

Coalition For Prisoners' Rights Newsletter

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STILL LOCKED UP FOR LIFE

The U.S. Supreme Court's June 25, 2012 opinion in *Miller v. Alabama* struck down mandatory life without parole (JLWOP) sentences for youth convicted of murder. This should improve the lives of the roughly 2,500 people so sentenced. Twenty-seven states currently have mandatory JLWOP sentences. It is already clear that different states are going to try different things.

For example, the current Iowa governor has announced that he will commute the 38 JLWOP sentences to parole eligibility after 60 years of imprisonment. The North Carolina legislative recently passed a provision granting JLWOP prisoners parole review after 25 years of imprisonment.

What the Supreme Court 5 to 4 decision did was to order an individualized approach to potential JLWOP sentencing that would consider proportionality of punishment to the nature of the crime, and the defendant's history. What the decision did NOT do is impose a categorical ban on JLWOP sentences for youth. Nor did it require that its ruling be applied retroactively to those already sentenced under JLWOP. That important question will eventually be decided in the courts.

ON A MORE HOPEFUL NOTE:

Prison Population Decline

Texas is now fourth overall among all the states in its incarceration rate. As of July 2012, its 154,000 prisoners in 111 state prisons were down about 2,500 from 2011.

Program Saved

The model Honors Program, at California State Prison in Lancaster, recently threatened with dismemberment by the California prison administration, has, for the moment, been saved. No prisoners will be transferred. Thanks to everyone who signed the vital petition in support of it!

In *Roper v. Simmons* (2005), the Supreme Court struck down execution sentences for those under 18 at the time of the crime they were convicted of. In *Graham v. Florida* (2010), the Court forbade JLWOP sentences for those whose convicted were not for murder.

The nature of the results of these decisions to date is both instructive and tragic. Florida, with 266 JLWOP prisoners as of February 2010, has taken no definitive action although some judges have sentenced JLWOP-eligible minors to 70 to 90 year sentences. In 2005, death sentences of minor age prisoners were commuted to sentences with the possibility of parole after 40 years.

The 27 states with at least some mandatory JLWOP sentences are: Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Hawaii, Illinois, Iowa, Kansas, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, South Dakota, Texas, Virginia, and Washington. As of February 2010, there were 2,574 JLWOP prisoners.

Only in the United States!

Survivors Manual Re-released

The American Friends Service Committee (AFSC, 1501 Cherry St, Philadelphia PA 19102), is releasing the 5th edition of "Survivors Manual: Survival in Solitary" a collection of letters, poetry and practical advice on surviving the miseries of solitary confinement in prisons. Price: \$3.

"The Opposite of Poverty

is not wealth.
The opposite of poverty is justice."
--Bryan Stevenson, Equal Justice Initiative, Montgomery AL.

VSPW -- Calusura or conversión?

El CDCR (California Department of Corrections and Rehabilitation) planea convertir la Prisión Estatal para Mujeres del Valle (VSPW) en una prisión para hombres. En lugar de liberar a miles de mujeres quienes son elegibles para regresar a casa, el CDCR planea transferirlas a las únicas dos prisiones que quedan para mujeres (CCWF y California Institution for Women). Esta conversión y amutilación de gente--incluyendo mujeres embarazadas y mayores de edad--en instalaciones que ya están muy por encima de su capacidad, intensificará en proporciones horrorizantes la negligencia médica, y la muerte prematura que ya está desenfrenada en las prisiones para mujeres.

Hicieron una declaración conjunta para pedirle a la opinión pública su apoyo a las siguientes tres demandas:

1. Que el Estado ponga fin inmediatamente a su programa de conversión y pare la transferencias.
2. Que el Estado libere suficiente gente para tratar el asunto de la sobrepoblación en su sistema de prisiones
3. Y luego, que cierre la VSPW para toda

Para firmar la petición en oposición a la conversión de la VSPW en una prisión para hombres, contacte a California Coalition for Women Prisoners, 1540 Market Street, Room 490, San Francisco CA 94102.

Copies of the Newsletter will be included in all correspondence we send out. To receive the Newsletter monthly, send us self-addressed, stamped envelopes (with the CPR return address)--up to 12 at one time.

Please continue to send us address changes and renewal requests, in order to receive the yearly holiday card/new calendar.

Also, please note that the *only* address to use to be sure to reach us continues to be: PO Box 1911, Santa Fe NM 87504. And remember: NONE OF US ARE LAWYERS OR LEGAL WORKERS>

Many, many thanks to the *Real Cost of Prisons Project* for making our Newsletter available on-line for free downloading and distribution. It is at: <http://www.realcostofprisonsproject.org/coalition.html>. This is a GREAT site!

We continue to depend on our readers' financial contributions to be able to go on with our work. Checks and money orders made out to us should be sent to our address above. Thank you so much for your ongoing support!

VOICES FROM INSIDE

Sterling CO

May 22, 2012

This is a grievance in response to ADA Title II violations at Sterling Correctional Facility (SCF), specifically that I am forced to occupy a cell which staff insist be occupied by two inmates. This cell lacks the accessible floor space of a two man cell due to the wheelchair accessible hardware and appliances and the fact that it only has one desk available. Forcing two inmates into this cell violates ADA, ADA, CRIPA and Rehab Act. For more information, contact: K.M., c/o CPR, PO Box 1911, Santa Fe NM 87504.

Norfolk MA

May 28, 2012

The Massachusetts Department of Corrections recently re-awarded Keefe Commissary Network, LLC the contract to provide: canteen, clothing, appliances, and future Kiosk services including MP3 players. Due to alleged deceptive trade practices, and the failure of the DOC to enforce aspects of the old contract, a pro se civil action has been filed in 2012, *Haas v. Mass.DOC*, WORC2010-01038. The action has survived a motion to dismiss.

Under the old contract, Keefe was only allowed to mark up prices by 25% over their original invoice price. Under the new contract, Keefe is not allowed to charge more in Massachusetts than they charge in any other state.

I am seeking canteen, appliance, and clothing price lists for: Arizona, Florida, Idaho, Maine, Mississippi, Nevada, New Hampshire, Rhode Island, Virginia, and West Virginia.

Additionally, any contract information and information about Kiosk services would be helpful. I hope to post all information at: www.betweenthebars.org

Please contact: Daniel Holland, W69561, Unit 2-2, PO Box 43, Norfolk MA 02056. (Out-of-state inmate to inmate correspondence okay).

Cameron MO

July 12, 2012

I was denied your literature, but I filed this grievance and I won! The warden said [in part]: "To ensure that we are being unbiased, the Mailroom has been instructed that if an offender's name has not been mentioned in said correspondence/material he may have the item. However, if an offender attempts to utilize the mail system to participate/advertise for pen pal services, a conduct violation may be issued as in accordance to policy."