

# THE MOVEMENT

WINTER 2012

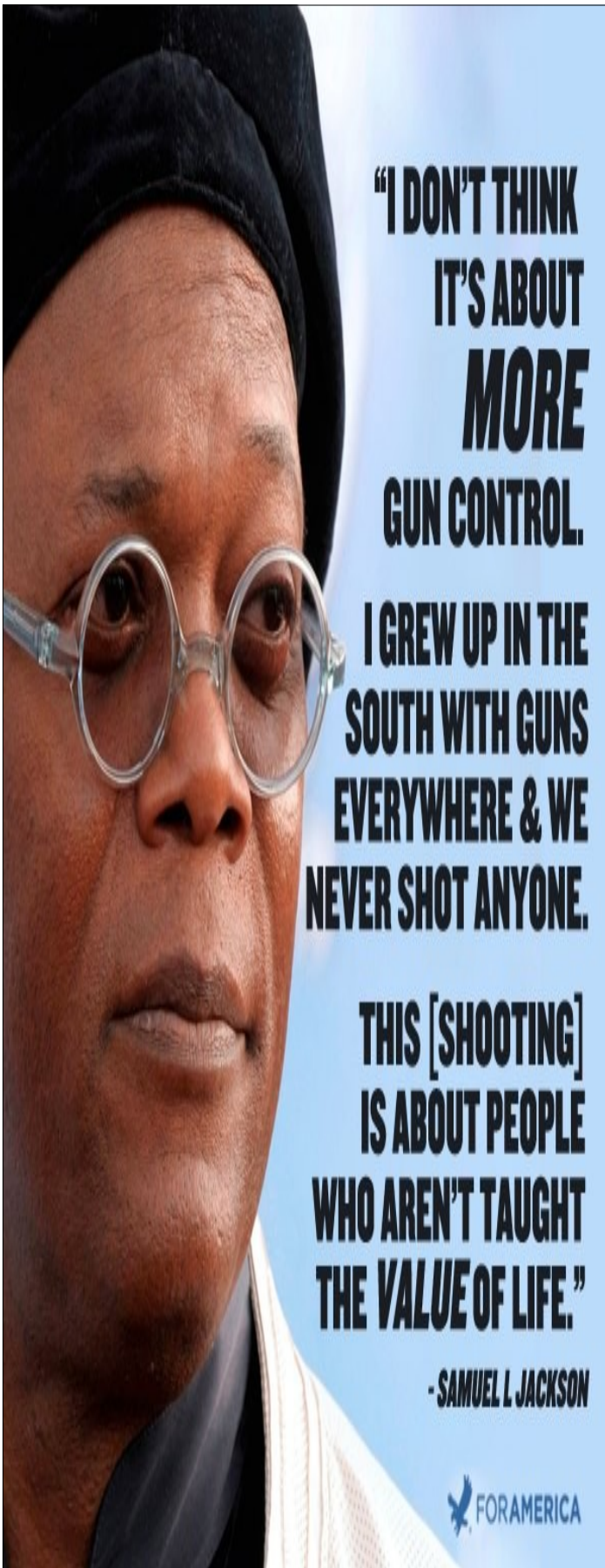
Issue #17

The Official Newsletter of the  
Human Rights Coalition for the union of  
Prisoners' Families

Human Rights Coalition  
Dedicated to Protecting the  
**HUMAN RIGHTS** of All!



You Fall, We Fall.  
Sharing By Families  
Beginning on page 17



**THE MOVEMENT**

[www.hrccoalition.org](http://www.hrccoalition.org)

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# From The Desk of The Editor

*Welcome to The Movement,*

*There has been increased political activism and civil disobedience in our communities by the Human Rights Coalition (HC), Decarcerate PA, Reconstruction Inc., and other human rights groups challenging the Prison Industrial Complex's (PIC) negative impact on Pennsylvania's working-poor communities, public safety, social services, public schools, prisoners, and the families of prisoners.*

*Yet, despite our small groups' Davidian efforts to challenge the Goliathan-Prison Industrial Complex and to serve the human needs of our communities, our groups receive little to no help from the families of prisoners although their incarcerated loved ones stand to benefit the most from our activities. So why the disinterest and non-participation of families of prisoners in groups that can benefit their incarcerated loved ones?*

*I think many prisoners' families do not become involved in groups that can collectively change the plight of prisoners, especially their incarcerated loved ones' plight, mostly out of fear and shame of having a family member incarcerated.*

*Oftentimes, we never stop to consider why, when mothers are asked by people they know, "Where is your son and how is he doing?", they usually reply "Oh, he is away in the army (or college) and is fine." This is code-speak for he or she is in prison. After all, who wants to tell others their son/daughter is serving time in prison. This is due to the fear of what other people will think or say about them and the shame of having a family member in prison.*

*Such fear and shame silences and paralyzes our families from publicly acknowledging their incarcerated family member(s), from speaking on their incarcerated loved ones' behalf, and from advocating for the human rights of their incarcerated family by joining the many human rights groups that are seeking to abolish the Prison Industrial Complex and more.*

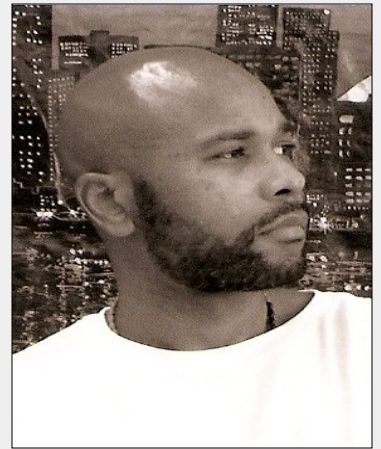
*Societal pressures cause people to shun their incarcerated family members in public while supporting them in private, creating self conflict, and preventing the conflicted person(s) from overcoming their fear and shame of having incarcerated family members.*

*For parents who have incarcerated sons or daughters, there is often the additional layer of "guilt" that also must be overcome. Unfortunately, these parents' guilt stems from their belief that somehow they have failed at raising their children correctly. And because of parents' perceived failure, they assume it is their fault that their son/daughter is in prison, and that if only they would've been better parents their child would not be in prison.*

*That's a helluva guilt trip for a parent to place on oneself, considering that most parents have raised their children correctly by teaching them right from wrong throughout life, and aren't necessarily responsible for the poor decisions their son/daughter may have made to land themselves in prison.*

*If the families of prisoners are to ever overcome the fear, shame and guilt that grips them, they must come to terms with their emotional responses to societal pressures that causes them to leave their incarcerated loved ones at the whims of the state, and understand that there are more external forces at work in society that has their family member(s) and 25 percent of the world's prisoners—mostly Black and Latino/a men and women—under mass incarceration than any individual's poor decision. They don't call America "Incarceration Nation" for nothing!*

*(Continued on page 4)*



(Continued from page 3)

*So let us encourage our families to be brave enough to tell their stories of fear and shame of having incarcerated family members, to break the silence that they may become empowered to join and participate in some grassroots human rights action groups, like the HRC, in their communities.*

*Prisoners and their families can become agents of change, if only they begin joining and participating in the grassroots groups that are struggling on the behalf of [All] prisoners, families, and the safety and empowerment of our communities.*

*Lets Struggle to Win! All Power to the oppressed people!*

*Bro. Shakaboona, Co-Editor and HRC Organizer*

*Shakaboona41@gmail.com*

**Editors' Note:** Attention Pennsylvania prisoners. Due to the overwhelmingly censorship and banning of issues of THE MOVEMENT by the Pennsylvania Department of Corrections (PADOC) and its State Correctional Institutions (SCI) the Human Rights Coalition (HRC) will be seeking legal redress for the violations of its First and Fourteenth Amendments rights. To that end the HRC is asking that PA inmates to do the following: 1.) Notify the HRC when their incoming publication of THE MOVEMENT is censured by IPRC, 2.) Appeal the IPRC decision to the Superintendent and to Final Appeal Review, and 3.) Mail the HRC a copy of your final appeal and the PADOC's "Final Appeal Determination" to:

Human Rights Coalition  
Attention: Newsletter Committee  
4134 Lancaster Avenue  
Philadelphia, PA 19104

**THE MOVEMENT** is mailed quarterly to all prisoners who've requested a copy in the following manner:

Winter Issue - mailed first week of January  
Summer Issue - mailed first week of July

Spring Issue - mailed first week of April  
Fall Issue - mailed first week of October

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## **Prisoners Call for Racial Peace in California Prisons and Jails**

By: Isaac Ontiveros, Prisoner Hunger Strike Solidarity

Oakland—Prisoners in Pelican Bay State Prison's Security Housing Unit (PBSP-SHU) have announced a push to end all hostilities between racial groups within California's prisons and jails. The handwritten announcement was sent to prison advocacy organizations. It is signed by several prisoners, identifying themselves as the PBSP-SHU Short Corridor Collective. (Their statement follows this one.)



**"ALL POWER TO  
THE PEOPLE"**

The Short Corridor refers to a section of Pelican Bay Prison's notorious Security Housing Unit (SHU). Pelican Bay's SHU was the point of origin for last year's hunger strikes which rocked California's prison system, at one point including the participation of nearly 12,000 prisoners in over 11 prisons throughout the state.

The statement calls for the cessation of all hostilities between groups to commence October 10, 2012, in all California prisons and county jails. "This means that from this date on, all racial group hostilities need to be at an end," the statement says.

It also calls on prisoners throughout the state to set aside their differences and use diplomatic means to settle their disputes. The Short Corridor Collective states, "If personal issues arise between individuals, people need to do all they can to exhaust all diplomatic means to settle such disputes; do not allow personal, individual issues to escalate into racial group issues."

In the past, California prisoners have attempted to collaborate with the Department of Corrections to bring an end to the hostilities, but CDCR has been largely unresponsive to prisoners' requests. The statement warns prisoners that they expect prison officials to attempt to undermine this agreement.

"My long-time experience in urban peace issues, gang truces, prevention and intervention is that when gang leaders and prisoners take full stock of the violence and how they can contribute to the peace, such peace will be strong, lasting and deep. I honor this effort as expressed in this statement," says Luis J. Rodriguez, renowned violence intervention worker and award-winning author of *Always Running: La Vida Loca, Gang Days in L.A.*

Rodriguez has helped broker gang truces throughout the U.S. as well as in other parts of the world. This spring, Rodriguez was involved in a historic truce between gangs in El Salvador leading to a 70 percent drop in violence in that country.

According to Rodriguez, "What is needed now—and where most peace efforts fail—is the meaningful and long-lasting support of society and government, in the form of prison reform, training, education, drug and mental health treatment and proper healthcare. We need an end to repressive measures that only feed into the violence and traumas."

Azadeh Zohrabi of the Prisoner Hunger Strike Solidarity Coalition sees the agreement as a positive development that stems from last year's hunger strikes. "While living through some of the worst conditions imaginable, the authors of this statement continue to work for change," states Zohrabi. "While the prison administration drags its feet on even the most basic reforms, these guys are trying to build peace throughout the system. That says a lot about their humanity and hope."

Advocates and the Short Corridor Collective are eager to spread the word as far and wide as possible and implement peace plans throughout California's prisons and jails. "We must all hold strong to our mutual agreement from this point on and focus our time, attention and energy on mutual causes beneficial to all of us (i.e., prisoners) and our best interests," says the Collective.

"The reality is that, collectively, we are an empowered, mighty force that can positively change this entire corrupt system into a system that actually benefits prisoners and thereby the public as a whole."

*(Continued on page 6)*

*(Continued from page 5)*

The PBSP-SHU Short Corridor Collective has strongly requested that its statement be read and referred to in whole. It follows here:

### **Agreement to end hostilities**

Dated August 12, 2012

To whom it may concern and all California Prisoners:

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

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

In conclusion, we must all hold strong to our mutual agreement from this point on and focus our time, attention and energy on mutual causes beneficial to all of us (i.e., prisoners) and our best interests. We can no longer allow CDCR to use us against each other for their benefit!

Because the reality is that collectively, we are an empowered, mighty force that can positively change this entire corrupt system into a system that actually benefits prisoners and thereby the public as a whole, and we simply cannot allow CDCR and CCPOA, the prison guards' union, IGI, ISU, OCS and SSU to continue to get away with their constant form of progressive oppression and warehousing of tens-of-thousands of prisoners, including the 14,000-plus prisoners held in solitary confinement torture chambers—SHU and ad-seg units—for decades!

#### **Presented by the PBSP-SHU Short Corridor Collective:**

Todd Ashker, C-58191, D1-119  
Arturo Castellanos, C-17275, D1-121  
Sitawa Nantambu Jamaa (Dewberry), C-35671, D1-117  
Antonio Guillen, P-81948, D2-106

#### **And the Representatives Body:**

Danny Troxell, B-76578, D1-120  
George Franco, D-46556, D4-217  
Ronnie Yandell, V-27927, D4-215  
Paul Redd, B-72683, D2-117

James Baridi Williamson, D-34288, D4-107  
Alfred Sandoval, D-61000, D4-214  
Louis Powell, B-59864, D1-104  
Alex Yrigollen, H-32421, D2-204  
Gabriel Huerta, C80766, D3-222  
Frank Clement, D-07919, D3-116  
Raymond Chavo Perez, K-12922, D1-219  
James Mario Perez, B-48186, D3-124

**Note:** All names and the foregoing statement must be shown verbatim when used and posted on any website or other publication.

Send our brothers some love and light and solidarity. Write to them using the listed names, numbers and housing and add the address: P.O. Box 7500, Crescent City CA 95532. The Bay View sends them all our highest respect, appreciation and best wishes for this historic action. We also thank PHSS for transcribing this statement.

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[www.hrcallition.org](http://www.hrcallition.org)

## Join Human Rights Coalition's (HRC) in calling for an end to **SOLITARY CONFINEMENT** in Pennsylvania

After a decade of documenting and working to expose abuse and torture in solitary confinement units across Pennsylvania, the Human Rights Coalition is escalating our campaign to abolish solitary confinement. Over the last 30 years there has been a tremendous increase in the number of U.S. prisons, and the use of solitary confinement has exploded, with little oversight by legal, legislative, or law enforcement agencies. Our **three point platform** is a call to action on behalf of survivors of solitary, their families and communities in the struggle, as well as future generations of youth being funneled into the prison system. We are asking individuals and organizations across PA and nation wide **to sign onto the platform** to show their support for our call to abolish solitary confinement in Pennsylvania.

### **Solitary Confinement is Torture**

Solitary confinement is the practice of confining a person in a tiny cell for 22-24 hrs per day. Human beings are social creatures, and we need regular contact with other humans in order to maintain our health, well-being and sanity. Depriving a person of nearly all contact with others can cause irreversible psychological damage in as little as 2 weeks. There is no research to support prison administrators' claims that solitary confinement serves any rehabilitative purpose; on the contrary, multiple studies confirm that solitary confinement is emotionally, physically and psychologically destructive and greatly reduces a prisoner's chances at successful reintegration into society. In isolation, the mentally ill become more unstable, while healthy prisoners begin to exhibit mental illness after only a short time. Approximately 50% of prison suicides occur in solitary confinement. Solitary confinement targets prisoners of color most severely, reinforcing oppressive and unconscionable patterns of racism. It is extensively used to retaliate against those who file lawsuits or speak out against violations of their human and constitutional rights. Ninety days in solitary can easily turn into 10 years or more. Guards in these units regularly abuse male and female prisoners physically, psychologically, and sexually, and deny them basic needs such as meals, shower, water, and visits.

### **Solitary Confinement is a Threat to Public Safety**

At least 80,000 prisoners today are held in solitary confinement in the U.S., at least 2,500 of them in Pennsylvania state prisons. Most have little or no access to mental health care, and are forced to live in conditions that increase the likelihood of self-harm, suicide, and violence towards others. This danger ripples outward when prisoners who have been kept in solitary are released into general population, often resulting in violent altercations that are used as a justification to continually cycle them back into solitary. People max out their sentences in solitary confinement, and then without any re-socialization therapy are dumped back into society, harmed and unable to cope, resulting in increased violence and instability in our communities. The practice of solitary confinement is widespread, is significantly more expensive than regular prison housing, and our prisons' reliance on it as a means of intimidation and repression is causing tens of thousands of people in this country to suffer in torturous conditions for months, years, and decades at a time.

### **Solitary Confinement Must Be Abolished**

Solitary confinement has become the dominant weapon in a war on prisoners that is in reality a war on our brothers, sisters, parents, children, families, and friends behind the walls. Torture is a crime and a serious threat to public safety and it must be abolished. The rampant use of solitary confinement and the construction of Supermax prisons are recent in history; this practice can and must be stopped. No other country in the world uses solitary confinement as much as the U.S., and other states have already taken steps to reduce its use. **The Human Rights Coalition calls upon all people to join us in demanding the abolition of solitary confinement in Pennsylvania. Together we will build a society that respects the rights of all people, values rehabilitation, and does not believe in "throw-away" people.,**

*If you or your organization would like to **sign on to the platform**, or find out more about the campaign against Solitary Confinement in PA, log onto the Human Rights Coalition website at [www.hrcoalition.org](http://www.hrcoalition.org) or call 267.293.9169 or email [info@hrcoalition.org](mailto:info@hrcoalition.org)*



## A HALF-TRUTH IS A WHOLE LIE

by Frederick T. Ray, III, GF-2852, SCI Albion

I've been a prisoner rights advocate for a long time, volunteering time, educating, and mentoring prisoners, their families, and other individuals in society. Those who know me personally will attest that the majority of my day is spent educating others about the positives and negatives of prison culture, prisoner rights law, and DOC policy. Over the years, I've experienced a small percentage of prisoners who manipulate facts, and embellish truth with falsehood in their complaints of abuse. It's without dispute that prison abuse exists. However, there are individuals who embellish the truth, undermining the credibility and validity of the complaint and those who advocate for us. I have a mirror to give them.

A couple of months ago, I read a prison complaint published by a prisoner rights organization (identity withheld to prevent magnifying damage to credibility). The prisoner's complaint was borderline delusional, although it did possess some truth.

I witnessed the incident. Obviously, the organization failed to do any "fact checking" to prevent liability for defamation. Prisoner grievances are public record for verification. The prisoner's complaint was legitimate. However, he embellished the truth with falsehood, undermining the validity of the complaint. A half-truth is a whole lie. What's worse, while discussing the repercussions with the prisoner, I was castigated and the prisoner was praised for getting his complaint published. Somebody needs a mirror.

To the prisoner and others like him: There are prisoners who are genuine and sincere about change with integrity. Although you're driving the right car (complaint published to the public), you're using the wrong fuel. Falsehood and lies are not going to get you the relief you seek. What you're going to get is exposed, undermining your own credibility and those advocating for you. Therefore, rather than your complaint benefiting you, other prisoners and increasing the credibility of the organization, it benefits your adversary by reinforcing unwarranted stereotypes (bleeding heart liberals, inmates always lie).

Your complaint was fueled by hate and your hate became the perfect bait, inciting the mistake of lying, although the truth is sufficient on its own. If you allow your adversary to make you hate, he's already winning! You're allowing your adversary to use you as a weapon against yourself. Hate is an emotion that distorts thinking and perception, preventing objective decision-making. You're now perpetuating a subjective weakness rather than objective strength.

I'm not suggesting not to feel offended when victimized by staff. I'm saying that we can be more effective by transforming our hate and bitterness into energy and initiative. Turn those stumbling blocks into stepping stones and be mindful that achieving your goals is like the 100 meter hurdles: you must jump over the hurdles to reach your goal. If a hurdle knocks you down, you must get up and quickly learn how to jump over the next hurdles in the way of reaching your goals.

By patience and perseverance, the truth will be manifested. It requires no defense. Transform your anger into action guided by principles of virtue and integrity. Don't allow yourself to be shaped by your circum-

stances, be the shaper of them. Most of society believes we deserve our circumstances because we don't have a voice. The Prison Society and Human Rights Coalition are our voices—credible voices. Speak truth to the power, because when you mix truth with falsehood, not only are you undermining the credibility of our advocates, you're silencing your own voice. Think about it.

**Frederick T. Ray submitted this article to Graterfriends for publishing. We thought this to be such a powerful piece that it was worth printing, once again, in THE MOVEMENT.**

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## Family Is An Army

From the very beginning of my existence you helped nourish and raise me. You never ceased to embrace me. You always supported me, and never turned you back on me. You always showed me love, and protected me even when I began to rebel and act out against you. My growth and development has helped give me the courage and understanding to confront you; and to acknowledge your worth. I have become big enough, Man enough, and human enough to accept my wrongs, foolishness, and nonsense; and to say to you that I AM VERY SORRY. I AM SORRY for being so selfish and ungrateful. I AM SORRY for degrading you, for violating you, for oppressing you; and for helping to destroy you. And although I am forced to tell you how sorry I am; however, I equally understand that words are meaningless when action speaks. And it is for this sole reason that I have willingly and consciously accepted the great responsibility and commitment that comes with building us up together as "ONE".

Love is an elevation of understanding,  
And with that understanding I can now say  
I love you and realistically mean it.

Shawn Mustaf Saunders #KC-6192  
SCI-Graterford  
Box 244  
Graterford, PA 19426

Names & relationship from left to right: Mustafa, Mustafa's Sister Shannon, Nephew Haneef & Nephew Nyseem

# Seven Arrested During Graterford Prison Protest

By: Brittany Tressler  
November 20, 2012

Seven members of Decarcerate PA, a grassroots organization dedicated to curbing prison expansion and what it says is rampant incarceration in Pennsylvania, were arrested Monday morning, Nov. 19, after blocking the construction entrance of Graterford Prison with school desks, apples and a plastic school house.

"Seven protesters were putting their bodies on the line about how serious they are about getting this project canceled," Decarcerate PA's Thomas Dichter said.

The organization, which posted a video of the early-morning protest, has been a loud voice against a \$400 million project to increase the prison population in the Philadelphia suburbs.

"These new prisons represent an expansion of mass incarceration in Pennsylvania and a continuation of policies that lock people up instead of giving our communities the resources they need to thrive," said a statement released by Decarcerate PA after the arrests.

According to Pennsylvania State Police, seven protesters seated at school desks were ordered to disperse and failed to do so.

The protestors, all Philadelphia residents, were charged with criminal conspiracy, criminal trespass, failure of disorderly persons to disperse upon official order and disorderly conduct, and bail was set at 10% of \$5,000 by District Justice Albert J. Augustine, according to police.

"It was an exciting event – and it is also a matter of grave importance," said Dichter.



**ABOVE:** Members of DecarceratePA block the entrance to two new prison construction sites near SCI Graterford. The grassroots organization is calling for a reduction in the prison population and reinvesting the millions slated to be spent on the new facilities into community programs. — PHOTOGRAPHS FROM DecarceratePA

**BELOW:** Update on Arrests – The folks who were arrested were charged with three misdemeanors each: Defiant Trespass, Failure of Disorderly Persons to Disperse upon Official Order, and Persistent Disorderly Conduct. They have all been released on bail. However, we had to borrow money for bail, and need to pay people back. We are also anticipating court costs and fees. So if you can, please consider making a donation to Decarcerate PA to help us cover these costs. You can make a donation by going to [www.decarceratepa.info](http://www.decarceratepa.info) and clicking on the DONATE button.





Nature has made up  
her mind that  
what cannot  
defend itself  
shall not be  
defended.

RALPH WALDO EMERSON  
(1803-1882)

**STAND UP!**

**Stand Up!** By: Richard G. Hall Jr.

For more prison art go to: [realcostofprisons.org/comix](http://realcostofprisons.org/comix)

## The HomeFront: Serving Our Community!

# Tribunal - Corbett & Wetzel

By: HRC Member

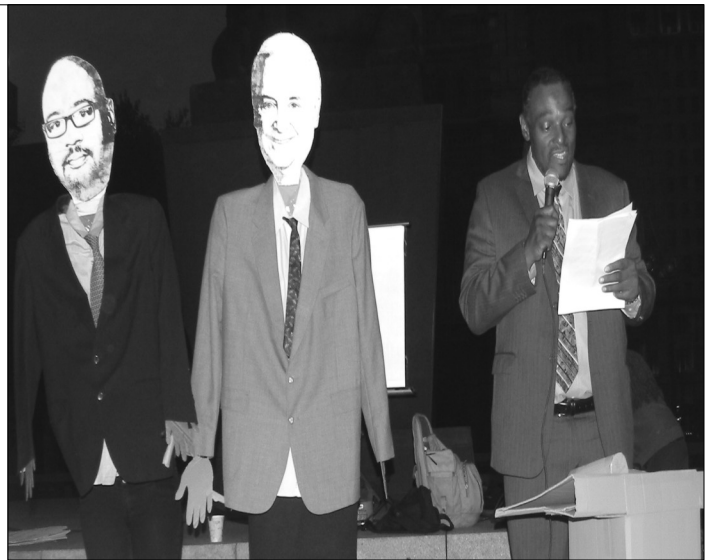
At 4:00 pm on November 19, 2012 at the Municipal Building directly across the street from Philadelphia's historic City Hall, only hours after those who were arrested at the early morning Graterford's protest were released from custody, DecarceratePA held a tribunal that placed the prison system on trial. Crowding the Municipal platform were members of the community, some formerly incarcerated individuals and the family members of men and women who are currently imprisoned, those who were young and old, of various ethnicities were all waiting to bear witness to this event.

On trial was Governor of Pennsylvania Tom Corbett and Secretary of the Department of Correction, John Wetzel. The presiding judge was *And Justice for All's* Atiba Kwesi, while *Youth Art & Self-empowerment Project's* Romeeka Williams represented the people. Judge Kwesi read charges that consisted of 1.) Murder in the first Degree 2.) Corruption 3.) Obstruction of Justice and 4.) Indifference to the Will of the People.

In her opening statement to the jury, Ms. Williams asserted that the use of the death penalty and LIFE sentences without parole were crimes of Murder In The First Degree. She further stated that the defendants were given a solution to the problem and refused to accept the people's recommendation.

Statements were heard from participants of the earlier day's protest that blocked the construction of a new prison in Graterford, PA. The jury heard testimonies from several witnesses against Governor Corbett and DOC Secretary Wetzel beginning with sixteen year old Crystal Pule who testified as to how her school has suffered due to educational cuts. Joshua Glenn stated that the defendants know nothing of poor youth. Kristin Luebbert, from Teacher Action Group, testified that money should be spent on teaching students how to read and for extra tutoring that parents can't afford. She said that cuts have removed school counselors and placed more students into every class. Kristin stated that when a parent says - "Can someone help me with my child, I know he's headed for trouble", there is no one to help. She ended her testimony with, "We need that money back."

Several family members brought evidence against the defendants including: Sister Fatima reading a heartfelt poem to her son Jose Hernandez incarcerated since 16 years of age; Mama Patt read testimony from her son, Shakaboona Marshall sentenced at 17 years of age serving Life in prison; Theresa Shoatz testified on behalf of her father Russell Maroon Shoatz who has been confined to solitary confinement for two decades. The trial ended with Judge Kwesi asking the jury for their verdict. Without deliberation the jury's verdict was a resounding cry of "GUILTY AS CHARGED!"



PHOTOGRAPHS FROM HRC & DECARCERATE PA

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[www.hrcalliance.org](http://www.hrcalliance.org)



# Full House for Documentary

## Broken On All Sides: Race, Mass Incarceration & New Visions for Criminal Justice in the U.S.

By: Gale, HRC Member



I was there, Saturday, November 17, 2012. It was an inspiring night, well before the actual viewing of the documentary, 'Broken On All Sides', the corridors of the International House at 3701 Chestnut Street in Philly were lined with activist/advocacy groups sharing their views, selling art, t-shirts, books, distributing information with camaraderie and color. The atmosphere was carnival-like, a breath of fresh air, a sharp turn from the usual serious soberness of fighting this war against injustice.

At approximately 3:30 pm someone announced that the film was to begin and everyone found a seat for the viewing; it was a full house, not a vacant seat. Broken On All Sides is a excellent film, an eye-opener for the non-believers and refresher, for many, as to why we fight this fight. The documentary about mass incarceration and intrinsic racism in the United States criminal justice system. And to quote NC public defender James E. Williams Jr. "an excellent resource to use in educating, motivating, and empowering your group, organization, or community on this critical issue,". The film includes interviews with Michelle Alexander (author of *The New Jim Crow*), people who were formerly incarcerated/ convicted, politicians, lawyers, academics, activists, and a former correctional officer. It also features incredible drawings depicting prison life and societal inequities by Leonard Jefferson, an artist incarcerated at SCI Albion in PA.



After the film viewing a panel of discussion followed featuring **Matt Pil-lischer**, Director of the movie and attorney & activist; **Hakim Ali**, an activist with Decarcerate PA and program coordinator with Reconstruction Inc., who was incarcerated several times throughout his life starting at age 14; **Dana Lomax-Williams**, an activist with Human Rights Coalition who was formerly incarcerated and tortured in solitary confinement in a PA prison; **Joshua Glenn**, an organizer with Youth Arts & Self Empowerment who was charged as an adult and incarcerated at the age of 16; **Crystal Pulle** a high school student, activist with Youth United for Change, and youth advocate at Juvenile Law Center; and from New



Panel, left to right: Matt, Dana, Crystal, Joshua, Bro. Hakim, and Bro. Amir

York City, **L. Amir A. Varick Amma**, a student and an activist with Campaign to End the New Jim Crow who was formerly incarcerated for almost 2 decades under NY Rockefeller Drug Laws.



**Bro. L. Amir A. Varick Amma**

Bro. Amir spoke of his thoughts after being behind bars for almost two decades. He found that his incarceration cost tax payers one million dollars; he said that money could have been spent on him going to college, opening a business, hiring people, buying a home, and a car. You do the math.

It was a beautiful thing to hear Joshua and Crystal (18 and 16 yrs old) answer questions from the audience about strategies for youth involvement. Both were compassionate and well spoken young activists. Joshua responded to a question from the audience about how to get more young people involved saying that he went into the jails and just



**Joshua Glenn, Crystal Pulle**

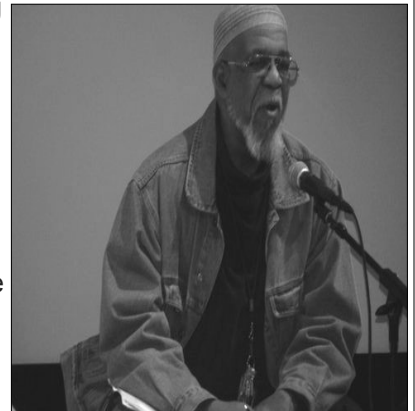
tells the truth; youth don't know what's going on in the community so he just gives them the facts, it a matter of young people talking to young people, peer on peer mentoring. He said it's simply getting to know the person or people you're trying to help. An example would be like a teacher having thirty to forty kids in her classroom; that teacher don't know her students, so she can't help them.



**Matt Pillischer, Dana Lomax**

Dana Lomax from the Human Rights Coalition spoke about how she stood up for her dignity and human rights while in prison, and an eighteen month sentence turned into four years. But, she was determined and with the support of her family she stood her ground and has made a difference for the women she left behind at Muncy. At home with her family, Dana continues to be a strong voice speaking out against prison abuse.

Matt Pillischer and Hakim Ali both encouraged the groups in the audience to work together to create a social reform. Mass incarceration is a new form of racial discrimination. If the government put our resources into social programs, we wouldn't need so many prisons. We need a redistribution of wealth/



**Bro. Hakim Ali**

resources into all our communities that can happen if all the different groups in the audience and average working people are involved. Bro. Hakim alleged that the only thing keeping us from taking to the streets in protest for change – like our fathers and Martin Luther King - is our own minds.

#### **Co-sponsors:**

ACLU-PA  
PA Institutional Law Project  
Decarcerate PA  
International Socialist Organization  
National Lawyers Guild  
Brandywine Peace Group  
Germantown Monthly Meeting Working Group on  
Mass Incarceration  
Green Party of Philadelphia

Delaware Chapter of Campaign to End the  
Death Penalty  
StopHateArt.com  
Comprehensive Center for the Formerly Incar-  
cerated  
Philadelphia Criminal Record Expungement  
Project  
G-LAW Movement  
Frator Heru Institute  
Black Male Development Symposium  
Human Rights Coalition

# Dump the Prison Stock, Invest In Humanity: Philadelphians Allied for a Responsible Economy Targets Banks That Fund Private Prison Companies

By: Sean West Wispy

On December 13th, Philadelphians Allied for a Responsible Economy (PhARE) took to the streets for some creative street theatre to draw attention to the growth of the private, for-profit prisons and immigrant detention centers and their ties to major banks such as Wells Fargo. The street theatre was part of a national day of action led by the National Prison Divestment Campaign who helped organize demonstrations in cities across the US.

Outside of several Wells Fargo locations members of PhARE set up a mock prison cell with one person inside while another person who was dressed as a police officer rang a bell and sarcastically solicited donations to help 'fund private prisons' while informing passers by and customers of Wells Fargo's role in the private prison industry.

Wells Fargo is involved in financing both Corrections Corporation of America (CCA) and GEO Group, the two largest private prison companies in America. As of 2012, CCA had a \$785 million line of credit with Wells Fargo. Wells Fargo also owned almost 7% of GEO Group, but after a highly visible campaign targeted Wells Fargo's relationship to GEO Group, they sold just enough of their holdings to avoid their legal obligation to report it so they could hide their relationship.

PhARE also took their street theatre outside the office of Senator Toomey, who has taken money from private prison lobbyists. In 2012, CCA paid the firm Mehlman Vogel Castagnetti Inc \$ 210,000, and this year Toomey received \$8,000 from staff and fam-

ily members of that firm. Toomey also received \$30,900 from FMR Corporation and \$19,950 from Wells Fargo, both big investors in private prisons.

Private prison companies have helped fuel policies that lead to mass incarceration (in both state and private facilities) and boost their profits. A 2011 study by the Justice Policy Institute found that the industry had given \$835,514 to federal politicians since 2000 and \$6,092,331 to state politicians in the last five elections. They are a major lobby that makes big money by locking up more people and keeping them behind bars for longer amounts of time.



It's for this reason that members of PhARE targeted the bank's financing of private prison companies and not because they believe that public prisons are any better than private prisons. Both are part of the same prison-industrial complex that tear apart communities and prevent the real possibility of community based restorative justice.



# FENCES

## Brother Thangs

I can recall a time in my life when I would see a fence and just had to climb it. The urge was irresistible. It did not matter if it was a chain-link, a wooden picket, or a brick Masonite—I had to climb it. The height was not a factor either: A six, twelve, or fifteen footer just excited me all the more. I had to see what was on the other side. In my juvenile mind, that fence was a barrier, an obstruction to my happiness, and I could not let that go.

When peer pressure was mixed in with my juvenile bravado, it was not a question of if I was going over a particular fence, but just how many of my friends I would beat to the other side.

Many times the rewards were absolutely fascinating. I would find neat basketball courts, glimmering swimming pools, and the occasional fruit tree, sweet with ripe pickings to

invite my pleasure. Other times my spirit of adventure paid off no better than the antics of Curious George. Sometimes my findings were more punishment than reward: an angry Rottweiler, thorny bushes, thick mud patches (messing up my bright white kicks), or an angry and surprised homeowner who felt disrespected or violated and showed no compassion in cursing savagely at a minor.

Other times, a fence could make for an adrenaline-fueled escape route as I would “hit” the fence in an effort to shake the authorities. Sometimes this entailed a spectacular acrobatic feat of jumping up toward the top of a chain-link fence and flipping my body over, hopefully landing on my feet. Of course, every effort of mine to complete this maneuver did not result in cat-like charm and agility. There were many painful sprains, nasty scrapes, and lasting breaks; none of which hindered me until the adrenaline wore off.

Wild nostalgia giving way to reality, or

what I used to view as harmless fun; the hijinks of youthful exuberance, I know now that these were the seeds of my eventual, inevitable destruction. What I failed to understand was that those fences represented law, and rules, and my need to climb them fed the roots of my disrespect for such social mores.

I used to say “fences were made to be climbed,” but the unconscious message that registered in my spirit was that rules were made to be broken. Little did I know that those fences were not there to separate me from my happiness, but from my own despair.

Now, incarcerated, I find myself surrounded by at least two miles of chain-link fence. I cannot help but wonder if there is a younger version of me looking in and wanting to hit the fence. If I could, I would tell him that there is nothing in here to see, but if he is not moved by my words perhaps the razor wire and 10,000 volts might speak loud enough.

Poems in this issue of THE MOVEMENT are from ‘Captured Words, Free Thoughts’, Writings from America’s Prisons Volume 10, Fall 2012

Sudoku MP16

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7						8	5	6



# **You Fall. We Fall. Expose It All**

By: Dana Lomax-Williams

First and foremost, I would like to thank HRC (Human Rights Coalition). Why? So glad you asked, read on and you will understand why.

I am a former inmate of Muncy State Penitentiary. I have been home for seven months. However, while at Muncy I endured much sexual harassment, verbal abuse and many other things that would blow one's mind. I must say if it wasn't for the God of my understanding, HRC, my family and a few other organizations (those I knew of at that time), I really believe I would have lost my natural mind.

I cannot express in words the helplessness I know my family felt when I shared with them the things that were taking place while incarcerated at Muncy. As we know, Muncy is a women's prison. Why is it that the men guards are allowed to view us in the nude? Yes. If we are dressing, using the bathroom, or just want to take a shower they can walk right up to your cell and stand there and watch. What are you going to do? Tell them to leave. I don't think so. I would put paper, cards, or whatever I could to prevent them from seeing me.

I expressed these among several issues to my family and can you imagine how they felt. Here I am already serving my time, but on top of that I'm being (among all the other female inmates) forced to do things I would never do under natural (if you will) circumstances. Expressing this to my family was unbearable for them. I began writing articles to Graterfriends exposing what was going on. Oh why did I do that. While in a T.C. program I was kicked out and later sent to solitary confinement for something that didn't warrant such harsh punishment. Like with so many other of inmates, if the institution feel as though you are a threat to them they dismiss you inside of prison. Have you ever heard of such? My family had to advocate for me and H.R.C. exposed issues that were occurring. My family felt absolutely helpless I know, because they couldn't understand how this could be occurring under the authority of supposedly trained, qualified, state working humans that the Judge felt would have our best interest.

I cannot began to tell you how at times I felt I would never come get out of solitary confinement or prison period. I immediately became connected with HRC through another inmate, when I reached out they responded to me. I couldn't fathom how the Superintendent could allow a male office to search a female inmate without at least another female officer present. Are you kidding me? Some things I couldn't share with my family because I already knew what they were going through. So I had no choice but to expose the torture and abuse and take a chance on someone hearing and believing me who could help me in areas where my family couldn't. And that's what HRC did for me. They were my sounding board.

It wasn't just me that was incarcerated. My family and anyone that I was connected to was incarcerated also. They were affected as well. My children were affected, all my loved ones were affected, and today I am still affected because my brothers and sisters that are still being held captive have no

*(Continued on page 18)*

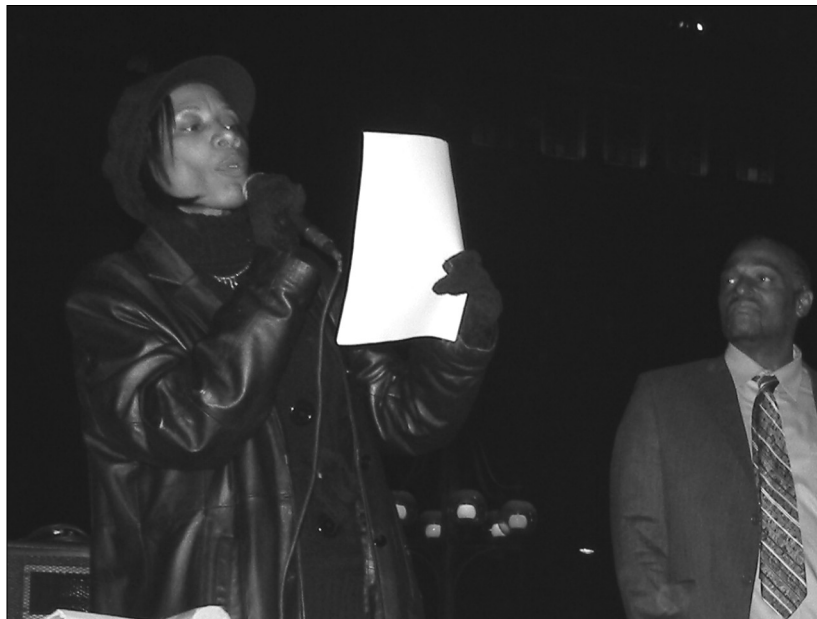
sounding board like my family and HRC was for me. So I am affected because I know personally what we as inmates go through. I can't minimize the abuse and torture that the men go through as well. How do I know? So glad you asked. I have a nephew who is locked up and going through things that I and so many others have endured and still are enduring.

What's the solution? We can start by supporting any loved one you have that is incarcerated. Believe me, they are not telling everything that they are going through because some of us would not be able to handle the truth. You exhibit more power than you know. All you must do is get connected with an organization that can help. HRC is who I reached out to and I began advocating while at Muncy. I was put in the hole for speaking out, but that didn't stop me. When they told me I had to change my orange jumpsuit in front of a male guard, I refused. Yes I did. And I wrote, I grieved.

In closing I would like to say how imperative it is to find out what's going on with your loved one. You may be the only voice they will ever have. If you don't know what to do, ask somebody. You may not have all the answers or no answers. I can tell you this: you will never find one if you don't inquire. There is help out here.

I am compelled to continue to speak out for my brothers and sisters who are afraid or who feel as though they are alone. I tell every inmate this. If you don't help yourself, no one can help you. If you aren't capable of helping yourself someone inside will help you, if you ask. Just like if you want a soup, a cigarette or whatever it may be. My point is if you ask and seek you are sure to find help where you are. Keep fighting the good fight because you are not fighting alone. We are with you. You are not alone.

In the Struggle.



## **You're wounded, We cry.**

Hi,

On November 11th of this year 2012 me and my sister went to visit her son, and my nephew. He is being house up at Forest Correctional Facility. We were denied visitation, reason was that we both were not on the inmate visitors list.

We had the impression that we were both on the visitors list. I can understand if we were not, although we went through the Family Services of Western Pa. that makes transportation available for families to visit. I think that is great we went through all of the process on what information we needed to provide to get a bus ticket to travel, that went well. When we arrive at Forest we signed in, showed ID and Social Security card that was approve. Then the staff worker checked the computer data to see if we were on the list, but not inmate list. So I asked, "Can I speak to someone with higher authority?" He got up and went to ask Captain can we still visit anyway. "Captain said no" is what the staff worker told me.

My point is that the Captain should had come out to explain to me about the situation, to see (if possible) can he find a remedy. I thought that was unacceptable on the Captain's part. Me and my sister made a two and half hour bus ride from Pittsburgh to Forest, and another two and half hour ride back to Pittsburgh, not to mention we had to sit on the bus for FIVE hours until the bus was ready to go back to Pittsburgh. How could the administration justify that an inmate's mother and uncle came to visit and was denied? I really was hurt, but my sister really was in pain. She really did not show it but I knew she really was crying on the inside; good thing I was there with her.

Now when her son finds out she was up there and denied visitation he may or may not go into a state of depression. He's already taking medication for mental illness. One point in time he was denied his medication in which his blood pressure shot up, but they put him back on. The reason I wanted to see him was to check how he is being treated at Forest with all of this mistreatment going on. My point is, people at Forest needs to have a contact person or a number to call to see if you are on the visitors list. Don't wait until family members arrive there to find out if they are on the list. When I arrived there I detected the way they treat Afro American families. That sense of feeling gave me the instinct that they may very well mistreat Afro American inmates like I read in some of your articles about Forest. Also I noticed I really did not see no AFRO AMERICAN WORKERS at all, that explains the reason for their discriminatory practices.

Is there something I can do to help make things better for Afro American inmates? And so families do not have to go through what my family went through. This type of treatment must stop; how can you say you want to rehabilitate inmates in which you mistreat them? Hope to hear your response, you can use this information toward your cause.

Sincerely

John Potter

# **You're cut, We bleed**

## **My name is Ms. Banks**

My son is an inmate at SCI-Mahanoy. My son has been in prison for 21 years, 16 of the 21 years has been spent in solitary confinement.

Living through the experience of my son's imprisonment has been very difficult. It is emotionally, mentally and physically draining for my son, my family, and myself. This is very hard for me as a mother to hear the abuse my son tells me. He has been abused by guards in solitary confinement. He has suffered severe injuries such as stitches in his face, broken and cracked ribs. I myself have been subjected to the guard's retaliation. I have been denied plenty of visits with my son as a result of the guards, and because my son's in solitary confinement. The solitary confinement started at Camp Hill, and the abuse.

When he was transferred to SCI-Fayette it became harder for me to see my son. When I was able to see him I would have to suffer for 24 hours in order to see him for one hour. I would meet a bus in center city at 10:00 pm at night, drive overnight for 8 hours, see my son for one hour and then wait for the other visitors before we got back on the road for 8 hours.

My son has been in solitary confinement for 16 yrs in 4 prisons. Sixteen years of visiting him behind a glass and not being able to touch him, or give him a kiss or a hug. I miss my son and it hurts me not to be able to show my son any type of affection. It's hard to watch him suffer because I know he might need some type of love from his mother. There are many people who love and care about him and they are affected by my son's conditions.

My grandson had not yet been born when my son was first arrested and now he is 22 yrs old. He's grown up his whole life deprived of a normal relationship with his father. He's never been able to hug his father or spend any time with him.

I try to find peace and thank God everyday for keeping him alive. It's getting harder to stay positive. They are trying to send my son back to SCI-Camp Hill, the very place he almost lost his life. He was not supposed to go back there. My fear is they may kill him and it's nothing I can do to prevent it, but pray to God.

My son has suffered inhumane treatment and punishment long enough. He has spent too much time away from society and confined all alone. He deserves better living conditions and treatment. I sincerely hope that they abolish solitary confinement because it is unjust and inhumane.

Thank you.



## **Families, Often Overlooked Victims**

**It is my experience** after serving 33 years of a 30-60 year sentence that family members who visit their loved ones are disrespected by some correctional officers (CO). Searching for contraband is an authorized security measure. But disrespecting the visitor who's being searched and processed is not a part of the DOC security measures.

Some CO's come to work with personal problems from their household and vent out on prisoners and their families while they are there to spend time with their loved ones. Visitors sometimes, sit in the waiting room lobby waiting for their loved ones for hours because some CO's do not even tell the prisoner that they have a visit.

For example, the CO may have had a problem with the prisoner that has a visitor waiting. The CO's responsibility is to inform the prisoner that he has a visit and make sure he gets his visiting pass and proceed to the visiting room area. However, a prisoner could sit for hours because the CO purposely disregards the prisoner's visiting pass to the visiting room area.

This is cruel and unusual punishment. Families of prisoners are not criminals but in most cases they are treated as prisoners. Also using disrespectful language to visitors is unprofessional and unethical. This kind of treatment must stop. Most visitors who come to the prisons are also tax payers and registered voters. They pay the CO's salaries. For this reason, all visitors must report any mistreatment or disrespect coming from CO's or prison staff to their respective district representatives.

Families, stay strong and stay focused on justice and your human rights. We are anti-injustice, and not anti-state or federal government.

Respectfully,

Gregory X. Moore  
Delaware Valley Regional Prison Reform Minister  
For The NOI Prison Reform Ministry Department

**My name is Victoria Hazel** and I am a mother of a five year old child named Lesha Wilhite. She has been without her father, Charles Wilhite, for about 3 years of her life because of the court's prolonging the case. He was sentenced to life in prison without the possibility of parole, even though he is an innocent man.

My life has changed in many ways and my daughter has a, innocent, father in prison who can't see his daughter grow up. So many changes have come into this situation because of him not being around. The system is caught up in so many lies it just confuses everyone. I've never experienced anything like this in my life.

Lesha and I have to go visit Charles or talk to him on the phone for communication. Otherwise, there is no communication. I have to work a little harder to keep money on the phone so that we can sleep easy at night or even for Charles to have a calm day. Talking to family keeps him at peace. Without telephone communication it is very hard and stressful for both of us. And, bringing a five year old child to see her dad in prison is not a wonderful thing.

Talking on the phone makes us a little more at ease, but even that's not so perfect. It cost money to talk to your loved one. Here in Massachusetts the calls are about \$3 every time your loved one calls. It is truly a rip off to the families that don't have much money to keep in contact. It can get very costly just to let your loved one know that someone truly care and to keep their head up in this type of situation.

Sincerely,

Victoria Hazel

Charles Wilhite was caught up in a trial fraught with shoddy police work and witnesses who have since recanted their testimony. Charles was convicted of first degree murder and faces the rest of his life behind bars, unless we act now. To find out more about Charles' story visit [www.justiceforcharles.org/](http://www.justiceforcharles.org/)

## **You Suffer. We suffer.**

### **LORENZO (CAT) JOHNSON**



The impact of returning to prison after serving 16 1/2 years for a crime I am innocent of is tremendous.

Where do I start! When I was freed, being the rock/glue of my family, I immediately took charge of my position. I wasn't the only one who was permanently scarred from my wrongful conviction, my family suffered badly also. Our healing process started the day I was released. In the short period of time I was home, I tightened my family bond that was shattered by the Justice System. The feeling of coming home from work to my kids and wife, going to have dinner at Big Mama's with my brothers and sisters, taking my mother shopping for her birthday, bringing her gifts for Mother's Day, going out with my wife, and going to speaking engagements to talk to troubled youth and other men and women who were (also) wrongfully convicted was priceless.

*(Continued on page 23)*

### **My Personal View on my Husband's (Lorenzo Johnson) Wrongful Conviction and What It Has Done to my Family.**

How is it okay to keep people in prison for crimes they did not commit? It's an injustice that affects people's lives tremendously. Wrongful convictions have a huge impact on all parties involved; and, my family and I have suffered for far too long because of this.

One of the hardest things I ever had to do was watch my husband return to prison after being home five months. He had already given the state of Pennsylvania sixteen (16) years of his life for a crime he did not commit. Our children couldn't understand how or why this was happening AGAIN. How could I explain this to them when I didn't fully understand how something like this could take place. I remember thinking how much could one man take? Was he strong enough to keep fighting for his freedom (a second time) or was his energy going to run out. I thought about our financial situation and how I would have to take care of us again. I thought about the system and how foul they really are. How could they come into my world and take all I had in the blink of an eye. I cried for days feeling like they tore my heart out. I couldn't eat or sleep, not to mention gained a lot of gray hairs.

A lot of the extra spending we were doing also had to stop. I now had to make sure my house and cell phone would accept collect calls, so my husband could call us. I had to make sure I was able to order his food packages when he was allowed to have them. Also I needed to make sure I could get to Pennsylvania to see him as often as I could. Living two and a half hours away from the prison isn't always that easy between the prices of gas, tolls, maintenance to our car and making sure he's fed on the visits takes a hit to our savings. It's emotionally devastating as well. I love seeing him, but my heart breaks when it's time to

*(Continued on page 23)*

## Human Rights Coalition Report

(Continued from page 22)

So after the above and much more returning to prison was, and still is, like living a re-occurring nightmare. I feel the pain double-fold due to being through this wrongful imprisonment once and being freed, only to be back to endure it once again. If I was weak minded and didn't have the blood of our Ancestors running through my veins, I wouldn't stand a chance. My family and supporters are crushed by this ordeal, but being through this once before they have firsthand knowledge of what's necessary to support me mentally and emotionally. Let me not leave out friends and my fellow comrades and my New York and Pennsylvania legal teams. This has hit everybody extremely hard. What can I say; my situation has pulled my support system together tightly.

The system is prone to mistakes is an understatement. My reason for saying this, when someone's conviction was strictly based on a faulty eye witness, Brady Violation, a coerced confession and ineffective counsel (just to name a few out of many) and the Judge don't grant relief or when he/she does grant relief the prosecutor still prosecutes knowing it was an injustice, that's **INTENTIONAL**, not a mistake. When DNA clears a person, the duty of a prosecutor **SHOULD** be to immediately halt the prosecution, as an officer of the law. Not all prosecutors are corrupt but the ones that are, are the deep rooted cancer in the Justice System that's responsible for **WRONGFUL** convictions. And as I always say, if you intentionally caused a wrongful conviction, not only should you never be able to practice law, you should be prosecuted.

Upon filing for Re-argument with the U.S. Supreme Court, my case was remanded back to the Third Circuit Court of Appeals (the judges who freed me) due to the U.S. Supreme Court not allowing my attorneys the right to submit briefs or oral arguments. Not only did they make an error giving me a charge I never had, they made the mistake of basing their decision to reinstate my conviction strictly on a Brady Violation witness. This Brady Violation was clearly established in the Federal district Court in 2008. You would have thought that the U.S. Supreme Court would have reviewed the record. Not in this case.

Lorenzo (CAT) Johnson, #DF-1036  
SCI-Mahanoy

(Continued from page 22)

leave him there. He knows how bad it hurts me so he calls as soon as I get in the car to comfort me for my ride back to New York.

I totally agree with the saying if you do the crime you should do the time but, to keep an innocent man in prison for almost half his life, let him out and bring him back is **CRUEL** and **UNUSUAL PUNISHMENT**. I try to remain positive but honestly have lost faith in the justice system. Wondering will they ever do what's right? Are they willing to say we made a mistake not only once but **TWICE**? The children ask all the time when is he coming home and the only answer I have for them is soon I hope.

Although Lorenzo is the one behind those walls living this nightmare, we are all suffering and will continue to suffer until justice is served!

**FREE LORENZO JOHNSON!**

I Love You,

*Mrs. Tazza Salvatto Johnson*



# Your sentence. Our trial.

*There have been times when I have been afraid or ashamed to let other people know that I have a loved one in prison. I thought they would judge me and think less of me. I would hear them talk with disdain and hatred in their voices about people who had committed crimes. Things such as "they should lock them up and throw away the key!" Or, I blame the mother, or I blame the parents. Or, they got just what they deserved. Not only was this true in the neighborhood where I resided, but within parts of the family, in the church and I certainly found out who my friends were and who weren't. But, basically, I was shunned by most of the people who knew and later by many people once they found out. Now, I know that this is their problem and not mine, because:*

### **WE ARE EVERYWHERE**

Author Unknown

For those who forget that the incarcerated humans in this country are indeed just that - HUMAN - I would like you to think on this the next time you talk about "inmates, criminals, convicts, etc...". These humans have families and those who love them despite whatever they did. Look around you and wonder, because this is who we are....

We take care of your children and grandchildren in nursery schools, we give them shots in the doctor's office, we are dental assistants, we are school teachers and Sunday school teachers, we stand behind you in the grocery store, we prepare your medicine in the drug store, we work in banks, we approve your loans, we service your insurance claims, we work for newspapers, TV stations and radio stations, we read your electric meters and water meters, we are your landlords, your neighbors, we take care of your elderly parents in nursing homes, we are nurses, lab technicians, X-ray technicians, we own beauty shops, flower shops, printing shops, we are welders, plumbers, tree trimmers, we work for the IRS, the State Dept., in the courthouse, schools, churches, drug stores and toy stores, we are legal secretaries, lawyers, school board members, we are bus drivers, we prepare meals for your kids in school, we are city council members, bank tellers, we process your checking account, your saving account, we work at your Social Security office, your insurance company, we take care of your IRA, stocks, bonds, we sell your kids bikes, school supplies, clothes, shoes, eyeglasses, we repair your cars, we are real estate agents, car dealers, college professors, psychologists, administrative assistants, safety engineers and ranchers. We work at Ralphs, Albertsons, Trader Joe's, Wal-Mart, K-Mart, Target, Macy's, Nordstrom and Saks 5th Avenue. We sell Avon and Tupperware. We are not all "on welfare", no matter what the government would like you to think.

There are two million people in prison in America and twice that many on parole and probation. Add in mothers, fathers, children, sisters, brothers, aunts, uncles, grandparents and friends and about sixteen million people are personally affected by the prison system in the United States. We are tired of letting ourselves feel humiliated or embarrassed because our loved one is in prison. We did nothing wrong, and they are paying for their crime!

We are tired of fearing the loss of our jobs or evictions from our housing should anyone find out we have a loved one in prison.

We are tired of being made to feel inferior or unwelcome in churches, clubs, organizations or society in general simply because we refuse to abandon our loved ones.

We are ready to unite, to come out of hiding and openly support each other and our loved ones. It's a new day, America and we're here to prove it!

We are ready to speak out against the "they deserve what they get" attitude we hear you talk about in stores, theaters and restaurants.

We number in the millions, we are everywhere, every state, county, city and town. We may even live next door to you.

Sixteen million & counting.

We are everywhere.

Think about it.

By: Donna Hill



# To Love you, we're willing to pay.

## After almost a decade, FCC has yet to rule on high cost of prison phone calls



Martha Wright-Reed, 86, her grandson Ulandis Forte, and other families... (Tracy A. Woodward/The Washington...)

Almost a decade ago, a petition by the families of inmates tired of paying sky-high rates for prison telephone calls landed at the Federal Communications Commission.

Martha Wright-Reed of the District, an 86-year-old former nurse who's blind, and other petitioners didn't think it was right for their incarcerated sons and daughters to pay so much more than everyone else to keep in touch.

Phone companies that charge high rates say most of their revenue goes to governments in the form of commissions that help pay for their criminal justice systems.

Is this fair?

Close to 3,500 days later, the FCC hasn't decided.

"They seem to be dragging their feet," Wright-Reed said.

Wright-Reed's quest is a familiar one in a country that isn't sympathetic about prisoners' rights, emphasizing punishment over rehabilitation for those who commit crimes, inmate advocates said.

"Inmate phone system charges are often very unfair," Stephen J. Steurer, executive director of the Correctional Education Association, said in an e-mail.

A prison education advocate, Steurer said he has had to decline collect calls from a client at Jessup Correctional Institution in Maryland because of their price. "It would actually be easier for me to visit him at JCI since it is just a few miles from my office," he said.

Neil Derek Grace, a spokesman for FCC Chairman Julius Genachowski, said in an e-mail that "the FCC is working with all interested parties — including the families of inmates, prison pay phone providers, public interest groups, and the states — to address the question of rates for interstate phone calls by inmates and their families, and we are preparing next steps."

The issue has a champion on the FCC board: Mignon L. Clyburn, a 2009 appointee of President Obama. But there still is no timetable for when the FCC must rule on what's called the "Wright petition."

"I thought they had dropped it and forgot about it," Wright-Reed said.

### Special or standard?

Why do phone calls from prison cost more than other phone calls? Securus, a Dallas-based company that offers phone service to 2,200 facilities in 44 states, cites the price of the technology required to monitor phone calls, as well as related research and development.

"Securus has many different kinds of features it can build into the call system to live-monitor or record," said Stephanie Joyce, counsel for Securus.

Lee Petro, Wright-Reed's attorney and pro bono counsel for the petitioners, disagrees, saying that the telephone equipment that companies use in jails is standard.

But what makes prison phone calls pricey is not the cost of such equipment. It's the commissions that go to state and county governments.

"The proponents of slashing rates call them 'kickbacks,'" said Joyce. "I feel that does a disservice to these government entities that are complying with state law or trying to fund overtaxed jails."

The commissions are considerable. In some Virginia prisons, they're 35 percent of the price of a phone call. In Maryland prisons where Securus operates, local calls from prisons cost 85 cents, intrastate calls cost \$2.55 plus 30 cents per minute and interstate calls cost \$2.70 plus 30 cents per minute. The commission? Up to 60 percent, which generated \$5.2 million for Maryland in 2010. The Federal Bureau of Prisons, where many D.C. inmates are housed, charges less than many private prisons: 6 cents per minute for local calls and 23 cents per minute for long-distance calls made with debit cards.

The FCC can't ban commissions. But after *Martha Wright et. al. v. Correction Corporations of America et. al.* was filed in 2000, a federal district judge ruled that the agency would have to decide

*(Continued on page 26)*

## Human Rights Coalition Report

(Continued from page 25)

on a reasonable rate for prison phone calls. Since 2003, the request has gone unanswered.

Eight states have banned commissions and have seen rates drop. In Michigan, for example, rates fell from \$3.99 plus 89 cents per minute to a flat rate of about 15 cents per minute after commissions were banned in 2008, according to data from Prison Legal News.

Where commissions exist, the cost gets passed to inmates, their attorneys and their families.

### Grandmother's experience

Martha Wright-Reed became the named plaintiff in the class-action protest over the cost of prison phone calls because she never gave up on her grandson, Ulandis Forte.

When Forte went to prison for manslaughter in 1994, she visited him once a week at the D.C. prison in Lorton, now closed. They spoke by phone about twice a week.

When Forte was transferred to an Arizona private prison in 1998 and the federal Bureau of Prisons in 2001, she visited him in distant places she can't always remember, usually twice a year.

And she took Forte's collect calls. From Lorton, a few calls a week cost Wright-Reed about \$50 per month. When Forte left Lorton, the bills got higher: closer to \$200 a month, for example, when he was in Arizona. Wright-Reed estimates that she spent almost \$1,000 per year on phone calls limited to 15 minutes or less.

"You get tired of writing," Wright-Reed said. "There's nothing like hearing their voice."

The only good news for her in the length of time it has taken the FCC to weigh in on the class-action suit is that her grandson was paroled in June.

After almost 19 years in prison, Forte lives in a halfway house on Eighth Street NW, working at a nearby construction site Monday through Friday, and stays with Wright-Reed on the weekends.

While Forte was locked up, he said, the phone was his lifeline — even if his grandmother couldn't always accept his collect calls and couldn't always afford to put money on his phone debit card.

He estimates that about 20 monthly phone calls of no more than 15 minutes each cost thousands of dollars over the years.

"Sometimes I'd call so she could hear my voice — hear that I'm alive and safe," Forte said, drinking cocoa on a chilly October day before reporting to work at 6:45 a.m. "She couldn't afford to pick up."

### 'Middle of Nowhere'

This fall, Clyburn helped arrange a screening of "Middle of Nowhere" at the FCC. It is a fictional film about a family who struggles when a father is sent to jail. "Middle of Nowhere" was produced by Participant Media, which also produced Al Gore's "An Inconvenient Truth" and promotes causes while promoting movies.

"We believe that a story well told can change the world," said Chad Boettcher, Participant's vice president of social action and advocacy. "We look for issues we call 'tippable.' Is there something that film can push to move the issue forward? I think we found it."

"We have grandparents raising their children's children [and] literally having to make a choice between medicine and staying in touch with their parent," said Clyburn. The daughter of Rep. James E. Clyburn (D-S.C.), she worked to eliminate commissions in South Carolina, her home state. "Studies show what these phone calls can mean for morale and recidivism rate if that individual is able to speak with their family members," she said.

Although the FCC screening of "Middle of Nowhere" on Sept. 24 was closed to the news media, Wright-Reed and Forte attended and spoke to the audience.

"The most important thing I told them was what my grandma means to me," Forte said. "I explained how hard it was for me to keep contact — that it hurts her not to be able to accept my calls."

Clyburn declined to speculate on when the Wright petition would be decided, but she announced that the commission's chairman circulated a "notice of proposed rulemaking" — a draft of a proposal the commission can vote on — at a protest outside the FCC on Nov. 15.

Renderos, of the Center for Media Justice, said that in March, the petition will celebrate its 10th anniversary. "We don't want to see this go past the 10-year mark," he said.

Wright-Reed said that she doesn't expect any financial gain from the lawsuit.

"As far as I know, there's no money," she said. "I want to fix it so it's easier for the boys to talk on the phone."

In most states, said Steven Renderos of the Center for Media Justice, "these are pretty high commission rates . . . they have to pay back into county or state budget."

Renderos calls commissions the "No. 1 leading cause for high phone-call rates."

**Posted by: Nation\_Inside\_team · 3 Dec 2012**

**By: Justin Moyer, WASHINGTON POST**

## Human Rights Coalition Report

### A Dollar a Minute to Talk to Dad

Three phone companies are trying to charge some of the nation's poorest grandmothers, fathers, and children upwards of \$1 a minute to talk on the phone with their loved ones. **And these families have no choice but to pay the high cost; if they don't, they won't be able to hear their loved one's voice.**

Why can these companies get away with this? Because the loved ones in this story are in prison—and these three phone companies have exclusive deals with 45 states that allow them to charge obscenely high fees for incarcerated people to use the phone.

These companies think they can act with impunity because you've never heard of them. But we have a real opportunity right now to stop this prison profiteering. The Federal Communications Commission is finally considering regulating this behavior, to bring long-distance rates for incarcerated people in line with what those of us outside of prison pay.

Tell the FCC: Help kids stay in touch with their parents, and sisters in touch with their brothers, by regulating the prison phone companies so that they charge reasonable rates.

Experts know that having regular calls and visits from family while incarcerated can make people far less likely to go back to prison. Considering the billions of dollars our states spend annually on incarceration, it is in the states' interest to ensure maximum contact with families.

But instead, according to a new report from Prison Policy Initiative: "Prison phone companies are awarded these monopolies through bidding processes in which they submit proposals to the state prison systems; in all but eight states, these contracts include promises to pay 'commissions'—in effect, kickbacks—to states, in either the form of a percentage of revenue, a fixed upfront payment, or a combination of the two."

These prison phone companies are part of a growing sector of the economy that profits off public responsibility. From food to health care to the entire prison, more and more elements of incarceration are being run with an eye for maximizing profit. The largest company, Corrections Corporation of America, made \$1.7 billion in revenue in 2011, overseeing disproportionately violent and unsanitary prisons in dozens of states. . . .

*Letter to the Editor from Kaytee Riek and Rob Wohl, [www.valleyadvocate.com](http://www.valleyadvocate.com)*

#### INMATE PHONE COMMISSION STATEMENTS

MONTH	FISCAL YEAR						
	<u>2002/2003</u>	<u>2003/2004</u>	<u>2004/2005</u>	<u>2005/2006</u>	<u>2006/2007</u>	<u>2007/2008</u>	<u>2008/2009</u>
JULY	\$395,392.04	\$377,709.97	\$631,835.07	\$481,193.07	\$564,549.18	\$531,427.41	\$632,195.45
AUGUST	\$546,053.28	\$427,080.44	\$616,612.91	\$512,614.03	\$1,073,837.34	\$413,639.29	\$567,962.70
SEPTEMBER	\$430,763.86	\$322,459.74	\$592,638.62	\$441,135.18	\$494,504.80	\$580,385.57	\$600,924.18
OCTOBER	\$426,538.21	\$485,889.39	\$618,383.38	\$492,340.11	\$485,500.37	\$697,550.96	\$587,291.79
NOVEMBER	\$412,189.07	\$513,873.69	\$617,210.95	\$449,489.24	\$518,504.27	\$561,801.92	\$558,658.58
DECEMBER	\$436,341.79	\$538,749.10	\$562,157.44	\$460,145.72	\$517,912.55	\$547,425.84	\$621,259.35
JANUARY	\$455,877.43	\$586,215.80	\$425,338.22	\$493,714.07	\$564,095.47	\$589,690.31	
FEBRUARY	\$417,518.03	\$732,084.50	\$3,126.24	\$559,470.44	\$542,204.61	\$649,723.43	
MARCH	\$376,626.74	\$622,786.80	\$3,439.37	\$550,141.90	\$510,009.36	\$641,625.74	
APRIL	\$361,987.95	\$726,520.55	\$3,360.77	\$237,853.03	\$578,030.11	\$617,317.39	
MAY	\$338,038.79	\$675,276.37	\$379,342.20	\$552,654.75	\$483,721.72	\$633,976.44	
JUNE	\$405,481.86	\$635,141.58	\$474,144.81	\$245,655.71	\$553,620.80	\$594,523.63	
<b>TOTALS</b>	<b>\$5,002,809.05</b>	<b>\$6,643,787.93</b>	<b>\$4,927,589.98</b>	<b>\$5,476,407.25</b>	<b>\$6,886,490.58</b>	<b>\$7,059,087.93</b>	<b>\$3,568,292.05</b>



## JOIN THE PRISON PHONE JUSTICE CAMPAIGN!

A national coalition of media and criminal justice activists, led by the Human Rights Defense Center, Working Narratives and the Center for Media Justice, invite you to join a campaign to fight the high cost of prison phone calls.

We need those inside our nation's jails, prisons and detention centers to speak up about the impact of the cost of prison phone calls on you and your family. With your support we will advance a state-by-state legislative challenge, while also pushing the Federal Communication Commission (FCC) to take action.

### WHAT YOU CAN DO:

Send a brief letter to the Federal Communications Commission explaining the impact the high costs of prison phone calls have had on you and your family. Address the letter "Dear Chairman Genachowski," and please speak from your own personal experience. You must state the following at the top of the letter: "This is a public comment for the *Wright* Petition (CC Docket #96-128)." Your letters will be made part of the public docket in the case.

Write to:

Chairman Julius Genachowski  
Federal Communications Commission  
Public Comments  
445 12th Street, SW  
Washington, DC 20554

Our goal is to gather thousands of powerful stories. The prison facility which registers the most letters will be highlighted on the campaign website and will get a co-producer credit on our national radio program addressing the high cost of prison phone calls.

We also need your help organizing on the outside. Ask your family members to sign up for the campaign at [www.phonejustice.org](http://www.phonejustice.org) and invite them to share their story about the high costs of prison phone calls. They can also register their comments online, directly with the FCC, at: <http://apps.fcc.gov/ecfs/upload/display.action?z=whn8> (enter docket #96-128).

Only with your support will we end the abusive cost of prison phone calls. Encourage others to join us in this struggle!



**THE MOVEMENT**

[www.hrcallition.org](http://www.hrcallition.org)



# ‘The Central Park Five’: The racist hate crime that continues

By Sue Davis, [www.workers.org](http://www.workers.org), December 14, 2012

A racist hate crime of sensational proportions has been allowed to fester since 1989. It must be addressed and the victims properly compensated. However, justice is still being denied 23 years later.

In 1989, then Mayor Ed Koch referred to the near-death beating and rape of a young white woman jogger in Central Park as “the crime of the century.” The police department, the district attorney’s office and the media all fell into racist lockstep, demonizing a so-called “wolf pack” of five Black and Latino teens on a “wilding” spree as the ones responsible.

While that attack was horrific — it’s a miracle the woman survived and was able to move on with her life — the crime that continues to this day is the one perpetrated on the five innocent young men of color who had the misfortune to be in Central Park on the evening of April 19, 1989.

A new, critically acclaimed documentary, “The Central Park Five,” created by award-winner Ken Burns, Sarah Burns and David McMahon, chronicles how this crime was systematically contrived and executed in a virulently racist, legal lynching by the capitalist state and the corporate media. Not only were there 28 other rapes in New York City during the same week, almost all of them of Black and Latina women, but only one, that of a Black woman in Brooklyn, received even a mention in the press.

The movie shows, beyond a shadow of a doubt, how the youth were tortured — during many hours of interrogation while being deprived of food and sleep — into confessing to a crime they did not commit, based on promises that if they implicated the others they could go home.

In the film, New York Times columnist Jim Dwyer admits that journalists did not do their job. Why didn’t they question the fact that none of the so-called confessions locates the scene or time of the attack? Why weren’t the stories of the attack consistent? Why didn’t DNA evidence corroborate their guilt? The only coincidence was that all the confessions implicated the other four by name. You can hear the cops constantly repeating the names during the interrogations.

Antron McCray, Kevin Richardson, Yusef Salaam, Raymond Santana Jr. and Korey Wise were railroaded to prison for seven to 13 years in a racist frenzy, their young lives, and those of their families, irrevocably shattered.

In 2002, Matias Reyes, a rapist and murderer sentenced to life in prison, finally confessed and his DNA was identified on the woman’s clothes.

*(Continued on page 30)*

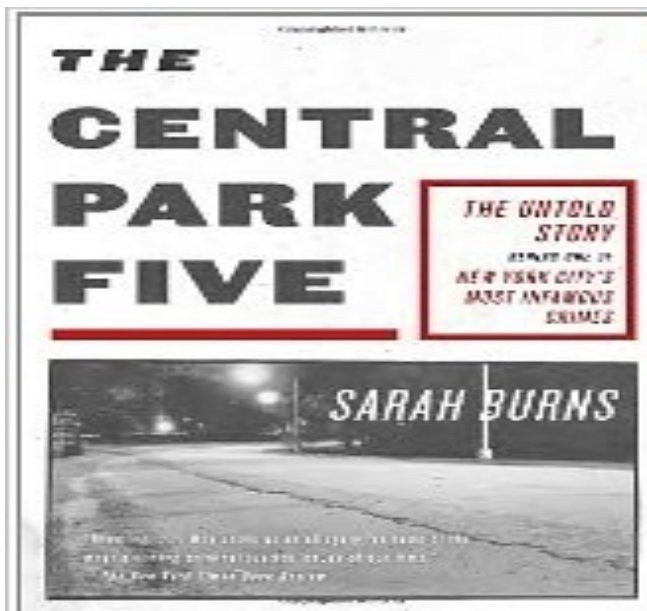


(Continued from page 29)

Even though the youths' convictions were vacated on Dec. 19, 2002, no one in city government has apologized for this injustice. However, District Attorney Robert Morgenthau's comments in his Dec. 5, 2002, motion to vacate point out "troubling discrepancies" in the youths' coerced confessions.

Seeking justice and reparations, Richardson, Santana and McCray filed a civil suit against the city in 2003 for "malicious prosecution, racial discrimination and emotional distress." However, the state, ever since using devious manipulations to delay the case, subpoenaed in September the outtakes from and original interviews and research for the documentary. The filmmakers have refused to comply, determined not to be bullied by the state.

Dolores Cox, a civil rights activist who has been following the suit, told Workers World after viewing the film, "As a Black person living my entire life in the U.S., a country built on Black and Native holocausts fueled by capitalism, I've witnessed and personally experienced the continuing violence and terrorism directed toward people of color here. I live in a country that loves to hate. Pathological racism has been built into not just its criminal justice system, but into every other system and institution to ensure its permanence."



### THE BOOK

**The Central Park Five: The Untold Story Behind  
One of New York City's Most Infamous Crimes**

**By Sarah Burns**

Police interrogated and intimidated the five youth  
for up to 30hrs—parents were kept away during  
the questioning.

Paper back sold at Amazon.com, price \$10.85



### THE DOCUMENTARY

**The Central Park Five**

**Written and Directed by Ken Burns, Sarah  
Burns, and David McMahon**

**Starring: Ed Koch, Kharey Wise, Antron  
McCray, Yusef Salaam, Raymond Santana**

**Sundance Selects**

**Release Date: December 14, 2012**

**THE MOVEMENT**

[www.hrcallition.org](http://www.hrcallition.org)

# 'Veronica and the case of Mumia Abu-Jamal'

By: Betsey Piette

Philadelphia

Over the years, since the 1982 frame-up conviction of political prisoner Mumia Abu-Jamal, witnesses have come forward one by one to reveal that the testimony they gave during the trial supporting the prosecution's case was coerced.

One of the most poignant accounts of prosecutorial coercion came from Veronica Jones. Her courageous story is the basis of the book, "Veronica & the Case of Mumia Abu-Jamal as Told to Her Sister Valerie Jones," which was released post-humously this year. Veronica Jones died on Dec. 1, 2009.

A book launch and signing was held Oct. 20 at Black and Nobel Bookstore in North Philadelphia. Valerie Jones introduced the book, and Veronica Jones' three adult daughters gave readings from the book. Other family members were on hand for support.

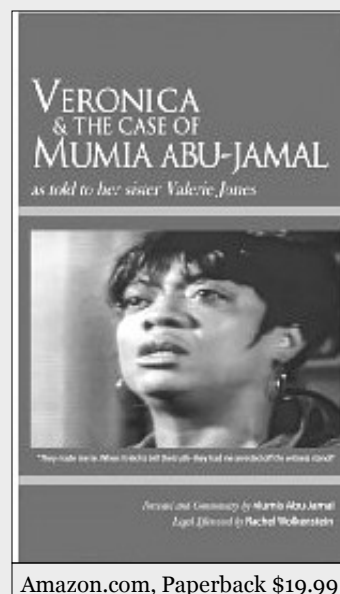
Veronica Jones was slated to be a defense witness in Abu-Jamal's 1982 trial. She had told police she saw two men running from the scene where police officer Daniel Faulkner was shot on Dec. 9, 1981. But at the trial she denied this, saying, "I didn't see anything."

At Abu-Jamal's 1996 Pennsylvania state court hearing challenging his conviction, Jones finally told the truth. She admitted she had lied at the 1982 trial because police threatened her with five to 15 years in prison unless she said Abu-Jamal shot Faulkner.

The state's response to Jones' courageous admission was to arrest her on the witness stand in the middle of the hearing. Since that time and until her death at age 48, Jones remained a stalwart supporter and activist on Abu-Jamal's behalf.

Several speakers at the book launch described the torture and abuse that the mother of the three young girls was subjected to at the hands of police in 1982 when they forced her to change her testimony to help convict Abu-Jamal. A taped reading from Mumia of his forward to the book was played at the event.

Attorney Rachel Wolkenstein, co-counsel for Abu-Jamal in his 1996 Post Conviction Relief Act hearing, who is currently handling his appeal of a life-in-prison-without-parole sentence, explained the significance of Jones' memoir in "exposing the racist, corrupt and class-driven workings of the criminal justice system." The book can be purchased through [orders@Xlibris.com](mailto:orders@Xlibris.com).



# Shane Bauer, American Hiker, Reveals Iran Imprisonment Details

10/18/2012

By: Andrea Stone, [www.huffingtonpost.com](http://www.huffingtonpost.com)

An American freelance journalist who spent more than two years in an Iranian prison said he can relate to inmates in U.S. prisons who face indefinite solitary confinement without hope of reconnecting with other human beings because he's been through it.

Shane Bauer, one of three Americans detained in 2009 while hiking near the ill-defined Iranian border in Iraq's Kurdish region, wrote in Thursday's Mother Jones magazine of his visit to the solitary confinement unit at California's Pelican Bay State Prison. In the first major article he has written since he and friend Josh Fattal were released last year from Iran's Evin Prison, Bauer related similarities between the Iranian and California lockups.

"They are criminals; I was a hostage. They are spending many years in solitary; I did four months," he wrote. "But still, I can't escape the fact that their desperate words sound like the ones that ricocheted through my own head when I was inside."

Bauer, Fattal and Sarah Shourd were accused of spying by the Iranians. The two men would be sentenced to eight years in prison, but not before Shourd was released in September 2010 on what the Iranians called "humanitarian grounds." By then, she had spent her entire 410 days in captivity separated from the men in solitary confinement. Seven months later, she told The Huffington Post that she suffered from PTSD that she attributed in part to her isolation.

In a video accompanying his article, Bauer said the time they spent in solitary was "the worst experience of all of our lives."

Although the three hostages held a news conference upon being reunited in September 2011, they have kept a low profile over the last year and have turned down most media requests for interviews.

Only in May did they make headlines when Bauer married Shourd -- whom he proposed to in prison -- in a private ceremony that was reported afterward.

The article in Mother Jones, where Bauer was a contributor before his ill-fated hike, is the first detailed description of the three friends' ordeal. But the focus is on Pelican Bay's Security Housing Unit (SHU, pronounced "shoe"), where 94 percent of prisoners are warehoused in solitary with little chance of getting out.

*(Continued on page 33)*





In 2005, the last year the federal government released data, more than 80,000 people were in solitary confinement in U.S. prisons -- at least 11,730 of them in California. Bauer cites studies that find those subjected to prolonged isolation show "psychosis-like symptoms." And while he is hardly the first to equate solitary confinement to torture or even the first to focus on the "cruel and degrading" conditions inside California isolation units or even to tour Pelican Bay, his first-hand experience in Iran offers a perspective few share.

Bauer wrote that he reviewed medical research about the effects of isolation. "I remember the violent fantasies that sometimes seized my mind so fully that not even meditation -- with which I luckily had a modicum of experience before I was jailed -- would chase them away," he wrote. "Was the uncontrollable banging on my cell door, the pounding of my fists into my mattress, just a common symptom of isolation? I wonder what happens when someone with a history of violence is seized by such uncontrollable rage."

Bauer is seen in a video nervously driving toward the supermax prison and later standing in an inmate's tiny quarters:

It's been seven months since I've been inside a prison cell. Now I'm back, sort of. The experience is eerily like my dreams, where I am a prisoner in another man's cell. Like the cell I go back to in my sleep, this one is built for solitary confinement. I'm taking intermittent, heaving breaths, like I can't get enough air. This still happens to me from time to time, especially in tight spaces. At a little over 11 by 7 feet, this cell is smaller than any I've ever inhabited. You can't pace in it.

Neoconservative Elliot Abrams attacked Bauer's "ingratitude" for saying after his release that they "sincerely hope for the freedom of other political prisoners and other unjustly imprisoned people in America and Iran." The journalist offered comparison points that don't always shine a glowing light on the U.S. prison system.

"When Josh Fattal and I finally came before the Revolutionary Court in Iran, we had a lawyer present, but weren't allowed to speak to him," he wrote. "In California, an inmate facing the worst punishment our penal system has to offer short of death can't even have a lawyer in the room. He can't gather or present evidence in his defense. He can't call witnesses. Much of the evidence -- anything provided by informants -- is confidential and thus impossible to refute."

The California prison's public information officer, Lt. Chris Acosta, asked Bauer how solitary at Pelican Bay is different than in Iran.

"His tone makes clear that he believes an Iranian prison to be a bad place. He's right about that," Bauer wrote, noting that the three friends were held in the same isolation ward as Iranian political prisoners. "We were held incommunicado. We never knew when, or if, we would get out."

Then, in a devastating passage that civil liberties groups and prison reform activists are likely to reference in the future, Bauer continued:

"What I want to tell Acosta is that no part of my experience -- not the uncertainty of when I would be free again, not the tortured screams of other prisoners -- was worse than the four months I spent in solitary con-

*(Continued on page 34)*

finement. What would he say if I told him I needed human contact so badly that I woke every morning hoping to be interrogated? Would he believe that I once yearned to be sat down in a padded, soundproof room, blindfolded, and questioned, just so I could talk to somebody?

Do I point out that I had a mattress, and they have thin pieces of foam; that the concrete open-air cell I exercised in was twice the size of the 'dog run' at Pelican Bay, which is about 16 by 25 feet; that I got 15 minutes of phone calls in 26 months, and they get none; that I couldn't write letters, but they can; that we could only talk to nearby prisoners in secret, but they can shout to each other without being punished; that unlike where I was imprisoned, whoever lives here has to shit at the front of his cell, in view of the guards?

"There was a window," I say. I don't quite know how to tell him what I mean by that answer. "Just having that light come in, seeing the light move across the cell, seeing what time of day it was — "Without those windows, I wouldn't have had the sound of ravens, the rare breezes, or the drops of rain that I let wash over my face some nights. My world would have been utterly restricted to my concrete box, to watching the miniature ocean waves I made by sloshing water back and forth in a bottle; to marveling at ants; to calculating the mean, median, and mode of the tick marks on the wall; to talking to myself without realizing it. For hours, days, I fixated on the patch of sunlight cast against my wall through those barred and grated windows. When, after five weeks, my knees buckled and I fell to the ground utterly broken, sobbing and rocking to the beat of my heart, it was the patch of sunlight that brought me back. Its slow creeping against the wall reminded me that the world did in fact turn and that time was something other than the stagnant pool my life was draining into.

Here, there are no windows.

## **I want to support the Human Rights Coalition by giving a Donation!**

**Name:** \_\_\_\_\_

**Institution/ID (if necessary):** \_\_\_\_\_

**Street Address:** \_\_\_\_\_

**City/State/Zip Code:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Email Address:** \_\_\_\_\_

**Donation Amount:** \_\_\_\_\_ **\$10.00 - \$25.00**  
\_\_\_\_\_ **\$50.00**  
\_\_\_\_\_ **\$100.00 or above**

**Families, we rely on member support, any gift you make above \$25.00 helps us a great deal.**

**Please make checks payable to the Human Rights Coalition and mail donations to HRC, 4134 Lancaster Ave, Phila., PA 19104, ATTENTION: Charitable Donations.**

(This is the text of a collectively-authored poem performed at the text of a collectively-authored poem performed at the Denver Women's Correctional facility by Parker Bremner, Arian Carney, Liz Casillas, Natalie Ealy, Janiece Ferguson, Dayle Garfield, Latisha Garrett, Danielle Gonzalez, Linda Guthrie, Tabitha Highsmith, Alyssa Kurtz, Claudia Liria Manriquez, Tiffany Maestas, Samantha Miles, Anita Montoya, Michelle Moore, Tina Moya, Anh Nguyen, Tiffanee O, Nicole Palidwor, Mysti Perkins, Alex Rowan, and Misty Saribal. Each line is a statement by one of the authors, who interlaced their experiences into this powerful tribute to hope, personal growth, and collective change.)

## One Voice

I was restrained against my free will in this Colorado prison  
I am that child that roams the dangerous streets  
I am a product of a society that glorifies the forbidden  
I am a living example of a criminal encaged full of rage

I was born with a needle in my arm  
I was tired with life and born for death; taking the plunge that steals every breath  
I was a drug addict and a prostitute  
I was destructive and addicted  
I was a criminal. I was once a victim; now I am the perpetrator

I was blinded by all that glitters; by the glamour and thrill of the fast life  
I wanted the rush, the rush that warms my body  
I am a product of every experience I have ever lived  
I was "just a position" inspired by chance; juxtaposition at a glance

I was quick to make assumptions  
I was molded by every interaction, every place, person, sight, smell, or sound  
I was silent and full of unimportance  
I am the one who creeps in the shadows while all is asleep

I am full of anger, pain, and fear  
I want my soul to forget to ache, a crippling wave—a crushing break  
I want to be free; free of stress, free of worries, free of mind-boggling thoughts  
I want my chaos controlled

I was an abused little girl  
I was the one hiding in the shadows when the gunshots fired  
I was punished  
I want someone to stop and care

I am the melody of the meadowlark; a new season emerging from the dark  
I was a woman who was afraid to speak out, but now I can't be silenced  
I will not be afraid to make difficult choices—it is my destiny to fulfill my heart's desire  
I want to loosen my grip on failure and clutch success

I am a woman who wants to make a difference  
I am a woman to be loved perpetually, and perpetually loving me  
I want to see everything, go everywhere; I want to be whole  
I will gain structure to change my character

I want to be that woman that makes you say WOW!  
I want to be able to walk and hold my head high  
I want to continue going to college  
I want to be respected for all that I am as a woman

I want to be a mom  
I want to be a powerful woman  
I will make a difference  
I want to be heard

I am a soldier and I'll never stop  
I will succeed in life  
I will continue to evolve with every passing day, every encounter

I am a strong, southern, black woman  
I am a lesbian  
I will be a registered nurse  
I will be the one who rises above the destruction

We are sisters, we are mothers, we are brothers  
We are daughters, we are sons, we are fathers  
We will be the messengers—our pens, our sword  
We are witnesses to the struggle  
We were the beginning and we'll be the end  
We will reveal the devastation of incarceration

One Voice is a poem from 'Captured Words/Free Thoughts', volume 10, a humble collection of poems, stories, images, and testimonials produced as part of writing workshops held at prisons around the nation. If you are imprisoned and would like to contribute to the next issue, or if you are free and would like to lend your assistance, or if you are wealthy and care to make a donation then please contact: Stephen J. Hartnett, Professor and Chair, Dept. of Communication, UC Denver, PO Box 173364, Mail Code 176, Denver, CO 80217

***The Human Rights Coalition (Disclaimer)***


***The Human Rights Coalition is an organization that focuses on the plight of prisoners in their struggle for human rights and humane conditions of prisons and challenging the prison industrial complex exploitation of inmates and the drastic ramification on the families of prisoners and society at large.***

***We recognize that most prisoners are people of color and often are economically disfranchised working class people. HRC serves as an educational and resource forum to the community.***

***The Human Rights Coalition does not have the ability to represent individuals in the court of law nor has funding for such activities. The Human Rights Coalition does not have lawyers for personal counsel nor the ability to write legal briefs on behalf of any individual.***

***The Human Rights Coalition is about building a grassroots movement with the leadership of the families of prisoners and citizens who are concerned about the proliferation of prisons and the lack of social programs that could prevent crime and injustice.***

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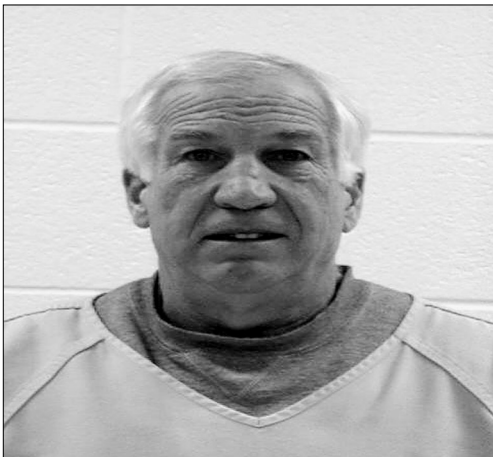
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### Sandusky Serving 30 to 60 years at SCI-Greene



Born in 1944, Jerry Sandusky earned bachelor's and master's degrees from Pennsylvania State University, and joined the school's football coaching staff in 1969. In 1977, Sandusky founded a charity called Second Mile for at-risk kids. It was through this group that he met several young boys, whom he has been accused of sexually abusing. Sandusky was arrested on these charges in 2011, and was found guilty of 45 charges the following June.



**Jerry Sandusky, Now Inmate #KT-2386**

Former Penn State assistant football coach Jerry Sandusky, 68, was convicted of 45 counts for sexual abuse of 10 boys over 15 years. He has maintained his innocence and is pursuing appeals.

The 30 to 60 year sentence imposed Oct 9, 2012 means he faces the likelihood of dying in prison. He was to be sent to serve his sentence at a prison that includes most of the state's death row inmates. Corrections Secretary John Wetzel said Sandusky was transferred to Greene State Prison from a facility near Harrisburg and will be housed in protective custody—essentially solitary confinement. "Given the high-profile nature of this individual, coupled with the nature of his crimes, this makes him very vulnerable in a prison setting," Wetzel said.

### Mentally ill man jailed for London hospital arson has prison sentence quashed

*Evidence indicated Joe Paraskeva was having psychotic episode when he tried to set light to hospital door.*

Amelia Gentleman

The Guardian, Wednesday 12 December 2012

A severely mentally ill young man who tried to escape from a psychiatric unit by attempting to burn down a hospital door had an indefinite prison sentence quashed on Wednesday, after a two-year campaign by his mother.

Joe Paraskeva, 22, had his indeterminate sentence for public protection (IPP) changed to a hospital order at a high court appeal, after new evidence from doctors indicated that he was having a psychotic episode when he attempted to set light to the hospital door. The ruling means that he will now be treated as a patient rather than a prisoner.

The case highlights concerns over widespread insensitivity towards people with mental health problems within the criminal justice system, which campaigners say has meant that many mentally ill people have ended up with criminal records rather than receiving medical help.

Paraskeva's family welcomed the decision, but expressed anger that he had to spend over a year in prison, where he received little treatment for his mental health problems, before being transferred to a medical unit.

His mother, Linda Morgan, said her son should never have been sent to prison and called for greater care to be taken to ensure that mental health patients were not criminalized.

"I am so relieved that the judge and the doctors ruled that he should be in hospital," she said after the ruling. Since her son's conviction she had "felt extreme anger and extreme fear", she said. "Sometimes I still can't believe that society can do this to the most vulnerable people."

She realized her son was having a mental health crisis in October 2010, when he started smashing his fist through mirrors at his family home, saying he could no longer bear to look at his own face. Morgan accompanied him to hospital where he was sectioned under the Mental Health Act. Two days later, disturbed and anxious, he tried to escape from the wing by lighting his aerosol deodorant and firing the flame towards the lock. No one was hurt, but staff were said to have been frightened by his behavior.

*(Continued on page 38)*

(Continued from page 37)

Paraskeva pleaded guilty to arson, and in April 2011 was given an IPP, with a minimum requirement of two years in prison, but no maximum limit, which meant, depending on his behavior, he could be detained for life. Paraskeva, who had no previous convictions, was sent to Chelmsford young offender institution.

"My son admitted himself to a place of safety; he was asking for help and ended up being sent to prison. Something went seriously wrong. He was extremely unwell," Morgan said. "He shouldn't have been diverted to the criminal justice system. Unfortunately this has happened to a lot of people."

"The experience was horrendous," Morgan said. "He didn't come out of his cell for months and his condition deteriorated, he stopped eating ... He is in the proper place now, receiving proper care and treatment."

Summing up, the judge, Lord Justice Gross, said that evidence indicated that "it was highly likely that he was suffering from paranoid schizophrenia at the time of the offence", and ruled that a hospital order was a more appropriate sentence.

After listening to medical evidence detailing significant improvement in Paraskeva's condition, the judge said the test of whether he posed a risk of serious harm to the public hinged on whether or not he continued to take his medication. He ruled that Paraskeva should remain in hospital, with a restriction order, under section 41 of the Mental Health Act, which means he cannot be discharged without the approval of the Ministry of Justice.

Marjorie Wallace, chief executive of the mental health charity Sane, said: "It is shocking that a severely mentally ill 22-year-old man should have been treated as a criminal and detained in prison rather than a psychiatric hospital. Joe Paraskeva was so paranoid, afraid and deluded that for months he isolated himself in his cell, refused visitors including his family and his mental and physical health deteriorated to such an extent that he was too ill to appear in court.

"He is one of thousands of young people who have been shunted into prison due to the failures of psychiatric services to ensure that they receive care and treatment. More than two-thirds of prisoners, even those on remand before sentencing, suffer from two or more mental health conditions. It is a scandal that while numbers in mental hospitals decline, the number of mentally ill people in prison rises. It is time we stopped replacing hospitals with penal institutions."

## 4 States Account for Three-Quarters of U.S. Executions

ALLGOV.com Thursday, December 20, 2012



Execution chamber in Texas

Executions continue to decline in the United States, where only four states accounted for about 75% of all prisoners put to death this year.

Of the 43 people executed by the government in 2012, 33 of them died in Texas, Arizona, Mississippi and Oklahoma, according to the *Death Penalty Information Center*.

As it usually does, Texas led the nation with 15 executions. The other three states each had six. Nine states total conducted executions this year, the lowest number of states to do so in 20 years.

Four other states accounted for nearly two-thirds of all new death sentences handed down this year: Florida (21), California (15), Texas (9) and Alabama (7). This year 78 people were sentenced to death, a 75% decline since 1996.

California, which hasn't executed anyone in nearly seven years because of a temporary moratorium related to a court battle, has by far the largest Death Row population: 725. Almost two dozen other states have not put an inmate to death in 10 years, which demonstrates that state executions are themselves dying off, says Richard Dieter, the Death Penalty Information Center's executive director.

"By every count, the death penalty is declining and becoming less relevant. It's not turned to even in states that have been strong proponents of the death penalty. I'd even include Texas, which is sentencing many fewer people to death," Dieter told the Associated Press.

Earlier this year, Connecticut became the fifth state in five years, and 17th overall, to abolish the death penalty for future crimes (leaving the 11 already on Death Row still eligible for execution).

By Noel Brinkerhoff

Continued on Page 32

(Continued from page 38)

## Former Pennsylvania prisons chief Jeffrey A. Beard named Secretary of the DOC in California.

Thursday, December 20, 2012

Sentencing reform advocate and former Pennsylvania prisons chief Jeffrey A. Beard was named Secretary of the California Department of Corrections and Rehabilitation (CDCR) Wednesday by Governor Jerry Brown. He replaces Matthew Cate, who left in October after four and a half years to head the California State Association of Cities.

The department is in the middle of a major realignment to reduce overcrowding by shifting inmates from state institutions to local jails while the state revamps the parole system and reassesses sentencing determinations.

Beard has three degrees from Penn State: a 1969 bachelor's degree in psychology, a 1972 master's of education in counseling; and a 1980 doctorate in counseling. He was licensed as a psychologist in 1977.

Beard began his career in Pennsylvania corrections—after receiving his master's—as a Rockview state prison counselor from 1972 to 74. He was promoted to counselor supervisor in 1974, classification treatment supervisor in 1975 and deputy superintendent for treatment in 1977.

Beard left Rockview in 1986 to become superintendent at Cresson state prison. He transferred to Camp Hill state prison as superintendent in 1990 after two major riots there did widespread damage to the facility. Beard stayed until 1995, when he moved into the front office. He was named deputy corrections secretary in 1995 and served two years before becoming executive deputy corrections secretary.

Beard, who is registered as decline-to-state, was appointed the Department of Pennsylvania Corrections secretary in 2001 by Republican Governor Tom Ridge. He continued to serve in the position under Republican Governor Mark Schweiker and Democratic Governor Ed Rendell.



Secretary Jeffrey A. Beard

During Beard's 38-year tenure in the Pennsylvania corrections system, the state inmate popula-

tion grew from 8,000 to 51,300. Much of this increase was caused by tougher laws that put more non-violent and less-serious offenders in prison. Beard was an early advocate for treatment courts, alternative sentences and other innovative programs that are being rolled out now in California. Court orders to reduce prison overcrowding and provide inmates better health care prompted a 2011 law that has been sending less serious offenders to local jails instead of state prisons.

At least one Pennsylvania state prison observer questioned whether Beard's reform credentials were enough to judge his administration a success. While acknowledging Beard's contribution to improving visitation policies and reducing the number of nonviolent offenders inside prison walls, Pennsylvania Prison Society Executive Director Bill DiMascio gave him mixed marks overall. "He leaves with 2,000 prisoners out of state and four new prisons on the drawing board. I don't think that's the legacy he was looking for," DiMascio said.

Beard left the department in 2010 and spent the last year and a half as a Professor of Practice at the Justice Center for Research at Penn State University. In addition to teaching, he has been a consultant to state agencies, private companies, the National Institute of Corrections and California's corrections department. He also worked with California in 2007 when he served as a member of the "Expert Panel on Adult Offender and Recidivism Reduction Programming," which assessed the state's prison and parole programs.

Beard's new position requires Senate confirmation and pays \$225,000.

—Ken Broder

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## Jeffrey Beard's Record as Pennsylvania's Secretary of DOC.

BY: HRC

Thursday, 12/20/12

Beard shunned any voices outside of the establishment and only appeared in public to demand that the legislature provide more money to the DOC. Beard was and remains a committed apparatchik of the prison state, rising through the ranks to a position of considerable power by himself as a nondescript technocratic administrator who provided an academic gloss to a system of ritual dehumanization. He was well positioned to facilitate the massive expansion and

(Continued on page 40)



(Continued from page 39)

normalization of race and class based mass incarceration and its corollary of routine, mass imposition of solitary confinement as a first, last, and often exclusive means for controlling the incarcerated population through terror and psychological warfare. In sum, this is a man who profits from serial human rights violations - crimes against humanity, technically - and who can be expected to implement policies serviceable to the class who owns this country and who have no need for poor people, communities of color, restorative justice, decarceration, or human rights.

The internal grievance system inside the PA DOC routinely rejects - on one ground or another - more than 98% of all prisoner complaints according to the DOC's own statistics. Beard received countless complaints from prisoners, their families, and the rare advocacy groups who had the basic decency to speak out against state criminality.

Beard also oversaw an utterly meaningless system of periodic reviews for those on solitary confinement, including the black hole of the Restricted Release List, a form of indefinite, quasi-secret solitary confinement that can only be lifted by the Secretary's authorization. I can explain this in more detail later on, but for those in Cali working on Pelican Bay it should be remembered that Beard has been advising them since the hunger strike, and has probably played a role in drafting the smoke-and-mirrors fake reforms that the Short Corridor Collective have identified as a provocation to engage in another hunger strike due to their being meaningless.

Those in California who are wondering what to expect from this travesty of moral debasement would be well advised to disregard the sycophantic drivel from the likes of Bill DiMascio of the PA Prison Society, an organization who long ago traded the prospect of being responsible advocates for DOC grant money. Politicians like Beard have learned that granting organizations hollow access to prisons will ensure their silence; PPS is well aware that torture is a routine feature of the PA prison system and any remarks about Beard's "legacy" should include his extensive legacy of torturing Pennsylvanians. Californians can look forward to the same treatment.

Politicians like Beard have learned that is more than sufficient for ensuring their silence in regard to torture that the PPS is well aware is a routine feature of the PA prison system.

I visited with Russell Maroon Shoats today, who has spent the last 30 years in the solitary units in PA. When I told him that Beard was the new Secretary of the CDCR he was sickened. I will leave you with that, along with a suggestion that you expect nothing positive from him, do not trust

him, and do not expect change of any substantive sort. At best, he will tinker with the machinery of torture and misery in order to make it more cost-efficient.

Solidarity,

Bret

---

## Family Member Seeks Transfer for Prisoner out of Solitary:

12/19/12 HRC Prison Report

During a recent call to HRC FedUp!, a family member of Brandon McGuire reported that McGuire was being housed in solitary confinement on administrative custody at SCI Rockview for an unknown amount of time, after someone tried to stab him 1 1/2 months ago in general population. After speaking with multiple guards, McGuire's family was advised that he would not be placed back into general population at SCI Rockview among the person or people who tried to harm him, but that they did not know when he would be transferred out of solitary. McGuire told his family member that he was due to be transferred soon because he needed to complete a program that was not offered at the prison he is currently at. However, because McGuire encountered numerous human rights violations at a previous time, when he spent a year in the hole after being jumped by another prisoner, family members are asking friends and supporters to advocate for his transfer out of solitary sooner than later. They feared that if the DOC dragged their feet on his transfer, that he would spend the next year in isolation before his release date of 2013.

At previous events and speak outs on solitary confinement in Pennsylvania, a number of people have cited problems with spending a long time in solitary prior to release; coming out into the community directly from isolation reduces a person's chances to successfully reintegrate into society, can exacerbate psychological harms from being kept in solitary, and can lead to increased violence in communities as a result.

The Human Rights Coalition encourages people to call Secretary Wetzel's office and demand that Brandon McGuire be transferred out of solitary and into general population at another prison where he can complete the program he needs for his release in 2013.

Call or write Secretary Wetzel:  
(717)728-4109  
1920 Technology Parkway  
Mechanicsburg, PA 17050

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## Official HRC Chapters

### Human Rights Coalition - Philadelphia Chapter

C/O Lava Space  
4134 Lancaster Avenue  
Philadelphia, PA 19147  
(267) 293-9169

[info@hrcoalition.org](mailto:info@hrcoalition.org)  
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### Human Rights Coalition - Chester Chapter

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### Human Rights Coalition - FedUp! Chapter

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**START A HUMAN RIGHTS COALITION (HRC) CHAPTER OR BRANCH IN YOUR AREA. Each Chapter or Branch must comply with eight requirements. These eight are:**

- 1.) Respond to inquiries in a timely manner as resources permit.
- 2.) Update membership to HRC-Philly at least quarterly.
- 3.) Incorporate as a non-profit organization.
- 4.) Obtain tax exempt or 501 ( C ) 3 status.
- 5.) Publish a newsletter at least semi annually as resources permit.
- 6.) Send minutes of chapter meetings to HRC-Philly.
- 7.) Establish internet video conferencing for statewide chapter meetings.
- 8.) Create a cooperative business to finance your chapter or branch to be financially independent.

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The Human Rights Coalition would like to thank RESIST for their support of our efforts; i.e., protecting the human rights of our loved ones in prison, bringing a stop to the torture and abuse of prisoners, and making the public aware of DOC's inhumane practices and the effect it has on our communities.

## Your Legal Corner

WE ACCEPT LEGAL ARTICLES THAT EDUCATE AND EMPOWER FAMILIES OF PRISONERS THEIR CONSTITUTIONAL RIGHTS AND LAWS, AND HOW TO DEAL WITH THE POLICE, LAWYERS AND THE COURTS ON BEHALF OF THEIR LOVED ONES JUST FORWARD YOUR ARTICLE TO THE HRC'S NEWSLETTER DEPARTMENT FOR POSSIBLE PRINTING.

Dear Friends,

In recent months, there have been several developments that impact the sentencing option of life without parole for youth. The June 2012 Supreme Court ruling in *Miller v. Alabama* eliminated mandatory life without parole for juveniles. Also, lawmakers in several states including California, Louisiana, Wyoming, North Carolina, and Pennsylvania -- considered measures to address juvenile life without parole (JLWOP) as a sentencing option in the wake of the SCOTUS ruling.

In June of 2012, the United States Supreme Court ruled in *Miller v. Alabama* that mandatory life-without-parole sentences for individuals 17 or younger convicted of a homicide are unconstitutional. The *Miller* ruling builds on the 2010 Supreme Court decision in *Graham v. Florida* in which it was held that individuals convicted as juveniles cannot be sentenced to life imprisonment without parole for non-homicide offenses.

Several states introduced bills in 2012 to address juvenile life without parole as a sentencing option, including California, Louisiana, Pennsylvania, and Wyoming. The context for policy change varies from state to state. In some states the political climate provides a foundation to eliminate JLWOP as a sentencing option and authorizes relief for persons currently serving the sentence. In other jurisdictions, modest reforms have been enacted that bring state law into compliance with *Graham* or *Miller*. Advocates have been working tirelessly at the state level to provide a second chance for youth sentenced to life without parole. Learning more about the childhood experiences of individuals have been sentenced to life without parole require that we demand reform to allow a second look at these individuals.

**California:** Senate Bill 9 was signed into law in September 2012. The bill allows certain individuals to petition for a resentencing hearing if they were minors when they committed the offense. Persons eligible for sentencing relief under SB 9 must serve at least 15 years in prison before they can apply for parole and are not eligible for release until they serve a minimum of 25 years. The measure excludes certain persons from sentencing relief, including those who had a history of violence at the time of the offense and cases where the victim was tortured or the victim was a law enforcement officer or firefighter.

Building momentum for the final passage of SB 9 required a significant amount of advocacy in California to balance opposition. Support for SB 9 began when the California session started in early January 2011. The measure was championed by State Sen. Leland Yee (D-San Francisco) and Human Rights Watch, which led California's Fair Sentencing for Youth Campaign. The campaign worked for several years to build momentum for reform from various interests including organizations representing labor, law enforcement, children's advocacy, and the health community. Opinion editorials were also placed by various stakeholders to endorse SB 9. Former House Speaker Newt Gingrich co-authored an op-ed with Pat Nolan of Prison Fellowship that called on California's governor to sign the bill. Other endorsements included House Minority Leader Nancy Pelosi and Marian Wright Edelman of the Children's Defense Fund.

*(Continued on page 43)*

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**Louisiana:** Governor Bobby Jindal signed Senate Bill 317 earlier this year to bring Louisiana into constitutional compliance with Graham by authorizing parole for certain persons sentenced as juveniles to life without parole. Specifically, the measure allows parole eligibility after individuals have served 30 years. SB 317 requires that a three-person parole board decide whether to release eligible individuals. The bill requires those applying for parole to participate in specified education programs, earn a low risk designation as determined by Louisiana's Department of Public Safety and Corrections, and complete authorized reentry programs.

The bill was introduced by State Sen. Daniel Martiny (R-Metairie) and garnered support from various interests including the Juvenile Justice Project of Louisiana and the Louisiana Conference of Catholic Bishops.

**Pennsylvania:** State lawmakers moved hastily to bring the state into compliance with Miller by amending Senate Bill 850 to allow for an opportunity of parole release after a specified number of years. Currently, nearly 500 individuals are sentenced to juvenile life without parole in the state, more than any other state in the nation. SB 850, ended the sentence of life-without-parole sentences for juveniles convicted of murder. The law requires defendants 14 or younger to serve at least 20 years for second-degree convictions and 25 years for first-degree convictions. Individuals age 15 to 17 face at least 25 or 35 years. The law is not retroactive, necessitating court action for those currently eligible for sentencing relief under Miller or Graham.

The juvenile sentencing provision in SB 850 was introduced by State Sen. Stewart Greenleaf (R-Montgomery/Bucks). The amendment garnered strong opposition from state advocacy organizations including the Pennsylvania Coalition for the Fair Sentencing of Youth and the Pennsylvania Prison Society. Groups opposed the measure because it continues to authorize life without parole as a sentencing option for youth under the age of 18.

**Wyoming:** The Wyoming Joint Interim Committee on Judiciary considered D 234, legislation that would have eliminated life without parole for juveniles. Under the bill, juveniles could have still received life sentences for first-degree murder or repeated sexual assaults, but would be eligible for parole after serving 25 years.

Lawmakers in other jurisdictions are moving to bring their states into constitutional compliance with Graham or Miller, although not always in ways that are likely to satisfy the Supreme Court ruling that sentences should provide a meaningful opportunity for parole release. Iowa Governor Terry Branstad, for example, commuted the sentences of 38 individuals sentenced to JLWOP, but required that they serve a minimum of 60 years before being eligible for parole. Some question whether the Governor's actions satisfy the Supreme Court ruling that sentences should provide a meaningful opportunity for parole release. In Florida, House Bill 5, known as the Graham Compliance Act, failed to move out of committee in the Senate. Lawmakers in Virginia and Washington state also introduced measures to modify juvenile life without parole sentencing provisions.

Do advocates in other states have stories about efforts to eliminate juvenile life without parole as a sentencing option? Please share with The Sentencing Project by contacting Nicole D. Porter, Director of Advocacy at [nporter@sentencingproject.org](mailto:nporter@sentencingproject.org).

Thank you all for your time and interest.

Best,

Nicole Porter  
The Sentencing Project



*If any prisoner, family member, or community activist would like to submit an article that is “critical” of the state and county prison systems, courts, D.A. offices, police, capitalist corporate America, and the government, just forward your article to the HRC’s Newsletter Department for possible printing.*

## **Days Without End: Life Sentences and Penal Reform**

**by Marie Gottschalk**

Death fades into insignificance when compared with life imprisonment. To spend each night in jail, day after day, year after year, gazing at the bars and longing for freedom, is indeed expiation.

—Lewis E. Lawes, warden of Sing Sing prison, 1920–41

### **PART I**

The Great Recession has spurred the reexamination of many penal policies, from the war on drugs to alternatives to incarceration, but not the widespread use of life sentences.<sup>1</sup>

The United States continues to be deeply attached to condemning huge numbers of offenders to the “other death penalty” despite mounting evidence that lengthy sentences have minimal impact on reducing the crime rate and enhancing public safety.

Life sentences have become so commonplace that about one out of eleven people imprisoned in the United States is serving one. Nearly one-third of these life-sentenced offenders have been sentenced to life in prison without the possibility of parole (LWOP).

The total life-sentenced population in the United States is about 141,000 people – or about twice the size of the entire incarcerated population in Japan. These figures on life sentences do not fully capture the extraordinary number of people who will spend all or much of their lives in U.S. prisons. They do not include the “virtual lifers,” offenders who received sentences that exceed a natural life span and who will likely die in prison long before reaching their parole-eligibility or release dates.

A life sentence has become an acceptable punishment not only for murder, but also for a wide variety of other crimes, some of them quite trivial. Under California’s draconian three-strikes laws, people have received 25 years-to-life sentences for minor infractions like stealing pizza from children and stealing change from a parked car. In November 2011, a circuit court judge in Florida sentenced a 26-year-old man whose home computer contained hundreds of pornographic images to life in prison without the possibility of parole.

Keeping so many older prisoners incarcerated does not significantly reduce the crime rate and is extremely expensive. The population of imprisoned elderly adults is growing rapidly. Between 1999 and 2007, the number of people age 55 or older in state and federal prisons grew by nearly 77 percent. Be-

*(Continued on page 45)*



# The Babylon System -

**Bab.y.lon** - noun, Etymology: Babylon, ancient city of Babylonia, 14th century, a city devoted to materialism and sensual pleasure, many liken Babylon to the United States, see Revelations 17-18.

*(Continued from page 44)*

cause of their greater need for expensive health-care services, prisons spend two to three times more to incarcerate an elderly prisoner than a younger one, or on average about \$70,000 a year.

The explosion in the number of lifers in the United States since the 1970s is a dramatic change in U.S. penal policy. For much of the last century, a life sentence rarely meant a lifetime behind bars. In 1913, a “life” sentence in the federal system was officially defined as 15 years. Many states had comparable rules. Until the early 1970s, even in a hard-line state like Louisiana, which today has the country’s highest incarceration rate, a life sentence typically meant ten years and six months. For almost five decades, the 10/6 law, enacted in 1926, governed life sentences in Louisiana. Lifers were routinely released in Louisiana after serving about a decade if they had good conduct records and the warden’s support. The years that prisoners spent in Louisiana’s infamous Angola prison were oftentimes brutal and dehumanizing, but they nearly always had an end date. That changed almost overnight in the 1970s, as lawmakers dramatically increased the minimum time served to be considered for clemency and then in 1979 mandated that all life sentences would be served without the possibility of parole. In 1970, just 143 people were serving LWOP sentences in Louisiana. By 2009, it had mushroomed to 4,270 – or to about 11 percent of the state’s entire prison population.

## Little Judicial Relief

The U.S. public has been largely indifferent to the proliferation of life sentences and of disproportionate and arbitrary punishments. Likewise, the political process has failed to engage in a serious debate about these issues. For these reasons, the courts appear to some observers to be the most promising arena to check excessive punishments like life sentences.

In the 2010 *Graham v. Florida* decision, the Supreme Court ruled that sentencing juveniles convicted of nonhomicidal crimes to life imprisonment without the possibility of parole was unconstitutional. In November 2011, the Supreme Court announced it would hear arguments in two cases challenging the constitutionality of LWOP for juveniles convicted of homicide (*Miller v. Alabama* and *Jackson v. Hobbs*). These actions have bolstered faith in focusing on legal strategies to reduce the lifer population. But this confidence in the judiciary’s greater potential to lead the way in curtailing extreme sentences in the United States may be unwarranted.

In the absence of a wider political push to challenge life sentences, the courts can be counted on at best to chip away at the life-sentenced population without making a major dent in it. Moreover, an excessive focus on judicial strategies may come at the cost of developing successful complementary political and legislative strategies to shrink the lifer population.

The Supreme Court has been extremely supportive of life sentences and of grossly disproportionate sentences. In *Schick v. Reed* (1974), it dismissed any notion that LWOP was unconstitutional. In *Harmelin v. Michigan* (1991), it ruled that LWOP sentences do not require the same “super due process” procedures

*(Continued on page 46)*

# The Babylon System -

**Bab.y.lon** - noun, Etymology: Babylon, ancient city of Babylonia, 14th century, a city devoted to materialism and sensual pleasure, many liken Babylon to the United States, see Revelations 17-18.

*(Continued from page 45)*

mandated in capital punishment cases. Thus, LWOP has become cheaper and easier to mete out than a death sentence.

Most people sentenced to life do not have any real chance of getting their sentences overturned or reduced. They often have fewer legal resources to challenge their sentences because they are not entitled to the automatic appeals process available to prisoners on death row. Moreover, most post-conviction law offices and organizations focus almost exclusively on capital cases which are paid for by the federal judiciary or otherwise receive special funding.

The Supreme Court has consistently given legislators and judges wide berth to impose whatever punishments they see fit – short of death – without significant judicial oversight. In *Lockyer v. Andrade* (2003), the U.S. Supreme Court affirmed two 25 years-to-life sentences for a California man whose third strike was the theft of \$153 worth of videotapes intended as Christmas gifts for his nieces. In *Ewing v. California*, it sanctioned a 25 years-to-life sentence under California's three-strikes law for the theft of three golf clubs.

Capital punishment is one area of criminal law where the Supreme Court has at least nominally sought to define a robust oversight process and curb excessive punishment.

The Court requires states to have clear guidelines for the imposition of a capital sentence so that it is not imposed capriciously and arbitrarily. It has banned mandatory death sentences and insisted that capital defendants have the opportunity to present all kinds of mitigating evidence in the sentencing phase of their trial. It has sought to make the punishment fit the crime in capital cases, thus forbidding the execution of people convicted of rape and greatly restricting the use of the death penalty in felony murder cases.

By contrast, life sentences are imposed today in a manner that is similar in some ways to how death sentences were imposed in the pre-Furman and pre-Gregg eras before the Supreme Court nationalized capital punishment and began to regulate it through its new death-is-different doctrine. Some legal observers contend that pushing the courts to extend the death-is-different doctrine to lifers may be the most fruitful way to curtail use of this extreme sentence.

But the Supreme Court has been scrupulous about keeping "its death penalty jurisprudence from bleeding into other areas of criminal justice by repeating the truism that death is different," explains Rachel Barlow of the NYU School of Law. Furthermore, one thing that both supporters and opponents of the death penalty agree on is that the Supreme Court's regulation of capital punishment has not been a success. As Justice Harry Blackmun famously declared in 1994, a decade and a half after he voted in favor of reinstating the death penalty in the Gregg decision, "The death penalty experiment has failed."

Today, the death penalty is entangled in a highly complex web of rules and procedures. Yet opponents of the death penalty complain that capital defendants are regularly denied due process and that capital punishment continues to be imposed in a capricious, arbitrary and discriminatory fashion. Meanwhile, supporters of capital punishment lament the lengthy, often unending legal appeals process in death penalty cases that in their view denies victims' families the closure that a timely execution reportedly brings.

*(Continued on page 47)*

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# The Babylon System -

**Bab.y.lon** - noun, Etymology: Babylon, ancient city of Babylonia, 14th century, a city devoted to materialism and sensual pleasure, many liken Babylon to the United States, see Revelations 17-18.

*(Continued from page 46)*

Compared to the virtually nonexistent oversight of noncapital cases, the death penalty review process may look robust. However, on its own, the body of rules, principles and precedents that has developed over the past four decades to govern capital punishment is notoriously confusing and often contradictory. Moreover, in the early 1980s the Supreme Court and then Congress began dismantling or weakening some of the legal protections erected for capital defendants in a shift toward “deregulating death.”

It would be a mistake to view the *Graham* decision as a major departure from these general trends or to interpret it as a signal that the judiciary is the Promised Land to roll back life sentences in the United States. In *Graham*, as in the *Atkins v. Virginia* (2002) and *Roper v. Simmons* (2005) decisions, which respectively banned the execution of the mentally retarded and juvenile offenders, the Court emphasized that it was dealing with an extremely rare sentencing practice. The Court singled out the rare use of this sentence as one piece of evidence that these particular LWOP sentences were at odds with “evolving standards of decency,” a key pillar of its death penalty jurisprudence, and thus were cruel, unusual and unconstitutional. To gauge “evolving standards of decency,” it weighed not just how many states had this sentence on the books, but also how few actually imposed it. The Court further noted that international opinion and practice were arrayed against LWOP sentences for juvenile offenders, as were some key professional associations.

Even though the Court borrowed from the capital punishment canon to invalidate LWOP for these particular juvenile offenders, “evolving standards of decency” does not look like a promising avenue to mount a broader legal challenge to LWOP or other life sentences. It is hard to make the case that the American public has become disenchanted with LWOP or life sentences more generally for most adult offenders. Prior to the 1970s, LWOP was virtually nonexistent. Today 49 states have some form of LWOP on the books, up from 16 in the mid-1990s. In six states – Illinois, Iowa, Louisiana, Maine, Pennsylvania and South Dakota – all life sentences mean life without the possibility of parole. The same is true for life sentences in the federal system, which ended parole eligibility for life-sentenced prisoners in 1987.

Since the early 1980s, the U.S. incarceration rate has quadrupled while the LWOP population is 100 times greater than it was then. Public opinion polls indicate growing and strong support for LWOP as an alternative to the death penalty. Although international practice and opinion are decidedly against LWOP and the widespread use of other kinds of life sentences, international sentiment has been at best a second-tier consideration for the Court in gauging “evolving standards of decency.”

In the *Graham* decision, the Supreme Court identified the “denial of hope” as another reason to declare that these specific juvenile LWOP sentences were unconstitutional. The Court indicated that an LWOP sentence for certain juvenile offenders may be unacceptable because it means that “good behavior and character improvement are immaterial; it means that whatever the future might hold in store for the mind and spirit of [the offender], he will remain in prison for the rest of his days.”

However, “denial of hope” does not look like a fruitful opening to challenge life sentences more broadly. Lifers exhibit a wide range of behaviors and coping strategies, much as one would find among the termi-

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***If any prisoner, family member, or community activist would like to submit an article that is “critical” of the state and county prison systems, courts, D.A. offices, police, capitalist corporate America, and the government, just forward your article to the HRC’s Newsletter Department for possible printing.***

*(Continued from page 47)*

nally ill or chronically disabled at various stages of their diagnoses and illnesses. Anyone who has spent some time with lifers – especially lifers who have been incarcerated for a decade or more – cannot fail to be impressed with how hopeful many of them appear to be. Many lifers doggedly seek purpose in their lives despite what may appear to many outsiders to be bleak living conditions and bleak life prospects.

Recent research suggests that many lifers cope with the extraordinarily difficult circumstances of their confinement by cultivating optimism about their own personal efficacy, by compiling impeccable disciplinary records, and by strictly adhering to daily routines defined by a whirlwind of educational, volunteer, religious and other activities. This helps explain why lifers tend to be leaders in creating a more stable and livable atmosphere in prisons.

This is not to deny or minimize the severe psychological distress that often comes with a life sentence. These sentences are like a death in slow motion for many prisoners, causing great mental and sometimes great physical distress. Furthermore, the conditions of confinement for lifers in the United States tend to be far worse than those for the general prison population and are more likely to fall below international human rights standards.

***Due to length of this article, PART II beginning with ‘Recidivism and Life Sentences’ will be printed in the next issue of The Movement.***

***The above article is from ‘Prison Legal News—Dedicated to Protecting Human Rights’, providing a cutting edge review and analysis of prisoner rights, court rulings and news . . . Families of prisoners may find it at:***

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# Taking the Bull by the Horns

In the July Graterfriends (Volume 43, Issue 7) two articles about obtaining parole for lifers was printed entitled, *The Time Is Now To End, 'Time With No Limit'* by Brandon Moody and *All Talk, No Action on Parole for Lifers* by Lee Horton.

Their basic theme was simple: obtaining parole for lifers is the responsibility of lifers in PA. I was recently discussing this point with several lifers when one commented, "If you mess with the bull, you get the horns." I took his comment to mean, he believed there would be adverse consequences for lifers who got involved with the struggle for parole.

I understand this lifers' interpretation, his fear; a lot of other lifers feel the same way. So with this understanding I replied, "In life sometimes you have to take the bull by the horns." Expounding further, I said "Take the bullfighter, although the bull is bigger, stronger, faster, the bullfighter is able to overpower and defeat the bull. In a word he defeats it by having no fear and controlling its movement, then he sticks him with a spear." If obtaining parole is the bull then lifers must become bull fighters to prevail.

On this point while at SCI-Mahanoy I had the opportunity to work with some lifers on the issue of parole. Though we didn't succeed, our effort was productive. As Mr. Horton said in his article, "Trial and error has always been man's most effective teacher." Our mistake was putting all of our eggs in one basket and relying on a politician to deliver us a victory. As Mr. Moody's article suggested, our focus should have been on developing an effective strategy whereby lifers, like bullfighters, control the bull. Our focus at Mahanoy was evolving on this point and a strategy was being developed. This is why I was abruptly transferred from Mahanoy to SCI-Houtzdale. The powers-that-be and those who suffer from the Stockholm syndrome thought that by removing me, the movement would die. But this was a fallacy. When you have men and women who have been in prison for 30, 40, and 50 years the hunger for freedom is too strong. But the reality is that nobody is going to give lifers in Pennsylvania parole just because. Not the legislators, the governor, not even God. The only thing that will get it done is the will of the people, meaning lifers and their supporters. Otherwise, all a lifer in PA can look forward to is a body bag. If this is a lifer's fate, for what reason is it to fear the consequences of getting behind the struggle for parole.

As a former President of the U.S. of America by the name of Harry Truman once said, "there is nothing to fear but fear itself." So individual lifers need to get over their fear and get involved. Look, there is a group of former prisoners who want to help us. They have a meeting place and clearing house for our ideas in the outside community. But bear in mind, this is our movement. A movement of WE the people.

As far as my personal contribution, I have no problem laying out a "blueprint" once more. I also welcome any fresh new ideas. Indeed, Mr. Moody's strategy is a solid start. The wind is at our backs. The highest court just overturned mandatory life without parole for juvenile lifers. Many thought it wouldn't happen but it did. Everything is telling us that it's our time, we just have to take the bull by the horns and stick it with the points of five thousand spears.

Pledge your support by signing the petition (next page) form 'Parole Eligibility for Pennsylvania LIFERS'. Volunteers please call 267-293-9169. The petition and comments, ideas, or support must be addressed, **ATTENTION: PAROLE FOR LIFERS** and mailed to:

**Human Rights Coalition  
4134 Lancaster Avenue  
Philadelphia, PA 19104**

**Fraternally yours** - Omar Askia Ali-Sistrunk #AF0814, PO Box 1000, Houtzdale, PA 16698-1000

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# Parole Eligibility for PA Lifers

## Why? Or Why Not?

**Most states provide parole for lifers. Seven states do not, Pennsylvania is one of the seven.**

**1.** As with the death penalty, Life sentences were designed to be used in rare cases. However in reality, this “rare” practice has become **common practice** as nearly **125,000 prisoners age 55 or older are now behind bars** which represents a increase of 1,300 percent since the 1980’s (June 2012, American Civil Liberties Union). **2.** Life sentences have become an acceptable punishment not only for murder, but also for a wide variety of other crimes with “Mandatory Minimum Sentencing” laws and the “War on Crime” agenda. **3.** There is ample evidence that most prisoners **over age 50 pose little or no threat to public safety** and experts on sentencing and crime have concluded that imprisonment and lengthy sentences does not necessarily deter offenders and would-be offenders from committing crimes. **4.** **More than \$16 billion is spent** annually by states and the federal government to incarcerate elderly prisoners, prisoners aged 50 and older cost around \$68,000 a year to incarcerate. **Changes must be made to sentencing and parole policies** as the number of older prisoners could sky rocket as high as 400,000 by 2030, posing a tremendous threat to state and federal budgets (June 2012, ACLU report).



Photo by Tim Gruber/ACLU

**Sign on as a supporter of Parole for PA Lifers. Forward petition to Human Rights Coalition, Attention: PAROLE FOR LIFERS, 4134 Lancaster Avenue, Philadelphia, PA 19104. Families and orgs. feel free to make copies, distribute, and to gain signatures.**

	Organization/Group Name	Individual or Contact Name	Address, City, State, Zip Code	Phone Number or Email Address
1.	Human Rights Coalition	Ms. Karen Ali	4134 Lancaster Ave, Phila, PA 19104	267-293-9169
2.				
3.				
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## Schedule of Events

- 8:30 AM **REGISTRATION AND CONTINENTAL BREAKFAST**
- 9:30 AM **INTRODUCTORY REMARKS**
- 9:45 AM **KEYNOTE ADDRESS**  
· JAMES FORMAN JR., CLINICAL PROFESSOR OF LAW, YALE LAW SCHOOL
- 10:30 AM **PANEL 1: ISOLATION AND MENTAL HEALTH**  
· SHARON DOLOVICH, PROFESSOR OF LAW, UCLA SCHOOL OF LAW  
· CRAIG HANEY, PROFESSOR OF PSYCHOLOGY, UNIVERSITY OF CALIFORNIA, SANTA CRUZ  
· ROBERT HILLARY KING, PART OF A TRIO OF AMERICAN POLITICAL PRISONERS COLLECTIVELY KNOWN AS THE "ANGOLA THREE"  
**MODERATOR:** KIMBERLY THOMAS, CLINICAL PROFESSOR OF LAW, JUVENILE JUSTICE CLINIC, MICHIGAN CLINICAL LAW PROGRAM, THE UNIVERSITY OF MICHIGAN LAW SCHOOL
- NOON **LUNCH**
- 1:30 PM **PANEL 2: CRISIS IN MICHIGAN**  
· ELIZABETH ALEXANDER, ATTORNEY AT LAW, LAW OFFICES OF ELIZABETH ALEXANDER; DIRECTOR EMERITUS, AMERICAN CIVIL LIBERTIES UNION NATIONAL PRISON PROJECT  
· ROBERT COHEN, CLINICAL INSTRUCTOR IN THE DEPARTMENT OF MEDICINE OF THE NYU SCHOOL OF MEDICINE  
· JOHN CONYERS, UNITED STATES CONGRESSMAN REPRESENTING MICHIGAN'S 14TH DISTRICT; FOUNDING MEMBER OF THE CONGRESSIONAL BLACK CAUCUS  
· PATRICIA STREETER, ATTORNEY AT LAW, LAW OFFICES OF PATRICIA A. STREETER  
**MODERATOR:** DAVID SANTACROCE, CLINICAL PROFESSOR OF LAW, GENERAL CLINIC, MICHIGAN CLINICAL LAW PROGRAM, THE UNIVERSITY OF MICHIGAN LAW SCHOOL
- 3:00 PM **BREAK**
- 3:15 PM **PANEL 3: STRATEGIES FOR REFORM**  
· JAMES AUSTIN, PRESIDENT, THE JFA INSTITUTE  
· CHRISTOPHER EPPS, COMMISSIONER, MISSISSIPPI DEPARTMENT OF CORRECTIONS  
· DAVID FATHI, DIRECTOR OF THE AMERICAN CIVIL LIBERTIES UNION NATIONAL PRISON PROJECT  
· MARIE GOTTSCHALK, PROFESSOR OF POLITICAL SCIENCE, THE UNIVERSITY OF PENNSYLVANIA  
· MARGO SCHLANGER, PROFESSOR OF LAW, THE UNIVERSITY OF MICHIGAN LAW SCHOOL  
**MODERATOR:** JELANI JEFFERSON EXUM, ASSOCIATE PROFESSOR, UNIVERSITY OF TOLEDO COLLEGE OF LAW
- 5:15 PM **CONCLUDING REMARKS**
- 7:00 PM **ALUMNI AND SPEAKERS' DINNER**

## Information

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[STUDENTS.LAW.UMICH.EDU/MJRL/](http://STUDENTS.LAW.UMICH.EDU/MJRL/) OR CONTACT KARLA JOHNSON AT [KARLJOHN@UMICH.EDU](mailto:KARLJOHN@UMICH.EDU).

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