

Coalition For Prisoners' Rights Newsletter

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What Will It Take to Change?

We know that the prison conditions involved in the following situations amount to torture. We know that U.S. federal courts ruled against the torturers. What we have not yet seen played out is that any positive change has happened as a result.

First, some context. A study based on 2001 numbers points out that Wisconsin has the nation's highest black incarceration rate: 4,058 per 100,000 of the total population.

In November, a three-judge panel of the Seventh U.S. Circuit Court of Appeals in a 14 page opinion, did not rule on the facts of a case from Boscobel WI's Secure Program Facility, but did say that if the alleged facts were found to be true by the federal district court in Green Bay, the prison violated the rights of prisoner plaintiff

Nathan Gillis. The rule the prison said that Gillis broke was not sleeping with his head where guards could see him.

For this, under Boscobel's Behavioral Modification Program (BMP), he was, according to the judges' opinion:

"Stripped naked in a small prison cell with nothing except a toilet; forced to sleep on a concrete floor or slab; denied any human contact; fed nothing but 'nutri-loaf;' and given just a modicum of toilet papers - four squares - only a few times. Although this might sound like a stay at a Soviet gulag in the 1930s, it is, according to the claims in this case, Wisconsin in 2002."

However, if he was considered to not obey the rules, he would remain indefinitely in his cell, naked, alone, and on a cold cement bed. And once Gillis was

(continued on next page)

What Will It Take to Change? cont.

put in the BMP, he had to complete the whole program. These conditions of deprivation and isolation are similar to those demonstrated in a 2001 class action lawsuit concerning severely mentally ill prisoners then held at Boscobel.

Under the terms of the settlement of that case, the state agreed to move all the mentally ill prisoners from Boscobel. But officials said that they would continue to use isolation and deprivation for those still held at Boscobel. And they have been as good as their word....

Now cut to a near-by midwestern state. Michigan spends a total of \$280 million per year on prison health (\$190 million/year) and mental health (\$90 million/year) care. The prison system as a whole cages approximately 50,000 people at any one time for a total cost of \$1.8 billion/year.

So also this November, a U.S. District Judge in Kalamazoo, in a 39 page opinion, ordered sweeping mental health care changes for (Jackson) Michigan's prisons, under court order to do so since 1985 in the *Hadix* case, to prevent the further mistreatment and death of those imprisoned there.

In his opinion, judge Enslen chastised health-care providers in the prison for collecting their pay while ignoring the needs of those in their care. "Here is the basic message: You are valuable providers of life-saving services and medicines. You are not coatracks who collect government paychecks while your work is taken to the sexton for

burial." The judge banned the use of nonmedical punishment restraints at correctional facilities in Jackson. This was after newspaper publicity revealed the worsening state of care in Michigan's prisons, including the death of mentally ill 21 year old Timothy Joe Souders who died in August after spending more than four days in four-point restraints inside a hot and humid isolation cell, naked and soaked in his own urine.

"The days of dead wood in the Department of Corrections are over, as are the days of Correctional Medical Services (CMS) intentionally delaying referrals and care for craven profit motives," continued the judge.

We shall see. California's prison health care system has been under federal receivership for over a year and the Coalition has yet to hear of any improvements in health care there.

RESOURCES

Forum For Understanding Prisons
Newsletter: *A Bridge of Voices*
PO Box 285
Richland Center WI 53581

ACLU of Wisconsin
207 E Buffalo St, Suite 325
Milwaukee WI 53202

Citizens Alliance on Prisons &
Public Safety (CAPPS)
115 W Allegan, Suite 950
Lansing MI 48933

ACLU of Michigan
60 West Hancock
Detroit MI 48201

SENTENCING CONTRASTS

First, the better news. The annual number of execution sentences in Texas has dropped from 40 in fiscal year 1996 to 14 in 2006. This is a decrease of 65%. The decline in execution sentences in Texas is similar to the nationwide decline in execution sentences. During the 1990s, there were about 300 new execution sentences per year. But in 2005 there were 125 new execution sentences.

The largest decline in Texas execution sentences was in Harris County, where Houston is. That county used to produce the most execution sentences of any county in Texas, and more executions than any other county in the U.S.

Also, in Hunt County, since July of 2003, there have been 14 people indicted for capital murder. All 14 cases resulted in Life Without the Possibility of Parole sentences. In most of the cases, the district attorney, at the request of the surviving members of the victim's family, decided not to seek an execution sentence. Apparently the families wanted the "certainty of a life sentence where there's no appeal," according to the district attorney.

The CPR continues to believe that ever increasing punishment is no solution to tragedy no matter how terrible the circumstances are. It will not heal or prevent.

The worse news is in the November issue of *Rolling Stone*, in an article entitled: "Can Nate Ybanez Ever Be Forgiven?". After years of molestation by both of his parents, starting when he was five years old, "In 1998 (at 16), Nate snapped and brutally killed his mother when she

foiled his attempt to run away. He was tried and found guilty in less than two days and sentenced to life in prison without parole. His best friend, Erik Jensen, was convicted as an accomplice and is also doing life without parole. Thus condemned, they joined dozens of Colorado teens put away (in adult prisons) till the end of their natural days for crimes they committed as children. Barring a reversal in appeals court, they will live and someday die within walls. In a neighboring state like Texas or Kansas, they might have been offered treatment and training in a juvenile facility. but Colorado doesn't believe in such coddling. These boys have a job, it has all but told them: to suffer for their sins till they draw their last breath, and then go straight to hell."

Ybanez is now 25 years old. How many more to go? Exactly what sort of improvement over execution is this?

El español hay que fomentarlo

Se calcula que actualmente casi 450 millones de personas hablan español, un idioma que tiene un gran valor económico y una potencialidad aún mayor, pero para que no disminuya debe fomentarse. Ya es la segunda en importancia en Estados Unidos y en Brasil.

El idioma funciona como un puente entre sociedades. El rédito económico ya se está dando a través de los 14 millones de personas que estudian español en el mundo. Las clases de español dominan las ofertas de idiomas en los Estados Unidos--está encima de todas las otras lenguas combinadas.

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VOICES
FROM
INSIDE
since 1976

INCARCERATED

Mark Clements, N23123, currently at Pontiac IL, has been incarcerated since 1981. People who know about this case or the fire at 6602 S Wentworth on June 17, 1981, at about 2 am, could possibly help exonerate Mark Clements and end his ordeal. Anyone knowing anything about this case should contact: NAARPR-Chicago, 1325 S Wabash Ave, Suite 105, Chicago IL 60605, 312-939-2750, www.NAARPR.org

PERSECUTED

Pittsburgh PA

Any imprisoned Muslims who are allowed to and receive literature, wear different types of kuffis and/or are facing persecution, contact me in case we have to file a class action suit in the future: Isa Muhammad, 5526 Black St, Apt 1, Pittsburgh PA 15206.

RELIEF

Colorado City TX

September 25, 2006

I have been keeping a close eye on the Sirak lawsuit and I have yet to see any significant results or even anything that promises any relief for the Texas inmates. The last progress letter was sent on 9/01/06. The letter talks nothing about the suit itself. However anyone and everyone is asked to join the lawsuit. I think this is another case of an attorney trying to take advantage of us unfortunate inmates. Editors' Note: *DISCLAIMER--None of us at the CPR are lawyers.*

FAITH

Limon CO

Octobe 2, 2006

12/06

Inmates of the Islamic faith/ Moorish Science Temple of America (MST of A) are seeking information and assistance/representation in advancing a civil action lawsuit against the CO-DOC for failing to provide Islamic inmates/MST of A the equal protection and freedom to practice their religion as provided in a previous suit, Docket #53, Case No. 1:02-cv-01173-MSK-OES (US District Court for the District of Colorado (Denver) 12-17-2004); denied in part based on the fact that one inmate cannot file on behalf of another inmate or on behalf of an organization. Contact: Fredrick D Robinson-El III, M.S.T. of A., 85004, L C F, 49030 State Hwy 71, Limon CO 80826.

Mailing list additions and address changes should go into effect within two months from their postmarked date. Our goal is to answer requests for referrals and other correspondence within six weeks. Letters intended for publication must say "Do Print." If requesting responses, state if you can receive mail directly from those imprisoned. The Coalition makes information available on resources and services for prisoners. We strongly urge readers to 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.

SPECIAL SESSION

Cushing OK

October 11, 2006 August 20, 2005

All Oklahomans in state and private facilities: prepare letters for family, relatives and friends for submission to Brad Henry, Governor, 212 State Capitol Bldg, Oklahoma City OK 73105; Mike Morgan, President Pro-tem, Oklahoma State Senate, 519 State Capitol Bldg, Oklahoma City OK 73105; and Gus Blackwell, Chair, House Committee on Corrections, 434 State Capitol Bldg, Oklahoma City OK 73105, urging the re-introduction, passage and signing into law of S.B. (2003) 832, S.B. (2004) 1177; S.B. (2004) 1194, H.B. (2004) 1716 and SJR (2004) 17, re Governor out of parole process. Urge special session and if not possible, then relief in February 2007 legislative session.

WHAT IS GOING ON

St Gabriel LA

October 16, 2006

I am an African-American woman who recently converted to Islam. There is religious discrimination happening here. Out of 1,100 female inmates, only 3 are Muslim and currently we are all in lockdown. The staff and some of the inmates are actively discriminating against Muslims and the administration is condoning it. The discriminatory practices are systemic and litigation is the only cure I can think of. If you have any positive feedback to share please do. Thomasina James, 485603, LCIW/ Leo, PO Box 26, St Gabriel LA 70776.

NO PAROLE

Colorado Springs CO

October 18, 2006


In the Colorado Parole Class Action suit the inmate plaintiffs allege that Governor Owens, the DOC, its Parole Boards and its Case Managers have failed to implement the statutory guidelines for determining parole. In September 2006 an appeal brief was filed. Visit the Colorado Parole Class website: www.coloradopca.org

PCSO's

Morgan GA

October 26, 2006

The GA General Assembly has passed H.B. 1059, which is aimed at revising the sex offender registry and has made PCSO's ("People Convicted of Sex Offenses") move because of the 1,000 feet restriction from churches, schools, day care centers, bus stops, etc. Please contact your Senator or Representative and get familiar with these new laws.



COMMISSARY

I. Mount Olive WV

October 19, 2006

The WV DOC gave Keefe Commissary the contract for all the prison facilities. The prices have increased at least 400%. They also overcharge sales tax. If anyone can help file a law suit and force them out of WV, write: Michael Flippo, Box 5, Mount Olive WV 25185.

II. Florence AZ

October 22, 2006

If you are a prisoner in AZ and have purchased any of those ink pens from the Keefe Commissary that still have plenty of ink in them but will only write a word or two, submit a grievance and request a full refund including that Keefe stop selling them. The ADC will make them change through quality control provisions of the store contract if enough people grieve the issue.

III. South Walpole MA

October 23, 2006

In the MA prison system we are having many problems with Keefe, which constantly raises the prices of popular food items. Also, the company drops other food items without any advance notification. To date, the MA Consumer Affairs Department has failed to provide any assistance to MA prisoners concerned with Keefe's monopoly.

IV. Boise ID

October 24, 2006

We here at SICI PO Box 8509, Boise ID 83707 feel the same way about Keefe. Their 33 Cent for Ramen and 67 cents for a cup of noodles is out of line. A 13" color TV with no remote is \$162.42 + 6% tax.

V. Albion PA

October 24, 2006

Regarding Keefe's monopoly in VA prisons--we have the same problem here in PA. We need a listing of all states with contracts with Keefe as well as federal case law over the matter. Something has to change.

VI. Pound VA

October 27, 2006

All VA convicts who are know Keefe is being allowed to illegally practice price gouging need to boycott their goods/ services. Also, if at least one law suit is file at every institution, we will be able to get rid of them. My lawsuit is in the works!

VII. Houtzdale PA

October 30, 2006

The Keefe Corp. has taken a major step in securing a long future in PA by setting up commissary distribution at 3 regional state prisons to pre-package for delivery all commissary orders. Besides having to fill out a commissary request form 10 days ahead of time--with high prices and a small selection, it's a "take it or leave it" policy if you are overcharged or other mistakes are made with your order. If you do not like the new commissary policy, send all complaints to: Edward Rendell, Governor, 225 State Capitol, Harrisburg PA 17120.



VOICES IN SOLIDARITY

INTERNET ACCESS THRU MAIL (I.A.T.M.)

has been improving its program to aid prisoners in their affairs. Any prisoner who wishes to obtain I.A.T.M.'s services should provide a self-addressed stamped envelope with their first letter to receive a price list and/or newsletter. Address inquiries to: Internet Access Thru Mail, 4600 Monterey Oaks Blvd # 235, Austin TX 78749, (512)358-0687.

"WORD OUT NOW"

is seeking information for its new edition of resources for those imprisoned and their families and friends--which is to be available shortly. Contact them at: 3020 El Cerrito Plaza, Suite 540, El Cerrito CA 94530; (510)525-3990.

FACTS ABOUT METH

Four times as many people in the U.S. use cocaine on a regular basis as methamphetamine, 30 times as many use marijuana and 90 times as many report binge drinking. The proportion of people in the U.S. who use methamphetamine regularly remained stable between 1999 and 2005: 0.2%-0.3%. The proportion of high school students who have ever used methamphetamine declined by 45% between 1999 and 2005. Nine months after beginning treatment in California, 87% of previous meth users are still clean. Similar results occurred among those completing treatment programs in Iowa, Tennessee and Texas. There is no indication of an increase in first-time meth users. See the policy report: *The Next Big Thing? Methamphetamine in the United States* issued by the Sentencing Project, 514 Tenth Street NW, suite 1000, Washington DC 20004, www.sentencingproject.org, (866) 366-9625, www.sentencingproject.org

THANK YOU RESIST!

The CPR is proud to have just received the funding for year one of our second three year grant from RESIST for support to challenge the social and economic injustices inherent in the U.S. court and penal system. RESIST funds groups like the CPR because its mission is to support people who take a stand about issues that matter today. Contact: RESIST, 259 Elm Street, Somerville MA 02144, (617) 623-5110.

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Crime of the Month

aka Crimetoppers

In the family named Grinch, only one was to steal
It seems with the family Bush, they all steal with zeal.

The dad, George senior, invests in weapons and oil
With the son's influence, the profits are royal.

Brother Neal stole money from Savings and Loans
Members of this family are thieves to the bones.

Brother Marvin profited from 9/11
They think that they can steal their way into heaven.

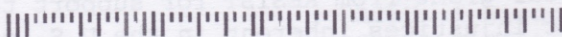
If it continues, that family will steal us blind
The policy is "No Bush Will Be Left behind."

This ruling family can steal without fear, you see
It's an ongoing criminal conspiracy.



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12/06

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