

Coalition For Prisoners' Rights Newsletter

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THE GRINCH OF CHRISTMAS

Prison gang policies occur within the context of our larger society and the wider court and pe system. Certainly in our system the politics of the police, the politics of the court, the politics of the prison system and the politics of the death penalty are a manifestation of the racism and classism which govern so much of the lives of all of us in this country.

Prisons are one of the largest growth industries and the criminalization of poverty has become a lucrative business.

In recent years, the evolution of control units has resulted in the proliferation of the building of independent isolation prisons known by many names, most commonly, supermax prisons. The American Friends Service Committee has found a high percentage of the mentally ill, youth of color imprisoned as a result of the racist crack cocaine laws, prisoner activists and people who are and aren't members of gangs in them.

The nation-wide move to expand the use of isolation, including "security threat group management units" (STGMU) is fostered by guard unions. Guards report feeling that these types of units provide a "safe" working environment. Isolation units provide them with a place in which to engage in unwitnessed torture.

Article I of the United Nations of the Convention Against

Torture prohibits "physical or mental pain or suffering, inflicted to punish, coerce or discriminate for any reason." Practices such as the administration of dangerous chemical agents or the use of extended isolation put the US in violation of UN Treaties and Conventions.

The US uses devices of torture with impunity. There is also no doubt that racial profiling targeting people of color for harassment and arrest is part of a larger pattern and practice in law enforcement. The construction of STGMU's and the keeping of organized associations in isolation prisons, is part of that pattern. According to Amnesty International, Human Rights Watch, the World Organization Against Torture, and Prison Watch International, there is a persistent and widespread pattern of human rights violations in this country. What is going on in prisons generally and in supermax and STGMU's is a conscious attempt to physically, mentally and spiritually break down people. The Department of Corrections isn't only a set of institutions, it is also a state of mind.

RESOURCE

AFSC/ Criminal Justice Program
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SENSELESS CRUELTY

On November 14, 2000, the United States Supreme Court granted one of its rare stays of execution to Johnny Paul Penry, just 45 minutes before Texas was going to kill him. This stay of execution may mean that the Supreme Court is willing to reconsider whether it is unconstitutional to inflict the death penalty on people who have mental retardation.

Johnny Paul Penry's story is well known. As a child, Johnny was the victim of frequent beatings and other cruel acts by his mother. In addition, because he has mental retardation, Johnny has trouble communicating with other people. He can't pay attention to what is going on around him, can't remember things and doesn't think before doing anything. He doesn't understand that what he does affects what happens to him, so he doesn't learn from experience. He has been called "a seven-year-old in an adult body." And he will always be that way. He understands that the State of Texas wants to kill him, but he doesn't understand why.

Johnny Paul Penry was convicted of murder in 1979, when he was 22. His conviction was ultimately appealed to the Supreme Court. In the Supreme Court case, Penry v. Lynaugh, decided in 1989, the Supreme Court reversed his conviction and sentence because the trial court had not told the jury that they could take Johnny's mental retardation and physical abuse as a child into account in decid-

ing whether to sentence him to life or death. However, the Court also held that killing a person with mental retardation was not forbidden by the Eighth Amendment because there was not enough "objective evidence" of a national consensus ("standards of decency") against such killings. The Court made it clear that by "objective evidence", it meant state statutes that exempted people with mental retardation from the death penalty. When he was tried again, Johnny was convicted and sentenced to death a second time.

When Johnny's first case was decided, only two states had laws that said that people with mental retardation could not be executed. Today the federal government and twelve states have such laws: Arkansas, Colorado, Georgia, Indiana, Kansas, Kentucky, Maryland, Nebraska, New Mexico, South Dakota, Tennessee, and Washington. In addition, New York does not allow a person with mental retardation to be sentenced to death, unless the person murdered someone while in prison.

As Jamie Fellner of Human Rights Watch has said, "It is time the U.S. joins the world in recognizing the senseless cruelty of executing anyone with the mind of a child." We hope that the fourteen laws now on the books provide the Supreme Court "objective evidence" that our national consensus now prohibits killing someone with the mind of a young child.

JUST SAY NO TO THE TEXECUTIONERS



VOICES FROM INSIDE

IT'S NOT A CRIME TO BE POOR

Helena GA September 27, 2000

...This disparity of sentencing in Georgia is mind boggling. I received a reasonable sentence for the crime I committed. I'm white, was 33 at the time of my offense and had enough money to hire a good attorney. On the other hand, I see these young Black kids get unreasonable sentences for relatively minor crimes, or in some cases, no crime at all - it's not a crime to be poor...

THE PLAIN FACTS

Huntsville TX October 20, 2000

I'm very glad to see the recent evidence of a shift in attitudes concerning the death penalty...The plain fact is that what these prosecutors and lawyers (and cops and judges) are doing in death sentence cases is identical to what they are doing in all the other cases. One might say that it doesn't matter as much since they are not killing the rest of us - but aren't they? When you kill a person's body, he can't go out and take vengeance. But what happens when you kill his soul? When such tactics are used, that's exactly what's being done. And who is the real loser?...



DNA LABS

Michigan City IN October 21, 2000

The US Department of Justice's Bureau of Justice Statistics has issued a Special Report entitled "Survey of DNA Crime Laboratories, 1998 (2/2000)". According to the report, only 56% of the 106 labs performing DNA analyses are accredited by an official organization such as the American Society of Crime Lab Directors Laboratory Accreditation Board. Copies of the report, as well as other publications, are available free from: National Criminal Justice Reference Service, PO Box 6000, Rockville MD 20849. The above document is NCJ 179104.

SYSTEM AVERAGES

El Reno OK October 27, 2000

The federal prison system now operates on the average of 140% of capacity, where the Texas prison system is only allowed by a federal court order to operate at 95% capacity. The FBOP has asked congress for \$2.4 billion of taxpayers' money to build 17 more federal prisons. When will it end? The federal prison system has no active parole board and requires 85% completion of prison sentences...

Mailing list additions and address changes should go into effect within two months from their post-marked date. We don't have the resources to acknowledge these requests by letter. Requests for referrals and other correspondence will be answered within four to six weeks. Letters intended for publication must say "Do Print."

The Coalition makes information available on resources and services for prisoners. We strongly urge that readers keep copies of all papers, especially legal papers, sent to those offering assistance, and be careful about sending money. **In most cases we do not have direct experience with the quality or reliability of the services provided by the groups mentioned.**

GUINEA PIGS

Gatesville TX October 31, 2000

The federal Office of Human Research Protection (OHRP) recently ordered a halt to 26 experimental drug programs in which 99 Texas prisoners were being used as human guinea pigs. The programs were conducted by the University of Texas Medical Branch (UTMB), the principal health care provider to the Texas prison system...

Federal agents questioned whether prisoners had been properly warned of the risks, whether some experiments were unduly risky, and whether potential benefits were overstated and risks understated to participating prisoners. Most of the 26 projects involved experimental treatments for HIV, AIDS, hepatitis C, and cancer.

Two weeks after the order to stop the tests was issued, UTMB officials announced that none of the projects using prisoners had been halted because university doctors determined it was in the best interests of the prisoners to continue...

GOOD NEWS

Michigan City IN November 1, 2000

On October 12, 2000, the Indiana Supreme Court granted me a stay of execution and they remanded part of my appeal issues to the trial court for an evidentiary hearing concerning perjury of the prosecution witnesses. The jury was rigged, and evidence was falsified against me...Zolo Agona Azania, 4969, PO Box 41, Michigan City IN 46361-0041.

BEANS AND BREAD

Fort Stockton TX November 7, 2000

All Muslims in the Texas prison system are being burdened by TDCJ to eat beans and bread with 1 slice of cheese when others eat meat products. We're being denied a meat substitute, which is endangering our health, as we work long hours in the cotton fields. We don't get paid money or good time. During the month of Ramadan (beginning 11/28/2000), in which all Muslims must not eat or drink during daylight, we will be forced to eat beans and bread with 1 slice of cheese. I ask all Muslims to stand strong in faith and remember fasting is for Allah. ... Remember to help your brothers that's in need of food during our fast.



VOICES FROM INSIDE continued

CHALLENGE JAM

Florence AZ November 13, 2000

...I have been placed into a room for hours at a time naked, where officers are challenging me and making remarks as punk, s c, w k, and told that if I wanted rights, I should've stayed in Mexico. They have taken my appliances, stating that they don't allow TVs or radios in Mexican jails, why should I have one here?...I've asked the to give me their names and badge numbers. They're all named "None of your business."...I stand strong and proud of my Mexican heritage.

IN THE PROPERTY ROOM

Livingston TX November 16, 2000

...In the last few weeks of October, the head property officer was found to have large amounts of marijuana locked away and hidden in the property room of the unit. This officer was also found to have much more of the drug in his personal automobile, which was parked in the personnel parking lot...The shakedown squad of new recruits enjoyed strewing people's stuff everywhere as the inmates looked on and saw them going through boxes of 500 envelopes and new typing paper, packages and personal and legal mail...

UNITED STATES OFFENDERS LITIGATION PROGRAM

Abilene TX November 19, 2000

The Executive Director is Rachel Stafford, LLB MA, Spring Farm, Bradford Lane, Lona Barton, Nr. Sherborne, Dorset, England (postage: 60¢ for the 1st ½ oz., \$1 for 1 oz.). Rachel is a law student and can give good and sound advice to inmates with legal problems; she's also establishing a program to obtain pro bono assistance for offenders.

Canon City CO November 14, 2000

I will be more than happy to assist any inmates who write me. They must black out their names on any legal papers they send. Address the letters to: Jill Coit, 86530, PO Box 500, Canon City CO 81215.

ELECTRIC RAZORS

Salem OR November 16, 2000

...Common electric razors being used in New Mexico state prisons is a very dangerous practice and I fear it is taking place in institutions everywhere. I know it is happening in Oregon...The practice of using common electric razors spreads Hepatitis C, which is much easier to transmit than HIV/AIDS.

VOICES IN SOLIDARITY



CORRECTION: The correct spelling of the antioxidant mentioned in last month's AIDS' story is: glutathione.



CALIFORNIA COALITION FOR WOMEN PRISONERS (CCWP)

CCWP members visit all 3 of California's largest women's prisons to learn about women's pressing concerns which include grossly inadequate health care, sexual abuse, punitive segregation, and parole issues. *The Fire Inside* is CCWP's quarterly newsletter. Write: 100 McAllister Street, San Francisco CA 94102. (415) 255-7036, ext. 4.



HEPATITIS C AWARENESS PROJECT

The Project is an Oregon grass roots organization designed to increase the awareness of viral hepatitis and to help educate the community about HCV prevention, diagnosis and treatment. Request free information packets on **Hep C** from HCAP, PO BOX 41803, Eugene OR 97404.

NEDERLANDSE GEDETINEERDEN IN DE VERENIGDE STATEN

NGIVS is forming a group in the Netherlands which will work on the transfer of Dutch prisoners held in the US. Write: NGIVS, PO BOX 159, N. White Plains NY 10603.



THROUGH THE EYES OF THE JUDGED

In this book, 8 young men offer their autobiographies from behind the walls of juvenile institutions in Washington State. This is a joint project between Evergreen State College and Maple Lane School. Write: Evergreen State College, Lab I 1023, Olympia WA 98505. (360) 867-6478.

THANK YOU RESIST

Once again we are pleased to thank RESIST for our Year 2 renewal of our multi-year General Support Grant. Potential donors and applicants can contact them at: 259 Elm Street, Suite 201, Somerville MA 02144. (617) 623-5110.

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Crime of the Month

aka Crimetoppers

While the high-tech giants continue to tell us that we need to encourage college students to become computer programmers and engineers so they can make big bucks and be assured of unlimited futures, they have been successfully lobbying Congress to grant U.S. work visas to 195,000 engineers and programmers from other countries.

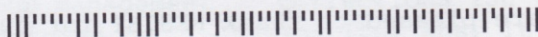
Claiming a severe shortage of this type of technical expertise in the U.S., they are able to hire immigrants at half the pay or less than U.S. workers get. This a perfect example of how US policies benefit those with capital

and pit workers against each other. The new law lets firms here fire their U.S. workers and replace them with the cheaper employees from abroad.

AIG, one of the countries largest insurance companies, has already fired its entire programming staff and has even required them to train their immigrant replacements or lose their severance benefits. This should provide a considerable improvement in the bottom line for these companies, even considering the \$22 million they donated to both the Democratic and GOP campaigns. This is our Crime of the Month.



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