

Coalition For Prisoners' Rights Newsletter

Vol. 28, No. 12 PO Box 1911, Santa Fe NM 87504-1911 December 2002



NEW MEXICO SUPERMAX STRUGGLE

Concrete-steel cells sealed from all humanity and the blue skies New Mexico is famous for; "exercise and recreation" in barren, concrete cells; video-cast "visits" with elderly parents who cannot see or hear their son, so they do not return; confiscated and lost mail and legal materials; shackles even on trips to the shower; food trays passed through a slot in the door; guards sealed in their control booth so they cannot see or hear cries for help; one set of clothing; 3 books at a time. These are just fragments of life at Santa Fe's SuperMax.

Given the drastic SuperMax conditions, the critical issue is how the DOC targets people to go there. Many prisoners were shipped to Santa Fe in 1999 and just warehoused, while waiting for the grand opening of the superMax that would happen in July 2000.

Many mentally ill prisoners were sent in 1999 under the pretext that they had a pattern of causing minor disturbances - such as yelling and kicking their cell doors, when the real crime was the prison's failure to get treatment for their illnesses. Jailhouse lawyers were sent to the new SuperMax with the excuse that they were a "threat to security;" the prison officials locked others up for allegedly being in prison gangs.

People are being held at the Super Max indefinitely. This is largely due to the operation of 2 sinister prisoner management techniques: the compulsory behavior modification program and behavior logs. People must graduate from the behavioral modification program before they will be released from the SuperMax. In fact, they are set up to fail.

So far, at least 40 prisoners have filed petitions for writs of habeas corpus challenging conditions at the SuperMax at the Penitentiary of New Mexico. The Public Defender has been appointed on many of these cases.

At least one of the SuperMax cases was dismissed late last year, but sent back to the trial court for hearing by the state Supreme Court. The trial courts then consolidated the SuperMax cases so that the judges can hear about the conditions at the SuperMax at one hearing. The prisoners will have individual hearings about why they were locked-up in the first place and, just as important, why they are still there.

One of the expert witnesses in this case, psychologist Craig Haney from California, has investigated SuperMax prisons all over the country. State district court judge Michael Vigil has been assigned to hear all the SuperMax cases. The cases are expected to be heard in Santa Fe, in late January 2003. Come one, come all!

A companion case has been filed by the New Mexico chapter of the ACLU on behalf of 6 prisoners. It is a proposed class action, to include all prisoners held in "Special Control Facilities" in Santa Fe and Las Cruces.

The case is a legal challenge to the prisoners' classification into the Special Control Facilities;" the lack of process for appealing placement there; the denial of rehabilitative, educational, religious and social programs; the arbitrary loss of good time credits; denial of family visits; as well as the psychological harm they are suffering. These are violations of the 1st and 8th Amendments and ADA.

KILLING OUR KIDS

There are states in this country in which it is still possible to seek the death penalty when a person under 18 (a minor) is convicted of killing someone. In the case of John Muhammad, an adult, and Lee Malvo, age 17, accused of being the DC area snipers, the feds, Maryland and Virginia each wanted to be the first to prosecute them. Virginia was allowed to go first because it is the only jurisdiction involved that can seek the death penalty against Malvo.

The 22 states that can still, by law, seek the death penalty against a minor are: AL, AZ, AR, DE, FL, GA, ID, KY, LA, MS, MO, NV, NH, NC, OK, PA, SC, SD, TX, UT, VA and WY. Fourteen of these, with a total of 82 such prisoners, actually have people on death row who were under 18 at the time of the crime for which they have been so sentenced.

TX has 29 youth on death row, AL 14, MS 6, LA and NC 5 each, FL and PA 4 each, SC 3, GA and MO 2 each and KY, NV and OK with one each.

Currently, only 16 of the 39 states which have the death penalty and the federal government prohibit execution of those under 18. In 1989, the US Supreme Court held that the constitution did not prohibit the execution of someone who was 16 or 17 at the time of the crime, *Stanford v. Kentucky*, 492 U.S. 361.

Four US Supreme Court justices, Stevens, Souter, Ginsbury and Breyer, now appear willing to reconsider whether it is constitutional for the states to impose the death penalty on minors.

One more is needed for them to do so.

OLMOS HABLA SOBRE LA EDUCACION

El actor Edward James Olmos nominado para un Oscar por su papel de un maestro hispano de matemática en *Stand and Deliver*, dijo recientemente en una conferencia sobre educación que las clases de historia en las escuelas públicas de Estados Unidos no prestan atención a las contribuciones de los grupos minoritarios a este país.

"Hemos hecho cosas muy grandes en este país y no saben nada sobre nosotros", dijo el actor. Olmos añadió que enseñar sobre las contribuciones de los hispanos es clave para la autoestima de los estudiantes latinos en un país donde 52% de los estudiantes con herencia hispana no se gradúan de la escuela secundaria.

8-A EXCELSIOR Miércoles 6 de Noviembre de 2002



LA VERDAD ES LA PRIMERA VICTIMA DE LA GUERRA.

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VOICES
FROM
INSIDE

since 1976

CONSCIOUS AMERICANS

Soledad CA October 13, 2002

I filed a lawsuit against CDC alleging its hiring policy and practices are racially discriminatory because it limits African American employment. I'm seeking to have CDC racially diversify all its prison facilities by adding more Black officers and free staff. Submit signed affidavits to the judge, giving detailed descriptions of any racial discrimination you have been subjected to: Sandra Brown Armstrong, Judge, Federal District Court, Northern District of California, 1301 Clay St, Suite 4005, Oakland CA 94612, no. CIV 02-CV-00834 SBA (PR).

SO MANY ARE IN PRISON

Warren MO October 14, 2002

In 2 weeks I will be 65. Many people on the outside are looking to retire and receive social security to help them enjoy their life. Myself, even though they took money from me for 30 years, I cannot get back that money. A lot of us thought of politicians as someone to look up to, as role models. But we find that they take your money and your benefits if they want. There are more crooks in Washington than there are in prison. They steal and lie and we, seeing this, believe it is ok. But we find, because we are not politicians, different laws are for us. Our government set the example that sent many to prison.

MEDIA HYPE

Bennettsville SC October 18, 2002

I have been watching how the media is blowing up and giving a lot of hype to the (snipers in the) DC area. They don't know what to do and they are adding to the fear like they always do. I see the public being brain washed like there is no way they can think for themselves. All I see is politics as usual, with the politicians playing on the peoples' fears of a terrorist attack with a lone sniper.

DIAGNOSIS

Dilley TX October 18, 2002

I am 33 and HIV positive. I want you to know that you are not alone. If you are feeling down and out, write me and I promise I will write you back. Albert James Robinson, 623618, 1459 West Highway 85, Dilley TX 78017-4601.

Mailing list additions and address changes should go into effect within two months from their postmarked 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." If requesting responses, state whether you can receive mail directly from those imprisoned. 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. NONE OF US ARE LAWYERS

MAILE PROBLEMS?

New Braunfels TX October 20, 2002

Texas state prisoners who experience problems receiving or dispatching mail due to possible interference by mail room clerks, should contact: Jason Powers, Attorney, Vinson & Elkins, 1001 Fannin Street, 23rd Floor, Houston TX 77002. Briefly explain your problem to Powers, who has been appointed by the US District Court to handle prisoners' complaints about incoming and outgoing mail.

THEY DON'T

Waverly WA October 21, 2002

Sussex II state prison is supposed to be a security level 4 prison, but is being run like a security level 5 or 6. Our warden is biased and prejudiced against inmates. The canteen is privatized and run by Keefe, Inc; the canteen prices are outrageous. All level 4 institutions are supposed to sell the same items; they don't. The kitchen is privatized and run by Canteen, Inc. We don't get the food we are supposed to. They are supposed to follow the DOC menu; they don't. The servings are not correct.

"SHINE THE SPOTLIGHT ON HOW FAR WE'VE COME"

Elmore AL Elmore AL

These issues remain the basis underlying our plans to keep our struggle going until they are corrected: 1) Overcrowded Alabama Prisons, 2) Dehumanizing conditions, 3) Inadequate, poor quality medical care, treatment (of 16 points total). First Lady of Talk Radio, Queen-Sistah Roberta Franklin. For more information, call between 9 and 11 am, Monday through Friday: (334) 567-2251. WAPZ 1250 AM.

BLACKOUT

Michigan City IN October 30, 2002

On Sunday, October 27, 2002, on Death Row at this prison, 4 guys killed another Death Row prisoner. The 4 perpetrators were all out-of-place. The investigation supposedly is focused on correctional officer involvement. The observation is: the extraordinary complete news blackout over the event here. None of the local news has run the story.

JOURNAL OF WISDOM

La Mesa TX

I am compiling a journal of wisdom and poems for my daughters. I am looking for poems or words of advice for girls to be in my journal, with your permission. Those submitting will be acknowledged. Armando O. Solis, 1032937, 1313 County Rd 19, La Mesa TX 79331.

A FREE RESOURCE

McAlester OK

November 4, 2002

www.jamesbauhaus.org, bauhaus@quik.com

TO ESTABLISH CONTACT

Warren ME

November 6, 2002

My name is Felipe Infante Cutiño. I came to the United States 20 years ago from Bayamo, Cuba, which is in the state of Oriente. I am hoping to establish contact with Cubans from my region who are also in the US, in or out of prison. Please write me at: Maine State Prison, 807Cushing road, Unit 400, Warren ME 04864.

TO EMPOWER AND TO ELEVATE

Albion PA

November 8, 2002

We are seeking to start a new organization, in prison and in society. The purpose is to empower African-Americans to elevate mentally, spiritually, physically, socially, politically and economically. We are seeking people in the Pennsylvania area, especially Philadelphia. Contact: Anthony M. Willams, DT-6828, SCI-Albion, 10745, Route 18, Albion PA 16475-0002.

EDUCATION AND SUPPORT

Sterling CO

November 12, 2002

We are starting a Hepatitis and Liver Disease education and support group. Be part of it. Send ideas to: Steve Reed, 106904, PO Box 6000, Sterling CO 80751.

FORSAKEN

Auburn NY

November 12, 2002

Rehabilitation for nonviolent drug offenders is the new vogue with faith groups. Everyone's turned their backs on long term violent felony offenders whose crimes were committed 15 to 30 years ago, condemning them to a slow death in prison, regardless of their accomplishments or how remorseful they may be.

The slow death is a very real fact for the forsaken.

INFORMATION WANTED

Midway TX

October 23, 2002

Требуется сведения для создания ресурсного списка —
помогать русскоговорящих узников найти изданий,
приятелей переписки, организаций и т.п. на русском
языке. Пожалуйста, напишите мне со сведениями и
с вопросами. по-русски, английски, и испански:
Paul L Moore #650402, 12120 Savage Dr., Midway, TX 75852



ARROWS IN THE WIND

VOICES IN SOLIDARITY

Is the quarterly newsletter of the American Indian Religious Rights Foundation (AIRR), a non-profit organization that works to represent American Indian prisoners incarcerated within the United States.

Administrative Office: PO Box 462, Hill City SD 57745.

DCI GIFTS, INC.

DCI Gifts was created as a program solely for TDCJ offenders and their families. This new program will allow offenders to express their love and appreciation to their family members and loved ones during a difficult time in all of their lives. We will ship your order (domestic USA only) within 2-4 weeks of receiving the order and payment, only to addresses outside the TDCJ system. PO Box 3070, McKinney TX 75070.

WRITTEN RESOURCES

TORTURE IN U.S. PRISONS, EVIDENCE OF U.S. HUMAN RIGHTS VIOLATIONS, from the American Friends Service Committee, New York Metropolitan Region, Criminal Justice Program, Bonnie Kerness, Coordinator, 972 Broad St - 6th floor, Newark NJ 07102-2518, 82 pages.

PRIVATE PRISONS AND PUBLIC MONEY, Hidden Costs Borne by Colorado's Taxpayers, a Colorado Criminal Justice Reform Coalition briefing paper, Stephen Rahe, Director, 2508 1/2 W Colorado Ave - Suite 3, Colorado Springs CO 80904, 11 pages.


COMMITTEE ON PRISON ACCOUNTABILITY's (COPA! NM) Mission is:


- * To establish a fair inmate/family visitation policy in the NM DOC.
- * To assist families in crisis and create a state-wide support network.
- * To establish post incarceration programs and legal referrals.
- * To improve standards of probation and parole.


Board: Dwight Duran 232-8144, Suzann Trout 254-2118, Jude Lopez 319-4569
PO Box 80243, Albuquerque NM 87198. COPA! needs your help!


"We  not
EXONerate Saddam

Hussein for his actions. We will

Mobilize to meet this threat to
vital interests in the Persian 

until an  ble solution is reached.

Our best strategy is to  repaired.

Failing that, we  ming
to kick your ass."

The Coalition for Prisoners' Rights Newsletter is published monthly by the Prison Project of Santa Fe, Inc., PO 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

aka Crimetoppers

There once was a Doctor. Seuss, who wrote in a book/ about a thief named Grinch. It was Christmas he took. The Whos are from Who-ville, an interesting town./ The Grinch took their Christmas, bringing everyone down. This is not the only crime to happen to Whos./ A fraudulent election, for instance, I'll choose.

In 2000 a lot of Whos went to the polls/ but were told "you cannot vote, you're not on the rolls."

Others were told that they were guilty of some crimes./ "Guilty?" they said, "Only of making bad rhymes." They were told "Voters are red, white, and blue-ish."/ The problem with Whos is "They look too Who-ish."

They gathered together and decided to sue./ The right to vote is real important to a Who.

The courts said "Your vote is not important to us./ We'll decide this election, there's no need to fuss."

The Supreme Court, all nine, then made the decision./ Bush will be president (though he should be in prison).

You can steal an election by poll lists left short,/ or by stuffing the box, or by stuffing the court.

Indeed, our Crime this Month is not theft by the Grinch/ but rather by dark robed thieves who steal from the bench.



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12/02

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