

# Coalition For Prisoners' Rights Newsletter

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## Little Room for Glad Tidings

Since for-profit incarceration has developed, the nation's prison population has, as we know, exploded from 500,000 to 2.2 million between 1980 and 2011. One in every 106 white males over 18 is incarcerated; one in 36 Hispano males and one in every 15 African American males are incarcerated.

And ethnic disparity in sentencing continues too. For example, in federal sentencing, African American men receive sentences that are 14% longer than "white" men similarly situated. According to a recent article in the *Yale Law Journal*, prosecutors' charging decisions appear to be the dominant procedural source of disparity. Prosecutors were twice as likely to charge African American defendants with offenses that carried mandatory minimum sentences than otherwise-similar "whites."

In addition, the ACLU has found that marijuana possession arrests increased between 2001 and 2010 nationwide, making up nearly half of all street drug arrests by 2010. African Americans were 3.73 times more likely to be arrested for marijuana possession than "whites" in 2010, despite similar rates of drug use. In Washington DC, with the highest marijuana possession arrest rate and the second highest rate of racial disparity for these arrests, African Americans were more than eight times as likely as "whites" to be arrested for possession.

An obvious question is: When does disparate treatment become torture, and/or cruel and unusual punishment? On December 10, 1948, the UN General Assembly adopted the Universal Declaration of Human Rights, expanding on the UN Charter stating "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." On December 10, 1984, the UN General Assembly adopted the Convention Against Torture which makes participating in torture a crime.

The UN Special Rapporteur Against Torture, Juan Mendez, states that to

keep an adult in solitary confinement for more than 15 days constitutes torture; he called for a prohibition on the use of solitary confinement for youth and for those with mental illness. Yet, right now in the United States there are over 80,000 people in long-term solitary confinement. Over 70% of prisoners' suicides take place while they are being held in solitary confinement. The US has more people in solitary confinement than any other country in the world.

A recent report by the *New Mexico (NM) Center on Law and Poverty* and the *ACLU-NM* states, the NM Corrections Department violates the human rights of those in its custody by isolating people suffering from serious mental illness and permitting the use of prolonged segregation. NM keeps approximately 16% of its total prison population in some form of solitary confinement. The average length of stay in solitary at NM prisons is almost three years.

Moving right along to other common forms of torture, *Just Detention International* has a new report on sexual abuse in prisons. In it, in 2011 and 2012, 3.2% of all people in jail, 4.0% of state and federal prisoners, and 9.5% of those held in juvenile detention facilities reported having been sexually abused during the preceding year. These experiences hit those with mental illnesses and those in military detention facilities, as well as underage youth, especially hard. "White" prisoners report higher levels of prisoner-on-prisoner sexual abuse than do African Americans. African American report higher rates of sexual abuse by guards than "whites."

And then there is dramatic and excessive violence against prisoners by guards, as has been recently demonstrated in a federal suit brought on behalf of eight North Carolina prisoners against 21 guards and two wardens in Unit One of NC's Central Prison....

## CRIME OF THE MONTH

The death of Nelson Mandela brought out a host of two-faced opportunists. But none more egregious than Israeli leaders. President Shimon Peres, who in the 70s initiated a military relationship between Israel and South Africa (which was then holding Mandela prisoner) opines that he was "a fighter for human rights." Isn't that rich?

Minister of Justice (the irony never ends!) Tzipi Livni thinks Mandela's death is "difficult for anyone who believes deeply in the values of freedom and equality [as] opposed to violence, ignorance and racism." In 2009, Livni helped direct the bombardment of the open air prison which is Gaza, thus slaughtering over 1,400 people. Have you lost your lunch yet?

Even the the Jewish Home Settler Party jumped on the eulogy bandwagon claiming, "with his willpower [Mandela] changed the world." That Party is intent on annexing most of the West Bank to install even more Jews-only cities, while crowding Palestinians into tiny impoverished enclaves.

In 2012, senior members of South Africa's ruling ANC party endorsed a boycott of Israel stating that Israel's apartheid policies were "far worse than Apartheid South Africa."

Our crime of the month is Israeli hypocrisy. They pretend to mourn an icon of resistance who battled the same apartheid policies Israel has so cruelly implemented against Palestinian people.  
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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 in January.

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. There are resource lists which, unfortunately, use the wrong address.

Remember: NONE OF US ARE LAWYERS OR LEGAL WORKERS. It is very important not to mark any envelopes "legal mail."

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

We depend on our readers' donations: Thank you for your support! ¡Mil gracias!

## El adiós alrededor del mundo

Murió Nelson Mandela: con 67 años de activismo político, 27 en prisión y cinco como presidente de Sudáfrica--95 años en total--el día 5 de diciembre. La tenacidad y su compromiso con la justicia, su defensa de la democracia, la igualdad racial y su mensaje de reconciliación convirtieron a Mandela en un admirado y respetado icono global.

Fue la voz de uno de los mayores movimientos sociales del mundo en favor de los derechos humanos y logró atraer la mirada internacional hacia la sudafricana del apartheid, ejercido por los boers, los colonos originarios de Holanda, Flandes, Francia y Alemania. Muchos de sus compatriotas no olvidan que sus palabras, tras su liberación el 11 de febrero de 1990, devolvieron la esperanza a una sociedad desangrada por las luchas étnicas y la violencia de grupos paramilitares opuestos a un cambio de régimen: "Los saludo a todos en nombre de la paz, la democracia y la justicia universal."

Abrió el primer despacho de abogados negros y apoyó la estrategia de resistencia pacífica del líder indio Mahatma Gandhi contra las leyes cada vez más opresivas del apartheid. La matanza de manifestantes en la ciudad sudafricana de Sharpeville en 1960 fue el detonante para que Mandela abrazara la lucha armada.

Fue detenido en 1962 y procesado en fue condenado a cadena perpetua en 1964, hasta su puesta en libertad en 1990. Cuatro años después de su liberación Mandela se convirtió, en las primeras elecciones multiraciales de Sudáfrica, en el primer presidente negro del país, cargo que ejerció hasta 1999.

"Luchar contra la pobreza no es un asunto de caridad sino de justicia."

## VOICES FROM INSIDE

Coalinga State Hospital August 2013

"The residents at Coalinga State Hospital have already served their sentences in California and most have already completed their paroles. Immediately before our releases, we were evaluated by State Psychologists and suddenly discovered to have a mental disease and placed in a State Mental Hospital for an indeterminate time. Shockingly, more patients die here than have been released through treatment ...It is important for us to have a voice now, as conditions worsen here. We are asking for help..."[signed by 503 prisoners--We are represented by United Civil Individual Organizers]