

Coalition For Prisoners' Rights Newsletter

Vol. 33, No. 7 PO Box 1911, Santa Fe NM 87504-1911 July 2008

Crime of the Month

BREADWINNERS FORCED TO PLEA GUILTY

With helicopters overhead, hundreds of armed agents set up a perimeter and move in. They quickly arrested close to 400 people, transported them to a concentration camp-like setup on a cattle grounds, and within two weeks about 300 of them pled guilty to felony charges, tried 10 at a time in handcuffs and leg shackles. Very efficient.

A real "shock and awe" performance. Feeling safer already, with 300 convicted felons off the streets? And our humanitarian government released 56 caregivers temporarily with ankle bracelets to avoid any messy bad PR that might result from injury and trauma to unattended children. Aren't you proud?

What's more, these people were charged with identify fraud. That means they took over another person's identity with the intention of stealing their money

or assets, right? Nope. These folks were breadwinners, working and paying taxes and social security under that identity.

Their crime was working to put food on the table. ICE (Immigration and Customs Enforcement--formerly INS) cranked up the pressure and presented them with a plea deal: 5 months jail time and then deportation, or to face identify theft charges carrying a minimum 2 year prison term--with seven days to decide. This is an unprecedented shift by the US government to criminalize workers. In the past, working in the US without documents has been a civil matter heard by an immigration judge. No more.

Almost all the arrested workers pled guilty to aggravated identity theft, making false representations about social security numbers or both. Most were indigenous Guatemalans. They worked for Agriprocessors, Inc.

*** (continued on back page)

STOPMAX CONFERENCE --- RESOURCES AND RESULTS

From May 30 to June 1, at in Philadelphia PA, an energizing, exciting national conference was held for several hundred participants, largely those formerly imprisoned, prisoner family members, and prisoners' rights advocates. Sponsored by the American Friends Service Committee (1501 Cherry Street, Philadelphia PA 19102) with the participation of a number of other organizations across the country, the conference launched a multi-year campaign against solitary confinement and other serious human rights violations so prevalent in U.S. prisons.

In addition to the invaluable networking, making and renewing of contacts and learning what others are doing, the conference made available to all a great many resources, a sampling of which are listed below.

"Get Your Vote Back - A Guide to Help Ex-Felons in Georgia," a brochure prepared by the ACLU of Georgia, PO Box 54406, Atlanta GA 30308, www.acluga.org

"SMASH the School to Prison Pipeline Human Rights Coalition," a project of the US Human Rights Network. Question: What would our children be protected against if the United States adopted the International Convention the the Rights of the Child?

Answer: Racial discrimination, Educational disparities, institutional child abuse, Human rights violations, Police brutality
For more information:
call 404-588-9761 or go to
www.ushrnetwork.org

"Torture is a Moral Issue," a brochure of the National Religious Campaign Against Torture. Its statement of conscience follows:
"Torture violates the basic dignity of the human person that all religions, in their highest ideals, hold dear. It degrades everyone involved--policy-makers, perpetrators and victims. It contradicts our nationns most cherished values. Any policies that permit torture and inhumane treatment are shocking and morally intolerable. Nothing less is at stake in the torture abuse crisis than the soul of our nation. Let American abolish torture now--without exceptions." Contact info: National Religious Campaign Against Torture, 316 F St NE, Suite 200, Washington DC 20002, 202-547-1920, www.tortureisamoralissue.org

TAMMS Year Ten, The Tamms Year Ten Campaign. At least 100 of the noriginal prisoners have been there for a decade in permanent isolation. Year Ten is a coaliton of prisoners, ex-prisoners, families, teachers, artists, activists, and other concerned people who have come together to protest the misguided and inhuane policies at Tamms. We have presented over 25 cultural, educational and political events to publicize Tamms C-MAX on the aniversary of its opening, culminating in legislative hearings about Tamms C-MAX before the Prison Reform Committee of the Illinois House of Representatives in April. In May, House Bill 6651 was introduced to crate standars and criteria regarding the operation of Tamms. Go to: www.YearTen.org
YearTen@riseup.net

WILL THE U.S. OBEY WORLD COURT?

In June 2008, México asked the International Court of Justice in The Hague to stop the execution of José Medellín and four other Mexican citizens whose executions have been scheduled since the temporary stay on executions lapsed. Medellín's execution is scheduled for August 4, 2008, in Texas. This would make him the first of the five to be executed.

México's petition is only the most recent round in the international dispute. Since 1969, international law has required the police to tell foreigners arrested in the United States that they may contact their consulates to request assistance. However, local authorities in the United States have routinely ignored that law. Medellín and 51 other Mexican nationals on death row were not advised of their right to contact their consulates.

In 2004, the International Court of Justice ruled that the United

From the Preamble of UNIVERSAL DECLARATION OF HUMAN RIGHTS:

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people....

States had violated international law and ordered the review of all 52 cases. Medellín asked the Texas courts to review his case, and, when they refused, asked the United States Supreme Court to get involved

The Court initially agreed to hear the case. However, when President Bush ordered the Texas Court of Criminal Appeals to review Medellín's case, the US Supreme Court dismissed Medellín's case to give Texas time to review the matter. Instead of reviewing Medellín's case, Texas challenged the President's authority to issue the order. In March of 2008, the US Supreme Court ruled that Bush did not have the authority to order the Texas courts to review the case.

There are 122 foreign nationals on death rows in this country. Fifty-three of them are from México. Forty-seven foreign nationals are on death row in California and twenty-seven more are on death row in Texas

; LA LUCHA CONTINUA!

Desde Preámbulo de DECLARACION UNIVERSAL DE DERECHOS HUMANOS:

Considerando que la libertad, la justicia y la paz en el mundo tienen por base el reconocimiento de la dignidad intrínseca y de los derechos iguales e inalienables de todo los miembros de la familia humana;

Considerando que el desconocimiento el menosprecio de los derechos humanos han originado actos de barbarie ultrajantes para la conciencia de la humanidad, y que se ha proclamado, como la aspiración más elevada del hombre, el advenimiento de un mundo en que los seres humanos, liberados....



VOICES
FROM
INSIDE
since 1976

A RECENT FEDERAL COURT DECISION

Lapeer MI

May 2008

Foster-Bey v. Rubitschun, 05-cv-71318, U.S. District Court, Eastern District of Michigan-Southern Division, Judge Marianne O. Battani, October 23, 2007, prisoners represented by University of Michigan Law School professor Paul Reingold, concerns parolable lifers. The judge ruled that the Michigan Parole Board has been violating the constitutional rights of parolable lifers for the last 15 to 20 years. On February 7, 2008, she ordered the first 250 of 1,000 prisoners affected reviewed for possible release consideration by September 2008.

CPR DISCLAIMER: *None of us are lawyers.*

INJUNCTION

Cresson PA

May 5, 2008

I recently obtained an injunction which requiring that all court and attorney mail be opened and inspected in the inmates' presence only. See: *Fontroy, Savage & Wheeler v. Beard*, 485 F.Supp.2d 592 (E.D. Pa. 2007)

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MEDICAL CARE

Wrightsville AR

May 14, 2008

In 2006 I brought a civil suit against Correctional Medical Services (CMS) for deliberate indifference. According to the court, an organization like CMS is treated like a municipality, and one must show either a policy causing a constitutional violation or a custom. I am trying to show that a custom does exist within their organization. If anyone has any evidence, for example: grievances, reports, newspaper articles, medical records, please send a copy to me. If needed, the original will be returned to you. Send to: Kelvin J. Collier, 110512, Wrightsville Unit, PO Box 1000, Wrightsville AR 72183. If you can't write a prison, you can send the information to Kelvin, c/o Jannie, PO Box 1201, Warren AR 71671.

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"HEART HEALTHY MENU"

Goodyear AZ

May 1, 2008

ADOC has cut food portions and pulled all special medical and religious diets. SMA Special Management Unit inmates are being subjected to worse treatment. Please help. Write: Deborah R. Boger, 158085, B30-D-166L, Lumbly SMA, ASPC Perryville, POB 3300, Goodyear AZ 85338. No direct inmate mail

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 response, 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.

ACCESS SECUREPAK

Parchman MS

May 16, 2008

We have noticed two problems with Access Securepak's billing. They are charging state sales tax of 7% and a shipping and handling fee. On past orders they have rounded up all tax amounts to the next full cent. I have written the Federal Trade Commission and my state Consumer Protection Division (of the state Attorney General's office) to see if these practices are legal. Check your receipts and keep all information.

TO REVISE PAROLE

Belle Glade FL

May 19, 2008

Florida Senator Paula Dockery has introduced three bills: SB 842, SB 1162 and SB 2000. Together they will revise parole and create a 15 member Sentencing Council, headed by FL Governor Charlie Crist. These bills will, among other provisions, set in place a mechanism to recommend reductions in the percentage of the sentence actually served.

SEND INFORMATION

Parker CO

May 19, 2008

On June 3, 1999, federal prisoner David Stone was fatally stabbed on the main yard of the U.S. Penitentiary in Florence CO. In August 2005, imprisoned civil rights activist Mark Jordan was wrongfully convicted of the murder after the trial court excluded evidence that another prisoner and jailhouse snitch actually committed the offense. See *United States v. Jordan*, 485 F.3d 1214 (10th Cir. 2007). Anyone with information regarding this case please write: Jeffrey R. Edelman, Attorney at Law, 18801 East Main Street, Suite 290, Parker CO 80134, 720-851-8440, jredel@earthlink.net

PAY SCHEDULE

Mansfield OH

May 21, 2008/ June 9, 2008

To correct an error in the May issue: I have worked in the shop that processs the Honda parts for 18 months. I am a pay Grade 3 and make \$.35 per hour, not \$2.00. Most of the 190 workers are Grade 2 or 3. About 10% are pay Grade 1, which mays \$.47 per hour. The maximum is \$.57 per hour.

There are no inmates in the state of Ohio who earn \$2.00 per hour, OPI or otherwise. New employees are pay Grade 5, which pays \$.21 per hour. Every 60 days inmates move up a pay grade. Thereafter, every 15 months you can earn up to 3 "Longevity Hours," which pay up to \$.10 more

7/08



SUBSCRIPTIONS

Jonesville VA

May 22, 2008

Here in USP Lee County in southwestern Virginia the warden, Terry O'Brien, has in place a policy that denies all Administrative Detention inmates receiving and retaining any subscription newspapers or magazines. This includes religious materials. In *Spellman v. Hopper*, 95 F.Supp. 2d 1267 (M.D. Ala. 1999), the federal court overturned a ban on all subscription newspapers and magazines for prisoners in administrative segregation because it violated the standards of the Turner test, *Turner v. Safley*, 482 U.S. 78 (1987). Any who can help, write: James Roberts, 605-066, USP Lee County, POB 305, Jonesville VA 24263
CPR DISCLAIMER: None of us are lawyers.

CONDITIONAL RELEASE

Daytona Beach FL

May 30, 2008

To publicize Florida's Conditional Release program: Prisoners who are subject to Conditional Release Supervision (CRS) by the Florida Parole Commission must work to earn gain time. They are awarded 4 days per month for good behavior and 6-16 days per month to compensate for their labor. Once their gain time reduces their sentences, with time already served, they are released from prison. However, rather than differentiate between gain time for good behavior and labor, Florida combines the gain time awards earned and places the releasee on supervision for the entire amount. The conditions of supervision are very strict. Requiring releasees to serve a period of supervision just for the gain time awarded for good behavior would be fair. In addition, releasees are being treated much more harshly for simple rule infractions that are felons still in prison. I believe the system can work if some common sense is applied....

NO RAISE

Moberly MO

June 17, 2008

Missouri Vocational Enterprises (MVE) workers haven't had a raise in over a decade and top earning potential is \$.50 per hour; \$.71 per hour for lead men or women. Please share your wages from other states with me. We can receive mail from other inmates: Russell Fletcher, 1129642, 1D-286, Moberly Correctional Center, PO Box 7, Moberly MO 65270.

INMATES OVER, GUARDS UNDER

Susanville CA

June 26, 2008

I have been falsely charged with masturbation with exposure when I was showering within my cell. If this has happened to you while showering, please send copies of your final disciplinary disposition report and a written declaration on how you wrongfully got such a falsified incident report and what you received for it. Noel Ortega, P53394, PO Box 3030, Susanville CA 96127.



VOICES IN SOLIDARITY

FAN REMINDER AND CLARIFICATION

As we stated in our May issue, FANS ARE AVAILABLE ONLY to Texas prisoners and only to those in TDCJ facilities, *NOT* in city, county, or federal facilities--including ICE. We wish it weren't this way.

CR10

Critical Resistance (CR) is a national grassroots movement dedicated to ending the Prison Industrial Complex (PIC). The PIC is the system that uses policing, courts, and imprisonment to "solve" problems caused by forces such as poverty, homelessness, racism and sex and gender oppression. CR10 is a national organizing project in celebration of Critical Resistance's 10th Anniversary. CR10 provides an opportunity to assess the successes and challenges of the movement to abolish the PIC during the past 10 years. The project will wrap up with a weekend-long gathering to be held in Oakland CA, September 26-28, 2008. We hope to bring together people from all over the country and world, including former prisoners and family members and anyone invested in strengthening the effort to eliminate the PIC. For more information, contact: Critical Resistance/CR10, 1904 Franklin Street, Suite 504, Oakland CA 94612, 510-444-0484, www.criticalresistance.org, cr10@criticalresistance.org

VISITING REQUIREMENTS CHANGES

Again, this is for TEXAS PRISONS only: On Friday, July 18, 2008, TDCJ will begin a new visitor check-in system for family members and friends coming to visit TDCJ prisoners. All visitors will be required to provide additional information for TDCJ computer records before entering the visitation area. Required visitor ID of those 18 and over is with pictured and signed identification. Visitors will also need to provide an address, phone number, date of birth and vehicle information. Anyone convicted and sentenced for current or prior crimes involving sexual offenses against children or offenses causing bodily injury to a child is restricted from having contact visits with a child under 17. TDCJ also has two officers search cars, including the front and back seats and opening of the trunk and hood. *Be sure to check with the prison you are planning to visit for additional details before going to your visit.*

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 and other donations to us at the address at the top of this box..

Crime of the Month

aka Crimetoppers

[CONTINUED FROM FRONT PAGE]

in Postville IA, the largest US kosher meat packing plant, which also sells to chains like Wal-Mart and HEB.

Agriprocessors paid these workers \$6.25 to \$7.25/hour, no pay for overtime, virtually no safety training, withheld money for "immigration fees," and physically abused them. OSHA records show body parts amputated, broken bones, eye injuries and hearing loss. In March, just before the raid, Agriprocessors was fined \$180,000 for 39 new health and safety violations. Since the raid, Iowa has reduced the fines to \$43,000.

As rumors surfaced of the pending raid, United Food and Commercial Workers Union, which was meeting with workers about health and safety issues and wanted to organize the plant workers,

asked ICE to follow its internal guidelines and cancel any raids because of the labor dispute. ICE didn't. There is evidence that other employers have called ICE to beat back union attempts by their workers. ICE takes pro-union workers and the unions loses the vote.

Both Iowa and the feds say there is an ongoing investigation of Agriprocessors for violation of wage and child labor laws. But the government is deporting the workers who would be witnesses. The plant continues to be so dangerous that a temporary agency that provided laborers after the raids pulled its 150 workers out. And it looks like Agriprocessors may be off the hook again. Surprise.

The fed's criminalization of workers is our Crime of the Month.



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SANTA FE, NM 87505-1022
702 FRANKLIN AVE
MARA TAUB



7/08
Return
Service
Requested

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