

# Coalition For Prisoners' Rights Newsletter

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## NO KIDDING

Restrictions on personal mail for people incarcerated in New Mexico (NM) prisons have not had any effect on drug use, according to legislative analysts, even though state prison officials said the new policy was meant to prevent drugs from getting inside. And the contractor that processes the mail has likely made over \$100,000 —from the taxpayers of New Mexico —so far.

The NM prison system told incarcerated people's families in December that it would ban personal mail in prisons starting in February. Personal mail was no longer to be sent to prisons and sent instead to the for-profit company Securus, which already ran the state prison phone systems. It makes photocopies of prisoners' mail and sends these on to the prisons. Securus charges the state \$3.50 for each prisoner at the beginning of every month.

In April, the number of people held in NM prisons averaged 5,651 according to the the states Legislative Finance Committee (LFC). That means that Securus made around \$19,778 in April. At that rate and prison population level, by the beginning of July, the company had made an estimated \$118,000 with it "processing mail."

The LFC publishes quarterly reports on the performance of state fence. The June report on the state Corrections Department stated that the new person mail policy "does not appear to have reduced drug use in the third quarter." The proportion of positive results from random drug tests on people incarcerated in state prisons rose from 2% between July 2020 and June 2021 to 3.7 between July 2021 and February 2022. The LFC suggested that results on drug use in prisons should be monitored to determine if the prison mail policy is having its "intended impact."

The co-chair of the state legislature's Courts, Corrections & Justice Committee intends to ask the Correction Department explain its rationale for the policy, show evidence of whether it is working and for details about other options officials explored before agreeing to pay Securus to screen NM prison mail in Florida.

In addition, the legislative committee wants to hear more about the LFC evaluation of its current practice as early as possible. The committee will also seek information from experts regarding evidence based practices to reduce drug use in prison and to protect correctional staff.

Another state legislator submitted a records request in January to the state's Corrections Department asking for all documents related to its new prison mail policy. In June, over six months later, there had still been no response from the Corrections Department to the request for records. "It's clear to us at this juncture that the Corrections Department is in absolute, glaring violation of the Inspection of Public Records Act, which for me raises additional red flags and concerns about whether or not there is even a rational basis to support what the agency has done in this policy, which has had the net effect of severely limiting the communication that inmates have with the outside world, and thus infringing upon their First Amendment rights."

(used with permission from Austin Fisher's Source NM article of July 7, 2022)

Federal prisons program is MailGuard, another for-profit program to scan and shred prison mail.

In November of 2021, the Wisconsin Department of Corrections announced it would start digitizing and then destroying people's mail — just like the Bureau of Prisons. Letters and cards can now only be accessed as a printout or on a tablet or kiosk. And the numbers continue to grow. They already also include Florida, Iowa, Michigan, North Carolina, Ohio and Pennsylvania. And of course, there will be more.

These scan and destroy programs do not do what they promise, that is to reduce street drugs entering prisons. They simply enrich the for-profit companies which run them with taxpayers dollars while, as we well know, those of us incarcerated and our families, suffer more.

(from *Just Detention International*, 3325 Wilshire Blvd. Suite 340, Los Angeles CA 90010, tel. 213-384-1400.)

## **Entierran a los de la tragedia de migrantes**

Se realizo el entierro de tres adolescentes que se encontraban entre los 53 solicitantes de asilo que murieron después de quedar atrapados en condiciones sofocantes dentro del remolque de un camion en la ciudad estadounidense de San Antonio, TX. La mama de ellos dijo: "...Ellos querían instruirse una casa, ponerse un negocio para no pasarse la vida con lo mismo, elaborando calzado, porque es muy cansado. Aqui hay trabajo, la verdad si hay, pero muy mal pagado. Las cosas están subiendo de precio, las cosas suben, pero en el trabajo no les suben. Por eso ellos tuvieron que salir a buscar una mejor vida..."

**Mexico acuerda pagar 1.500 millones para:** mejorar su tecnología de control fronterizo con EE.UU. como parte de una iniciativa conjunta on el Gobierno de Biden parar impedir la llegada de solicitantes de asilo a Estados Unidos. El presidente mexicano Andres Manuel López Obrador hizo el anuncio al principio de julio. El presidente mexicano cumple así con las exigencias hechas inicialmente por el expresidente Trump, quien dijo que México debería pagar los gastos de la construcción del muro fronterizo.

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### **THE LEAST READ PART OF THE NEWSLETTER**

To receive the CPR Newsletter by postal mail monthly, send us a self-addressed, stamped envelope for each month's issue you are requesting. Five pages (= 1 ounce), which can be sent for one Forever stamp. Ten pages (= 2 ounces and can be sent for a 20 cent stamp more.

Please continue to send us your address changes, including both your old and new addresses.

**NONE OF US ARE LAWYERS OR LEGAL WORKERS.** Letters sent to us marked "Legal Mail" are NOT going to a lawyer. PLEASE DO NOT MARK YOUR MAIL "LEGAL MAIL"! 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 on its great site: [realcostofprisons.org](http://realcostofprisons.org)

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## **IN BRIEF**

> As of April 2020, Black people made-up more than 41% of those on death row, but only 13.4% of the U.S. population.

> 182 people sentenced to death since 1972 are now known to be innocent.

**Address:** The Innocence Project, 40 Worth St., Suit 701, New York NY 10013. One of 68 U.S. organizations work for exonerations.

## **Free Resources from the Prison Law Office**

- \* Excessive Force by Prison Staff [Information re: Uso de la Fuerza Por Parte de Personal de CDCR Inadecuado o Fuera de la Ley]
- \* Investigations of Staff Misconduct [Investigaciones de Mala Conducta Por Miembros Del Personal.] Para Indemnización por Daños y Perjuicios]
- \* Write: Prison Law Office, General Delivery, San Quentin CA 94964

## **SOME PROGRESS PERHAPS**

I. At the beginning of April, the Miami-Dade Board of County Commissioners, supported by the mayor, passed an ordinance to make prison and jail phone calls free. It joins New York City, San Francisco, San Diego, Los Angeles, Louisville, Milwaukee, Connecticut and Virginia. A variety of active prison phone justice campaigns continue and include Massachusetts, Michigan, New York state and Oregon. The Miami campaign, passed by a 9-2 vote took more than a year of organizing. Contact: Worth Rises, 85 Delancey St., 2nd floor, New York NY 1000 for more information.

II. At the end of March, the Senate Commerce, Science and Transportation Committee moved the Martha Wright-Reed Just and Reasonable Communications Act of 2021 (S.1541) out of committee. The bill would restore the FCC's authority to regulate all prison and jail calls and stop prison-telecom corporations from charging incarcerated people and their loved ones predatory rates. In 2017, a federal court limited the agency's authority over INTRASTATE call and held that the agency would regulate only INTERSTATE calls.

Neither of which begin to make up for the increasingly complicated and profit based prison mail systems that are becoming more and more common

## **SENTENCING**

The United States has consistently opted to advocate for and institute laws and practices in many of its institutions long abandoned – if ever followed – by other countries that we often compare ourselves to. When we do, our politicians commonly use such phrases this country being the "leader of the free world." It is hard to see the truth of this. An example is the "felony murder" laws in the U.S. "Felony murder" is defined as participation in a felony that results in someone's death. Such convictions result in very long sentences, especially affecting young people of color and women. See the newly released Sentencing Project's "Felony Murder: An On-Ramp for Extreme Sentencing".