

Coalition For Prisoners' Rights Newsletter

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February 2001

IMMIGRANT DETENTION

When Eddie López took his wife and 5 year-old daughter on a family vacation to Mexico two years ago, he didn't expect to have any problems getting back into the United States. He's lived here, after all, as a Legal Permanent Resident since he was a small child, and although he was born in Mexico, he considers the U.S. his country.

López was convicted in the early 1990's of possessing and selling a small amount of marijuana. His short sentence was suspended, and he performed many hours of court-mandated community service. Since this one-time "youthful indiscretion," López has had no other criminal violations in his record. Unfortunately, when he left for Mexico, he didn't know about a certain provision in immigration law that mandates deportation for non-citizens convicted of aggravated felonies.

At the border, INS officials detained López, arrested him, and

sent him to an immigration detention center in Southern California where he began a new journey—a long, drawn-out and incredibly complex deportation proceeding. With no family connections in Mexico, and having a U.S. citizen wife and daughter, he decided to fight his deportation. He spent the next five months in INS jail until a judge finally let him out on bond. Today, he is still awaiting his deportation hearing.

López has since teamed up with other immigrants and their family members to educate the public about the harsh effects of 1996 immigration laws. He was one of many speakers to tell his story at the Fourth Annual Detention Watch Network Conference held last November. The Detention Watch Network is a coalition of religious, immigrant, and human rights organizations who are troubled by the U.S. immigration detention system and who advocate for the repeal of unjust immigration laws.

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IMMIGRATION cont.

In 1996, Congress enacted the Illegal Immigrant Reform and Immigrant Responsibility Act (IIRAIRA), which calls for the deportation of immigrants with aggravated felony convictions. IIRAIRA expanded the definition of "aggravated felony" to include a broad range of convictions, many of which are non-violent and considered misdemeanors under state laws. It also denied long-term Legal Permanent Residents the opportunity to apply for relief from deportation. And as demonstrated in López' case, the law is applied by INS retroactively.

Along with a host of other punitive provisions including mandatory detention for asylum seekers, the aggravated felony law has caused immigrant detention rates to soar 70% since 1996 (INS estimate). The Federal Bureau of Prisons has since started contracting for-profit correction companies to build more detention centers and design immigrant-only prisons.

Congress recently had the opportunity to repeal the aggravated felony law, and although the repeal was supported unanimously by the House, Senate majority leaders blocked its inclusion in December's mammoth end-of-year legislation. *The Oregonian* reported Senator Phill Gramm's (R-Texas) press secretary as saying, "We don't need to invite tax evaders, burglars, thieves, pimps and an assortment of scoundrels to live among us in America." In

fact, most immigrants affected by this law have lived in this country for years.

Supposedly, IIRAIRA was passed by Congress to thwart "illegal immigration," but instead it has striped immigrants of their basic rights and it is incarcerating them in unprecedented numbers. As evidenced by the Detention Watch Network Conference, immigrant advocates have begun to discuss the expanding Prison Industrial Complex and its connection to draconian immigration laws, and more importantly, they have started to form ties to prisoners' rights groups throughout the country.

Sadly, America's newcomers do not escape this country's penchant for criminalizing poor people of color. Immigrant foes and the for-profit prison industry are working hard to keep it that way.

Resources

Lutheran Immig. & Refugee Service
(Detention Watch Network)
700 Light Street
Baltimore, MD 21230; (410)230-2700

Citizens & Immigrants for Equal Justice (CIEJ)
1625 Woodlawn Parkway
Mesquite, TX 75149

News Brief:

In April, the Supreme Court will hear the cases (INS vs. St. Cyr, 00-767, and Calcano-Martinez vs. INS, 00-1011)

to decide whether longtime legal immigrants to the United States can be deported without legal recourse if they have committed a serious crime in the past.

A ruling on the issue is due by summer.



VOICES FROM INSIDE

T.V. MONITORS

Santa Fe NM October 30, 2000

As of October, contact visits have been changed to non-contact visits here at PNM North. Due to a new level system that's being implemented here in the state, there are no longer contact visits at the South facility. At the PNM North facility, inmates are being forced to visit with their family and friends from behind a glass. At the South facility, depending on what step you're on, you can only visit with your loved ones through 5 inch black and white T.V. monitors, and some from behind a glass. When the North facility switches over to the new level system, visiting will be conducted over the T.V. monitors. Because of these changes our contact has been limited to only seeing the visitors and to having to yell so that they can hear you. Since these changes, there has been a rapid decline in people wanting to come visit their loved ones who are locked up.

ABOLISH IT PERMANENTLY

Milton FL December 17, 2000

The only solution regarding capital punishment is to abolish it permanently. In 1923, the FL DOC installed the state's first electric chair in Starke. Frank Johnson was the first prisoner executed in the electric chair there on October 7, 1924. There are 387 inmates on Florida's Death Row. Of that number, the majority of them are poor and received less than adequate legal representation. After the U.S. Supreme Court ruled the revised death penalty statutes constitutional in July, 1976, (following a 3 year national moratorium due to Furman v. Georgia 408 US 238, 33 L. Ed. 2nd 346), John Spinkelink became the first prisoner in Florida to be executed, on May 25, 1979.

Frank Lee Smith, one of possibly many more innocent Death Row prisoners, succumbed to cancer in November, 1999, after 14 years on Florida's Death Row, only to be cleared by DNA evidence...The time is NOW to step-up the pressure for a permanent end to the death penalty.

LIVE IN THE BATHROOM

Douglasville GA December 27, 2000

The county jail is involved in renovations which transform 2-man cells into 4- man cells...It would seem that it would be in violation of the 8th and 14th Amendments to the U.S. constitution to house inmates and pre-trial detainees in such close quarters without the benefit of a working classification process. **Page 3**



VOICES FROM INSIDE

WRITE ON

Gatesville TX December 27, 2000

I believe that in 1999 when Title 4, Section 497.099(b) was passed, it was a way for TBCJ to develop a safer work place for TDCJ employees, aid families and slow down the violence in TDCJ...We have a way now to make a positive thing: we need to send TDCJ letters to enact Texas government code Title 4, section 497.099(b) for TBCJ to administer an incentive pay scale program: Alfred M. Stringfellow, Chair, TBCJ, c/o Susan Power McHenry, PO Box 13084, Austin TX 78711-3084.

LIFE ON THE INSIDE

Clallam Bay WA January 2, 2001

Washington state prisoners, with the help of dedicated friends and family on the outside have recently posted a 28 page not-for-profit website on the internet to inform the public of what goes on inside Washington state's prisons. It includes articles by prisoners in isolation/lockdown. Visit: www.politicsofprisons.org

ILLEGAL DEATH SENTENCES

San Luis Obispo CA January 3, 2001

The goal of this endeavor is to place a ballot initiative before the voters in the 2002 election that repeals the California Board of Prison Terms, abolishes the governor's power to politicize lives, and sets a flat determinate term of 25 and 15 years respectively for first and second degree murder. This initiative would help end corruption, politicization and the waste of your tax dollars. For more information contact: Nancy McGill, PO Box 601772, Sacramento CA 95860/ Richard Goodman, PO Box 21204, Oakland CA 94624.

DRESSED TO OPPRESS

Tamms IL January 9, 2001

Since the May 1, 2000, hunger strike at Tamms "closed" maximum security prison, in which 273 Tamms prisoners participated, the question has remained afloat whether the IDOC director would investigate, impartially, the prisoners' detailed list of injustices, or whether he would remain adamant in the face of serious ethical and flagrant human rights violations. The latter has been, sadly, the IDOC's choice of response. Tamms is a \$75 million fortress that warehouses selective prisoners castigated as the "worst of the worst," and crushes all program and educational incentives that would encourage change and provide the prisoners with tools...

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." **NONE OF US ARE LAWYERS.**

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.**

READING MATERIAL

Whiteville TN January 9, 2001

...Since we were told we won the class action suit on our reading material, they have decided to ban all magazines dealing with photos or ads of firearms...The Wisconsin DOC where we're from claims they can't help us by telling the CCA Whiteville Correctional Facility where we're being housed how to run their facility. But we are still supposed to be Wisconsin inmates wasting the Wisconsin taxpayers' money in this warehouse.

TO TIMELY DELIVER

Atmore AL January 12, 2000

I am in the process of filing a petition to invalidate the contract between the ADOC and Swanson Services Corp., the company with the contract to sell Alabama prisoners Christmas and incentive packages. Up to this date, numerous prisoners have not received the Christmas packages the company promised to timely deliver between December 11 and 22, 2000.

Send me your name, AIS no., prison and date your package was delivered. Also, those who up to January 12, 2001 had not received their packages and those whose package(s) were short do likewise: Honorio Montanez, c/o L. Cunningham, 814 23rd St, Columbus GA 31904.

OUT TWENTY-TWO MONTHS

Santa Fe NM January 18, 2001

It is a struggle entering back into society without the benefit of the old way of earning a living. I had to make the choice of easy dollars from a product that sells itself, and I chose not to do that. My whole circle of friends changed. I have been spending more time alone.

I continue practicing my faith that I leaned on when I was in. That has opened up a whole new community for me. I have been seeing a counselor who has helped me adjust and live with myself. Outside it is important to know it is still one day at a time. We have to remember the promises that we made to ourselves and family while inside. The first day out is the first day of the real challenge to make it different, and the struggle continues every day.

IN MEMORIAM

Eighty-five people were executed by state governments in the U.S. in 2000. By the end of 2000, 683 people had been executed since the U.S. moratorium on state murders ended in 1976.

1/6 Malcolm Johnson	OK	3/15 Darrell "Young Elk" Rich	CA
1/7 David Duren	AL	3/15 Patrick Poland	AZ
1/10 Douglas Christopher Thomas	VA	3/15 Timothy Gribble	TX
1/12 Earl Carl Heiselbetz Jr.	TX	3/16 Lonnie Weeks Jr.	VA
1/13 Gary Alan Walker	OK	3/22 James Hampton	MO
1/13 Steven Roach	VA	3/23 Kelly Lamont Rogers	OK
1/18 Spencer Goodman	TX	4/14 Robert Tarver	AL
1/20 David Hicks	TX	4/19 Robert Glen Coe	TN
1/21 Larry Robison	TX	4/27 Ronald Keith Boyd	OK
1/24 Billy Hughes	TX	5/2 Christina Riggs	AR
1/25 Glen McGinnis	TX	5/4 Tommy Jackson	TX
1/27 James Moreland	TX	5/9 William Kitchens	TX
2/10 Michael Roberts	OK	5/11 Michael McBride	TX
2/16 Anthony Lee Chaney	AZ	5/23 James Richardson	TX
2/23 Terry Sims	FL	5/24 Richard Foster	TX
2/23 Cornelius Goss	TX	5/25 Charles Foster	OK
2/24 Anthony Bryan	FL	5/25 James Clayton	TX
2/24 Betty Lou Beets	TX	5/31 Robert Carter	TX
3/1 Odell Barnes	TX	6/1 James Robedeaux	OK
3/3 Freddie Lee Wright	AL	6/2 Pernell Ford	AL
3/14 Ponchai Wilkerson	TX	6/6 Feltus Taylor	LA

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AIDS TREATMENT FACT SHEETS

This excellent collection of 1 page, in English or in Spanish AIDS treatment fact sheets covers 100+ topics. They are available on paper only in special circumstances such as incarceration. At: <http://www.aidsinonet.org>



CORRECTION: the correct Apprendi website addresses are:

www.famm.org

www.juryinstructions.com/

appendi_alert.htm

ART BEHIND BARS

This program for women jailed in Key West FL will host 2 shows in 2001: a Spring Show at the Customs House Museum opening on April 12 (deadline for artwork to be included: March 20th) and the "7th Birthday party Show" on September 9th. Sales will help fund on-going programs at non-profit organizations. Send artwork donations to: Lynne Vantriglia, Art Behind Bars, PO Box 2034, Key West FL 33045, (305) 294-7345, www.artbehindbars.org

etc CAMPAIGN REPORT

At least 7 states and DC have introduced legislation to deal with the high cost of prisoner telephone calls. PO Box 2736, Kalamazoo MI 49003-2736.

IN MEMORIAM cont.

6/7	Bennie Dumps	FL	8/30	Jeffrey Caldwell	TX
6/8	Roger Berget	OK	8/30	Russel Burkett	VA
6/12	Wayne Mason	TX	9/13	George Harris	MO
6/14	John Burks	TX	9/14	Derek Barnabei	VA
6/15	William Bryson	OK	9/27	Ricky McGinn	TX
6/15	Paul Nuncio	TX	10/10	Bobby Lee Ramdass	VA
6/22	Thomas Provenzano	FL	11/1	Jeffrey Dillingham	TX
6/22	Shaka Sankofa (Gary Graham)	TX	11/3	Kevin Young	SC
6/28	Bert Hunter	MO	11/8	Donald Miller	AZ
6/29	Jessy San Miguel	TX	11/9	Michael Sexton	NC
7/6	Michael Claggett	VA	11/9	Miguel Flores	TX
7/12	Orien Joiner	TX	11/14	Stacey Lawton	TX
7/20	Gregg Braun	OK	11/15	James Chambers	MO
7/26	Juan Soria	TX	11/15	Tony Chambers	TX
8/9	Brian Roberson	TX	11/17	Dwayne L. Weeks	DE
8/9	Oliver Cruz	TX	12/5	Garry Miller	TX
8/10	Georger Wallace	OK	12/6	Daniel Hittle	TX
8/16	John Satterwhite	TX	12/6	Christopher Goins	VA
8/22	Richard Wayne Jones	TX	12/7	Edward Castro	FL
8/23	David Earl Gibbs	TX	12/7	Claude Jones	TX
8/25	Dan Hauser	FL	12/19	David Johnson	AR
8/30	Gary Lee Roll	MO			

Thirty-four or 40% of those killed were African-American.

WE STAND IN SOLIDARITY WITH ALL THOSE CELEBRATING BLACK HISTORY MONTH IN FEBRUARY

Life is the most precious and comprehensive of all human rights.

It is not to be deliberately or voluntarily destroyed,

either by individuals separately, or combined

in what is called Government.

~Frederick Douglass

FORWARD TO THE STRUGGLES AND VICTORIES OF 2001!

The Coalition for Prisoners' Rights Newsletter is published monthly by the Prison Project of Santa Fe, Inc., P.O. Box 1911, Santa Fe, NM 87504-1911. Subscription rates are: free to prisoners, their family members, and ex-prisoners who request it themselves; \$12/year for other individuals; \$25/year for government agencies and for-profit institutions. Please do not send names of other people; order only for yourself. We appreciate those who help us by sharing their newsletter and by sending stamps.

Crime of the Month

In hot pursuit of profits, US corporations have destroyed forests, poisoned rivers and all but eliminated the livelihood of rural people in third world countries, imperiling their health. Having little access to conventional medical care, indigenous people have been able to depend on centuries old healing techniques and plant species. No longer, as interest in these medicinal "secrets" by US research conglomerates threatens to steal this legacy.

For example, poor, indigenous people involved with the Council of Indigenous Traditional Healers and

aka Crimetoppers

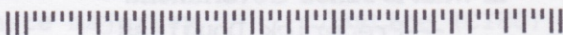
Midwives of Chiapas, Mexico (COM-PITCH) are are pitted against powerful multinational corporations with US government funding as they oppose a new "bio-prospecting" project to collect and research plants and animals, resulting in patented discoveries that no one can use without paying a fee. 8 of the 11 COMPITCH groups have demanded a moratorium on the project, charging that it violates the UN Convention on Biodiversity, signed by Mexico in 1993. It is unlikely their "secrets" will remain sacred much longer.

That is our Crime of the Month.



CAROL L. COUCH
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02/01

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