

Coalition For Prisoners' Rights Newsletter

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The Birth of Mass Incarceration Imprisoned with disabilities

The uprising at Attica prison in New York State in September of 1971 is very important because of *when* it occurred: at the birth of mass incarceration in the United States. Forty-five years ago, on September 9, 1971, almost 1,300 imprisoned people took over an exercise yard at Attica. For months they had tried everything they could to ease the horrid conditions. The prisoners quickly organized to provide for basic needs. Negotiations then went on with the administration for four days. However, the uprising was brutally suppressed. And the cover-up started immediately. The New York state governor Nelson Rockefeller and U.S. president Richard Nixon vigorously promoted the "explanation" that the uprising was part of a nationwide conspiracy by the communists and Black radicals to undermine the United States.

By 1980, prison systems nationwide began to abandon any pretense of "rehabilitation," saying that: Nothing works to rehabilitate. By the 1990s, the rapid increase in imprisoned populations had swamped any attempts at reform. Today, conditions at prisons all over the country are in many ways far worse than they were in 1971. Also, the size of the imprisoned population and related systems of control has grown hugely.

So we realize, yet again, that the entire prison industrial system is built on a lie. And the only murderous rioters at Attica were the state troopers and guards--and their bosses--who killed 29 prisoners and 10 of the hostages. They inflicted torture and beat and humiliated over 1,000 people on an ongoing basis following the retaking of Attica. And it goes on.

Resources

Heather Ann Thompson, *Blood in the Water*
Alan Mills, Director, Uptown People's Law Center, Chicago IL

Like Attica and Clinton, Downstate African American prisoners are more than twice as likely to be disciplined as are white ones. Source: *NYTimes*, Dec. 2016.

Thirty-one percent of imprisoned people live with at least one disability. They often spend more time in prison, under harsher conditions, than those without disabilities. They are frequently excluded from programs, rehabilitation, and basic medical care. Colorado, Washington, and South Carolina all report cases in which essential mobility devices, such as wheelchairs and walkers, were taken from prisoners. Idaho and Illinois report systemic litigation seeking the provision of video phone services for those who are hearing impaired. Alabama reports prisoners with intellectual disabilities who were not able to submit written requests for medical care and were therefore unable to receive needed medical attention.

Resource Amplifying Voices of Inmates with Disabilities (AVID) report *Making Hard Time Harder*, of the National Disability Rights Network and Protection and Advocacy agencies in Arizona, Colorado, New York, South Carolina, Washington, Louisiana and Texas. Contact: Disability Rights Washington, 315 - 5th Avenue South, Suite 850, Seattle WA 98104.

Reentry Guide

The Education Justice Project (EJP--of the College of Education, University of Illinois at U-C, 403 E Healey St, Champaign IL 61820, 217-300-5150) publishes the *Illinois Reentry Guide*, which was written to be a useful tool for people leaving prison. Although it emphasizes policies and procedures specific to Illinois, it has a great deal of generally applicable and helpful information for anyone soon to leave prison to be as practically prepared as possible. There are three sections: *Before You Leave*, *Your First Weeks Out*, and *Setting Up Your Life*. There is a lot to do. The guide includes lists of resources and check lists. The EJP offers academic programs at Danville Correctional Center in Illinois.

Ningún niño debe estar en la cárcel

El 12 de diciembre de 2016, 460 madres y niños fueron liberados de los centros de detención de familias en Karnes y Dilley después de que un juez de Texas dictaminó que las dos cárceles ya no podían ser licenciadas como guarderías infantiles.

Esta es una gran victoria para nuestras comunidades y para las madres y niños que han estado sufriendo tras las rejas durante muchísimo tiempo!

La victoria en Texas fue el resultado de años de organización por valientes líderes de Grassroots Leadership y Raíces, así como de las madres y niños detenidos que valientemente dieron su testimonio, y es un importante recordatorio de que cuando organizamos con amor en nuestros corazones, ganamos. Recordamos a nuestros funcionarios electos que los niños y las familias deben estar unitas y no tras las rejas.

To receive the CPR Newsletter by postal mail monthly, send us up to 12 self-addressed, stamped envelopes (with the CPR return address).

Keep sending us address changes and renewal requests as we struggle to maintain the mailing list for the January holiday card/ new calendar mailing as accurately as possible.

Also, note that the only address to be sure to reach us is: PO Box 1911, Santa Fe NM 87504. Some resource address listings are incorrect.

NONE OF US ARE LAWYERS OR LEGAL WORKERS; for our protection, please do not mark envelopes sent to us as "Legal Mail."

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

We depend on our readers' donations & thank you for your support! Mil gracias! *****

As of 2015, U.S. law allowed 12 year olds with parental permission to work unlimited hours on farms of any size, outside school hours. There is no minimum for children working on small farms. In May 2014 a Human Rights Watch report documented children working 50 to 60 hours a week on tobacco farms in North Carolina, Kentucky, Virginia, and Tennessee. Many of them reported symptoms of nicotine poisoning. In 2015, the two biggest U.S. tobacco companies were to prohibit their growers from employing children under the age of 16.

TOUGH ON KIDS

A recent report by the Sentencing Project (1705 DeSales Street NW, 8th floor Washington DC 20036, *Became Tough on Kids: Prosecuting Teenage Drug Charges in Adult Courts*) makes clear many harsh truths about how we treat our children.

All states set an age, generally 18, dividing the treatment of youths from that of adults. The federal government, 41 states and the District of Columbia (D.C.) set the default maximum age for juvenile court jurisdiction at 17. In seven states: Georgia, Louisiana, Michigan, Missouri, South Carolina, Texas, and Wisconsin, the maximum age is 16. In New York and North Carolina, the maximum age is 15.

In every state juveniles can be transferred into the adult court and penal system via judicial discretion (both by means of a discretionary waiver or a presumptive waiver)--allowed by 44 states and D.C.; prosecutorial discretion--used by 14 states and D.C.; and/or statutory exclusion--for specified charges youth are automatically treated as adults. This currently occurs in 29 states, where criminal courts have exclusive jurisdiction over at least one class of juvenile offenses.

Only Connecticut, Kansas, Massachusetts, and New Mexico have no mechanism under which juveniles can be charged as adults for drug offenses.

There are 21 states which automatically charge some youth as adults for a set of street drug related charges. There are nine states which automatically charge youth as adults for street drug related offenses under certain conditions. They are: Arizona, Delaware, Florida, Idaho, Iowa, Minnesota, Nevada and South Carolina. There are five states which automatically charge youth as adults for certain street drug related offenses. They are: Alabama, Montana, North Dakota, South Carolina, and South Dakota.

There are nine states which automatically charge youth as adults for a set of set of specified offenses: Georgia, Louisiana, Michigan, Missouri, New York, North Carolina, South Carolina, Texas, and Wisconsin.

There are 34 states plus D.C. which have laws that require that a youth previously convicted as an adult must always be tried as though s/he were an adult, regardless of the succeeding charge.