

Coalition For Prisoners' Rights Newsletter

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SUGGESTIONS FOR NEW YEAR'S RESOLUTIONS

Almost all those with power resist these changes. The following will use examples mainly from New Mexico, but they are happening everywhere. Find out what is going on in your state in regard to these important issues. We can learn from each other.

I. Few prisons in New Mexico are following national guidelines on treating substance abuse-use disorders. National guidelines include offering first-line treatments of buprenorphine or methadone to patients with opioid-use disorder, naltrexone or acamprosate for patients with alcohol-use disorder bupropion and naltrexone for methamphetamine-use disorder, and the naltrexone shot (Vivitrol) for those with opioid-use disorder who do not want buprenorphine or methadone. Evidence-based quality substance-use-disorder treatment should be required in jails and prisons.

II. The United States court system states that it is based on people being considered "innocent until proven guilty." But there are current efforts to make it easier to detain people accused of certain felony crimes before their trials. Such presumptive pretrial detention will inevitably put innocent people behind bars without requiring evidence that they've actually committed a crime. Yet 95% of people charged with felonies who were released pending trial between July 2017 and March 2020 in New Mexico were not arrested for violent crimes during their release period. The proposals now before the New Mexico legislature will lead to hundreds of additional people being jailed before trial.

Locking more people up pretrial is actually likely to have an adverse effect on public safety. Jail time can result in a lost job, lost income, eviction and even loss of child custody. Many wind up pleading guilty just to go home. Nobody comes out of jail in a better position to take care of themselves or their family. To increase public safety, we have to have legislation that actually addresses the underlying causes of crime.

III. Another example of possible positive change is legislation that would

abolish life-without-parole-for-juveniles sentenced as adults, of which there are currently at least 75 being held in New Mexico prisons. The proposed "Second Chance" bill would make juveniles sentenced as adults eligible for parole after doing 15 years. If parole is denied, the request would be reconsidered by the parole board every two years.

Such a law would provide consistency in the way state judges handle serious crimes juveniles have been convicted of. It would also provide an incentive for and the ability to demonstrate achieving positive change. A study of juvenile lifers released in Pennsylvania found only a 1% recidivism rate with such a change.

IV. Another change, part of an unfortunate growing nationwide trend, is in the handling of imprisoned people's personal mail. In at least Pennsylvania, North Carolina, Wisconsin – and as of February 1, New Mexico – all mail sent to those held in these state prison facilities will be scanned and available to their addressees only electronically.

This will be carried out by profit-making businesses, and so, of course paid for by the taxpayers. We predict that this practice will expand enormously in the near future and cannot accept such a mean, petty practice. It is an enormous and NOT a mandated punishment. No one benefits from one-sided separation from their loved ones.

V. Instead of the many positive possibilities for changing the amount and conditions of prison confinement, we anticipate a growth of "cracking down on crime" legislation. It will be used to bring the number of those imprisoned back up to previous, recent, outrageous highs. We have before us another set of legislative sessions, which will be another same-old regressive reactionary backlash. Just another pathway to prison for people of color, people with fewer resources, and those born in the wrong place. It is a means of selective punishment for a segment of society that should be helped, not hurt by the inequality and unfair treatment that has already gone on for far too long.

RENUNCIA EL DIRECTOR DE PRISIONES DE EE.UU.

El director de la Oficina Federal de Prisiones de Estados Unidos, Michael Carvajal ha presentado su renuncia tras los crecientes problemas de la agencia en relación con el manejo de la pandemia. Alrededor de un tercio de los presos federales han dado positivo por coronavirus y al menos 275 han muerto a causa de la enfermedad. El mandato de Carvajal también estuvo marcado por informes de abusos graves y conducta indebida que involucraban a los funcionarios penitenciarios. Una investigación de la agencia de noticias concluyó que más de 100 funcionarios que trabajan en las prisiones federales han sido arrestados y condenados por diversos delitos desde principios de 2019, incluido un director de prisión acusado de abuso sexual y otro acusado de asesinato.

THE LEAST READ PART OF THE NEWSLETTER

To receive yer *CPR Newsletter* by postal mail monthly, send us a self-addressed stamped envelope for each month's issue you are requesting, up to 12 at one time. Put the *CPR* return address in the upper left-hand corner of each envelope.

Five pages (1 ounce), can be sent for one Forever stamp. Ten pages (2 ounces) can be sent for a twenty-cent stamp more.

Please continue to send us address changes, as soon as you can, including both your old and new addresses. This helps us keep our mailing list current and accurate.

NONE OF US ARE LAWYERS OR LEGAL WORKERS. Letters sent to us marked "Legal Mail" are NOT going to a lawyer, and could possibly result in our losing our access to the prisons they come from. *PLEASE don't do it!* No matter how desperately you need legal advice/assistance, we DO NOT have any.

Many, many thanks to the Real Cost of Prisons project, which posts our *Newsletter* on-line, monthly, for free downloading and distribution. All issues since 2009 are at its great site: realcostofprisons.org

New CURE Chapter

It is: CURE-CA. CURE advocates for changes in state penal policy and procedures. They have a website and a newsletter. National CURE was founded in 1972 and is based in Washington DC.

CURE-CA has various special issue committees. They include: *Drop LWOP*, committed to ending this sentence of "death by incarceration." They believe that prisons and jails inherently dehumanize incarcerated folks, which contributes to misinformed stereotypes held by the general public about system-impacted people.

CURE California, P.O. Box 2523
El Segundo CA 90245

An Anniversary

In January of 2002 the U.S. began imprisoning Muslim men at its prison at Guantánamo Bay Cuba. In the 20 years since, the U.S. has held 779 men there. There are currently still 39. Over a dozen of them have been recommended for release but remain there locked up. And Guantánamo itself remains an international symbol of torture and prisoner abuse.

The U.S. is spending an estimated \$540 million a year there. That's over \$13 million per prison per year.

In its early days (2002 and 2003) there were actually three boys from Afghanistan held there who were 12 to 14 years old. Any prisoner who was 15 years old or older was held in the general population.

Anyone who was seriously suspected of being involved in terrorism wasn't brought to Guantánamo in 2003. They were put in secret CIA black sites. Those sites were not closed down until 2006, and approximately 19 prisoners from them were brought to Guantánamo.

That prison is infamous for many aspects of its operation and treatment of people. One of the most extreme is the "enhanced interrogation techniques" developed by psychologists. And the lawyers came through for their bosses and said that, if it's not organ failure or death or severe physical impairment, it's not torture...

Legacies of Guantánamo include that imprisonment without trial, with overt torture, with the absence of the rule of law, with the removal of the right of the presumption of innocence are: all okay.

The war in Iraq is now, officially, over. Yet Guantánamo is still open. Of the 39 prisoners still being held there about a third have been cleared for release. Some have been cleared for over a decade. There are another third of the prisoners who are considered both too innocent to charge, but too dangerous to release. The third category of prisoners are those who are charged under "military commissions." The military commissions admit hearsay evidence, there is no right to appeal, and you have no voice in choosing those who will defend you. A few people have been found or pled guilty to the military commissions and have gone home.

After 20 years, not a single person has actually been formally prosecuted. Why not? Because they were tortured to begin with and torture evidence cannot be admitted in U.S. courts. What does exist is an endless series of pretrial hearings. The heartbreaking stories and cruelties continue. (source: "Democracy Now" program)