

# Coalition For Prisoners' Rights Newsletter

Vol. 37-u, No. 10

PO Box 1911, Santa Fe NM 87504-1911

October 2012

## The Better News is:

### ***Too Cruel, Not Unusual Enough***

The Other Death Penalty Project announces its new book, *Too Cruel, Not Unusual Enough*, an anthology of writings by life without parole prisoners and others depicting why life without parole is the death penalty. The anthology is the culmination of two years of work by the Project, including conducting a nationwide writing contest.

All proceeds from book sales will support the ongoing work of The Other Death Penalty Project. Interested incarcerated people can contact us at: The Other Death Penalty Project, PO Box 1486, Lancaster CA 93584. Its also available through Amazon.com in Jan 2013

### **Opportunity for Parole**

In September, governor Brown of California signed a bill allowing juveniles with a sentence of Life Without the Possibility of Parole (JLWOP) allowing reconsideration of their sentences after a minimum of 15 years. Judges could then reduce the sentence to 25 years-to-life if remorse is shown and steps toward rehabilitation are found.

There are currently 309 people doing life-without-parole sentences in California for murders they are convicted of committing when they were younger than 18.

California is one of 39 states that allow judges to impose JLWOP sentences. More than 2,570 people are currently doing JLWOP sentences in the U.S.

### **Re Shackling Those Pregnant**

Also in September, governor Brown signed a bill that bans the most egregious forms of shackling of pregnant women in California's state prisons, juvenile detention facilities and county jails. As of January 1, 2013, no such woman can be shackled around the belly, ankles or handcuffed behind her back during her pregnancy.

Resource Legal Services for Prisoners with Children, 1540 Market, SF CA 94102

## The Graying Prison Population

As we know, the United States has the highest incarceration rate in the world, with more than 2.2 million people jammed into its prisons and jails. As of 2010, state and federal prisons caged more than 26,000 people 65 and older and over 125,000 aged 55 and up. From 1995 to 2010, when the U.S. prison population grew 42%, the number of prisoners over 55 grew at nearly seven times that rate. Long term incarceration is said to add 10 years to a persons physical age. Today, roughly 1 in 12, or 8% of state and federal prisoners is 55 or older.

It is estimated that by 2030, the over -55 group will number more than 400,000--about a third of the overall prison population. One in ten state prisoners nowadays is a lifer and about the same proportion of federal prisoners over 50 are doing 30 to life. This will result in more than 100,000 prisoners currently estimated to die in prison. Yet, for example, 65% of the older prisoners are sentenced for nonviolent acts. By age 50, arrest rates drop to 2%, in contrast to the arrest rates for 16-19 year olds of around 12%.

Each prisoner over 50 costs the taxpayer an average of \$68,000 per year, twice as much as it costs for younger incarcerated people. Which come to a total of \$16 billion. For what? And the older the prisoner, the greater the average cost. In addition, as we know, prison facilities are not designed for people with mobility problems. The few available activities are open only to people who can walk long hallways or climb stairs.

To compound the ironies, older prisoners are resources for each other, but often, the prison systems do not allow those imprisoned to help each other....

### Resources

ACLU: National Prison Project, 125 Broad St--18th floor, New York NY 10004, 212-549-2500

Human Rights Watch: 350 5th Ave--34th floor, New York NY 10118, 212-736-1300

## EL mundo ya no es digno

--por Javier Sicilia  
poeta de México

El mundo ya no es digno de la palabra  
nos la ahogaron adentro  
como te asfixiaron, como te desgarraron  
a ti los pulmones...  
y el dolor no se me aparta  
sólo queda un mundo  
por el silencio de los justos,  
sólo por tu silencio, y por mi silencio,  
Juanelo.

[quando se mataron a su hijo, otro  
victima de la guerra de drogas]

\*\*\*\*\*

To receive the Newsletter each month,  
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](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. Stamps, checks, and  
money orders made out to us should be  
sent to our address above. Thank you so  
much for your ongoing support!

\*\*\*\*\*

"We are so far over the edge and so  
far beyond any reality of participatory  
democracy...We are a plutocracy owned  
and operated by a tiny corporate elite  
and their right-wing soldiers...  
Unfortunately, the choice for voters in  
November is not between good and bad.  
Not even between bad and worse. It is  
simply a choice between which expression  
of the corporatocracy and war machine we  
will choose." --In "Hospitality," a  
publication of *The Open Door Community*,  
910 Ponce de Leon NE, Atlanta GA 30306.

## MORE SOLITARY

### By Age

A 141--page report entitled *Growing Up  
Locked Down: Youth in Solitary  
Confinement in Jails and Prisons Across  
the United States* has recently been  
released by the ACLU and Human Rights  
Watch (HRW). It calls for a ban on  
solitary confinement for young people; a  
prohibition on housing adolescents with  
adults; and limits on the amount of time  
youths can be isolated.

The report estimates that in 2011,  
more than 95,000 youths under age 18  
were held in prisons and jails. Many of  
the facilities use solitary confinement  
--for days, weeks, months or even year--  
to punish, "protect," house or "treat"  
some of the young people. It further  
states: "We should invest in youth, not  
banish them." Instead of, "the deep and  
permanent harm it causes to kids caught  
up in the adult criminal justice  
system." Nearly 100,000 youth under the  
age of 18 pass through adult prisons and  
jails annually. The overall rate of  
solitary confinement in U.S. prisons is  
thought to be between 3% and 5%--those  
underage maybe isolated at even higher  
rates than adults.

### By Geography

Nearly 4,500 prisoners in New York  
State are held in segregated housing on  
any given day, about half in solitary  
confinement and half in cells with  
another prisoner--according to a recent  
New York Civil Liberties Union report,  
entitled *Boxed In, The True Cost of  
Extreme Isolation in New York's Prisons*.  
From 2007 to 2011, New York issued more  
than 68,100 classifications to isolation  
for violations of prison rules,  
averaging five months each. There were  
35,095 sent to isolation for failure to  
obey an order, 6,019 for loss or  
destruction of state property, 4,008 for  
failing to follow movement regulations  
and 3,788 for lying, misleading or false  
information. Of these, 3,151 were double  
celled, out of a total of 4,286 in  
disciplinary confinement.

Most of the men end up at either  
Upstate Correctional Facility in Malone,  
near the Canadian border or Southport  
Correctional Facility, in Pine City.  
Both of these prisons are dedicated  
entirely to isolation cells.

At the beginning of October, there were  
a total of 54,537 New York State  
prisoners. New York State spends an  
average of \$60,000 per year per prisoner  
or \$2.7 billion total annually.