

# Coalition For Prisoners' Rights Newsletter

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## To Make "Fair" Fairer

As a follow-up to the president's pledge to use executive action to decrease the gross inequality in street-drug sentencing, he is asking such prisoners to apply for clemency. At the end of January, a deputy attorney general speaking to the New York State Bar Association, said that defense lawyers should identify appropriate prisoners and encourage them to prepare applications. Prison officials are also to be asked to spread the word among those imprisoned who might be eligible. Is this really the best they can do to get the word out?! Do they want to?

The conditions for this clemency are: that convictions were nonviolent, that prison records are clean, that folks are not considered to be a "threat to public safety" and that they are serving sentences that are "excessive."

## TWO MORE YEARS FROM THE FEDS

A panel of three federal judges in California recently granted the state another extension--until February 2016, to reduce overcrowding in its massive prison system. The prisons currently hold about 120,000 people, although designed for 80,000. This is the same system that Amnesty International called on to improve conditions for prisoners in solitary confinement in July 2013. California has been under legal scrutiny for its dangerous prison overcrowding since 2006.

This latest ruling: ends out-of-state transfers and requires parole reforms, including medical parole, alternative custody for women prisoners, and expedited parole for some lifers. There are to be good-time credits for nonviolent second strikers, two for one credits for minimum custody prisoners, and elder parole for some prisoners over 60.

On the down side, in addition to the time extension, there will be 5,633 new in-state contract spaces. Also 2,500 new cages at Donovan and Mule Creek prisons as well as more beds at Northern CA Reentry Facility, Dewitt Nelson and prison hospitals. Norco stays open and there are still 8,988 people held out-of-state.

## THE EVIL TWINS

"Prisoners serving Life Without Parole (LWOP) for nonviolent offenses reported being held in solitary confinement for periods ranging from a few days to 13 or 14 years at a time. In addition, they described being confined to six-by-eight foot or six-by-twelve-foot cells for months at a time...Sixty-three percent of prisoners surveyed by the ACLU reported being held in solitary confinement while serving their LWOP sentences. Twenty-nine percent of the prisoners who reported being held in solitary confinement said that they have been held in isolation for longer than one year at a time. Seventy-three percent of the prisoners who had spent time in solitary confinement reported having been held in isolation for longer than one month at a time."

--from *A Living Death: Life without Parole for Nonviolent Offenses*, ACLU 2013, p. 188

"Over 49,000 prisoners--one of every 30 people in prison--are serving life-without-parole sentences." ACLU, p. 11

The most common number now used to report how many human beings are imprisoned in solitary confinement conditions is now 80,000. The UN recommends no more than 15 consecutive days of solitary confinement. In New Mexico, the average length of stay in solitary is currently 1,072 days--three years. And that's for 16% of those imprisoned there. A more common level of solitary is five percent.

LWOP was virtually nonexistent before the 1970s, but it became much more common following the Supreme Court's 1972 decision in *Furman v. Georgia*. Today, 49 states have some form of LWOP, up from 16 in the mid-1990s.

Many people claim that doing away with executions is abolishing the death penalty. But there is even more widespread agreement that solitary confinement is torture. And there are thousands of LWOP prisoners who are held in solitary. Can we continue to consider that condemning people to long, though varying, terms of solitary torture by means of an LWOP sentence is in any way an acceptable manner of treating human beings?

The Martin Luther King, Jr.

Santa Fe School Essay contest - 2014

"Un gran sueño" por Isaías López, grado 5

Yo se que Dr. Martín Luther King, Jr. fue un soñador muy valiente que lucho por igualdad de derechos de los afroamericanos.

Todos los días me despierto en la mañana y voy a la escuela porque cuando sea grande quiero tener un buen trabajo. Un buen trabajo para mí es un trabajo donde ayudas a personas que no tienen mucha libertad, ayudar a personas que no tienen voz. ¿Sabias que hay personas en los Estados Unidos que no tienen voz? Esas personas que no tienen voz no tienen muchos derechos en los Estados Unidos. A esas personas las llamamos inmigrantes y los inmigrantes son personas que vienen a los Estados Unidos a encontrar una mejor vida, están luchando para poder hacer mejores cosas en este país.

King tenía un buen trabajo, era un trabajo donde ayudó a los afroamericanos a tener una voz. Esa no fue una lucha fácil en el tiempo que vivía este gran líder, pero nunca se dio por vencido. El conocía las necesidades de su raza, de su gente.

Yo conozco la vida de los inmigrantes porque mis papás son inmigrantes. Ellos me trajeron a este país porque quieren que yo tenga una mejor vida. Una mejor vida es tener oportunidad y tener a la familia unida.

Yo también tenía un sueño y para conseguir ese sueño necesito luchar. Ahora es tiempo para prepararme...

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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 each 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 listing 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 project 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!

"If you can't fly then run, if you can't run then walk, if you can't walk then crawl. But whatever you do, you have to keep moving forward."

- Rev. Dr. Martin Luther King, Jr.

### National Call for Submissions: "Show us Solitary"

Architects/Designers/Planners for Social Responsibility (ADPSR) seeks drawings of places of isolation in prisons for an exhibit documenting the human rights impact of prolonged solitary confinement. These could be measured drawings of a cell, hallway, pod, rec yard or other part of a prison, or more lifelike drawings of interior spaces, or any other format.

Include a 200 word maximum description of the space and your experience being forced to live in it. The exhibit will support ADPSR's proposal to prohibit the participation of architects in the design of execution chambers and spaces intended for prolonged solitary confinement.

Submissions will be shown on line, and some will be used in a traveling gallery exhibition. Submissions should include a statement permitting ADPSR to reproduce and publish the work. Submissions may be anonymous or under a pseudonym. Work will be accepted until May 30, 2014. Late submissions may be included on the web site.

Send artwork and any questions to: ADPSR, PO Box 9126, Berkeley CA 94709.

### VOICES FROM INSIDE

Pelican Bay State Prison January 2014

We had a historic hunger strike in California prisons this past summer. It was an incredible experience. There are still many developments coming out of it, including the call to end hostilities among all prisoners here. I hope all prisons in the U.S. come to end the hostilities, because it is only in this way we can make leaps in the realm of human rights, i.e. prisoners' rights.

San Quentin Prison February 2014

The California Commission on the Fair Administration of Justice has published its findings on the death penalty system in California. Ten of the commissioners filed supplemental statements calling for an outright repeal of the death penalty.

### We are dying for universal healthcare

The United States ranks:

- 1st in healthcare spending per person
- 39th in its infant mortality rate
- 37th in overall health quality and
- 30th in life expectancy.