sheep from goats and criminal justice stressed some fairness for the individuals who stood in the dock. But in an age of paralyzing fear, people shout: “We don’t care who these people are, and what excuse they give, or what their backgrounds are. We want them caught, convicted, and put away!”

After long service, the indeterminate sentence came under attack from all sides. In the 1970s, many states began tinkering with sentencing structure; much of this tinkering was directed against indeterminate sentencing. The idea was to replace it with a firmer, tighter system: a “flat-timer system.” Both wings of public opinion seemed to favor such a move. What we might call the soldiers of due process – the Left – were also disenchanted with the indeterminate sentence because it was arbitrary and unfair. A prisoner’s fate was in the hands of some faceless board, not a court, not a judge nor a jury of one’s peers. It was a highly discretionary system, whose covert practices tended to discriminate against the weak and the unpopular, and particularly against blacks.

Liberal critics are a dime a dozen and are usually ineffectual – unless they are sitting judges. California was one of the states that got rid of the indeterminate sentence in the 1970s. This move has a complex historical background. But one clear factor, certainly, was an attack centered in the California Supreme Court itself.

### DOES SLAVERY STILL EXIST?

From chattel to economic, they just took the physical chains from around his ankles and placed them on his mind. Warehousing is a place where one stores its product until its used for certain purposes; California stores humans inside these warehouses for the purpose of profit and control. They could care less if these men and women kill each other, they will just replace them before sunset, more money, more money. There’s no such thing as rehabilitation inside the American penal systems. How can there be rehabilitation when the only opportunity inside these prisons are for men [and women] to walk the yards, for men [and women] to hang out in groups, for racial riots to occur, for prison abuse to continue, for prison guard misconduct to exist? For cell rapes, the stabbing of inmates, the guard against prison guards because that guard may have been corrupt, for snitching and debriefing, for nothing but to save self. These warehouses are full of black, brown, poor white, Indian and many other men and women who don’t have a chance in hell to survive.

Do you realize there are people all over this earth that are living in a much worse condition than you, who have no T.V., no bed, who receive no mail, who are beaten just for the hell of it? But you say, that you are being held in confinement for no reason—then do something, and that don’t mean with violence. We need to take a minute and sit down and talk shop, your idea and my idea just might turn out to be something, but you will never know until you put away your fears and your hatred of your own brothers and get together and put the pieces together.

### RESISTANCE IS CRITICAL:

**ESSAY #18**

By Coyote Sheff

From the cemetery, I salute you! May my words be heard, shared, and reflected on, from prisoner to prisoner, state to state. Although, I’m not saying anything new, I still believe there are some who haven’t yet heard it, and the ones who have, well maybe you need to hear it again.

The situations we’re faced with, the shit we’re up against, some think its cool to “do time”—this ain’t cool, this is war. I’ve seen these lock-down situations turn solid cons into funny-style P.C.’s!

This strategy keeps us hating on each other and at each others’ throats, rather than aiming our anger at our oppressors, they got us thinking that we have to survive by any means. It’s true we have to survive, but there’s many means in which we can be doing this, rather than destroying each other we could be surviving by uplifting each other. You think Brown Power, Black Power, White Power is achieved by controlling and dominating other races? No! it is achieved by uplifting yours, and this can be done without stepping on the necks of the next man’s race.

I’ve read about many warriors before who have liberated themselves, who have found redemption through the knowledge of books such as Malcolm X, Dennis Banks, George Jackson and Tookie Williams just to name a few. Did the state rehabilitate those people? No, they took it upon themselves and they also were surrounded by a solid support group inside prison who encouraged and helped uplift them.

In the case of all of these greats who have rehabilitated themselves, who have found redemption and liberation, not once did any of these men say that we should cooperate or identify with the people who oppress us. The entire time they were aware of who their enemy was. These are the people who went to the extreme to lift their own people up, to make the situation better, all while standing a firm ground against the people who oppressed them.

As a prisoner I represent the prisoner class. I represent the poor and the oppressed, of all races, nationalities, creeds and religions. We are all trapped in the system; we are all under the same gun. Remember, they don’t have to worry about killing us
as long as we’re killing each other. We’re doing the job for them.

As I’ve mentioned in the beginning of this essay, I’ve seen good men go funny, so, I encourage you, if you have books, to pass them around and share them, to hold discussions and study sessions, without being disrespectful to anybody else’s race, religion or creed. Keep it on a positive vibe; it’s all about uplifting each other. Who knows, you could be the next Malcolm X or the next Dennis Banks, or you could be the one who helps create him [or her].

Incarcerated, locked-down, slammed, torcidos. In these situations, resistance is critical. We are at war, in struggle. This is a psychological war, so we must defend ourselves by strengthening our minds. I encourage you to read any books you can find on psychological warfare, so you can study what they’re doing to you and seek ways to combat it. Knowing is the first step to consciousness. Consciousness is the first step to organization. Organize your mind and then your people.

To the activist, concerned citizens and people on the streets, those who write to prisoners, who are concerned with their struggles and developments, if you are writing someone who you know is seriously committed to higher learning or further developing their skills, I encourage you to get involved with them and help them progress. If they’re into writing, then help them developing their skills, I encourage you to get involved with them and help them progress. If they’re into art then help them get into a correspondence class and learn the law, help them out with some law books. If they’re interested in writing then help them get involved with them and help them progress. If they’re into writing, then help them developing their skills, I encourage you to get involved with them and help them progress.

Whatever it is they’re trying to do, help them if you can, because they can’t do it without your help, and they can’t expect the same people who oppress them to help them. You would be surprised how far your help can go. The things you do for us, even the smallest of things, means so much to us; we can’t do it without you. We need outside support to get things done in here.

As prisoners, we face many obstacles, many fights. For some of us the fight goes beyond survival, in the physical sense, it is a fight amongst ourselves, between good and evil. Our souls are in turmoil. We need books; we need to feed our souls with knowledge and spirituality, so that we can grow inside, progress, become stronger and intelligent. All while in this state of ongoing turmoil. 

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**FOURTH OF JULY AT CCWF**

By Sara Jane Olson

Once a year, we grudgingly get one grilled soy burger and one weiner on a bun. Once a year, we get a small wedge of watermelon on the state’s dime and the guards complain that it’s “too much.

On the fourth of July, the Central California Women’s Facility (CCWF) prisoners had its “annual” BBQ. For those of us in housing unit 506 on B Yard, it was the worst BBQ we’ve ever had.

It took place on one of the Central Valley’s hot, hot days. The first heat alert came early that day. When it’s over 90 degrees Fahrenheit, women who take anti-depressants or similar psyche meds must limit their exposure to sun and heat. At 3:10 p.m. there were still a few such women outside so the entire yard, which usually locks down for count at 3:45 p.m. on a holiday, was recalled.

Prisoners in three of the housing units on B Yard can stay outside until 9:00 p.m. But 506 is the Close Custody unit. All Close A inmates are locked in the building after 6:00 p.m. every day. All Close B and Close A prisoners are locked in at 8:00 p.m. For some of us, this goes on for years. Because of this, 506 usually goes first to eat at 5:00 p.m. That night, of the four housing units, we went last. None of us were allowed to eat outside, picnic-style.

The guards said, “You got nuthin’ comin’!” They groused, “Why do they still get that damn BBQ?” Once a year, we grudgingly get one grilled soy burger and one weiner on a bun. Once a year, we get a small wedge of watermelon on the state’s dime and the guards complain that it’s “too much.”

On July 1, 2005, by legislative fiat SB737, the California Department of Corrections (CDC) added “and Rehabilitation,” (CDRC) to its title. Several other interdepartmental name changes and an “on paper” reorganization occurred as a response to “former Gov. Deukmejian’s 359-page June 2004 report to Gov. Schwarzenegger called, Reforming Corrections. The somber forewarning of the Deukmejian’s report was that without a civilian oversight board, any reformulation of CDCoC would fail. Nonetheless, in enacting SB737, the California legislature omitted such oversight and instead left the reorganized prior bureaucracy to continue to run itself.” Also lacking “is the absence of any measurable goals in actually achieving “correction” of “rehabilitation” of prisoners; . . . the financial incentive . . . for all staff is to increase the prison population.” (from Prison Legal News, June 2006)

Since reorganization took place, the only suggestions put forward by the Governor, the CDRC or the guards’ union and its front group, Crime Victims United led by Harriet Salarno, was to build more prisons. In his 2006 State of the State speech, the governor announced his intention to finance $223 billion in state bonds over the next ten years for infrastructure and new construction in order to accommodate gross overcrowding in the CDCR’s 33 institutions. There’s no mention of decreasing the prison population through rehabilitative program interventions or streamlined parole policies.

Caren Hill, a three-strike prisoner at CCWF says, “One has to wonder what CDRC’s definition of rehabilitation really is. Punishment has always been their motto and, from this side of the fence, I can honestly say that the punishment will always be their motto. When I say their, I
speak of the CCPOA, the men and women in green. The free world staff and the educators, for the most part, believe that their job is to rehabilitate. However, the custody staff often gets in the way. Custody is CCPOA and, as far as I can tell, the guards resent change and are not willing to work at rehabilitating inmates.”

The treatment of women prisoners by custody would shock and appall the public’s moral conscience. We are treated as less than human. We are demeaned, called names and left to “handle our business,” that is: settle inter-inmate conflicts ourselves. If one of us has a problem with any of our seven roommates, guards tell us to “handle it” rather than move one of us. When someone is jumped in her room, staff turns their heads. Shell-shocked youngsters and the elderly are victimized regularly. Violence might be instigated by the guards or simply not attended to because they don’t want to do “paperwork.”

As the paper reorganization of the CDCR was going into effect July 1, 2005 so too were the prison medical services throughout the state. They were put under new supervision. Federal Judge Thelton Henderson put prison health care into receivership because it was so poorly run, with one inmate dying per week as a result of a non-functioning system. In February 2006, he appointed Robert Sillen to the post of federal receiver to implement reforms in a failed bureaucracy that houses 168,000 people with another 120,000 on parole. Medical costs have risen from $153 million in 2001 to $821 million in 2006 and costs will rise still higher. Sillen predicts that the entire state prison industry may never be re-integrated under CDCR supervision.

Meanwhile, in CCWF, we don’t see much in the way of change in our medical care. Our problems mainly stem from lack of access. We have to go through custody to get help and help is rarely immediate.

There are outside organizations from the Bay Area that have visited us for years. Some are Legal Services for Prisoners with Children (LSPC), California Coalition for Women Prisoners (CCWP), Critical Resistance (CR), California Prison Focus (CPF) and Justice Now. They have focused on specific projects.

CPF worked to end male staff pat searches of female inmates in 2005. For many women, that was a welcomed change. Some told sad stories of humiliation and embarrassment. One stout young woman, who affected a sort of gender-neutral appearance, related how she’d been singled out shortly after she came to CCWF. As she told me her tale, a blush rose from her neck to her cheeks and tears welled in the corners of her eyes. “He scared me,” she cried, “and he told me no one would believe me.”

Anyway, we must be careful about retaliation. The threat stops many a whistleblower in her tracks. Retaliation greases the social machinery in prison; retaliation and snitching.

LSPC produced a widely-read booklet called Dignity Denied. It centers on the lives of women prisoners who are 55 years of age and older. It includes numerous interviews.

One woman, married with children, said she never committed a crime. Instead, she’d been in the wrong place at the wrong time with an old friend who behaved in a way he never had before. She was arrested, got a private attorney, a professional investigator, did all the right things and thought she’d never go to prison. The first offer, six months in the L.A. County Jail. “Oh, I could never do that,” she said. Now she’s convicted with a two-year sentence at CCWF.

“People in court, the judge, my lawyer, they told me I’d go to fire camp. I’ve got a sentence with 85 percent. Nobody with 85 percent goes to fire camp! Those people don’t know anything about CDC! When you come into DDoC, it’s a whole different world. It’s like a third world country. You’re completely cut off from civilization…”

“I want education and I went to my counselor for help. Yesterday, I waited an hour and a half to see her. I was late for work. She told me, ‘you’re on the list!’ That’s all she can tell me…. It’s sheer incompetence, but it’s planned incompetence. These people are supposed to be our resources but they don’t help us. And they don’t have to.”

Taxpayers for Improving Public Safety (TIPS), a Sacramento-based group that supports prisoners and their families, predicts that the entire state prison industry may be put into federal receivership soon, perhaps as early as October. Judge Henderson’s special master, John Hagar, has worked with him for several years, especially in cases concerning corruption and brutality by guards at Pelican Bay State Prison. In early July, he delivered a frank and scathing report of the Schwarzenegger administration’s failure to implement any positive, money-saving change since it took office. Two CDCR head administrators, first Rod Hickman and later, Jeanne Woodford, were side-lined by the governor and CCPOA and resigned last spring. Together, the CDCR and the CCPOA will resist any move toward prison privatization, a threat recently thrown about by Schwarzenegger.

Politicians and the mainstream media, especially television news, have trained the public to fear “criminals,” to look at prisoners as not-quite-human, their viewed as a species apart. Crime is sexy, brings in viewers and sells advertising for T.V. stations. The brave, “get tough” legislators protect all the good people from the larcenously-inclined poor, particularly the poor African Americans and Latinos, who get put into prisons. (CCWF statistics by race of inmates are the following: Black 30%, Latina 29%, white 35%, Other 5%)

The public needs to be retrained to accept the idea of a rehabilitated prisoner. Politicians will have to put some effort into undoing their nefarious campaign of criminal injustice over the past 25 years. California, besides three strikes, has perhaps the most punitive, lengthy sentencing laws in the nation. There must be sentence reform. For rehabilitation to have a chance of success, parole must be severely reduced, if not altogether eliminated as it has been in other states.

The only hope for a true political overhaul of California’s massive, costly, expanding prison industry is a federal takeover. As long as Californian politicians are beholden to the powerful prison bureaucracy, whether the CDCR’s Sacramento headquarters or in the offices of the CCPOA, their predictable acquiescence to prison power is unshakable.

California is breeding generations of prisoners. It’s past time for an intervention and only its citizens can do it. Incarceration doesn’t stop crime; a society that tackles its problem with social solutions and provides hope to its people does. Increased educational access, universal health-care and insurance, childcare, higher taxes on wealthy incomes, affordable housing, jobs plus public arts and sports programs are critical. Hope blends a positive outlook with personal responsibility, producing citizen optimism and a boost in civic involvement. Prisons kill hope. They are nothing but dead zones.

Sara Jane Olson is a prisoner, a mother and an activist. She is from Minnesota, where her husband and daughters still reside, transplanted to C.C.W.F. for a long - though impermanent - sojourn.
We ... have some concern about a drug prescribed for depression. According to my information Zyprexa is not sold anymore because of its tendency to contribute to diabetes.

C

PF was invited to support three prisoners who were representing three gangs and who said they had planned a peace process. They wanted to be allowed into general population to bring their influence to bear on gang members to stop the warfare. They were seen on our June visit but by then had been assured so definitely they would not be allowed out of SHU, that they decided, as far as we know, any support we might offer would not be of any use.

We heard from one prisoner in the ASU that the cells are being used as SHU cells because those cells are filled. Prisoners that are transferred from other prisons, having been told that they were going into SHU, were having to wait in ASU. After the maximum waiting time of 120 days, reasons were being found to keep them there for still another 120 days. This is hardly fair since, in ASU, they are denied privileges offered in SHU, including possession of a TV, possession of certain personal property, access to canteen, and the law library.

With regard to the food service in SHU, one SHU inmate is retaining an attorney to take the prison administration to court for deficiencies in the food served. The attorney has decided to try to negotiate with the administration over these. We will be hearing about the outcome.

On A yard, it appears there is a move to reclassify prisoners and certain ones are being given C status, on the grounds that they do not have jobs. One, at least has been labeled as a program failure although he has had no 115s. He has never turned down a job offer and he does not believe that the fact that he is black is irrelevant. C status is also given to those with infectious diseases, including MRSA. It is therefore, understandable that they are not happy with this reclassification which would prevent them from ever getting a job.

In A gym there appears to be the worst case of overcrowding. The six showers, eight toilets, and 12 sinks are few enough for 160 prisoners already, but the proposal is now to add a third level of bunks which would accommodate 80 more prisoners. The writer of the report says that because of the overcrowding, tempers are at strained levels already. It appears that the US District Court has already given its consent, however, to the increase in numbers.

Level I-II prisoners are being housed in a Level IV yard where they do not get the same privileges and benefits as they would in other CDCR institutions. While the housing of an inmate at an institution closest to his home is a statutory requirement according to California Assembly Bill 1291, these prisoners' applications for transfer are being denied.

This writer who appears to be speaking for many, is particularly disturbed by the food service, not only because of the lack of quantity but because lifers are responsible for the preparation. He knows lifers as prisoners who are particularly angry at the way the prison system has treated them and, having nothing to lose, easily find that their job gives them an opportunity to express their anger.

Finally, a few prisoners have communicable diseases, either MRSA, Hepatitis and/or tuberculosis. Nothing, the writer says, is addressing the danger of infection. Three times a week the space is emptied so that the staff can spray it with a chemical spray, Citrus D.C. but, he says, this spray is not approved to protect prisoners from infection from these diseases. All of the prisoners have been endorsed to the ranch facility but the prison officials are denying transfer. It appears they are retained to do the jobs that staff would otherwise have to do. (Any prisoner in possession of the facts who would like to comment on this report or add information, is very welcome to do so.)

A prisoner on A yard has described an incident when a group of Hispanic prisoners were removed from their adjacent cells, stripped of clothing apart from boxers and without shoes and left outside for 14 hours, without a charge. Such incidents appear to be rare in Pelican Bay and we would like to hear details from another prisoner involved. We are concerned, however, as this treatment is reminiscent of the early days at Pelican Bay.

We at California Prison Focus have some concern about a drug prescribed for depression. According to my information Zyprexa is not sold anymore because of its tendency to contribute to diabetes. Prisoners, however, are getting it. Are these patients having their blood sugar levels closely watched? If not they should talk to their doctor about the danger. If the doctor does not listen, please let us know.

A handbook for family members who want to advocate for their incarcerated loved ones. Includes sample letters and forms.

Legal Services for Prisoners with Children/Family Advocacy Network
1540 Market St. Suite 490
San Francisco, CA 94110
$20 suggested donation; free to prisoners.
have reported threats of verbal and physical abuse and assault, which on numerous occasions have not been made idly. Verbal abuse has taken the form of derogatory remarks, racial epithets, use of profanity, and sexually explicit language. Prisoners in Ad-Seg and SHU report that such abuses occur at an alarming rate. Prisoners have reported instances of physical torture involving the inappropriate use of handcuffs resulting in injury. Infirm and handicapped prisoners have not escaped such maltreatment either.

**FAILURE OF THE 602 PROCESS**
The Administrative Grievance Procedure, or 602 appeals process, allows prisoners to file complaints against prison staff for a specific action. Prison policies may also be challenged in this manner. However, many prisoners have reported the failure of the 602 appeals process in rectifying the problems that they are facing. Prisoners who have filed such reports in a timely manner report their appeals lost, destroyed, or ignored completely by prison personnel. Despite the inadequacy of the 602 process, prisoners continue to attempt utilizing this process as it is the only avenue available to them to address the wrongs being committed against them. In doing so, however, prisoners are often retaliated against through the use of verbal and physical abuse by COs. In some cases bare necessities such as food, water, and plumbing have been tampered with or denied as a retribution for a 602. There have been reports of COs taunting prisoners over the loudspeaker system, baiting and challenging prisoners to react.

**GANG VALIDATION AND INDETERMINATE SHU SENTENCING**
The Gang Validation process is the procedure by which prisoners are identified or labeled as being gang members or having gang affiliations. Once prisoners have been labeled as such, they may be subject to confinement in the SHU for an indefinite period of time, as they are deemed to pose a threat to the safety of others and/or the security of the institution at large. Despite dropping rates is violent crime, prison expansion rolls along at an ever increasing speed – particularly in regard to the construction of maximum security cells. The gang validation process is being grossly manipulated and misused by CDCR personnel in an attempt to keep SHU cells filled to their capacity. Prisoners with clean conduct records are inaccurately and unjustly classified as gang members or persons with gang-related affiliations, forced to serve unwarranted amounts of time locked up in SHU.

**MEDICAL NEGLIGENCE AND MALTREATMENT**
Lack of appropriate medical treatment including maltreatment, limited or denied access to medications, and cases of extreme neglect are experienced frequently by prisoners at Corcoran. Prisoners report inconsistency in their prescribed medicinal regimens. Prisoners are denied access to doctors, even when their condition is causing them visible pain. Custody staff often interfere with treatment or show pointed indifference towards the prisoners and their ailments. According to multiple reports, even in the event that a prisoner collapses or becomes unconscious, prison personnel are slow to respond, endangering the lives of prisoners. Physically handicapped prisoners and those with documented mental health issues are denied appropriate treatment and services.

**DENIAL OF LEGAL RESOURCES**
Despite California state law providing that all prisoners are permitted access to the law library and materials, prisoners at Corcoran are routinely denied access to such support and materials. Prisoners with established court deadlines, who are supposed to be given priority in requesting and receiving resources from the law library, are often permitted access only once a month, if that. And the law library drags their feet making copies of necessary documents. Most prisoners are barred from accessing legal resources and materials at all.

**EGREGIOUS CELL CONDITIONS**
Cell conditions at Corcoran are truly egregious. Prisoners report unsanitary living conditions characterized by inadequate access to cleaning supplies, nonworking sinks and toilets, filthy showers, and delayed laundry services. A reported 60+ prisoners are living in cells with ceilings and walls that are badly in need of repair. When it rains, water drips into the cell causing wet floors, bedding, and bitter cold. Prisoners have reported problems regarding the loss and/or theft of personal property, including the interception of mail. What little property prisoners at Corcoran are allowed is routinely taken away from them.

Continued on page 11
DIGNITY FOR WOMEN PRISONERS
CAMPAIGN NEWS

After last year’s success in stopping the sexually abusive routine pat searches of women prisoners in California, CPF’s Dignity Campaign has continued to fight for decency in our prisons. This year we were able to help stop a plan by prison administration to severely limit the property and supplies available to women, and provide advocacy for women at VSPW concerning everything from medical care to guard and administrative abuses.

We are pleased to announce that the Women’s Foundation of California has again funded our work. The generous grant from the Women’s Foundation has allowed us to hire an organizer in southern California to expand our efforts to the important Valley State Prison for Women (VSPW) in Tracy, California. While we have been working with women since 1983, this is the first time we have had a dedicated organizer to focus on the needs of the women at VSPW.

The Women’s Foundation of California has also allowed CPF and Pat with a desk in her office. Marilyn, Susan and Sr. Suzanne are all helping Pat get going in her task of reaching in to women at CIW and reaching out to organizations and individuals with the message and efforts of the Dignity Campaign.

What follows in this article are the initial thoughts and experiences of Pat Parker our new Dignity organizer. This will help you get to know her a little bit, and begin to understand why we are so pleased to have her working within CPF. She first describes how she was contacted about the position and hired, and then briefly describes her first visit to CIW. You can contact Pat through the CPF office.

Pat’s Dignity Diary: The issues were initially presented to me by one of my sheroes Susan Burton a community activist and advocate of justice for formerly incarcerated women in particular. She called me at about 11:30 p.m. one night, nothing out of the ordinary, wondering if I was still awake. It had been a long day as usual and I was just conscious enough to answer the phone. She began to talk about an opportunity she felt I would be perfect for. She said there was this Northern California organization California Prison Focus looking for someone in Southern California to work on a campaign called the Dignity for Women Prisoners. She went on to say she thought I was the perfect candidate. I tried to head her off at the pass explaining my limited experience in that arena and that “it’s not my hill.” In a class I was taking the professor who herself is an activist for women’s rights once shared that “none of us are going to get out of this alive. But, what we do get is the opportunity to chose which hill we are going to die on?” My hill is diversity, inclusion and people understanding their value. Susan quickly pointed out that we were, in fact, on the same hill.

On June 3 I met with Corey Weinstein, the campaign head, and signed on the dotted line. The first week of the assignment I scheduled meetings with some of allies and began to familiarize myself with the mountain of material Corey gave me. I had conversations and meetings regarding the project but I had yet to go to the prison, so had not met with the population I was going to serve.

On July 13 my escort Marilyn Montenegro and I arrived at the CIW “campus.” She tried to prepare me to the best of her ability about what I should expect but it was something that I simply had to experience for myself. The women were expecting us, long timers came out in numbers, about 70 women total. They were warm and receptive. I was immediately struck by the apparent dignity of some of the women even under these conditions. They had a determination to walk in their value, the birthright of all human beings. As we began to interact, I was impressed by their articulate desire to make a contribution and their consensus on the issues of dignity or lack of. I met a woman who had been incarcerated for 38 years with no illusions of release, only the question of dignity common to all human beings. I queried myself; what is it that makes a woman keep getting up, make a decision to live, and even put a smile on her face with the willingness to extend her hand to help another woman with no hope of release? The human spirit, that gift of god can prevail even in inhumane conditions. As I left the prison that night, walking to the car I was struck by three competing questions: (1) How dare I not live?, (2) Can I make a difference? and (3) How dare I not try? 6

THE MAY CORCORAN VISIT

By Sally Bystroff

The trip to Corcoran always brings a few surprises. One of the good ones was the effort by the litigation office to expedite our processing thus not losing precious time waiting to conduct our interviews. One difficulty CPF had was the loss of half of our team which necessitated cutting the visitation list in half. Our apologies to those we did not get to meet.

During our investigations, we always ask a few routine questions but spend the bulk of the interview time assessing the personal needs of each. As was reiterated the medical problems are still abysmal. However, we were told there are a few COs who have responded in helpful ways. We would be most grateful if we could hear from you when that happens.

We are convinced that our mail is being blocked. There are a handful of inmates from the visit last November whom I have written repeatedly but have never received a reply. They are all in 3A units. Because we received so many assault reports from that unit and a discussion about the Sharks

Continued on page 13
I WILL NOT HIDE MY FACE
By Beverly “Chopper” Henry

My name is Beverly Henry… I am 56 years of age… African American… I am HIV/HCV… I tested co-positive in 1994 at age 45.

Let me take you back to 1994 when I was in this same situation of serving time for a drug-related charge… Most people think that drug activity does not happen in prison, sex does not happen in prison either… but as a convict who has been in and out of institutions since age 15, I attest to the fact that illegal activities happen in prison the same as in our free society… only on a small scale and not daily.

Like so many who suffer with addiction, I started by age 14 smoking weed, popping pills, and drinking liquor. By age 18 I was “in love” (so I thought) with a heroin addict ex-con twenty years my senior. When my drug of choice changed to heroin and cocaine, so did my ways of maintaining my addiction change which began the cycle of me spending more time in custody than being free. I even had a beautiful daughter (1976) while in custody!

While in prison I continued to find ways and means to use drugs, which led to my testing co-positive April 21, 1994. I will never forget the hopeless feeling I had when I learned of my status; here at Chowchilla Correctional Women’s Facility (CCWF) during that time there was perhaps 10-20 women known to be HIV positive, and there was housing unit for positive prisoners. Within 72 hours of my diagnosis I was housed in the HIV unit.

For a month I gave “me” a pity party….

then I started to focus on living, not dying, being open, not hiding and sending for information available to assist me in learning about HIV/AIDS so I could teach people to not be so ignorant toward us. At the time I knew very little about how I would manage my life with HIV in prison. But during my stay I wanted people to learn from me and know that having HIV does not make me less human…. I survived the loss of “so-called friends” due to my status, yet I gained respect and admiration from many who saw I was unafraid to be open about my status. I spoke up for my peers and I became active in positive prisoners’ medical needs here at CCWF.

That was close to twelve years ago and I re-lapsed after being paroled for three years… CCWF has long way to go in showing respect and compassion for HIV positive prisoners, but I still struggle with the petty issues that surface when a positive woman moves in a cell. It is as if the stigma centering around HIV will never go away!

I spoke up for my peers and I became active in [HIV] positive prisoners’ medical needs here at CCWF.

So during the last four years remaining on my term, I will continue to be open about my status and encourage my peers to do the same. I fight for better medical care for all women at CCWF. I speak with positive women daily in hopes that they will take charge of their lives, learn all they can about HIV/AIDS and teach other what they learn. I refuse to live in fear or silence. I will not hide my face or feel less because I am infected!

Perhaps I am a reminder to many that knowledge is power. Without it I would have been lost and unable to stand up for myself and live! ☞

Reprinted from World magazine, March 2006.
A PRIMER ON RECENT PAROLE LAW FOR LIFERS

By Charles Carbone, Esq.

As promised, here’s a brief discussion of the major parole cases and regulations that have shaped the legal landscape in recent term for lifers.

Bear in mind before digging too deep into these cases or regulations that the law is only one half of the equation. The other half is the facts. Judges and lawyers create the law while you create the facts. Given this dynamic, don’t underestimate the importance of good facts. If you are a life in prison, there’s only going to be so much that any lawyer can do with the facts you present. Hence, the law is only going to help you so far as good facts — like remaining disciplinary free, etc. — can be applied.

With that said, here’s the relevant law for lifers with plain English explanations.

California Penal Code § 3041 states in relevant part that:

(a) One year prior to the inmate’s minimum eligible parole release date a panel of two or more commissioners or deputy commissioners shall again meet with the inmate and shall normally set a parole release date as provided in Section 3041.5 . . . The release date shall be set in a manner that will provide uniform terms for offenses of similar gravity and magnitude in respect to their threat to the public, and that will comply with the sentencing rules that the Judicial Council may issue and any sentencing information relevant to the setting of parole release dates. The board shall establish criteria for the setting of parole release dates and in doing so shall consider the number of victims of the crime for which the inmate was sentenced and other factors in mitigation or aggravation of the crime. . . .

(b) The panel or the board, sitting en banc, shall set a release date unless it determines that the gravity of the current convicted offense or offenses, or the timing and gravity of current or past convicted offense or offenses, is such that consideration of the public safety requires a more lengthy period of incarceration for this individual, and that a parole date, therefore, cannot be fixed at this meeting. . . .

(Cal. Penal Code § 3041 [emphasis added].)


At a parole hearing, regulations dictate that:

All relevant, reliable information available to the panel shall be considered in determining suitability for parole. Such information shall include the circumstances of the prisoner’s social history; past and present mental state; past criminal history, including involvement in other criminal misconduct which is reliably documented; the base and other commitment offenses, including behavior before, during and after the crime; past and present attitude toward the crime; any conditions of treatment or control, including the use of special conditions under which the prisoner may safely be released to the community; and any other information which bears on the prisoner’s suitability for release. Circumstances which taken alone may not firmly establish unsuitability for parole may contribute to a pattern which results in a finding of unsuitability. (Cal. Code Regs., tit. 15, § 2402(b).)

The relative importance of any of these factors “is left to the judgment of the panel.” (Cal.Code Regs., tit. 15, §§ 2402(c), (d).)

For factors of suitability, Cal.Code Regs., tit. 15, §§ 2402(d) are set forth in the following criteria:

[The following circumstances each tend to show that the prisoner is suitable for release. . . .):(1) No Juvenile Record. The prisoner does not have a record of assaulting others as a juvenile or committing crimes with a potential of personal harm to victims. (2) Stable Social History. The prisoner has experienced reasonably stable relationships with others. (3) Signs of Remorse. The prisoner performed acts which tend to indicate the presence of remorse, such as attempting to repair the damage, seeking help for or relieving suffering of the victim, or indicating that he understands the nature and magnitude of the offense. (4) Motivation for Crime. The prisoner committed his crime as the result of significant stress in his life, especially if the stress has built up over a long period of time. (5) Battered Woman Syndrome. At the time of the commission of the crime, the prisoner suffered from Battered Woman Syndrome, as defined in section 2000(b), and it appears the criminal behavior was the result of that victimization. (6) Lack of Criminal History. The prisoner lacks any significant history of violent crime. (7) Age. The prisoner’s present age reduces the probability of recidivism. (8) Understanding and Plans for Future. The prisoner has made realistic plans for release or has developed marketable skills that can be put to use upon release. (9) Institutional Behavior. Institutional activities indicate an enhanced ability to function within the law upon release.

Conversely, regulations set forth the factors of unsuitability:

Pursuant to Section 2402(c), [The following circumstances each tend to indicate unsuitability for release. . . .):(1) Commitment Offense. The prisoner committed the offense in an espe-
cially heinous, atrocious or cruel manner. (2) Previous Record of Violence. The prisoner on previous occasions inflicted or attempted to inflict serious injury on a victim, particularly if the prisoner demonstrated serious assaultive behavior at an early age. (3) Unstable Social History. The prisoner has a history of unstable or tumultuous relationships with others. (4) Sadistic Sexual Offenses. The prisoner has previously sexually assaulted another in a manner calculated to inflict unusual pain or fear upon the victim.

(5) Psychological Factors. The prisoner has a lengthy history of severe mental problems related to the offense.

(6) Institutional Behavior. The prisoner has engaged in serious misconduct in prison or jail.

(Cal. Code Regs., tit. 15, § 2402(c).)

Now that you have read the pertinent regulations, here are a few of the more recent developments in federal and state case law:

1. **In re Andrade**, (2006) 46 Cal. Rptr. 3d 317. This case is a bad case which holds that a prisoner who served 23 years on a PC 187 (second degree murder) with a sentence of 15 to life, plus 2 years does not have a due process violation after serving in excess of his sentence.

2. **Hydrick v. Hunter** (2006) 449 F. 3d 978. This case is a good case which holds that prisoners, detainees and parolees all possess a liberty interest in avoiding the unwanted administration of antipsychotic drugs.


4. **Martin v. Marshall** (2006) 431 F. Supp. 2d 1038. This is a good case holding that due process violations occur when an inmate has been denied a constitutionally protected liberty interest and the inmate was denied sufficient procedural protections. These protections include: right to be heard by impartial panel, right to be given reasons underlying the decision, and whether “some evidence” supports parole denial. Also critical in this case was the finding that the Governor’s no parole policy violated the inmate’s right to an impartial decision-maker.

5. **Cass v. Woodford** (2006) 2006 WL 1304953. This is a good case holding that the inmate has a right to speak and receive reasons for a parole denial which are have bearing to some indicia of reliability.

6. **Quinteros v. Woodford** (2006) 419 F. Supp.2d 1209. This is a so-so decision which affirms that inmates have due process rights in the parole scheme and the some evidence standard.

7. **Gambino v. U.S. Parole Com’n** (2006) 167 Fed. Appx. 659. This is a bad case which rules that the U.S. Parole Commission can withhold documents from the inmate despite relying upon these documents to deny parole.

8. **In re Scott** (2005) 34 Cal. Rptr. 3d 905. This is a good case which holds that reliance on the crime alone without any inference that the crime was more aggravated or violent than minimally necessary to convict may be due process violation.

9. **Sass v. Calif. Bd of Prison Terms** (2005) 376 F. Supp. 2d 975. This is a good case which holds that the mandatory language in state law gives rise to a federally protected liberty interest under the Due Process Clause of the Fourteenth Amendment.

10. **In re Lowe** (2005) 31 Cal. Rptr. 3d 1. This is a bad case which holds that prisoner who pled to second degree murder prior to grant of executive review by Governor was not denied due process by grant of unexpected new and additional layer of parole review. This is, however, one good aspect to this case that requires the Board’s discretion to have a “basis in fact” rather than mis-stating the record.

11. **In re DeLuna** (2005) 24 Cal. Rptr. 3d 643. This is a good case holding that the Board’s discretion is not without limits. (2005) 104 P.3d 783.


This is a bad case holding that there is not liberty interest or requirement to provide a “uniform” parole date and that the gravity of the offense alone is sufficient to deny parole.

I hope this brief overview will give you greater clarity and understanding as to the relevant and more recent law on the topic of parole for prisoners serving life. While one can not over-state the role of a good lawyer and community of friends and family to help you through the parole process, you have to know the legal obstacles and opportunities before you because the best victory over CDCR is to leave its prisons as soon as one can. Good luck in all your legal endeavors! ☺

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**Corcoran Visit ... Continued from page 10**

we turned the problem over to the Ombudsman for Corcoran, Lonnie Jackson. Information needs to come back out of that unit telling how you are doing.

After listening to one prisoner about the issue with his validation, a letter was written to his counselor and phone calls were made to determine if the validation process in his case was according to the regulations. It turns out that it was not; he was given an automatic SHU extension for no reason. The prisoner had no 115s or any other disciplinary action. The counselor did write up a request to get him before the Department Review Board. They concurred and recommended him for the yard where he finally resides. If any of this profile fits you, ask!

In some small ways Corcoran ‘feels’ better. Hard to put into words but some of the negative attitude we have experienced in the past has lessened just a little. Our phone calls are often answered with courtesy, on time and with substance.

I have repeatedly informed the administration that many cells in the 4B area need to be condemned because of the water cascades in the rainy season. Do not give up your own efforts to improve things.

Violence is a real concern for all of us. There should be no assaults by staff, but the converse is also true. There are tools for resolving differences but they require self-restraint, time and discipline to use. Can you do that? This is not a lecture. It is reality. Part of the effort to win legislative and public support for massive change in the prison system rests on the belief that most of the folks in prison can and will make safe public citizens in the community. So perhaps we need to ask, what can you do to prepare yourself to cope with our complex world? Is it too much to ask you to find as many ways and resources to rehabilitate yourself with whatever resources you have? Do not wait for someone to do it for you. Please, write me back and tell me how you can or have done this in the absence of help from the prison.

We must get on with the work of family reunification where possible and simple citizen restoration. Speak truth to your families, and where you can, to the victims of any bad behavior. Forgive me if I sound too preachy. Over the years and years of working with, writing and visiting inside I have met a lot of great people. Tell me how you see yourself. ☺
CPF CO-FOUNDER HONOURED

On Saturday July 22, CPF Emeritus, Corey Weinstein was honored at the Fourth Annual In The Trenches Awards Banquet hosted by the Senior Ex-Offender Program in San Francisco. The hall was full on a very hot day when Ana Bolton introduced Corey as someone who has given more than 30 years to the fight for prisoners’ human rights. She described him as a teacher and mentor to her and other ex-cons.

Corey received a Community Leadership award. As he accepted the award he said, “I have great respect for the work of the Senior Ex-Offender Program in Bayview Hunters Point. This honor is especially meaningful to me because this is my community; one of advocates, activists, clergy and former prisoners.”

He also thanked the CPF members who came to the event to support him: Ed Mead, CPF president; Leslie DiBenedetto, Prison Focus editor; Cynthia Skow, webmaster; Terry Kupers, psychiatric consultant; and of course, his beautiful partner of twenty seven years, Pat Skala.

Corey has recently retired from most of his active work with CPF. His only remaining responsibility is to manage the Dignity for Women Prisoners Campaign.

The award banquet was a fitting tribute to CPF’s co-founder and tireless advocate for the rights of the incarcerated and all people.

ALL OF US OR NONE
An organization of ex-felons, both women and men, making good by community involvement, participation, and social activism. Please join. Call for information at (415) 255-7036.

VOLUNTEERS NEEDED
Database volunteer needed. Building a database is essential to All Of Us Or None’s growth, and input into shaping today’s social system for the better for ex-felons their communities and families. Get in touch.

General Meetings
Every Third Thursday, 6:30 p.m.
1904 Franklin St., 9th Floor,
Oakland, CA

NUMBER OF CA LIFERS AND LIFERS WITHOUT WHO DIED WHILE IN AN INSITUTION OR ON TEMPORARY RELEASE FROM JANUARY 1, 1990 THROUGH NOVEMBER 2005

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Compiled by Ed Mead

NEWS FROM DELANO
By T. Washington

On June 9, a melee erupted on facility A involving eleven white and 50 black prisoners. The incident was sparked by a group of white inmates who attacked a black inmate and his white cellmate on the prison’s main recreation yard. The main target of the attack was the white inmate who was a member of the predominantly African-American California street gang known as the Crips who was celled up with a fellow Crips gang member. Over 50 black prisoners joined in the melee which is said to have lasted a few minutes until quelled by prison guards. All those involved were later rehoused in the prison’s Administrative Segregation Unit (ASU). All injuries were non-emergent and treated at the prison’s Correctional Treatment Center (CTC).

KVSP received a new warden in June 2006: Chris Chrones, who took over from Roy A. Castro.

KVSP Correctional Treatment Center (CTC) officially opened on July 1, 2006, moved suicide watch and contraband watch cells from its temporary location in Facility B, B-1-EOP/CCCMS Ad-Seg unit to the new building.

ASU units still without access to a law library or legal resource material after one year of prison’s opening. Prison Law Office working on issue but court deadlines are being missed.

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PRISON FOCUS
HUNGER STRIKE AT CALIPATRIA

Protesting a prison-wide lockdown, hundreds of prisoners at Calipatria State Prison organized a hunger strike. One hunger striker wrote to his wife, “We’re holding strong. It’s been at least three full days with no food. Almost 500 people. A few have drifted off and taken food, that’s their choice. But there are hundreds of us that are determined to see this through.”

Prison officials ordered the lockdown after what they described as a prisoner attacking a guard. They deny that prisoners are on hunger strike.

KESQ news, http://kesq.com/ date unknown

PLANS TO EXPAND PELICAN BAY

The CDCR and governor plan major new building at Pelican Bay as part of their proposal for massive expansion of the state’s prison system.

If the legislature approves the plans, PBSP would add two dormitory housing units, a double perimeter fence with towers, new perimeter lighting and new program space immediately. In coming years, the prison could see another 25 dormitory housing units and 26 more celled housing units.

Curry Coastal Pilot, July 22, 2006

EXPORTING PRISONERS?

As part of his plan to ease overcrowding in California prisons, Gov. Schwarzenegger has proposed that the state pay other states to imprison up to 5,000 non documented immigrants now in California prisons. The plan would require the passage of a new state law, and already some states mentioned by the administration have said they have no room in their state systems, although there might be room in private prisons and county jails in those states – Louisiana, Texas, Michigan and Indiana.

The governor has also proposed sending up to 1,000 prisoners to a new CDCR state hospital for “sexually violent predators” in Coalinga.

San Francisco Chronicle, July 10, 2006

MORE PROFITS ON INCREASED IMMIGRANT DETENTION

The Bush Administration’s plans to increase the number of immigrants held in ICE detention centers has private prison corporations expecting more prisoners and more profit. By Fall 2007, the administration expects to have 27,500 immigrants caged each night, an increase of 6,700 over current figures. Prisons are paid $95 per night to imprison detainees, so the total bill for the increased detention will come to more than $200 million.

Currently 57 percent of immigrant detainees are housed in county jails. Stock in the leading private prison corporations jumped at the news. Corrections Corporation of America stock increased 27 percent and GEO Corp. rose 68 percent. Holding immigrants amounted to 5-8 percent of income for those corporations last year and analysts say that the profit margin on immigrant detention is smaller than in prisons because fewer services are offered to immigrants.


ITALY FREES PRISONERS TO REDUCE CROWDING

More than 20 percent of prisoners in Italian prisons will be released early. Prisons in Italy have been operating at 150 percent of capacity, and crowding has led to riots in some prisons.

The government proposed cutting three years off the sentences of all except “Mafiosi, terrorists, rapists, pedophiles, armed gangsters and the pimps of child prostitutes” after the Center-Right party led by Silvio Berlusconi insisted that pardons be given to those convicted of corruption and other white-collar crimes.

AFP, July 31, 2006

PRISONERS AS MEDICAL GUINEA PIGS?

Regulations restricting the use of prisoners as test subjects for tests of pharmaceuticals should be loosened, according to a panel of medical experts.

In 1974 a scandal surrounding the exposure of prisoners at Pennsylvania’s Holmesburg prison to carcinogenic, psychedelic and radioactive chemicals as part of drug testing produced today’s stricter regulations. Prior to that time, 90 percent of new pharmaceuticals were tested on prisoners.

The National Academy of Sciences now calls those restrictions “outdated,” and Dr. Albert Klingman, who supervised the experiments on prisoners at Holmesburg says “shutting the prison experiments down was a big mistake.” He added, “I still don’t see there having been anything wrong with what we were doing.”

Professor Daniel Murphy says “Free and informed consent becomes pretty questionable when prisoners don’t hold the keys to their own cells, and in many cases they can’t read, yet they are signing a document that it practically takes a law degree to understand.”


RECEIVER PUSHES FOR CHANGES IN CDCR HEALTH CARE

Robert Sillen, the federal receiver for the CDCR’s health care system appointed by Judge Thelton Henderson, has issued his first report, blasting the system and has called for the construction of two new prison hospitals.

Sillen has suggested that the court suspend state laws, contracts and regulations in order to speed up the system overhaul.

After interviewing dozens of people, including prisoners, and reviewing thousands of pages of documents including prisoner medical charts, Sillen concluded that, “the problem is much worse and more complex than anyone originally thought.” One of the possibilities Sillen offered the court was that prison health care be removed from the CDCR jurisdiction altogether. He calls the
CDCR system one of “trained incapacity.”

Instead of the two new prisons the governor has proposed, Sillen argues the state should build two or three new prison hospitals instead, increasing the number of prison hospital beds statewide by 1,200.

Sillen also expects to order raises for CDCR medical staff this summer and add more medical staff. As for the cost, Sillen says, “astronomical is in the eye of the beholder.”

Los Angeles Times, July 6, 2006
San Jose Mercury News, July 13, 2006
Sacramento Bee, July 19, 2006

**CDCR TO MOVE WOMEN FROM PRISON TO CCF?**

Part of the governor’s plan to deal with overcrowding in California prisons is to move 4,500 women from mega-prisons to Female Rehabilitative Community Correctional Centers, which will be located in the regions to which the women will be paroled.

While the CDCR touts the plan as releasing women to treatment facilities, critics like Ari Wohlfeiler and Cassandra Shaylor point out that the centers are in fact prisons, and that building more cells, whether in centers of 200-500 beds or prisons of 5,000 beds won’t help prisoners get treatment or training. In fact, the governor cut the CDCR’s programming and education budgets for 2006-07. Far from helping to solve problems of overcrowding or lack of services for prisoners, this plan will “deepen the crisis,” they charge.

The centers, which would be privately operated, received support from Cornell Corrections Inc, lobbyist Mark Nobili. “This is groundbreaking reform, and it has been a long time coming,”

San Francisco Chronicle, 6/16/2006
Los Angeles Times, Feb. 11, 2006

**MALE PRISONERS IN VSP?**

As part Gov. Schwarzenegger’s plan to build tens of thousands of new prison beds, public and private, is to move 800 men into Valley State Prison.

The CDCR proposes spending $5.8 million to build a fence down the middle of the prison to create separate male and female facilities at VSP.

Local politicians are hostile to the move. Chowchilla Mayor Ron Harris promises the city will “probably raise a stink,” and Madera County officials are considering a request for a restraining order. Assemblyman David Cogdill also opposes the conversion.

Sacramento Bee, Aug. 13, 2006

**JUDGE OVERTURNS CHANGES TO PROP. 36**

A day after Gov. Schwarzenegger signed a bill that would have changed Prop. 36 to require jail sentences for some drug offenders, a judge blocked implementation of the law pending resolution of a lawsuit challenging its constitutionality.

Daniel Abramson, lawyer for Drug Policy Alliance, said he was confident the court would eventually overturn the law permanently because the changes to Prop. 36 “thwart the people’s will.”

Associated Press, May 21, 2006

**STATE SETTLE JUVIE LOCKUP LAWSUIT**

A long standing lawsuit that challenged the ways that California imprisons youth has been settled. The state has agreed to house no more than 38 wards per housing unit, add new treatment programs for wards, train employees to reduce the use of force and the level of violence within the institutions, and add programs to help wards integrate back into society before they are released.

“Kids are going to be given a lot more rehabilitation and program services, they’re going to be out of their cells and active more of the day, they’re going to have a lot more staff,” said Don Specter, director of the Prison Law Office who brought the suit in 2003.

The settlement allows the state four years to have all changes in place. Next year’s budget includes funds for 800 more staff (an increase of 21 percent), improvements to both living and programming spaces and the design of a new 260-bed juvenile prison.

Associated Press, July 14, 2006

**HAGAR QUESTIONS PRISON REFORM**

Special master John Hagar charges that the Schwarzenegger administration has abandoned efforts to reform the prison system under pressure from the CCPOA. He has requested that he be allowed to subpoena key players in Sacramento and force them to testify under oath.

Hagar charged that Schwarzenegger’s chief of staff, Susan Kennedy, is “in the pocket” of the CCPOA, and that the union’s increasing power in the administration forced two corrections secretaries to resign.

Associated Press, July 13, 2006
VICTIMS’ ADVOCATE DIES: EX-BLACK PANTHER LED CRUSADE AGAINST POLICE BRUTALITY

By Emanuel Parker

M ichael Zinzun, the former Black Panther who devoted years to campaigning against police brutality and who won a landmark lawsuit against the Los Angeles Police Department, died Sunday. He was 57.

An autopsy will be performed to determine the cause of death. Zinzun died at home in his sleep and was not ill or under a doctor’s care, family members said.

Zinzun had enrolled at the California School of Culinary Arts in Pasadena this year, the school said, and was taking classes and looking forward to becoming a chef.

Long a bane to law enforcement in Los Angeles County as a fiery younger radical, with few friends on police forces, Zinzun was seen to have mellowed over the last 15 or so years. He had two children, four step-children, almost 20 grandchildren and was known as a loving father figure to young people in Pasadena’s Northwest.

“He was more compassionate and showed a lot of concern for the community,” said Pasadena police Cmdr. John E. Perez, who talked to Zinzun three times over the last few years to defuse situations between police and members of the African-American community.

“He asked me questions and wanted to get the facts out to the community so people wouldn’t believe rumors,” Perez said.

“I heard about his death and I was really shocked,” said Councilman Chris Holden.

“I knew Michael a long time and he certainly pushed the envelope to address the needs of young people in the community. He was always ready to take on their cause and be as aggressive as he needed to be to make sure their rights and interests were protected. He had passion and he will be missed,” Holden said.

Although it was seen as a friendly rivalry, Zinzun and Holden competed for the same Pasadena Board of City Directors’ seat in 1985 in a race later won by the woman who would become Pasadena’s first black mayor, Loretta Thompson-Glickman. Zinzun made two more unsuccessful bids for the seat one day after the story ran. Zinzun lost partial sight in one eye after a melee with Pasadena police at the Community Arts housing project.

Zinzun filed a federal lawsuit against the department and was awarded $1.2 million in an out-of-court settlement. As part of the settlement, Zinzun was to receive $1,750 a month for the rest of his life.

In 1989, Zinzun was again running for a seat on the Pasadena Board of Directors when LAPD Assistant Chief Robert Vernon used a department computer to gather information about Zinzun.

Vernon, a Pasadena resident at the time, gave the information to his neighbor, John Crowley, a Board of Directors member.

The information was leaked to the Los Angeles Times, which published a story implying there were files on Zinzun in the LAPD’s Anti-Terrorist Division.

Zinzun lost the election, which took place one day after the story ran. Zinzun filed a lawsuit against the LAPD, claiming defamation and violation of his right to participate in an election.

It was the start of a five-year legal battle. In 1991, a jury awarded Zinzun $3.8 million, but a judge threw out the verdict, saying the evidence didn’t support Zinzun, who appealed the ruling.

The Los Angeles City Council rejected a $450,000 settlement before agreeing to pay Zinzun $512,000 in 1994.

The coalition also received $1.9 million from a lawsuit against the LAPD’s Public Disorder intelligence Division over keeping files on the group’s activities.

Because of the lawsuit, the city was required to pay substantial damages to victims of the unit’s spying. The unit was later disbanded.

Zinzun’s community activism included trying to help young people find their way out of gangs and drug use. Prior to the opening of the Jackie Robinson Center, he ran the Pasadena Community Information Center, formed to keep youngsters off the streets and out of trouble.

But in the late 1970s, he also started a program in his home to feed kids on their way to school.

In 1988 he began producing and hosting “Message to the Grassroots” on Channel 56. The program produced 45 shows, including “The L.A. Uprising,” “Police Abuse,” “Crisis in Cocaine” and “The Life and Times of Paul Robeson.”

In April 1992, following the acquittal of the officers involved in the Rodney King beating, Zinzun was one of the leaders of a protest at Parker Center, the LAPD’s headquarters, that turned into a riot when police confronted protesters. More than 50 people died in the days of rioting that spread across the city.

Later that year, Zinzun traveled to Europe on a speaking tour, talking about his experiences during the riot. He also visited many U.S. cities, South America and Africa to discuss racism, police abuse and social oppression.

Zinzun also testified before the Christopher Commission investigating LAPD use of force during the riots.

He launched a free program, “Off the Roach,” which sprayed more than 3,000 homes to fight roach infestations in the city’s Northwest neighborhoods. Retired firefighter Jacques Hinton helped Zinzun with the spraying.

“We were like the ‘Roachbusters,’” he said. “We had to wear these special suits to go into houses, and Michael’s attitude was that we are in a real battle against those roaches.”

Zinzun continued to live in his modest home on North Marengo Avenue, filled with books and framed pictures of black activists such as Nelson Mandela and Malcolm X, where he and his wife reared six children.

Zinzun was born Feb. 14, 1949, in Chicago, the son of a partly Apache father and an African-American mother. When he was 8 his mother, trying to get him away from Chicago’s tough streets, sent him alone by train to live with an aunt in Pasadena.

He attended Washington Middle School, graduated from Blair High School in 1967 and became an auto mechanic. His first wife, Lelwellyn Perry, died young and unexpectedly.
He married his second wife, Florence, in 1982. He is survived by her; his mother, Jean Ornelas of Fontana; two children and four step-children: Robert, Randy, Michael Jr., Kindra, Tony and Michele, along with 19 grandchildren.

He also is survived by seven siblings, Linda Smith of Duarte, Mateo Ornelas of Chicago, Raquel Ornelas-Barlow of Atlanta, Juanita Edwards of Fontana, Carmen Ornelas of West Covina and Antonio Ornelas of Atlanta.

Reprinted from the Pasadena Star-News, July 2006

RIP

Michael Zinzun, 57, passed. Born in Chicago on Feb. 14, 1949. Left us July 15, 2006. Gone away Peacefully in sleep. Pasadena, California. Cared about the People. Big family man. Activists CAPA Black Panther OOG Community Spokesperson. Cared about plight of prisoners. Led the gang-truce effort for Peace and Harmony. Attended dozens and more dozens of funerals for slain youth. On trial against Los Angeles police brutality. Won. Lost one eye. Helped broker longstanding peace accords between ghettos’s black and browns. Fighter for justice…Did good…real good…Leaves a loving wife Florence & Children Mother Sisters Brothers grandchildren stepchildren All relatives and more loved ones in ever extended family whom he was most devoted to. Many friends and comrades to see you off with good thoughts and great appreciation for the times you touched each person you knew. Remembering all the many funerals you attended in your life for all the senseless violence you worked to stop. You kept and remembered your friends over the years. Orale. 1995 Vanning from Brazilia & back to Rio… two days/ nights non-stop behind the wheel & on the long stretch of dusty road…a wild ride…looking out for all the crew…pass the ‘gacha…keep the tank full…never did see no wildlife tho’…lots of laughs…gracias for getting us all back to USA in one piece… saw you last at Berkeley 1998 Critical Resistance…thanks for the prison plantation posters you brought us from CAPA…its on our CPF office wall…Godspeed…see you again sometime…Luv from all the prison camps where you had friends and well-wishers. Siempre…bato and friends…see you soon…

WALLS

By T. Storts

If you could see life through my eyes
you’d see the need for my Disguise
for who I am
I hold within
Holding my thoughts
Behind this grin
for time has ways
to make you strong
when you are not
where you belong
All people know is what they are told
makes them Believe
my heart is cold
with time I pay
for my mistake
As they all try
my will to Break
But Inside of me
Are walls of my own
Harder than Brick
Or Even of stone
they’re part of a home
that’s waiting to Be
complete once again...

TELEVISION

By Anthony Lucero

Blankty-blank, blankty-blank.
Turn on the babysitting.
Now boys and girls save the state some money.

A MESSAGE TO YOUTH

By Paul Redd (republished)

You were born with a gift
To master skills and show your talent tenfold.
As you rise up, the mind gets sharper,
the soul feels,
the world is your place without its poisonous lace.
Love your brothas, love your sistas
Fast times fast money is an addiction to greed.
A death seed to take your mind to the Glitz and Glitter.
The end results
down n’ out, death or prison or all three at the same time.
A gifted mind that lost its place amongst the human race now has no place.

WHAT ARE YOU AFRAID OF?

By Anthony Lucero

What are you afraid of?
I am not afraid of death, nor of pain.
But I am afraid of my family dying and not being able to tell them goodbye.
I am afraid of my children forgetting me, my grand kids never knowing me.
I am afraid of never being able to hold you in my arms, nor feeling the beat of your heart next to mine.
But most of all I am afraid of losing you before we ever had our moment in the sun.

HOLA

i remember what tomorrow is
i remember the times of fear
hope, uncertainty
as we waited for the verdict
i remember Aug 22
when Shirley and I were in Livermore
at the Holiday Inn
she was pregnant with Blane
and i wanted her to have a vacation before the birth
we went downstairs for breakfast
i bought a Chronicle
and there it was
huge headlines
and all the naked, tied people in the yard
like slaves
slaves of capitalism
of Vietnam
and the Dick Cheneys of the time
of the Iraqs and Lebanons
that were yet to come
already casting their shadows
on the big yard
you survived my friend
A LETTER FROM ATTORNEY LYNNE STEWART

My Dear Supporters,

I want to thank all of you for standing by me for the past four years through the trial, conviction and my bout with breast cancer. Now I am preparing for sentencing on September 25. I have been fortunate to have gained strength through your support and although the strength of the “all mighty” government seems overwhelming we know we are on the right side of history.

Since the day in April 2002 when I was arrested, the Lynne Stewart Defense Committee was formed. We have accomplished great things through the committee and managed to raise awareness of my case and the issues it has raised. We have made connections to a broad base of people united at this time by the Bush/Cheney attack on the Bill of Rights and the Constitution.

I am going to provide you below with excerpts from my sentencing submissions which are directed to the Judge, of course, but give you a real sense of the posture of the government towards me. That is, that I must be made an example of to deter attempts of Elizabeth M. Fink, Esq. I must be made an example of to deter anyone from ever trying to help the government towards me. That is, that lynneSTEWART is the stated justification for the 30 year sentence. I am to be 67 in October.

I hope that you will continue to do what you can to support the Lynne Stewart Defense Committee. The fight is far from over and the isolation that is prison will only be pierced by the good of people who continue to fight for justice and bring attention to the excesses of the US government. At this time we would like to send a mailing which will incorporate my sentencing papers and some of the hundreds of letters that have been written on my behalf as well as report to you from the government’s response to my sentencing memorandum.

My Defense Committee will continue to work on my behalf through the long struggle ahead as well as work in solidarity with many other groups and individuals fighting against this government’s policies and for peace and justice. Of course this takes funds and although it is very hard for me to ask, I implore you to contribute as much as you can.

Lynne Stewart, July 11, 2006

LYNNE STEWART UPDATE

On the evening of July 5, attorneys for Lynne Stewart filed a Sentencing Memoranda on her behalf asking for a non-custodial sentence.

The memoranda contain and refer to many of the scholarly and impassioned letters written to the Hon. John G. Koeltl on Lynne’s behalf also asking for a non-custodial sentence.

The following are excerpts from the Affirmation of Elizabeth M. Fink, Esq. filed in support of Ms. Stewart’s presentencing submissions:

“The most chilling and horrendous aspect of Ms. Stewart’s PSR (Pre-Sentence Report by U.S. Probation) is the stated justification for the 30 year sentence. ‘We hope that this sentence of 30 years will not only punish Stewart for her actions, but serve as a deterrent for other lawyers who believe that they are above the rules and regulations of penal institutions or otherwise try to skirt the laws of this country.’

“Ms. Stewart violated prison rules and, among other things, issued a press release in violation of the SAMs. Nothing happened. The recommendation of a 30-year sentence for 66-year-old women with cancer and a lifetime of service to the community is not reasonable. It is not justice. It is tyranny.”

“As this Court can see, for decades, Ms. Stewart lead an exemplary life, a life based on community service. She changed the lives of thousands and as a lawyer, she was the finest representative of our profession. Using her skills and compassion, she restored faith in America and its justice system to thousands of people. She was a symbol of the best of the system. Working tirelessly, for little or no money, she brought light and hope to thousands and was an example to everyone who knew and knows her. Justice and mercy require that this Court examine all of the factors that apply to Ms. Stewart: her decades of selfless dedication to her profession and to her clients, friends and neighbors, her precarious medical situation, the lack of any gain to her by her actions, her mis-guided but compassionate motivations, the lack of harm caused by her actions, and the effect on present and future member of the criminal Bar of a draconian sentence. I pray that your examination will compel you to find that justice and reason mandate a non-custodial sentence.”

For information and to view a copy of the submissions please contact Pat Levasseur, The Lynne Stewart Defense Committee at (212) 625-9696. Contact The Lynne Stewart Defense Committee, 350 Broadway, Suite 700, New York, NY 10013; www.lynnestewart.org.

FRIENDS OF CALIFORNIA PRISON FOCUS

Good News! Again! A Free One Year Newsletter Subscription For Your Friends and Family On The Streets.

As regular readers may remember, California Prison Focus was offered a $5,000 grant to increase its outside readership base. The grant provided $10 for every outside person added to the CPF mailing list. The campaign was so successful that another (although smaller) grant has been offered on the same terms.

Our next goal is 200 new members. Each new reader will receive a free one year subscription to the California Prison Focus newsletter. No obligations included!

Prisoners, please send us the names and addresses of your family and friends on the outside. Subscribers out here in minimum custody, send us the names and addresses of those you feel would benefit from a free year’s worth of Prison Focus. Send as many names and addresses as you can. Phone numbers, and e-mail address would be nice, too.

The names you provide will not be used for any purpose other than the CPF mailing list. Remember, for every name you provide CPF gets ten bucks.

Send your submissions to:
California Prison Focus
Grant Addresses
2940 16th Street, B5
San Francisco, CA 94103

Send as many names and addresses as you can. Phone numbers, and e-mail address would be nice, too.

No obligations included!

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MORE ON “IF I COULD TELL THE CHILDREN”

Last Prison Focus featured excerpts of writing by prisoners to their children from a book in progress edited by Judy Greenspan. Below are two more pieces that we hope you enjoy:

SILENCE IN THE PLAYGROUND

By Maria Talag

Time has passed. Years went by. Finally freedom came to me....To roam these ol’ streets again, something that I haven’t done in many years. Leaving prison after all this time. I came out, pretty much like a rebirth but from a cast iron metal womb to a world I once knew, only now it seems like an uncertain dream.

I thought about going to see different places, some remembered from old memories, others from a long list of things I always wanted to do when I got out.

Unfortunately for me... all this new found freedom made me just too tired to carry on! A nice walk in the park came to mind as did the thought of just finding a bench to rest for awhile before continuing my excursion.

As I roamed around, not a decent or vacant bench in sight! But, no sooner than I started complaining to myself, I spotted one lonely bench on the far end of the park. Right across from it was a playground as well as a small basketball court. Seated on that bench was an elderly lady. Feeling safe to take a breather, I asked the lady if it was okay for me to share this bench with her.

She turned to me with somewhat a strange okay for me to share this bench with her. To take a breather, I asked the lady seated next to me why the place seemed abandoned. She took a deep breath and answered me. She said that with a voice that I felt so much pain in the place wasn’t closed to the general public. I guess the eerie feeling that lurked in my heart did not stop me from being inquisitive. I asked her why there wasn’t anybody playing on it. This time she fired back at me with piercing eyes filled with angry tears, “Our children are mostly gone! Consumed by drugs, disease or death! Or taken away to be imprisoned! There are few of them left but they are sequestered, locked up in their homes by parents whose only nightmare is of losing them!” After these words she slowly turned her face away from me. She said, “I lost my son too! He is in prison awaiting his death, a young boy soon to be strapped to the table and injected until dead, like an unwanted animal considered bad, a useless burden to have around….I do not condone what he did.” Finally her tears could not be held anymore. “But dying like that seems profoundly cruel and inhumane. So, my dear stranger. Here is where they’ll find me everyday until I am no more. I keep this empty playground company as it surely does me. The memories of my son when I used to walk him here when he was a young tiny tot, to the day he used to tell me to pass by to see him play basketball.” As these words came to be she fell into a trance-like state just staring at the place as if she saw the life that once occupied it. A chill went down my spine as I remembered just how young the new crowd was coming into prison. Yes, most of them could just be the right age to be playing ball or just simply hanging out with their peers enjoying the park along with their loud music. But now, all there is left is silence in the playground.

TRUTH DENIED

By Robb Rogers

Recently while housed in one of Corcoran’s many segregation units I noticed several daytime talk shows featured children who had been separated from their parents from birth. Some of these children had been given up for adoption while others had never been told the truth about their biological Dads from the beginning. In both cases it was the child who became curious and begun the tenacious search for the missing parent and in all cases the reunion was a tearful reunion and appeared to fill in some missing pieces of the child’s personality and character traits, and forged an indelible bond between the child and parent.

In August of last year my youngest child gave birth to a healthy baby girl. I wondered why seven months later, I had not been notified by her that I had become a Granddad. In having my wife confirm the news about the baby, I was informed that my daughter, Daniara, did give birth to a baby girl but she didn’t know what to write me about.

I sat in my cell, emotionally crushed at the revelation my own child didn’t know what to talk to me about.

For years I had sent birthday and Christmas cards, letters and pictures trying to bond with my daughter. I wondered how I had failed so miserably as a parent.

I began to realize that my daughter didn’t remember me as a child and that she had been fed a diet of negativity in trying to learn who I really am.

For the maternal side she had been fed information that I was a drug dealer, thug and a criminal. I wasn’t any earthly good. Papa was a rolling stone is essentially the way I had been stereotyped.

While going to the old neighborhood meeting my old associates she has been told how her Daddy was a dope dealer and how he was a thug or a criminal the same information that she’d heard from her family on her mother’s side.

Not writing me has robbed her of the fact that I have earned a college degree while in prison. It has denied her knowing the human being that I am that has taught others about HIV/AIDS, hepatitis, sexually transmitted diseases and Tuberculosis.

She doesn’t have a clue I have organized study groups and taught other prisoners how to do fractions and the difference between a metaphor and simile to prepare for their G.E.D. test.

Prior to reaching the eighteenth birthdays it was easy to understand my children not visiting because they needed their parents to bring them for a visit. However, I am both behooved and bewildered as to why they not only boycott the mail but also won’t visit now that they have reached the age of majority.

All prisoners have a message and an obligation to lead, nurture and love our
children. They need to hear from us that Hip Hop, Rap and the thug life is an expression of art not to be imitated by those of us who are here in the real world of prisons.

Being stuck in these man-made hells with what amounts to having too much time to be dead, we owe or children the truth about our actions in which there is a reaction for their choices and consequences in life. We especially owe this to our own offspring. Many of us are not the self-made monsters we’ve been made out to be.

We are men and women who have made mistakes and love our children enough not to want them to repeat our mistakes.

We all love our children unfortunately through the years of isolation and separation we don’t know how to love them. Perhaps the voices [in this book] will allow our children to know that we love them and by connecting with them not only are we able to give something back but also to provide us with hope.

The hope of our children seeing that they are the product of two loving parents and their genes are not only “X” chromosomes, but “Y” chromosomes also.

I send my love to Daniara, Angelica, Ebony, and Roberta with the message I love you but can’t do it alone. I need you to commit to writing to forge a bond to make not only your lives but my life complete as well.

To Pepper, Pooh-Pooh, Gernese and Pee Jay each of you have captivated a part of my heart the test of time will never erase. I love each of you more than you’ll ever know.

Bobby fruit don’t fall far from the truth.

We gonna make it.

For every child that has a parent absent in prison they have a message for you. Would you please send them a letter telling them that despite the circumstances you need to hear from them? I guarantee you they have been waiting to hear from you.

For those who share my plight of prison although you are physically locked up don’t let the system lock your mind up also. Parenting is a lifelong job with so many opportunities once the doors of communication are opened.

Nothing beats a failure but a try. Today is the beginning of the rest of your life, your life is what you make it so make it what you want it to be. Our children need us. If we don’t raise them their environment certainly will.

Peace out.

FORUM ON CAPITAL PUNISHMENT AT U.C. DAVIS

A series of speaker-presenters were invited to UC Davis Campus over months of the spring quarter to make various presentations to the enrolled student body on Capital Punishment. Professors Malaquias Montoya and Allison P. Coudert were the originators of this important informative lecture forum introducing students to many aspects of the criminal injustice system and death penalty. Students were given required weekly reading assignments and research preparations of written papers as part of the seminar series. As a final assignment students were encouraged to volunteer with a pro or anti death penalty organization, write to a prisoner or approach the capital punishment subject matter thru art, poetic, or musical expression of their choosing.

Bato from California Prison Focus spoke on condemned Chicanos on California’s death row and read an ode to prisoner Juan Raul Garza executed 2001 by the US federal government.

Malaquias Montoya besides being a Chicano/a Studies professor is also in his own right a well known artist and muralist who’s political paintings and drawings extend over a period of 30 years. Montoya in collaboration with wife Lezlie Salkowitz-Montoya and many contributing associates recently released a beautiful graphic arts journal titled Meditations on Capital Punishment. Over 40 well informed students attended the May 25 presentation by Bato and are here shown in a class group foto with Professor Montoya shown seated. Orale.

For more information Chicano Studies dept. Call (530) 752-4059 or e-mail mmontoya@ucdavis.edu

IF I COULD

By Robert C. Fuentes

If I could tell my children just one thing, that could help them throughout their lives, it would be that every today they need to begin living anew in order for each tomorrow to survive because, if they get caught up in their yesterdays and cast their aspirations to the side, they will be the ones standing upon the sidewalk watching the parade of their own lives passing by.

Yes, if I could I would tell my children that one thing, so that I might also live all their dreams, and experiences through them. Those things of the world, which I too, at one time could have been……

FREEDOMS FLIGHT

By Sean Bromley

High above the canopy
Atop the redwood trees
An eagle sits below the sun
Enjoying summers breeze

Perched upon the skyline
With stoic stance abound
He spreads his wings majestically
And fly’s without a sound

Soaring through the heavens
With picture perfect grace
Floating with angelic clouds
Snapshot of freedoms face

Like poetry in motion
And flawless form of flight
He drifts upon the atmosphere
As daylight turns to night

Landing on the treetops
He settles for his rest
For sunrise starts another day
To fly for freedom’s quest
By Stormy Ogden

When asked to contribute an article on California Indian women within the prison system I knew that I could shed some light on the topic. As an activist for prisoner rights, an advocate for our Indian women in prison, and being a former prisoner myself, I saw this as a much needed opportunity to give our women a voice. There is also a need for Indian tribes and communities to be informed on what is happening to our men, women, and children and the impact of what has been coined as the Prison Industrial Complex (PIC). We can not begin to hear the voices of our men and women without at least a working understanding of how and where the foundations of the PIC were built.

The PIC is defined as the warehousing of [poor people and] people of color for social control and profit. This is not new to the Indigenous nations of these lands. It can easily be argued that this is just another part of the historically violent mechanisms of colonization. One only need look at the early enforcement of foreign laws that resulted in the locking up of Indian people in many different institutions including military forts, missions, reservations, boarding schools, and, more recently, state and federal prisons.

As incarcerated offenders, American Indians are over-represented as they embody less than one percent of the United States population but more than four percent who are under some sort correctional supervision.

There are over 90,000 women in prison in the Unites States. California has the uncertain distinction of having the most women prisoners in the nation, as well as the world’s largest women’s prison. As of March 16, 2005 the California Department of Corrections reported there were 11,543 women housed in five state prisons. The Valley State Prison for Women and the Central California Women’s Facility, both located in Chowchilla in California’s Central Valley, together house approximately seven thousand women.

INSIDE CAGES

Even in the best of circumstances prison is a terrible place to be. It must also be noted the experiences women face while in prison are completely different than that of the men. As prisoners, the majority are incarcerated for non-violent crimes and 80 percent are mother with children under the age of eighteen. Just a few of the major concerns women have are the lack of reliable medical care, abuse at the hands of prison staff, the over prescribing of psychotropic drugs as a form of control, separation from children and family, and little or no educational or training programs.

And for the American Indian woman there is the additional denial of spiritual and cultural needs.

While the western culture’s approach to rehabilitation is confrontational and aggressive, effective treatment for Native women does not fit this approach. The answer for Indian people is cultural specificity counseling programs and native spirituality for native people, a spirit-based model of rehabilitation.

In too many cases the Indian prisoner’s spiritual and cultural needs are not being met. And funding for native-specific programs is left to the discretion of each institution.

With this comes frustration and confusion for the prisoners. A Northern Cheyenne woman explains “my family had a box of beads, sage, sweetgrass, etc. sent and it was returned because that form wasn’t in the warehouse notifying them it was an approved donation.”

Even though most of the women’s prisons have a sweat lodge, there are problems. Native Chaplains are employees of the Department of Corrections and may not have any ties to their tribal communities or may not be Indian at all. This is one reason for the community at large to become activity involved.

“It is when I sit on the grounds, and sweat with my sisters, that I feel complete and connected to whom I am.” Yaqqui C.C.W.F.

The women all say that a crucial ingredient to successful rehab would be mandatory cultural training for the guards and prison employees. The staff often has a negative perception towards the Native’s behavior because it differs from the dominant culture. This can cause “write-ups” for misbehavior. According to a few of the Indian women, the prison staffs perceive prisoners who organize events as prisoners with behavioral problems.

ON RELEASE

Below are some recommendations for improving the lives of women prisoners while inside and once they are released:

- Meet with indigenous women leaders and other community members to organize and build understanding of the specific risks to imprisoned indigenous women.
- Establish and strengthen relationships of trust between the women and the indigenous communities.
- Despite some recent improvements in some of the facilities there is still a great need for the women to have consistent and continual access to spiritual and cultural programs.

Parolees face endless obstacles after leaving prison. In many cases they are denied basic human rights. There is limited access or even denial to social services in the form of public housing, food stamps, education and even employment. How are they expected to rejoin society? These incarcerated Indian women represent important human and cultural resources to their tribes and families.

It is important that the tribal governments/communities where tribal members are incarcerated have some solid input into the policies, regulations and the laws that govern our people while they are incarcerated. And this should be especially true when it comes to our women/men returning to the communities.

Prisons are organized to discipline and punish, not to ready a person for reintegration into their communities. Providing opportunities and guidance to reconnect and reintegrate with the native culture, for example through the participation of tribal elders and in various ceremonies and traditions, could made a difference.

Women are the core of the nation’s families, we should invest more in them.  

It is when I sit on the grounds, and sweat with my sisters, that I feel complete and connected to whom I am....
WOMEN IN CALIFORNIA’S PRISONS

By Bonnie Long, Psychotherapist, Inmate Family Council (CCWF), Statewide Family Council

Women are different than men. Perhaps there is no area where this obvious and simple distinction could be more meaningfully applied than in our prisons. Unfortunately, this is not what has traditionally happened. State policies and programs designed mainly for violent men make rehabilitation difficult for female offenders. The high security design and geographic isolation of women’s prisons reveal a serious lack of awareness of the difference of female prisoners’ issues, risks and needs. In the policy, practice, and regulations that govern these women—whose crimes are overwhelmingly non-violent—there seems to be little recognition of the very different nature of criminal experience for women.

It is not that the information doesn’t exist. Indeed, it is quite the opposite. There is no shortage of knowledgeable and well done reports. In the last decade alone there has been excellent research and in-depth, comprehensive studies, including several from the prestigious Little Hoover Commission, an independent state oversight agency. They concluded at the end of their 2004 study, “Breaking the Barriers for Women on Parole,” the one-size-fits-all policy in California’s corrections is dramatically failing female offenders.

“Of the many scandals gripping California’s correctional system, the failure to reduce crime, violence, and drug abuse among parolees is one of the greatest. The costs and consequences of this failure are most onerous in the case of female offenders. In a prison system as large as California’s – and one so ridiculed for inmate abuse, cost overruns and ineffectiveness – it is easy to overlook the 10,000 incarcerated women and 12,000 women on parole.”

Aside from an abundance of research, successful practice in other states that have abandoned their tough on crime, punitive stance and adopted methods proven more effective in the management of female inmates and reduced recidivism, saved money, and lives. California lags far behind the rest of the country. In this state there are very few small community-based correctional centers and even fewer re-entry houses, even though they have proven significantly more successful in helping women become responsible, self-supporting, contributing citizens – at a fraction of the cost. Nonetheless, “the state has remained focused, almost singularly, on a policy of punishment and incapacitation designed for male offenders” according to the above Little Hoover report.

All of our prison population has exploded (800 percent in the last 30 years), but none more dramatically than women. In these last two decades, female incarceration throughout the country has increased five fold. In 1990, we had approximately 600,000 women under criminal supervision in the United States—in prisons, jails, on probation or parole. By 2001, the number was over one million. In California the number of incarcerated women went from 2,000 in 1983 to 10,000 in 2003. It keeps rising; by December 2005, the figure had reached 11,404. The number of women on parole exploded even more dramatically - from just under 1,500 in 1983 to over 12,000 in 2003 - an eight fold increase.

Women come into prison via very different pathways than men. It is not violent behavior or crime that sends most women behind bars. 67 percent of women in prison are incarcerated for non-violent low level offenses. Ironically, more of them have been victims of violent crime—physical or sexual abuse, domestic violence—than were convicted of violent crime. Neither is there the level of violence inside women’s prisons that commonly exists at life threatening levels in men’s prisons. Ask most any correctional officer or administrator who has worked in both men’s and women’s prisons, and (s)he will tell you the difference between working in a women’s versus a men’s prison is like night and day. The number one difference they identify is the level of violence and, therefore, safety, for themselves as well as inmates. Despite their relatively low security risk, female inmates are still housed in high security expensive prisons designed primarily to minimize violence and prevent escape.

Between 1984 and 1997, California opened one new university. In that same time frame, California opened twenty-one new prisons, including three for women. Today every one of those prisons is close to 200 percent capacity; some are already significantly over. The figure keeps rising; seven percent of our state’s budget used to go to education and four percent to corrections. Today that figure is reversed. 1

Most of these prisons are large geographically remote facilities designed for high security, incapacitation, and efficiency in control: electric fences, razor wire, remote-controlled cell doors, etc.

The majority of California’s female inmates are housed in two such prisons in the remote San Joaquin Valley town of Chowchilla, far removed from their children and families. It is the largest gathering of incarcerated women in the world. They are isolated and often seemingly forgotten.

The women live eight to a very cramped cell of 246 square feet – less than 31 square feet per woman, in a cell designed to hold four.

This violates:
1. the fire and safety code
2. the 60 square feet per inmate required by the American Correctional Association – Manual of Standards – Standard 4142, pg. 27
3. Ruiz v Johnson 154 F2d 995 (2001) “unconstitutional to house more inmates than the design capacity” 2
4. safety, health, and human dignity

Somehow, California has managed to do

1. From a speech by Senator Jackie Speier in San Luis Obispo.
2. Ruiz v Johnson was a landmark case in Texas that cited cruel and unusual punishment related to prison conditions - overcrowding, inadequate staffing, poor medical treatment, etc. It resulted in federal oversight of the Texas prison system for almost two decades and a directive to improve overall prison conditions. Spanning 30 years (1972-2002), it became the longest running prison litigation in U.S. history.
it anyway as extreme overcrowding exists in every prison in the state.

So during lockdowns, eight women must endure their 10’x3’ confinement 24 hours a day, except for feeding (“feeding” is the term used in prisons for mealtime). And they are locked down on a regular basis. The most frequent reason these women are relegated to their tiny inhumane worlds is fog. Fog equals lockdown in prison. And the central valley has a lot of fog.

Eighty percent of women in prison are mothers of dependent children. Sixty-seven percent were single parent heads of households. Sadly, once these women are sent to prison, many of them never get to see their children. This is the hardest and most painful aspect of imprisonment for women. If you were to see these women behind the bars, you would see how tenderly they hug their children in visiting; you would witness their anguish and anxiety as visiting ends and they are separated again. Or worse, their hidden pain because visiting is not ever possible for them due to distance (320 mile round trip average), money, state procedures, or multiple other insurmountable reasons.

And what happens to the children of these mothers who are locked away? How will they be raised? By aging grandparents on fixed incomes? By already over-burdened state agencies? By themselves? Research shows that children whose parents are incarcerated are six times more likely to end up behind bars themselves. The consequences of the state’s failure to help these women eventually plays out on their children and then impacts a mushrooming cloud of future generations who will have even greater social problems and need more intervention. We will all be paying the price on this for generations to come.

Poverty, drug abuse, or their own history of sexual or domestic violence are major contributors to why many women end up in prison. More than half the women behind bars report having been physically or sexually abused at some point in their lives, or many points in their lives. This pattern often gets carried over to partner relationships. How could it not? When a woman is convicted of a violent crime, it is most often intimately connected with this partner relationship. Due to low self esteem, insecurity, a desperate need to belong, to avoid risking rejection again, a woman has perhaps gone along—many times unwittingly—with criminal acts she’d rarely initiate on her own. She may even have been asleep in the car when her abusive boyfriend crossed the line and killed someone, but she will be considered an accessory and receive the same amount of time he does – sometimes more. Or her crime may have arisen out of another kind of desperation—that of saving her life—when she finally puts an end to the abusive torture heaped on her, often for years. Even though the killing was done in self defense, in California prior to 1992, women could not present any evidence or testimony of domestic violence and abuse. Before the battered women defense, the prosecution was free to negatively or sensationally speculate about her motive.

Often female prisoners are mothers with substance abuse and/or mental health needs, and likely a victim of physical or sexual abuse. Her average sentence will be thirteen months for a drug or drug-related crime and she is in her early to mid-thirties. When she leaves prison, she will receive little or no help finding a job, housing, or counseling; nor will she likely be eligible for welfare benefits or qualify for public housing.

It should come as no surprise that half these women violate their parole and end up back in prison, almost always for non-violent behavior. Substance abuse treatment, small community-based correctional centers would provide infinitely more support, cost much less, and reap greater benefits for generations to come.

Although the average age for a woman prisoner is in her thirties, it’s also true there is a growing population of elderly women, some in their 80s. It costs taxpayers more than $71 million dollars each year to keep elderly women in prison—a population whose recidivism rate is less than one percent. (Calculation: $39,000 year per inmate - doubled for older inmates - x 888 women over 50 per CDCR. That figure applies to numbers in 2004; obviously it’s higher now.)

There has been effort recently to improve policy and practice regarding women offenders. The National Institute of Corrections undertook a three-year project entitled “Gender-Responsive Strategies - Research, Practice, and Guiding Principles for Women Offenders” that collected and summarized research and the effective practice of gender-responsive strategies in relation to female offenders. This work clearly shows what is needed to help women successfully navigate the criminal justice system and remain free citizens who are responsible, self-supporting contributing members of society.

They have made excellent recommendations, firmly supported by research, successfully implemented in other states, and when followed, have saved money and lives. A Gender-Responsive Strategies Committee has been formed in California that includes the authors of the above research, a few legislators, key female prison administrators, and a whole host of experts in education, psychology, recovery, rehabilitation, etc. They are an exceptionally talented and knowledgeable group of experts coming together to look at the problems, brainstorm, and come up with better solutions. Sadly, many of their recommendations are being ignored.

This has been true with so many of California’s taxpayer-supported, research-based, well done reports surrounding corrections. They get ignored. An in depth 350-page report, entitled “Reforming Corrections,” commissioned by Gov. Schwarzenegger, and authored by former Gov. Deukmejian, contained a host of excellent recommendations, which have virtually been ignored. The word “rehabilitation” was added and the name was changed to California Department of Corrections and Rehabilitation (CDCR). However in actual practice, CDCR has gone the opposite direction: visiting has been cut in half; education has been slashed; vocational programs

67 percent of women in prison are incarcerated for non-violent low level offenses.

This is 7 percent of women in prison—women who are convicted of non-violent offenses. The National Institute of Corrections, Washington, D.C. 2003


have been slashed; quarterly packages sent from home have been stopped; almost all personal property is being removed; restitution (which taxes families of prisoners as well as prisoners) has increased and will increase again at the end of the year. For every dollar a family member sends to someone inside (so she can buy envelopes, pens, writing paper, or pay the required $5 co-pay to see the doctor or get her prescriptions renewed), the state will keep $.55 of it.

CDCR is in the process of stripping all prisoners of most of their meager property including clothing, underwear, and personal towels, despite the fact prisons don’t have enough towels to go around and sharing underwear poses health risks. The wardens of the female prisons requested several exemptions and gender consideration of women’s needs be included in the new policy. Several organizations, including Family Council and the Inmate Family Councils from each of the women’s prisons, supported this request and asked that specific authority for women’s personal property be delegated to those most expert in these matters, the women’s prisons wardens and their immediate supervisor, the Director of Female Programs. Unfortunately, this was denied.

There is talk of transitioning 4,500 female prisoners into smaller community-based correctional centers, which is clearly a move in the right direction. Undoubtedly, this plan will meet with fierce opposition from the powerful California Correctional Peace Officers Association – the prison guards’ union. [In critique, the see Recent History section.]

Assembly member, Sally Lieber, has initiated Assembly bill 2066 which would codify the recommendations of the Gender Commission. This would be an excellent first step toward reform. It would help prevent all the Gender Commission’s research and recommendations from being ignored. It would support the efforts of the dedicated people who contribute their time and energy and work to bring about more effective treatment for our female offenders. We have the evidence-based research. Now we need to apply it.

The majority of women prisoners will be released. Helping them become responsible citizens will keep all our communities safer and relieve some of the current financial burden we all carry. Supporting our female offenders with proven reform strategies will pay dividends for generations to come.

CRISIS IN CA CORRECTIONS AND SURVIVORS BREAKING BARRIERS

In early August, a town hall forum and rally took place in Sacramento. Below are the impressions of two attendees.

Today was incredibly interesting. I heard a lot of new ideas, and many old ones too. The only thing missing, like Mr. Warren said in his closing, were the people who really needed to hear the discussion, the people who could implement the ideas and make a difference: the legislature and the governor. This was an awesome start in the process of reform. Now we need to get the solutions to the people who can do something about it. It was great to listen to the speakers at the town hall forum. I was impressed with the majority of them. In particular, Bob Sillen and Charles Carbon were incredibly dynamic speakers. It was really great to see Mark Smith, a former lifer, up at the podium. Mark had a really great message too. It was really cool when he held one of the signs that said “Threat to Society” in front of him. This mild mannered man was obviously no threat to society!

Mr. Sillen was absolutely correct in saying that unless we get a serious grassroots effort going, we probably won’t make much of a dent. We need to get out there at the local level and make sure that elected officials, like the district attorneys of our counties, don’t get re-elected if they don’t get with the program. Their organizations have lots of political clout. We need to make sure that organizations like theirs are staffed with members who will work for true reform.

I did an editorial this past week for the newspaper I work for about what psychologists call Bystander Apathy or Diffusion of Responsibility. This happens when people don’t feel that they need to act to because there are so many other people involved that somebody else will do it. This doesn’t mean that people don’t care; they just don’t have a very strong urge to rise to the occasion when there are so many other people who can do it. What it comes down to is that we each need to accept our own responsibility for the crisis in the system.

For many years we have been just meekly following along like sheep and accepting that we cannot do anything about it because we are only one person. We as a people have lived in a state of apathy for many years. We are used to just sitting back and complaining about things, and expecting someone else to fix it. It’s time to stand up as a group and say enough is enough.

Another statement Mr. Sillen made that rang true was that of the group of over 300 people in that room were not representative of the prison population because we were too white. He’s right. The whites were definitely in the majority.

This is so not an issue that’s divided along racial lines. So, where were the other folks? What do we need to do to get people involved with the reform efforts? As a white person, is there anything I can do to cross racial lines and get other people involved? I also wish the turnout would have been better for the rally.

There were some really awesome speakers there too. I particularly loved the speaker who spoke about restorative justice. That is a totally new concept for our system. I hope it can be introduced and can have an effect on the way the system works. I was also very impressed with Judy Greenspan. She is another very dynamic speaker. I really didn’t know very much about her group before today. I’m going to have to check out the organization and see what I can do to contribute my time.

There were many other speakers at both the town hall and the rally that had great things to say. I don’t mean to diminish their messages. My impressions today are
all jumbled around in my mind and these speakers in particular really stood out for me. Another thing that really stood out was that we filled up one of the largest hearing rooms in the Capital to talk about prison reform. I’d say that we are starting to get the word out there! I’d love to hear the impressions of some of the others who were there.

—Joy

Just to add a little bit more about the gathering, Marie Wallace of California Prison Projects, the wife of a lifer and Matt Grey, lobbyist and organizer for the new Union for inmates, families and concerned people pulled this together in a little over five months. There was no blaming or name calling among the speakers. The panel included Harriet Salarno, Founder, Crime Victims United. She had the shortest presentation and talked of their suffering. Chuck Alexander, CCPOA Vice-President, handled many questions asked. His primary position was that there are a lot of good men working in the prisons and what is good for prisoners does make life easier and less violent for the CO. He easily admitted that there were many people in the union who did not care about needed or extra job training.

James Sweeney, Legislative Advisor for the NAACP, talked to the racial bias issues, the damage that is done, the continual stirring of the racial feelings rather than any real coping or education. Sumayyah Wahhed, Book Not Bars spoke to the fact that nothing constructive has happened despite all the promises to improve the old CYA (now called the Juvenile Justice System). As with the adult prisons, the medical mess continues.

One of the more impressed speakers was Robert Sillen, the new federal receiver of the prisoner health care system, who made it clear to us he had a very good idea how very bad the entire system is and that to restore order will be hard and costly. He will be asking for and getting the money necessary to increase medical staff salaries out of the basement and recruit widely. He sounded determined the job can be done and he is the right person to do it. He reported being appalled with the clinics and services at San Quentin and that is not the worst case in the system. There was no time to ask about the interface with the COs as the MTAs and their style of gatekeeping, or the broken 602 system. Sillen said that what we really need to do is build six hospitals: two for mental health—north and south—and six hospitals for serious and long term illnesses.

Another speaker, Dr. Dale Sechrest, Criminal Justice Professor at California State University Santa Barbara has practiced, taught and written and published in the field for 35 years. He has studied many programs and says we know how to help people, allowing them to change thus being capable of getting out and not returning. He says there is no will to really do that.

Other speakers included: John Irwin, Criminologist, Professor Emeritus, Donald Specter, attorney, Prison Law Office, and Bill Degnan, private consultant to the CYA. While each made good use of their time the whole is best summed up by the presentation of attorney Charles Carbone, who repeated their conclusions in his statements: Building more prisons is not the answer—build ‘em, we fill ‘em. Lots of the other ideas presented are like rearranging the deck chairs on the Titanic until there is other ideas presented are like rearranging the deck chairs on the Titanic until there is nothing constructive has happened despite all the promises to improve the old CYA (now called the Juvenile Justice System).

The decisions can be downloaded from the Decisions section of the Second Circuit’s home page at http://www.ca2.uscourts.gov/.

—Sally

COURT DISMISSES VOTING RIGHTS CASE

On May 4 the US Court of Appeals for the Second Circuit dismissed Muntaqim-Hayden Voting Rights cases. The court concluded that the disenfranchisement law does not violate Section 2 of Voting Rights Act.

Both felony disenfranchisement cases, Muntaqim v. Coombe and Hayden v. Patataki, consolidated in Feb. 2005, were dismissed today by the US Court of Appeals for the Second Circuit.

Muntaqim-Hayden had challenged New York’s disenfranchisement law that bars people with felony convictions from voting while they are in prison or on parole. Because Blacks and Latinos are disproportionately arrested and convicted of felonies, the plaintiffs charged that the law dilutes the voting power of the Black and Latino communities, and in doing so violates Section 2 of the Voting Rights Act because of its denial of the right to vote on account of race.

In the first of two decisions, the Second Circuit today dismissed Muntaqim v. Coombe, arguing that because Muntaqim was a resident of California before his incarceration and thus was never eligible to vote, nor did he ever vote in New York state, he lacks standing and consequently, the court lacks subject matter jurisdiction. The Court contends:

“Because [Muntaqim’s] inability to vote in New York arises from the fact that he was a resident of California, not because he was a convicted felon subject to the application of New York Election Law . . . he has suffered no ‘invasion of legally protected interest.’ . . . [A] favorable decision of this Court on his claim that New York Election Law . . . violates the VRA would do nothing to enfranchise him.”

The Second Circuit also dismissed Hayden v. Patataki concluding that “Congress did not intend the Voting Rights Act to cover such [felon disenfranchisement] provisions” and that such an application “would alter the constitutional balance between the States and the Federal Government.”

The decisions can be downloaded from the Decisions section of the Second Circuit’s home page at http://www.ca2.uscourts.gov/.

PRISON FOCUS
SLAVES OF THE STATE

By Ed Mead

E very human being has a right to life, liberty, and the pursuit of happiness. Rightly or wrongly, prisoners have lost their right to liberty, but their inalienable right to life and the pursuit of happiness remains.

While CPF stands for the abolition of prisons, a goal that in this writer’s opinion will require a radical transformation of existing class relations, there are a number of intermediate steps that can be taken while on the road to that goal. If we keep some basic human rights in mind we will not get lost in the twists and turns that are a part of that journey.

As a prisoner you are kept in a perpetual state of dependency and irresponsibility. To become a fully actualized person you must become a responsible and independent individual, and do so in spite of your condition of slavery and involuntary servitude. You have to take responsibility not only for your immediate environment, but for the entire human condition as well. In doing so you will become the person you know you need to be. There’s an old Sufi teaching that goes something like this: Past the seeker as he prayed came the crippled and the beggar and the beaten. And seeing them...he cried, “Great God, how is it that a loving creator can see such things and yet do nothing about them?”...God said, “I did do something, I made you.” While I’m a godless commie, I think you get the picture.

The Thirteenth Amendment to the US Constitution banned slavery except for those convicted of a crime. In other words, slavery still exists for some 2.3 million Americans. Worse, there are countless millions more who have been disenfranchised (a modern Jim Crow) as a result of their status as previously convicted persons. If formerly incarcerated individuals had been permitted to vote in Florida’s 2000 presidential election George W. Bush would have never been president. Democrats know this.

From California to Florida there is a push by liberals to enfranchise ex-felons. This has nothing to do with their love of prisoners, and everything to do with their love of the Democratic Party. Even the New York Times has editorialized on the need to give ex-felons and even prisoners the right to vote. They understand that, for the most part, prisoners will not be voting for pro-lock ’em up, pro-death penalty, anti-parole Republicans. So here comes the vote, not from the courts, but from bourgeois politicians. Oh, the courts may hand down the ruling, but it will be the existing political climate that caused it to happen. In the late 1960s and early 1970s it was the prisoners that created the climate for judicially mandated reform and the expansion of prisoner rights. Today, sadly, it is the liberal wing of the bourgeoisie that is providing the necessary impetus.

What does voting have to do with shutting down the SHU? The path to closing the SHUs is the same as that needed to organize around the right to vote and the final abolition of slavery in the United States. Conjugal visits, prison wages, and myriad other issues can be raised at the same time, but the guiding star should be the elimination of the pro-slavery segment of the 13th amendment. It is through organizing around these issues that the strength necessary to shut down the SHUs can be built. We are not going to accomplish this goal by lobbying bourgeois politicians, or by litigation, but only through organizing—both inside and out.

Why not organize only around the SHU, which is the reason for being of California Prison Focus? Because the object is to win! Only by involving the general prison population and their families in the larger struggle for change can the necessary strength be developed. And neither the general population nor their families are going to go down for the SHU alone.

Back in the day my friends and I (we called ourselves the Walla Walla Brothers) shut down a SHU. It was named the Intensive Management Unit (IMU) in the Washington State Penitentiary at Walla Walla. One day I would enjoy writing the whole story of how we shut down the IMU and its transformation from a hole to a privileged housing unit. But for now my point is that it can be done by aiming our meager resources at the most advanced elements, both inside and out.

What’s an advanced element? There is an anti-war movement out here in minimum custody, a very weak one but it exists. Prisoners need to become a part of this movement. There will be no meaningful support for our movement until we on the inside openly support those comrades engaged in other struggles for peace and justice. When you can make this simple leap in consciousness, when you’ve really internalized it, that is when we will have a prisoners’ rights movement again.

As you well know, you’re being held at gunpoint, against your will, in a literal condition of slavery. You are completely disenfranchised from the political process. It is illegal for you to organize. You are not permitted to correspond with each other. And I won’t even bother going into your medical care or other conditions of existence, which you know only too well.

Don’t you think it is about time to take some modest steps in the direction of constructive change? You have numerous non-violent weapons at your disposal. With the creative and simultaneous use of these tactics progress can be made. By creative I mean educating your fellow prisoners about not only their rights and obligations, but also about the true nature of the war and what real patriotism means. And at the top of your list of demands should be the demand to bring the troops home from Iraq. Polls say it is what the troops want and it is what the majority of Americans want. Join them. From the implementation of this demand will flow the outside support you so desperately need. As Martin Luther King said, “A time comes when silence is betrayal.” Don’t you think that that time just might be now?
A CRITIQUE OF “BUILDING A POLITICAL PRISONER SUPPORT MOVEMENT”

By Ali Khalid Abdullah

In review and careful reading of the article by Dan Berger and the response by Tom Big Warrior in the last issue of *Prison Focus*, I found many good arguments. But there are a few additional points I would like to make, because I think it very important we clearly understand the basic core of the argument, which I believe is the overall prison condition and the very nature of prison.

The argument by Dan Berger of building support for political prisoners left much unsaid about non-political prisoners, or shall I say, those who did not come to prison due to their political objectives, beliefs or conscience. Likewise, Tom Big Warrior’s response did not address the issue of those who are not readily classified as a political prisoner which leaves the majority of the population, politized prisoner, social prisoner and the plain ordinary criminal prisoner un-represented.

Let me be clear, I am not seeking to negate the serious need for us to build support for our fallen comrades who are in prison and have been languishing in prisons for decades for their political activities. On the contrary, I not only advocate, but demand that people step up and get these brave men and women out of prison. At the same time, however, I understand the very fabric of prison and for what it was created. I see how the political, social and economic conditions have caused many people to commit what we would call economic or social crimes, including those who are mentally unstable. And so, I want to begin by addressing the concept of prison itself.

THE PURPOSE OF PRISON

The purpose of prison isn’t to rehabilitate the so-called offending party or the rule breaker of society. Perhaps, that was the initial intent when the Quakers first came up with the concept of imprisonment centuries ago. But in today’s reality, imprisonment means something different. Today, prisons are about social control, dealing with an excess of bodies that labor cannot handle, and to another degree, population control.

Now, if we look at the very nature of imprisonment and what it is designed to do, it is not just about punishing the guilty, but in fact, is about controlling society in a particular way and having the right amount of examples to persuade the remaining populace not to do anything that may offend the mainstream social order controlled by the elite ruling class. I believe Dan Berger alluded to this when he commented, “[t]heir presence testifies to the ongoing legacy of social problems, which in itself is central to the cycle of crime and punishment.” That is correct. Long term political imprisonment is a legacy of social problems, which in fact, does not only affect the political prisoner but prisoners in general, including the ones who’ve committed horrible social crimes—because in order to commit crimes such as rape and murders one has to look at the social environment that gave rise to such acts, or the mental balance of such a person at the time they’ve committed the acts.

I think it is important to look at these different points of view when we talk of any prisoner support movement, because if we don’t, we wind up being overly selective and supporting only one group of prisoners at the expense of the oppressors having their way with all others not defined as political prisoners.

We speak highly and often of comrade George L. Jackson, and rightly so. But, he initially was a social prisoner or an economic prisoner who came to prison on a $70 gas station robbery. Under the concept and definition of political prisoner Jackson should not have been supported by a political prisoner support movement because he did not come to prison for a political action; he became politicized while in prison.

Another example is that of comrade Eldridge Cleaver. Brother Malcolm X is another glaring example of one who came to prison as a common thief, robber, pimp and hustler but became, not only politicized but also very astute religiously and was instrumental in galvanizing millions of Black people to join the Nation of Islam. Later he inspired millions more to begin challenging the US role in human rights issues that reached around the world. But, these dynamic and powerful men would not have been supported based on having merely a “political prisoner” support movement in strict terms. And that is why we need not narrow our view when we have discussions about building prisoner support movements, but at the same time fight to aid those who are in prison for political activities.

DEALING WITH THE JUDICIAL SYSTEM

In comrade Tom Big Warrior’s response article, he pointed out the need to effectively abolish the 13th Amendment and “unleash a storm of litigation and demands for change in the criminal justice system.” Well, first off, history shows us that this government and its criminal (in)justice system have never and will not honor their own laws, and for us to place our hope in them honoring any law that will hurt their agenda is just not realistic. No oppressor will honor a law that will bring them down from power; that’s not going to happen. That is why the American government has not lived up to any of its treaties with the First Nations people; why Bush outright rejected the Kyoto agreement to limit the amount of carbon dioxide emissions (which is causing, according to leading world scientists, greenhouse effects); and why the ban for nuclear proliferation hasn’t been resigned by the Bush administration.

Therefore, arguing that we should file all kinds of litigation in their good old boy judicial system isn’t going to create the kind of outcome serious minded revolutionaries are looking for, and incidentally, why the 13th Amendment remains strategically and soundly in place. It is going to take a much greater effort than mass litigation to change the conditions we are up against.

If we examine the criminal justice system, 80 percent of those who go through the system end up with a plea agreement. Guilt or innocence depends largely on how...
much justice we can pay for. More often than not, those who choose their right to a so-called fair trial, are found guilty by a jury who starts out believing that merely because you were arrested, you are guilty, not to mention the fact you are never being judged by a true jury of your peers. Or the fact that defendants are often represented by incompetent court appointed attorneys who are vastly underpaid, have huge case loads and lack the matching funds prosecutors have to properly represent their clients. Or how the courts will make idiotic claims to justify their refusal to grant relief where relief is warranted.

And so, looking to the judicial system as a means for real justice and quoting their laws is meaningless unless we have the full backing of the masses to enforce change.

**SYSTEMATIC BETRAYAL OF PEOPLE OF COLOR**

The system has decisively and fundamentally betrayed and failed Black people at crucial turning points in history, just as they have done to First Nation’s people and the immigrants—even to this day. But, I want to point out the superexploitation of this government in order to bring this critique full circle.

From 1867 to 1877 the federal army, the Union army, remained in the South (after the Civil War) as the enforcers of some real and significant reforms that were carried out, both in the economic base and in the political superstructure. Black people were promised forty acres and a mule which was crucial for Black people at the time, in order to move past the devastation of slavery.

Along with the promise of forty acres and a mule, other economic and political rights were promised to Black people. And for a brief period of Reconstruction while the full promise of these rights was never realized (just as the full rights and promises made to the First Nations people never materialized), there were significant changes and improvements in the lives of Black people in the South. The right to vote and hold office, and some of the Constitutional rights that are suppose to apply to the citizens of the US, were only partly realized by former slaves during Reconstruction. And yes, some Black folk were eventually elected to high office positions, in some southern states.

However, it was contradictory. While progress was being made, it was also hindered by the same apparatus: the government of the United States. The same thing happened during the 1960s Civil Rights Movement, the Women’s Liberation Movement, the rise of the Black Panther Party and in the 1970s during the American Indian Movement, and in the more current anti-war, immigrant, gay and lesbian movements.

**CONCLUSION**

In light of these facts, we can now see how we have arrived at a nation that has more than 2 million of its residents in prisons and jails, on parole or probation, with big business and private corporations investing and operating these prisons, and why we must go beyond the call for merely supporting a select number of prisoners and raise our attention to how prisons, in general, are superexploitative kapital ventures that demand our attention towards building a real base for prisoner support movements in general, with specific urgency to free up our political prisoners.

The exploitation of all prisoners today has nothing to do with who is or isn’t a political prisoner, politicized prisoner, or criminally insane prisoner. Communication companies such as, AT&T, Sprint and MCI are not making a distinction who they exploit or overcharge for collect phone calls. These companies rake in billions at the expense of all prisoners and their families. And Smith Barney, American Express and General Electric don’t care if the prisoner is political or not—they have invested money into building prisons to house anyone.

Let our work and our demand not be limited to support only the political prisoner and set up exclusive political prisoner support movements at the expense of not addressing the real issues of all prisoners and, in fact, the prison system and the overall mechanisms that fuel the politics for prisons in the first place.

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**NO RELIEF NO RETREAT**

*By Bato*

**NO RELIEF NO DEBRIEF**

**NO HELP ANYTIME SOON**

**MAKE NO BELIEF! SITTIN’ IN SHU PRISON**

**THERE’S NO RELIEF NO RETREAT**

**NO BELIEF IN GOD IN HEAVEN**

**THE DEVIL’S GOT ME**

**NO DEBRIEF NO YES YES**

**WHERE ONLY — REVOL—LUTION——ARIES**

**——REBELS HOMEGROWN**

**STAND STRONG! RESIST!**

**NO JUST COMPENSATION**

**NO CONSIDERATION**

**WHAT YOU SAY—— WHAT YOU DON’T SAY DON’T MATTER!**

**NO RELIEF NO DEBRIEF**

**WHAT YOU SAY IS NOT NEW SITTIN’ IN PRISON SHU**

**——TELL A LIE ON A FRIEND TO SAVE YOURSELF——**

**FROM HELL-ON-EARTH...**

**BEGONE!**

**NO RETREAT NO DEBRIEF**

**SNITCH PAROLE OR DIE**

**WHERE TIME STOPS STILL CAGES FILL PRISONERS ROT**

**NO NO YES YES MERCY NO GOT**

**MAKE NO PLANS ANYTIME SOON EXCEPT TO DIE IN YOUR CELL WHEN LIFE RUNS OUT**

**NO RELIEF NO RETREAT NO DEBRIEF**
AN OPEN LETTER FOR TOOKIE WILLIAMS

“Emancipate yourself from mental slavery, none but ourselves can free our mind . . . How long shall they kill our prophets while we stand aside and look...”

Bob Marley & The Wailers, Redemption Song

By Patrick A. Acuna

I am a 32-year-old Native (First Nation) American of Apache and Xicano decent from the Los Angeles area. I have been incarcerated (warehoused) in California’s state prison for the last 12 years. I fought the death penalty for three-and-a-half years and was ultimately sentenced to a term of Life Without Parole (LWOP)—the very sentence that “clemency” would have granted to Stanley Tookie Williams had his petition proved successful. LWOP means that I will never be released from prison, and neither would Tookie, had he the opportunity to live.

I won’t belabor you with statistics regarding California’s incarceration rate. Nor will I delve into the fact that there are more poor people (especially, poor people of color) in prison, and on death row, than any other demographic category. I’ll leave that to those more learned than myself. Rather, I would like to humbly share a few thoughts regarding the significance, in my opinion, of the state sanctioned murder of Mr. Stanley Tookie Williams.

First, allow me to say that, neither I, nor Tookie, nor his most ardent supporters have ever, or will ever, make the claim that Mr. Williams was a man without a checkered past.

We cannot—must not—down play Tookie’s role in the co-founding of the Crips. It must be recognized, though, that no one individual is responsible for the amalgamated mayhem associated with the Crips gang.

Furthermore, institutions, such as the Crips street gang, are not formed in a vacuum. If society is truly concerned with the eradication of criminal street gangs, then the conditions that foster fertile ground must be correctly analyzed and rectified.

Tookie did not create the economic depravity and impoverishment that pervaded his neighborhood.

He, and many others like him (including myself), were merely products of their environment.

Had it not been Tookie, it would have been someone else; had it not been the Crips, it would have been a gang by another name. Sadly, it is easier (and cheaper) to blame the product than to address the system that creates the product.

That submitted, I’ll move on.

The murder of Tookie Williams should serve as a clarion call to all those who (albeit, falsely) believe that the CDCR—formerly the CDoC—is dedicated to “corrections” or “rehabilitation,” nothing could be further from the truth. The prison industrial complex (PIC) is big business. The last thing the state government wants is redemption.

Tookie was a textbook model of rehabilitation. From co-founder of the notorious Crips street gang, to peace and social justice advocate: he had “turned the corner.” Tookie had counseled numerous youth through his books and web-site, hoping to spare them a life of gangs, drugs, violence, misery, prison, and ultimately, death.

What was the response of the state? To murder Tookie.

In the myopic eye of the politician, I’m sure the decision to kill Tookie must have seemed like the correct move. After all, from a politician’s perspective, what is there to gain by sparing the life of this (multiple) Noble Peace Prize nominee? Sure, you’d gain the support and gratitude of a demographic of people that either can’t vote (due to criminal convictions), or traditionally fail to vote. Conversely, via the murder of Tookie, Gov. Schwarzenegger solidifies his base of moderate-to-conservative voters—who are more apt to actually vote.

Gov. Schwarzenegger’s statement on his decision to murder Tookie cited a reference made by Tookie on [a since deceased political prisoner] George Jackson. Schwarzenegger used this acknowledgment of Jackson as an indicator of Williams’ (alleged) lack of reform and allegiance to violence. By harping upon a reference to George Jackson, the state only underscores the true political nature of the murder of Mr. Williams. In effect, by their own admissions, the state has elevated Tookie Williams’ status to that of a political prisoner. Thus, his murder becomes a state-sanctioned assassination.

Tookie, like George Jackson before him, made the scientific leap from criminal-minded to political-minded. George Jackson continues to be an inspiration to the wretched of the earth, especially those of us caught within the clutches of the belly of the beast, ever struggling against the injustice system and modern prison machinery. Like Brother George, Tookie asked us to empower our mind and to challenge the status quo. But, let us be clear, Tookie Williams was no George Jackson. (No disrespect intended.)

He was a threat to the current power structure; weak individuals feared the likes of a Tookie Williams—just as they feared George Jackson. The masta trembles at the thought of a slave revolt.

Tookie had the charisma and credentials to build solidarity across racial, political, gender, and religious lines. Imagine the entire prison population banding together—a la Attica—to demand adequate medical and mental health care, confidential access to the media, independent investigators of abuse/harassment of prisoners by guards, non-genetically modified food products, potable water, dismantling of the SHU (Security Housing Units), the end of phone contracts that overcharge the families of prisoners, the right to unionize and be paid a minimum wage. Tookie had the platform to bring these issues—and others—into the public arena. With one call, he could notify his contacts (i.e., celebrities, the media) and shine a spotlight upon a planned protest (e.g., boycotts, work-stoppages, sit-downs, hunger-strikes, etc.).

In prison, such solidarity would engender a monumental shift in over-all consciousness but the impact would be beyond comprehension. Education, critical thinking, rehabilitation, and the transcendence of past anti-social behavior would not only be encouraged, but the norm. In short, the consciousness of the masses would be quickened. New men and women would be returning home to their communities with a mission of redemption. Where once we terrorized, we would rebuild. We would reclaim our neighborhoods and our children by becoming the positive role-models that
wide-spread support from diverse sectors—i.e., celebrities, politicians, educators, and common citizenry. It isn’t often that a co-founder of an outlaw street gang renounces his or her past sins and speaks out against gangs and violence. It isn’t everyday that a convicted murderer is nominated (six times!) for a Nobel Peace Prize. The killing of Tookie has set the bar impossibly high for the rest of us lifers and death row prisoners. The reality is that the majority of us will never have songs sung, or movies produced, based upon our life story; we, common convicts, will never come close to achieving the level of notoriety that Tookie was able to amass as an individual. This reality will soon begin to sink in and fester in the hearts and minds of men and women who’d once grasped at the long-distant hope of parole until, more and more, we realize that we have absolutely nothing to lose and everything to gain.

It is time for a new generation of prisoner to awaken from their zombie-like existence. It is not necessary to wait for widespread support to affect change. I believe that a single individual can change the world. That is, we must begin to make fundamental changes within ourselves and stand fast upon our convictions. Too often, many will pump their fist and feign revolutionary zeal, but, when it comes time to suffer, to bleed, to die—in a protracted campaign of resistance—they drop their fist, their eyes, their head, and continue to live on their knees.

For too long we have allowed ourselves to be divided along racial lines. For too long we have allowed the state the right to kill. For too long we have allowed the murdering of our leaders. For too long we have stood on the sidelines, looking on, as others stepped up to challenge the forces of oppression and repression that are rampant in the current system.

History teaches us that resistance manifests in multiple forms; from boycotts, to pushing paper-work, to monkey-wrenching, to much more! We must be creative, resolute, and fluid in our struggle. It is imperative that we recognize that we are the cogs in this machine, i.e., we maintain and keep this beast functioning. Without our cheap/slave labor to exploit, the beast will starve. We have the ability to shut it down. All that is lacking is the solidarity, organization, discipline, and the tenacity to stay the course.

The state has unwittingly afforded us a gift. They have blatantly revealed the on going class-war that is actively being waged against us, against our loved ones, and against all the impoverished nations of the world. The state has only succeeded in creating a martyr. Tookie was a man of flesh and blood but, now, he will become a symbol of resistance. The legend of Tookie Williams should be, for all those that are oppressed, a rally cry. Just as the early imperialists garnered solidarity around the cries of “Remember the Alamo,” so shall we rally around the call to “Remember Tookie—Tookie lives.”

Brothers and sisters, do not mourn Tookie; Organize! ✪

our youth desperately need.

The recidivism rate would plummet. Parole and probation caseloads would be slashed significantly. The decline in prison population would be so substantial that many of the current prison facilities would no longer be necessary. Prison land would be available to be reallocated for new People’s parks, youth recreation centers, affordable housing, schools, and free universities.

Instead, Gov. Schwarzenegger murdered Tookie.

What message does this send to California’s lifers and death row prisoners, and prisoners in general? The message is clear: in the state of California there is no rehabilitation, no redemption.

With the state’s harsh laws that carry stiffer sentences (not to mention, Prop 21, which allows our children to be sentenced to life in prison as young as fourteen, and to death as young as 16 years of age) what incentive is afforded to the lifer or death row prisoner to reform, to work towards becoming a productive member of society, to heal? To be blunt, there isn’t any. This policy will deliberately create an ever more hostile and violent atmosphere for prisoners, and prison guards alike.

Just as Hurricane Katrina showed us in New Orleans, the murder of Tookie highlights the ingrained classism and racism within the United States. The true nature of this country’s prison system has been laid bare for the world to see. The US prison system is dedicated to the control of the superlative population; the silencing of revolutionaries, and political prisoners, and shamelessly pandering to corporations seeking slave labor—not the safety and protection of society.

Tookie’s personage was unique in that it is rare for a prisoner to generate such wide-spread support from diverse sectors...
WHO ARE WE TO JUDGE?

By Jane Dortik

I choose to define myself by my spiritual leanings, by my intentions, not by my surroundings. I am a psychiatric nurse by education. I have worked all my life in the health care field, the last twenty years in a leadership senior executive capacity for mental health organizations. I am mother, a wife, an optimist, a nonconformist, and an animal lover. But now my surroundings threaten to swallow me up, and engulf me in a sea of despair.

Four and a half years ago my life was blown apart in a hurricane of events that I am just now beginning to put into some kind of perspective. My husband was brutally murdered by an unknown assailant while he was out jogging. Four days later, I was arrested and charged with killing my own husband – the man I loved and lived with for over thirty years, and the father of our children.

Through an ego driven trial lawyer, a seriously flawed defense strategy, and a sequence of judicial rulings that allowed the jury to hear less than half of the actual evidence, I am now serving a 25-years-to-life sentence at Chico (CCWF) prison. VSP and Central California Women’s Facility (CCWF) exists the largest concentration of incarcerated women in the world: more than 7,000 women in a few square miles. We are packed in, eight women to each small cell, originally built to hold four. The enormous range in age, race, and temperament exacerbates the stress of this constant crowding, noise, and regimentation. Most incarcerated women smoke, so although smoking is supposedly forbidden in the building, non-smokers must constantly choke on secondhand smoke. The correctional officers (COs) tell us they don’t care, nor will they group non-smokers together in one cell. There is never any privacy, no solitude; every day is filled with constant bickering, screaming, and racial agitation just from the severe overcrowding. We have to endure frequent and pointless cell searches for contraband, which includes scotch tape, paper clips, extra state towels. We are subject to lockdowns on the slightest pretext (like valley fog). We are lined up and marched over to the dining hall for meals, and four armed COs stand guard outside the door to make sure we don’t take an extra 8-oz. carton of milk or exit with ice in our cups. We are treated like cattle, or worse, because cattle are generally well fed.

And what are we doing to rehabilitate women prisoners? Even if we temporarily ignore the issue of whether we should be here, what are we doing to help improve the lives of incarcerated women and society as a whole?

God knows I want to keep society safe as much as anyone else. But locking away literally millions of US citizens and then treating them like animals is not the way. Haven’t we recognized that placing individuals in prison actually fosters criminal behavior instead of curing it?

We are definitely not succeeding at keeping society safe; instead, we are creating an environment of fear and conflict, hatred and power. This prison industry is an industry gone awry – gravely compromised, rampant with abuses and hatred. It is a terrifying breeding ground for racism, sexism, homophobia, and dominating exploitation of other human beings. We are warehousing people, punishing them and returning them to society worse off than when they entered the system. The violence that then comes out of these prisons is a much greater threat than terrorism. Keep things quiet, don’t talk about the abuses, the special treatment granted for sexual favors, the drugs supplied by the COs. I know an inmate who for six months could get any kind of liquor she wanted – not even repackaged to hide it. COs covertly supply inmates with a wide array of contraband from cigarette lighters to heroin in exchange for favors or payoffs. I know COs who literally reek of booze all day long, often stumbling, slurring during their work hours. Then they are ‘on leave’ for several weeks. The return to work and the cycle starts all over.

Many of the COs (and most are male in this female prison) openly humiliate and denigrate these women and then laugh about it:

‘Keep moving; you’re attracting flies.’
‘Get your ass back in here and stop slurring around.’
‘Now what do you want? To put your mouth on my cigar?’

But to speak out against any of this guarantees retaliation in the ugliest of ways. One inmate was actually brave enough to report a sexual assault on her by staff. The incident was ‘investigated’ and reasons were found to issue her a disciplinary action. Her telephone privileges were rescinded,
cutting her off from her family, effectively preventing her from seeking legal help outside the prison for the assault she suffered. This is a horrifyingly difficult environment to try to survive in; many compromise a great deal to assure survival.

Health care is similar to that in a third world country. Many who need diagnostic tests, or simply a thorough assessment of symptoms, are needlessly delayed until it is a crisis situation, in some cases until the cancer is inoperable. Prisoners are not routinely screened for Hepatitis C even though transmission in prison is practically epidemic and the Center for Disease Control has requested all states to screen total prison populations for Hepatitis C infections. The Center for Disease Control further states, “The nation’s prisons are primary incubators of the worst diseases affecting the national population.”

One prisoner in this yard tried for several days to access medical care for alarming symptoms. After waiting in the clinic line for hours, she was consistently refused care and derisively told to stop malingering and get the wheelchair she was in back to the clinic. The next morning she was dead. The inmates attempted CPR; the COs wouldn’t touch her. You might assume that this degraded level of care at least carries a cheap price tag, but in fact the costs are staggering. California’s starvation budget is disproportionately burdened by this corrupt system.

I am learning so many things in here. I am learning to rise above the stigma of being identified as a criminal. I am learning to let go of the anger, the anguish. When I first arrived here, I was devastated, but it was a stunning and humbling experience to realize—these are also God’s children. We are all souls trying to find our way in life. No person has any more or less value; no ethnicity, no occupation, no accomplishment has any greater or less intrinsic worth. Who are we to judge?

I have finally been able to let go of some of the personal sense of injustice. It is a great injustice...but on some level—so what? Injustices happen all the time; people contract diseases, get hit by automobiles, suffer great tragedies. So what? We still have to get on with life. We still have a great responsibility to add some comfort, bring more kindness, promote integrity in our daily lives regardless of the circumstances we find ourselves in. And in a larger context, we all also have a responsibility to speak out against a social wrong.

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**EDITORIAL COMMENTS**

**By Ed Mead**

Some of our regular readers will not be receiving this issue of the newsletter because they did not send in a subscription verification letter. As regular readers will recall, our database was such a mess that we had to have you write and let us know if you still wanted to receive Prison Focus. Thousands of you did and your information has been updated in the CPF database. I’ve dropped prisoners who have not sent us such a letter and who have not had their database information modified since 2003. About 2,500 prisoner names were removed from the database. If you are a California SHU prisoner or contributor to the newsletter and want to get back on the mailing list, send us your information.

I would like to extend hearty thanks our prisoner readers for sending us the names of your family members and loved ones on the outside. As you may recall, CPF had a grant of up to $5,000. We were to be paid $10 for every outside address prisoners sent to us. Thanks to you we reached that goal, and now (starting with this issue) your people on the outside are getting a free one year subscription to Prison Focus. The campaign was so successful that it has been extended for another $2K. (See the box on page 19.)

How do you like the artwork in this issue? It’s all original. And, with the exception of the front cover, which was drawn by Christopher Miller, the rest of the artwork was drawn by a Texas prisoner named Michael Sparks and given to us through the Prison Art Project. We extend a special thanks to both Christopher and Michael for their contributions. If you would like CPF to use your art in a future issue of the newsletter, send us high quality copies or originals that you don’t expect to be returned. Needless to say, it must be prison-related artwork, and not all artwork submitted will be used.

Let me take a moment to once again remind readers that CPF is a small, all-volunteer organization that survives on donations. We do not get, nor do we want, any state money. We have no paid staff. Indeed, paying our rent each month is a challenge. We are working on this issue of the newsletter while not knowing for sure if we are going to have the thousands of dollars needed to print and mail it to our readers. So please, if you can, send us a few bucks from time-to-time, or at least some stamps. We also need your loved ones on the outside to become working and dues-paying members of CPF. So if you have people in the Bay Area, send them to us. Folks in other areas of the state can also start CPF branches.

While we ask for your support, instead what we often get from the inside are hundreds of letters asking us for something. These “gimme” prisoners are draining our meager time and resources. It would say to the “gimme” generation, stop being an energy and resource drain—give your strength to the struggle, don’t take from it! This fight is about more than your individual problem.

Also, let me once again remind you that CPF is not a legal aid organization. Though we make legal visits to the prisons and work with attorneys, we do not take on legal cases. Our LIP program is overburdened. To make things clear: we do not have the resources to return your mail, so please do not send legal solicitations. Do not send us your legal papers. What happens to such unsolicited papers depends upon who opens the mail that day; they may be returned, tossed in a box where they will be ignored, or even thrown away. Yours is just one of more than 100 letters we receive each and every week. We are simply too busy with our core responsibilities to address these individual situations.

We at CPF go into the SHU prisons as legal investigators and talk with prisoners about conditions and the law as it applies to placement in the SHU. We then write reports on those issues and distribute them to the news media, print them in our newsletter, and we do other things to change these conditions—such as contacting prison officials or conducting demonstrations outside the prisons. These are the core responsibilities of CPF. In the past, when we had more money, we did branch out into other areas of support. But financial realities force us to narrow our focus.

We have several volunteers who work at answering prisoner mail. There is so much mail that they can only answer letters from California prisoners. In the last year CPF’s postage costs reached more than $11,000. This is a luxury we can no longer afford. From now on, unless you are a SHU prisoner, you should not expect a response to your letters to CPF. And even then the volunteer answering you is paying for the postage to do so. This is a sad fact for us, but we are out of money.
International Prison News and Opinion

Israeli Forces Have Arrested a Quarter of the Palestinian Population Since the Occupation Began

The Palestinian Ministry Detainees and Ex-Detainees Affairs Statistics Department issued a report on political prisoners in Israeli jails.

The photo shown appeared for a brief period on the Ha’aretz Daily website with the caption, “Israeli court” a few years ago.

Since 1967 Israeli forces arrested 700,000 citizens, or roughly 25 percent of the Palestinian population of the West Bank, including East Jerusalem, and the Gaza Strip.

Fifty-thousand of them were arrested during the Al Aqsa Intifada, which began in September 2000. The number of current prisoners is approximately 10,300. Those who have been imprisoned since before Oslo, and therefore required to be released numerous times, number 367.

Israeli forces arrested over 5,000 Palestinian children since September 2000. Three hundred and ninety of them are still in Israeli prisons, comprising 3.8 percent of the current total number.

Eight of the children are being held under Administrative Detention, which means without charge or trial. Two-hundred fifty-five children are awaiting trial, 105 children are ill and in need of medical care, and 99 percent of the children were subjected to torture. There are 667 teenaged Palestinians at 18 and 19 years old, therefore not included in the children’s statistics.

As documented by the Statistics Department, 183 political prisoners were killed by torture in interrogation cells, willful killing after arrest, and medical neglect.

Four hundred twenty-four political prisoners have been in Israeli jails for more than 10 years, and 64 more than 20 years.

Regarding the general health, it can be said without exaggeration that all prisoners suffer from various illnesses due to the harsh conditions in the prisons. Serious diseases number 1,000 with 200 chronic cases.

Israel made torture, and internationally banned forms of physical and psychological abuse, legal. The Israelis use physical and psychological abuse, including beatings, refrigeration, fear, violent shaking, standing for long periods of time, sleep deprivation, food deprivation, relatives tortured, spitting in the face, being shackled while bent, beatings in the stomach, back and head, etcetera, to destroy a person’s will and obtain false or coerced ‘confessions.’

Palestine News Network
September 19, 2006

How Did We Sink So Low in Just 6 Years?

By Mike Whitney

“This is how a nation loses its moral compass, its identity, its freedom.”

Rep Jerrold Nadler (D-NY)

How did things get this bad? The “Military Commissions Act” which passed the Republican-led Congress yesterday is a bigger blow to the Constitution and our core values than any piece of legislation in our 200 year history. It is 100 times worse than Bin Laden’s crimes on 9-11.

In a 253 to 168 “party-line” vote, the congress repealed habeas corpus and approved the torturing of prisoners in American custody. It is breathtaking assault on human rights and personal liberty and puts the torturing of prisoners in American custody will and obtain false or coerced ‘confessions.’

The congressmen who supported this mockery have put their contempt for freedom on full display. They have rescinded the oldest and most treasured principle in American jurisprudence dating back 800 years to the Magna Carta. Habeas corpus is the fundamental protection that the one has from the tyrannical and erratic actions of the state.

The proposed legislation allows the president to apply the moniker of “enemy combatant” to any terror “suspect” taken into US custody and strip him of all his human rights. The president is under no obligation to file charges or provide evidence of guilt. The arrest is completely arbitrary and depends entirely on the discretion (whims?) of the executive. It is a flat rejection of the basic belief that “men are innocent until proven guilty”.

Here’s what Winston Churchill said about habeas corpus, “The power of the executive to cast a man into prison without formulating any charge known to the law, and particularly to deny him the judgment of his peers, is in the highest degree odious, and the foundation of all totalitarian government whether Nazi or Communist.”

The bill is another example of Bush’s lawyerly “hairsplitting” which is aimed at gutting the clearly articulated provisions of the Geneva Conventions so that he can carry out his torture-regime with impunity. There is nothing “vague” about “cruel, inhuman and degrading” treatment. It is a standard that has never been challenged in its 57 year history. Until now.

According to the Washington Post the bill “would give the executive branch substantial leeway in deciding how to comply with treaty obligations that fall short of ‘grave breaches’ of the conventions.”

Geneva was designed to protect prisoners from physical or psychological harm. It is intentionally broad to prevent any punishment that involves the inflicting of pain on detainees. Bush has turned Geneva on its head in an effort to maximize detainee suffering while complying with the letter of the law. To that end, the administration has said that “the term ‘cruel and inhuman’ should only apply to techniques resulting in ‘severe’ physical or mental pain.... The abused detainee’s symptoms would have to include ‘serious and non-transitory mental harm.’” (WA Post)

There’s no reason for Bush to pursue this particular track except to expand his personal power and put himself above the law. Injustice only fuels radicalism and undermines the stated goals in the war on terror.
The congress fully understands the implications of their support. They’re giving Bush a free pass to torment and abuse as he sees fit while providing him with the legal cover he needs for his “alternative techniques” (“outrages to human dignity”) Their vote makes them equally complicit in the inevitable hounding, sense deprivation, hypothermia, stress positions, isolation and water-boarding of countless victims of Bush’s deplorable war of terror.

The country is in the advanced stages of moral decay. The Military Commissions Act is not a law at all; it is an expression of Congress’ intention to carry out war crimes against defenseless victims in their charge. The men who supported this bill should be held accountable for its inevitable and appalling consequences.

Information Clearing House
September 28, 2006

WELCOME TO GUANTÁNAMO

New arrivals at Guantánamo Bay, Cuba, detention camp look up from their chained wrists and ankles as the official greeting crackles over the loudspeakers:

“Welcome to the American gulag.

“You have been declared ‘unlawful enemy combatants’ by President Bush. As such - and with the full consent of the Republican-controlled U.S. Congress - you can be imprisoned indefinitely. Until death.

“Your interrogations will begin almost immediately. Remain standing. You may be subject to harsh ‘alternative’ tactics by CIA personnel or U.S. military. Again, each of these tactics has been fully approved by Congress. (No whining. You could be in one of the CIA’s secret, foreign jails. No picnic, those.)

“Rest assured that no interrogation measures will constitute ‘grave breaches’ of the Geneva Conventions’ ban on ‘outrages upon personal dignity, in particular, humiliating and degrading treatment.’ Of course, the main judge of what’s an outrage is our president, who - thanks to Congress - is empowered to ‘interpret the meaning and application’ of the conventions.

“Most of you will never face trial. Just look around at the hundreds of men locked up here for nearly five years. You can call this a ‘black hole’ and a ‘twilight-zone existence’ if it makes you feel better, but it won’t make any difference in your fate.

“Listen, don’t ever forget that some of you are really bad, bad guys who have plotted or executed harm on American citizens. No sympathy for you. Others of you, of course, may not be. You may have been swept up in the chaos of war, or been the victim of mistaken identity or informers with agendas. That’s a tough break for you, but it’s really too much trouble for us to sort it out.

“Periodically, you will be brought before a Combat Status Review Tribunal, where a perfunctory recitation of the charges against you will be read, and which you will have no meaningful means of refuting. Your counsel is warned not to refer to these reviews as ‘show trials.’

“Whatever happens here, there is almost no recourse to the U.S. courts - despite a U.S. Supreme Court ruling that enemy combatants have such a right. As to what you may have heard about the great writ of habeas corpus on unlawful detention stretching back 900 years to the Magna Carta, well, that’s inoperative here.

“Those few of you who are brought to trial before our military commissions will face evidence that may come from hearsay statements, or even coerced testimony produced by torture. If our prosecutors refuse to disclose evidence that would reveal state secrets, they may withdraw charges. Don’t imagine you’ll go free, however. You may still be detained for as long as we deem fit.

“During your imprisonment, your contact with the outside world will be minimal. But should you be granted any calls or messages, the National Security Agency will be listening. Until now, its sweep of international communications may have been an illegal, warrantless fishing expedition. But soon it will have congressional approval.

“Another warning: Under the vastly expanded definition of ‘enemy combatants’ - again, Congress’ doing - there is a good chance you will be joined by many more detainees. Again, we’re not going to be too particular about whether they really belong here. So welcome them kindly.

“Those are the rules. For now, this is the American way - at least until the American people wake up and decide they’re appalled by the way their nation’s human-rights ideals and its Constitution have been trampled underfoot by post-9/11 panic.

“Have a nice day.”

Editorial, PA Central Daily
September 28, 2006

A MAN TORTURED BY MISTAKE

A couple of years ago, President Bush might well have counted Maher Arar as one of the success stories of the CIA’s secret program for detain ing and interrogating suspected terrorists. Arar, a Canadian citizen, was arrested at New York’s John F. Kennedy International Airport in September 2002 because he was on a watchlist; Canadian police said they believed he had connections to al-Qaeda. Rather than being returned to Canada, Arar disappeared into the CIA’s secret system - he was transported to Syria and handed over to its military intelligence service. For several weeks, Arar was tortured by his Syrian captors, who beat him with an electric cable. Eventually he broke and confessed that he had trained at an al-Qaeda camp in Afghanistan.

The problem with this story, as an official Canadian investigation reported last week, is that Arar was innocent. “Categorically there is no evidence” that Arar was a terrorist or posed a security threat, the report stated. He never traveled to Afghanistan. The Canadian police intelligence about him was simply wrong. But after his coerced confession, he was held in a Syrian dungeon for 10 months and suffered “devastating” mental and economic harm before finally being released in 2003.

Arar’s case vividly illustrates a couple of the points that veteran military and diplomatic leaders have been trying to impress on President Bush about the dangers of the CIA program, for which the president is demanding congressional approval. From early 2002 until this month the agency held some al-Qaeda suspects in secret prisons and subjected them to harsh interrogation techniques that, though they don’t include beatings with cables, violate the Geneva Conventions and current U.S. law. Others, like Arar, have been secretly handed over to foreign governments known to use torture in interrogations, including Egypt and Jordan as well as Syria -- a practice known as “rendition.”

President Bush claims that the renditions, secret detentions and harsh U.S. techniques -- which most of the world regards as torture -- have yielded important intelligence. But as the military commanders who oppose such methods have insistently and courageously pointed out, it is well known that the information they produce is unre-
liable. Many detainees, as Arar did, will falsely incriminate themselves or others to avoid abuse. Over time, better intelligence can be obtained by working within guidelines mandating humane treatment of detainees -- such as those in the new Army interrogation manual released this month.

Moreover, as Arar’s case illustrates, cruel treatment of prisoners, even in secret, eventually becomes known and can badly damage the honor and influence of the United States and its relations with allies. The mistreatment of Arar has hurt US relations with Canada and could impede cooperation with its police and security services in the future. Other cases of rendition have similarly upset US intelligence relations with Italy, Germany and Sweden.

_The Saginaw News_  
_Saturday, September 25, 2006_

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**U.N. SAYS US BANS ON X-CONS VOTING VIOLATES INTERNATIONAL LAW**

US Compliance with U.N. Recommendations Critical to Restoring Vote to Millions

The United Nations Human Rights Committee has charged that US disenfranchisement policies are discriminatory and violate international law. U.N. Recommendations released on Friday, July 28 by the Committee call for the restoration of voting rights to people released from prison and raise concerns that the widespread practice of denying voting rights to people with felony convictions disproportionately impacts the rights of minority groups.

The US “should adopt appropriate measures to ensure that states restore voting rights to citizens who have fully served their sentences and those who have been released on parole,” said the Human Rights Committee in their recommendations.

If the U.N. recommendations are implemented, 36 states would change their laws and nearly four million Americans would have their voting rights restored. Internationally, adopting the U.N. recommendations would bring the U.S. in line with the voting rights standards of nations such as Switzerland, Austria, and Ireland whose laws already allow for post-prison restoration of voting rights.

The recommendations follow hearings held earlier this month in Geneva, Switzerland where U.S. compliance with the International Covenant on Civil and Political Rights (ICCPR) was assessed. Voting rights emerged as an issue area of particular concern for committee members.

At the hearings, The Sentencing Project in conjunction with a broader U.S. coalition, submitted reports to the Committee examining U.S. violations of human rights protected under the ICCPR. The Reports document the widespread problems in the implementation of felony disenfranchise-ment laws by state governments, which have prevented a substantial number of eligible voters from registering, and the uniquely punitive restrictions of U.S. disenfranchise-ment laws compared to those of other countries.

_ACLU Press Release_  
_August 28, 2006_

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**PRISONS CAN’T PREVENT OR TRACK ISLAMIC TERROR RECRUITING**

By Lara Jakes, _The Associated Press_

Prisons in the U.S. are becoming major breeding grounds for Islamic terrorists, but state and local authorities are too cash-strapped to prevent or track recruiting, a new report concludes.

The report, to be released Tuesday, found there aren’t enough legitimately trained Muslim religious leaders to counsel an estimated 9,000 U.S. prison inmates who want Islamic services. That allows Islamist extremists to target their vulnerable prisoners with distorted versions of the Quran and other Muslim readings that urge radicalization and violence.

“Radicalized prisoners are a potential pool of recruits by terrorist groups,” concludes the joint study by George Washington University and the University of Virginia. “The U.S., with its large prison population, is at risk of facing the sort of homegrown terrorism currently plaguing other countries.”

Additionally, state and local prison officials struggle to track radical behavior changes of inmates or religious counselors. And staff and funding shortages limit preventative programs, the report found, noting that California officials “report that every investigation into radical groups in their prisons uncovers new leads, but they simply do not have enough investigators to follow every case of radicalization.”

An estimated 2 million people are imprisoned in the United States; 6 percent of them are Muslim, according to the Federal Bureau of Prisons.

Prisons have long been considered recruiting stations for gangs and, more recently, terrorists, but little has been done throughout government to combat them. The report, which will be released at a Sen-
A MESSAGE FOR PRISON ACTIVISTS

As we all know, the left has no base among the masses, let alone the family members and loved ones of prisoners. That’s where we need to build our campaign. Family members know damn well that the CDoC is waging war against their people on the inside. And they know the police are waging war against their communities on the streets.

The masses of young Black, Hispanic, etc. street youth are anxious to learn about the previous generation of organizers, such as Fred Hampton and other movement leaders from the past. The base is there, the question is who is ready to go out and tap into it, rally it and organize it? The strategy and tactics of mass organizing work can be implemented. The Panthers proved it, and today Hamas and Hizbolah continue to demonstrate that they work.

We in the US Left, the Mumia campaign, the anti-death penalty campaign, etc. do not do mass organizing. We haven’t tried to build a base in the oppressed communities. We cling to the campuses and middle class enclaves. We do not learn from the Panthers, or Hamas or other examples of organizing the oppressed to fight for their own liberation. This is the basic problem. When people from the masses come forward, they get pushed away with agendas and an anti-mass style that bores them to death.

Back in the day, J. Edgar Hoover identified the BPP Free Breakfast for Children Program as the greatest threat to national security, not the mass demonstrations, riots or bombings. This was because it represented revolutionaries integrating with the oppressed masses and building base areas for revolution within the oppressed communities. This is the key to Panterism and building towards an actual revolution and not simply a protest movement.

It doesn’t have to be free breakfasts per se, any program based in the oppressed communities that links service to the people with revolutionary education will do. The point is the revolutionaries must sink roots in the community in a visible way that the people can unite with and participate in.

The issue of defending the PP/POWs (past, present and future) is a practical question of concern to more than their immediate families, it is a vital issue for building a revolutionary movement. Revolutions advance in waves. Each past wave sets up the next wave. Each new wave attempts to go further than the last. The veterans of the last wave, free and imprisoned have a duty to serve in the building of the new wave, giving it continuity and the benefit of lessons learned in struggle and paid for in blood.

Whether or not we can succeed in winning amnesty and freedom for the remaining PP/POWs is secondary to linking them, and the struggle to free them, with building the current wave, transforming the prisons into schools of liberation and the oppressed communities into base areas of revolution.

The Left insulates and isolates itself from the oppressed masses and substitutes itself for the masses. It quotes Mao but doesn’t take his instructions to heart to go among the masses and learn from them to share their lives and concerns and empower them. This is what must be done. This we most certainly can do!

—Tom Bigwarrior

ED’s QUOTE BOX

“The bad man is the man who no matter how good he has been is beginning to deteriorate, to grow less good. The good man is the man who no matter how morally unworthy he has been is moving to become better. Such a conception makes one severe in judging himself and humane in judging others.”

John Dewey
1859-1952

“Distrust everyone in whom the impulse to punish is powerful.”

Friedrich Nietzsche

“When the rights of just one individual are denied, the rights of all are in jeopardy!”

Jo Ann Roach

“We hang the petty thieves and appoint the great ones to office.”

Aesop, c.550 B.C.

“The more corrupt the state, the more numerous the laws.”

Tacitus, Roman senator
(AD 56-115)

“The doorstep to the temple of wisdom is a knowledge of our own ignorance.”

Benjamin Franklin

“Those who profess to favor freedom, yet deprecate agitation, are men who want crops without plowing up the ground. They want rain without thunder and lightening. They want the ocean without the awful roar of its many waters. This struggle may be a moral one; or it may be a physical one; or it may be both moral and physical; but it must be a struggle. Power concedes nothing without a demand. It never did and it never will.”

Frederick Douglass

September 19th, 2006
my view that editors/publishers work in the tradition of college professors who create a dialogue between people.

Sensitive Needs Yards (SNYs) is not a small issue that can be ignored nor dismissed. Mead’s apologies for publishing an article about an inmate who decided to go to SNY as a means of liberating himself from SHU was uncalled for. I am not myself SNY. I am a rational individual who’s spent over 25 years in and out of California Youth and Adult Corrections.

SNYs are not going to go away. In fact as I foresee it, it will be the Level IV mainline that will soon fade to little or none, at the rate SNYs are being created.

My whole point is to say, let the prisoners speak, regardless of the views we hold based on some of the decisions we’ve made. With some eight or nine SNY yards already in operation and more likely to come in the wake of this new desegregation ruling (Johnson v. California), alienating them by censorship won’t help us foster any changes not forced upon us already.

In closing: I’ve spoken to a number of SNY prisoners and many have informed me that their placement in SNY had nothing to do with debriefing or telling. Many have stated that the court is now offering them SNY placement before they even reach prison.

T. Washington, Delano, CA

Ed’s Response: I’ve received letters on both sides of this issue. Some finding it impossible to believe that I would accidentally allow an article from a debriefer into this newsletter, and therefore I must be a lover of snitches. Others, such as the letter above, argue that, for strategic reasons, it was wrong for me to draw that line. Bottom line, to advance yourself at the expense of your peers is a sick manifestation of a capitalist dog-eat-dog mentality. It is wrong.

SOLIDARITY AND SUGGESTIONS

Dear CPF:

I wrote CPF in March about the slavery issue and know as we as conscious people press this issue it shall be changed. The general public as well as most prisoners do not realize slavery exists in the land of the “free.” This and the death penalty will be changed when more people become aware of the great injustice of these evils. When I realized the fact of my situation I held and will continue to hold my own protest. I wouldn’t care if everyone else licks boots; I won’t. I have refused and will refuse the state’s slave jobs. The cops get paid enough, let them clean the tier and serve food. Oh yeah, the inmates here do the cops’ job of serving food when there’s a lockdown, which there almost always is.

There are hopeful signs however. What I read in PF #24 p. 23 of a protest at HDSP. The hunger strike at Chino, PF #25, p. 19, and all the instances which happen but don’t get reported. Such as in Soledad this May, when almost every person on this yard stood up by not working or going to chow for days. Of course we only got lied to by the cops. Still this shows that prisoner unity is possible.

Solidarity is essential to effect positive change as we all know. I believe that a big change includes a change in focus from negative to the positive. As Ed Mead reported, CPF #25 p. 24, yes an inter-inmate incident occurred here in February. This happens sadly all over this system quite frequently. Still, why highlight that and not applaud the people on this same yard for standing up in unity?! Calling people “nitwit California prisoners” also is not helpful. People need wise specific guidance. Yes like “grab an old typewriter and publish a newsletter.” Although it’s not that easy. “Carbon copies,” where are those available? What exactly is “other means”?

Actually we have a newsletter, its called Prison Focus, a great resource that can be made even better. For example, the info on Bob Sillen, CPF #25 p.20, much appreciated by me, but where is the contact information? Also the Three Strikes Reform Act of 2006 article, CPF #25 p. 21. Can someone please let me know who exactly is running this? What is their address? I want to get signatures for this if it’s not too late.

CPF needs less poetry and general statements of what is so wrong and more specific useful info. Like nobody should be working for free or less than minimum wage. Nobody with any pride should be volunteering to do cops’ jobs, which include but is not limited to: serving food, cleaning tiers, passing out supplies, etc. More specific contact info is needed. We all should focus more on the positive and celebrate these moments. While there is breath and consciousness there is hope. I will focus on that hope.

Benjamin R. Wood, Soledad, CA

Ed’s Response: I hear you (and others) on the nitwit thing. I came from a smaller and more responsive prison system, where it is easier for prisoners to cause change. So I am sometimes impatient. As for “other means,” they are peaceful group activities.

A CRITIQUE OF CO-EDITOR

Dear CPF:

As I read through the pages of the latest newsletter I was very saddened at your [Leslie’s] position on the debriefing process, and then to print a disclaimer retracting the piece you ran was very degrading and unprofessional in a journalistic sense.

Your retraction lacked a sincere humanitarian acknowledgement for those of us who have gained our individuality back from the debriefing process.

The only real mistake made by Prison Focus was to buckle under pressure from some disgusted readers who are having a hard time at achieving life’s fruitful rewards, at the expense of free-minded people. This act of abandonment…is a shameful act, because the voices of every person incarcerated should be felt and heard by the masses.

We as a people make life altering decisions each day that we must live with. Whether or not the process of debriefing is good, it is a personal choice to take part in it.

Anon, Corcoran, CA

Leslie Responds: This letter was written to me by someone I respect and have known...
for a long time, and I am sure the view he expressed resonate with some of you. I also want to make clear that although CPF does not support the debriefing program, we do not judge those that take part. We know that each person’s experience is different and unique. And we also know that most who go through the program undertook it as a last resort. Our stand is against the coercive measures put upon prisoners by the Department of Corrections that pushes people into the program. The debriefing program is directly linked to the validation process that has allowed long-term isolation of prisoners for administrative (instead of real) reasons.

FYI, In my personal response, I failed to ask the author permission to print this letter; therefore I have not attached his name.

MORE COMMENTS TO PRISON FOCUS
Dear CPF:

Today I received your latest issue, the Spring-Summer 2006, Number 25 issue. I just finished reading everything and wanted to comment on a couple of things.

Page 16, your “accomplishments in 2005.” You said that, and I quote, “…and initiated ground breaking lawsuits to allow death row prisoners to be able to raise funds for legal defense…” I fail to see how this helped us. When I started raising such funds I was given a 115 Disciplinary Rule Violation Report for “Business Dealings,” found guilty and kept in the “hole” for four and a half months. San Quentin’s abuses will find and exploit all ways to institute their abuses. Needless to say, I am no longer seeking to raise legal defense funds. Now, I am at the mercy of a state-paid lawyer. Maybe I should forfeit my appeal now?

Page 19, the article titled, “Grenades Used in Sacto Fail.” Why stop exposing there? On San Quentin’s Death Row they are used 90 percent of the time when actual extractions occur. Keep in mind, our cells are 4-1/2 x 9-1/2.

I’m simply amazed when people cry out, “Abuse!” just like with the Abu Ghrabi, we too in our US jails and prisons suffer even worse abuses on a daily basis. Fix ours before fixing someone else’s! For the free society to do nothing by allowing abuses in the US, supported by tax payer dollars – the free society is just as guilty of abuse as are our abusers! And everyone wonders, or do they, why there is so much hostility in our prison system.

S.R. Whitey Brasure, San Quentin

 Revolution is about problem solving
to get to the revolutionary situation
numerous problems have to be resolved
complex problems have component parts
therefore their solutions must have components too
different tools are needed for different tasks

Our enemy is a paper tiger
strategically it is made of paper and will be blown away
by the power of the people
tactically it has sharp teeth and can chew our people up
so we must pull its teeth
its teeth are the mechanism of repression

Part of this task is stripping the criminal justice system
of its aura of legitimacy and exposing it as a continuation of slavery
the key to this is mobilizing the prisoners themselves
their families and communities and particularly the youth
part of this is also freeing the political prisoners
and converting criminal prisoners into political prisoners

We do this by transforming the prisons into schools of liberation
and the communities they come from and return to into base areas of revolution
as the oppressed, particularly in prison, are divided by ethnicity and nationality
we must organize them along these lines but at the same time
draw them together into a common united front for action
teaching that an injury to one is an injury to all

In raising the demand of amnesty and freedom for political prisoners and POWs
we must recognize that there are two places to demand amnesty from
the federal government (the President) and the state (the Governor)
while there is little chance of winning amnesty from this President
it is not so impossible that we could win it from this Governor,
provided that a significant number of Black voters in Philly raise the demand

The key to this is linking the issue to the overall issue of human rights
and prison reform and the criminalization of a generation
we need to advance on a broad front drawing masses of people into the movement
we need to sink roots into the oppressed communities
and to link the political prisoners/POWs with today’s youth
as icons and role models of struggle

By Tom Bigwarrior
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 policy makers.

Founded in 1991 (as Pelican Bay Information Project) we have made more than 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!

PRISON FOCUS 2007
Prison Focus #27 will deal with the issue of international imprisonment. Issue #28 will be on the subject of prison labor. Send us any material you have on these issues.

Send your articles and artwork please. Due date for submissions for the next issue is January 1st. If you have ideas for subsequent issues send them in to us as well.