

!ROCK!

★ Working to Extend Democracy to All★

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COLUMBIA, FIRST U.S. UNIVERSITY TO DIVEST FROM PRISONS

By Wilfred Chan

Columbia University has become the first college in the United States to divest from private prison companies, following a student activist campaign.

The decision means the Ivy League school -- with boasts a roughly \$9 billion endowment -- will sell its roughly 220,000 shares in G4S, the world's largest private security firm, as well its shares in the Corrections Corporation of America (CCA), the largest private prison company in the United States.

The campaign began in early 2014 when a small group of Columbia students discovered tuition money was being invested in the two firms, which run prisons and detention centers and militarized borders.

The group, called Columbia Prison Divest, launched protests and meetings with administrators where they argued it was

wrong for the elite school to invest in a "racist, violent system."

"The private prison model is hinged on maximizing incarceration to generate profit -- they're incentivized by convicting, sentencing, and keeping people in prison for longer and longer times," Danni Oduyemi, a 20-year-old organizer, told CNN.

"We don't think about how the privileges and resources students get access to are premised upon violence done to people by virtue of their race, class, or citizenship status."

In an emailed statement, a Columbia spokesperson said the university's trustees had decided to divest from private prison companies and would refrain from investing in such companies again.

"This action occurs within the larger, ongoing discussion of the issue of mass incarceration that concerns citizens from across the ideological spectrum," the statement said. "The decision follows ... thoughtful analysis and deliberation by our faculty, students, and alumni."

The spokesperson would not confirm how much Columbia had invested in the two companies.

In 2007, Farallon, a company managing part of Yale University's endowment, also divested from CCA after a student campaign, though it did not rule out future investment in prison stock.

History of controversy

Oduyemi said activists targeted CCA for its "horrific" human rights record. A 2014 ACLU investigation [1] found abuse and neglect in CCA-run prisons where guards used "extreme isolation arbitrarily and abusively," exposed prisoners to contaminated

water, and delayed medical care of inmates, causing "needless suffering."

Student activists also targeted G4S, a British firm, which has supplied [2] a prison in the West Bank and checkpoints in Palestinian territories. Until last year, the firm also had a contract to provide services [3] at U.S. detention facilities in Guantanamo Bay, according to the Financial Times. The firm still maintains patrols [4] along the U.S.-Mexico border.

South African prisoners have sued the company over claims they were tortured [5], according to the Guardian.

Nigel Fairbrass, a G4S spokesman, defended the company's conduct.

"We actively followed up with the South African government and have been presented with no evidence to substantiate the allegations," Fairbrass wrote in an email to CNN. "The prison was also returned to our operational control last year."

He added that a 17-month investigation [6] by the OECD's United Kingdom contact point had not found any human rights violations in G4S's operations in Israel -- and said the company would also not renew its contracts in Israel once contracts there expired over the next two years.

CCA did not immediately respond to CNN's calls and emailed requests for comment. CCA's website includes a statement committing to "respecting human rights."

Will divestment have an impact?

Oduyemi said G4S had been responsive to past divestment campaigns, and "that has been the only effective way of getting them to change the contracts they write."

But Fairbrass said Columbia's holdings of G4S stock, around 220,000 shares, com-

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prised just 0.015% of G4S' market cap, valued today at \$4.35 billion.

Similarly, CCA has a market cap of \$4.01 billion. Both firms are highly profitable and continue to grow.

Alex Friedmann, the managing editor of Prison Legal News, a project of the non-profit Human Rights Defense Center, predicted the divestment would have little to no effect on companies' stock price or operations.

"I don't see divestment campaigns making a big dent," he told CNN. "They serve more as public education on private prisons, organizing tools, or as social commentary on what people believe is acceptable to be investing in."

"As long as prison companies have the bed space the government needs and wants, they will most likely stay in business."

Although Columbia is the first U.S. university to announce divestment from private prisons, similar campaigns are ongoing at other institutions, including Cornell, Brown, U.C. Berkeley, and UCLA.

"It seems to be a moment where people are making the connection between all the kinds of uprisings we're seeing right now #BlackLivesMatter, mass incarceration, and university movements," said Oduyemi. "We all recognize how much work has to be done in the future."

<http://www.cnn.com/2015/06/23/us/columbia-university-prison-divest>

OPPOSITION TO SOLITARY CONFINEMENT GAINS NATIONAL SUPPORT MONTHLY STATEWIDE ACTIONS CONTINUE

*Prisoner Solidarity
Hunger Strike Coalition*

Tomorrow, community organizations, families and loved ones of people in solitary, and advocates across California will be mobilizing a day of State-wide Coordinated Actions to End Solitary Confinement each month. These mobilizations are a response to a proposal from pris-

oners in Pelican Bay State Prison involved in the 2011 and 2013 Hunger Strikes, who put forward the idea of designating a day each month as Prisoner's Rights Day. "Our outside supporters have all of our gratitude; their tireless efforts supportive of our cause make a giant positive difference," says Todd Ashker, a prisoner who has been in solitary at Pelican Bay State Prison for over two decades, and a lead plaintiff in a class action lawsuit against California for the use of solitary confinement. "They have recently begun monthly supportive actions – across the state – publicly rallying on the 23rd of each month for the purpose of keeping the subject of our endless torture in public view, and thereby exposed to the world. The 23rd of each month is symbolic of our 23+ hours per day in these tombs-of-the-living-dead – and it is hoped such rallies will spread across the nation."

Various locations across California, including San Diego, Los Angeles, Santa Cruz, San Jose, Oakland, Arcata, San Francisco and others. For a complete list with information, please see <https://prisonerhungerstrikesolidarity.wordpress.com/2015/06/14/june-23rd-statewide-coordinated-actions-to-end-solitary-confinement-locations-details/>

The actions are being organized by groups with the Prisoner Hunger Strike Solidarity Coalition (PHSS), and are supported by over 70 community groups and organizations from California, and around the country and world.

The California Department of Corrections and Rehabilitation (CDCR) refuses to respect basic human rights by continuing to keep people isolated in cells, often for years upon years, despite international condemnation calling on California to end its practice of solitary confinement. Solitary confinement has been defined as torture by the U.N., yet the U.S. puts more people in solitary and for longer periods than any other country, and California continues to be an outlier in the U.S. California continues to use the practice in violation of international law and, as many believe, in violation of the U.S.'s policy against cruel and unusual punishment. These coordinated actions seek to build organized, community-based pressure outside prison walls, and to amplify the demands of prisoners who continue to call for the end of torture.

Spokespeople will be available to speak with media at all locations. For more information, please visit prisonerhungerstrike-solidarity.wordpress.com

THOUGHTS ON OUR AGREEMENT TO END HOSTILITIES

By Kijani Tashiri Askari and Akili Castlin

The Webster's New Universal Unabridged Dictionary defines the word "hostility" as being :

- A hostile state, condition , or attitude; enmity; antagonism; unfriendliness
- A hostile act
- Opposition or resistance to an idea, plan project, etc.
 1. acts of warfare
 2. war

So our initial question to the people is: "What does hostility mean to you?" During the formulation phase of constructing our position on this issue, a wise man was asked his thoughts on our "Agreement to end Hostilities" (AEH) and he stated:

"The inclusion of the Agreement to end race-based hostilities to our struggle against California's solitary confinement policies, represents a qualitative leap of the insight of all prison nationalities, and unites us beyond the fight to free ourselves from CDCR's torture units. Its promise may foreshadow the triumph of prisoners' quests for full human recognition."

It has been said that the average human being should be able to hold their breath under water for at least 2 minutes without suffering any injury to the brain. But imagine being forcibly held under water for 10 to 40 plus years straight, without being able to come up for air! It is impossible to ignore the potential psychological trauma involved in this process. But, nonetheless, we prisoners have continued to struggle to come up for air, to only be repeatedly held down, and forced back under water by the corrupt and powerful hands of the CDCR!!

– WE CAN'T BREATHE!!!

History has always proven to be a viable guide, with making qualitative assessments in relation to where we have been, and with what lies ahead in the course of our struggle. Therefore, it is only appropriate that we highlight the essence of our human suffering with examples from our history in CDCR's solitary confinement units.

In the 1960s, we prisoners were suffocating under the inhumane and deplorable conditions in Soledad's O-Wing, [1] where prisoners were routinely placed in these

strip/quiet cells amidst the foul stench of urine and human feces. In most instances, human waste laid bare on the floor for all to see. And you could forget about the prison guards giving us anything to clean up the human waste, especially when you factor in how the prison guards wouldn't give us toilet paper to wipe ourselves or flush our floor-based toilets on a regular basis, which could only be done by them. I mean, the prison guards wouldn't even give us drinking water!! These contradictions brought about a rescue boat in the form of *Jordan v. Fitzharris* [2]. But it did not contain any life preservers because no sooner than when the Federal Court ruled these conditions to be unconstitutional, CDCR made no changes to improve the quality of life in O-Wing for the captive prisoner class.

– WE CAN'T BREATHE!!!

In the 1970s, we prisoners were suffocating under the inhumane conditions of being deprived of outdoor exercise and access to natural sunlight. Our means of exercise consisted of being let out of our cells to occupy a space in front of it that was no bigger than a public sidewalk. In *Spain v. Proconier* [3], the court ruled these conditions to be unconstitutional and set forth the mandate of prisoners in solitary confinement receiving at least 10 hours of outdoor exercise a week. But 36 years later, in 2015, Warden Holland of CCI Tehachapi has admitted that this prison is ill-equipped to meet the mandate of 10 hours of outdoor recreation. In other words "caged monkeys" in a zoo are receiving more outdoor exercise and natural sunlight than us!!

– WE CAN'T BREATHE!!!

In the 1980s, we prisoners were suffocating under the deplorable and outright inhumane conditions at Old Folsom and San Quentin State Prisons. These conditions consisted of extreme cold weather during winter months due to prison guards using their guns to shoot out the windows in the housing units. Rat feces circulated throughout the plumbing system, meaning that the designated shower areas for prisoners were inclusive of this kind of filth!! Once again, a rescue boat appeared on the horizon in the form of *Toussaint v. McCarthy* [4], where the federal court attempted to take previous rescue efforts a step further by not only ruling these conditions to be unconstitutional, but also issuing a "permanent injunction," that mandated these conditions to be immediately changed!! However, instead of

any changes coming about, CDCR surreptitiously transferred prisoners out of Old Folsom and San Quentin en masse to Tehachapi, DUI-Tracy, Soledad State Prison, etc... Thus, nullifying the injunction.

– WE CAN'T BREATHE!!!

In the 1990s we witnessed the expansion and usage of solitary confinement units (e.g., "Supermax control units") take flight, wherein CDCR's objectives became ever more apparent in the form of population control. Our suffocation was two-fold!! On the one hand, a culture of police beatings (e.g., "excessive force") was finally exposed to the public in *Madrid v. Gomez* [5], where prisoner Vaughn Dortch was forced into a tub of boiling hot water and had his skin ripped off of him in the most barbaric fashion possible!! Prisoner Greg Dickerson was shot in the chest and stomach area at point blank range in his cell with a 38 millimeter gas gun via the false assertion of being non-cooperative with prison guards.

While on the other hand, prisoners were being forced to become informants for the state, in order to be released from solitary confinement via "the CDCR Inquisition" program. This practice was exposed as being an "underground policy" in *Castillo v. Alameida* [6], because CDCR never promulgated it through the Administrative Procedure Act (APA) to make it an actual policy. The Castillo case also brought about the 6-year inactive gang status reviews, which meant prisoners were led to believe we could be released from solitary confinement after 6 years. These reviews were a complete sham!! as we prisoners had absolutely no constitutional protections under this process, wherein hardly any prisoners were released from SHU. But more importantly, this rescue boat was doomed from the time it left the docks, as it has now been revealed that Castillo is a pig collaborator by becoming an informant for CDCR in the current class-action lawsuit of *Ashker v. Brown, et. al.* [7], that has been mounted against the current conditions of solitary confinement.

– WE CAN'T BREATHE!!!

It is through this spiral of development, that the AEH became manifest in October of 2012. So in reflecting upon our collective struggle, in being unable to breathe for over a half-century of pure torture!! It is hard to not think of Eric Garner, in the minutes right before his demise, when he uttered the words: "I CAN'T BREATHE!!!"

It is this reality that we prisoners remain confronted with when put into the perspective of why we ended our hostilities. As it amounts to freedom or death!! It is every prisoner's aspiration to be liberated from prison. Our AEH puts us in a viable position for this to happen, especially when we consider how CDCR has routinely denied us parole, for simply being interned to indefinite solitary confinement status as alleged gang members, without a single act of violence to support their position. This speaks to the importance and the manner in which every prisoner has honored and adhered to our AEH. This is commendable on all fronts!! Our exemplary conduct has made CDCR completely powerless over us, as we have successfully taken away the fodder that used to fuel their political rhetoric in labeling us the "worst of the worst." Our unity now qualitatively threatens the political, social, and economic stability of CDCR which is why their Counter Intelligence Unit (IGI) is issuing all of these bogus CDC-115 rule violation reports (RVR's) for promoting gang activity.

Our fortitude and resolve of continued unity ensures that our demand in wanting to be liberated from prison will no longer fall on deaf ears!! As power concedes nothing without a demand!! We now have the power to change the course of history with CDCR's routine parole board denials, just as we have done in building a movement around abolishing all solitary confinement units. We must begin a similar process in mobilizing our families on this very issue. But until then, "WE CAN'T BREATHE" must become our mantra going forward, as we prisoners refuse to ease up on the powers that be, until every prisoner is able to breathe by being liberated from these prisons!!

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LETTERS

An Update and Some Ideas For Us All

I have noticed that recently the *Rock* has gotten kind of thin. I don't know why that is, but it's a shame because the *Rock* really gave inmates a voice to speak their minds. I am and was very appreciative of that, even if you never published my words. I have some ideas to help boost your circulation but it's up to you whether or not you wish to hear and try my ideas.

I would like to update you regarding my 'inactive' status, so you get a bit of an insight into what has been going on lately. I've been in CCI (Tehachapi), for several years until just recently. It appears that with the trial for the lawsuit initiated for the short-corridor collective commencing this coming December, CDC is operating under a self-imposed deadline to try and see all pending DRB reviews by that time and have the SDP up and running. As a means of facilitating that, a large number of the men in PBSP had been waiting for transfer to CCI for the SDP, but they needed bed space, so CDCR moved out all the validated inmates that had yet to be seen. Many came straight to PBSP. Many more laid over for several weeks in Corcoran Shu, (I was one of the latter). I would also appear that part of one of the SHY yards at CCI is being reopened as an SNY mainline, because with all the recent 'inactive' kick outs, the department wants to reopen D-yard at Kern Valley as a GP mainline. Basically, it's a lot of shuffling to look like they're really doing something. They've initiated a step down program in one of the buildings in Corcoran SHU as well.

Now, here's where it gets kinky for me... I'd received my inactive review at CCI before leaving. I was recommended 'inactive' by IGI and my caseload was set to OCS for review and final approval. On Marcy 30th I was moved to Cor SHU. Upon my arrival, instead of referring me to DRB, I was told I had to wait for my B-2 chrono to come back from OCS. A few days later, I get the B-2 back in the mail, but it's dated March 19th! DRB came to Cor SHU two weeks later, but since I hadn't been referred, I wasn't called. A month and a half later, (after several inmate requests about my referral), I was transported here to Pelican Bay SHU. So, instead of being *released* on my inac-

tive, I actually went to opposite direction, to SHU's further and further away from home. Had I been referred when I was supposed to be, my endorsement would've been cancelled and I'd likely be on my way to the mainline already. The kicker is, I'm not the only one it happened to. There were at least four other guys just on *my* bus in the exact same position! I'm no conspiracy theorist, and believe me I know cabals and conspiracies exist, but in this instance and in many such when the department does something stupid, I believe it was an issue of inefficiency. Like most individuals, the department heads zero in on a single way of doing things and will pursue that method to the exclusion of all others, no matter how difficult or stupid, simply because they only consider things from the single perspective of an administrator. Often times even the 'boots on the ground' (C.O.'s) will complain that procedure is exceptionally more difficult and counter-intuitive than is necessary. But, you know, it's often hard for someone to admit they're wrong, especially someone in a position of authority. So, they'll grind at that stupid decision long after it becomes readily apparent that is simply doesn't work. Case in point, our *entire* current criminal justice system! It seems, I'm the victim of arrogance and stupidity!

Now, I could get into all the deep and detailed sociological factors and really try to sound smart. Throw out some four syllables words you need to run to the thesaurus to look up. But, let's be frank, most of that stuff sails right over the heads of your average reader. It is difficult for the human mind to envision things in abstract that have to direct impact of them. In other words, you've got to experience it to understand. Instead, I'll try to speak in related terms... You remember when you were a kid and your parents did things or told you to do things you thought were totally stupid? And when you tried to suggest another way, they'd ride over you? Well, even though your parents usually were right and usually had the right intentions, sometimes they got it horribly wrong despite meaning well. In my opinion, that's often the case with the department. I'm not interested in creating enmity or fostering an 'us vs. them' attitude. I abhor hypocrisy, and it is that exact attitude that *they've* fostered, that we are trying to combat! We don't show we are 'better' by becoming that which we op-

pose. I don't think they department is *full* of bad people. There are some sadistic bastards, it's true. But, for the most part, they're decent folks that think they're doing the 'right thing'. They view us as a legitimate enemy worthy of contempt, and let's face it, we haven't done a whole lot to counter that stereotype. And it's easy to abandon humane treatment when you think you're dealing with a legitimate threat, even if you know its morally wrong. The Nazis thought *they* were doing the right thing! Much of the same is true of the prison class. There are some righteously *bad* folks here! But by and large, these are people with messed up lives that get caught in a cycle of mistakes. Sometimes they make a single mistake their lives are forever defined by. Our real challenge then, is not to defeat a foe. But, to change the minds of those that perceive us as a threat...not an easy task by any measure.

It is an endeavor that begins with *ourselves* though. I read a book once by a man named Jeff Olsen. In it he said something profound to me...he said, 'successful people take responsibility for their own actions.' If the politico machine has lied to us (the prison class and the lower classes en masse), *we* bear responsibility for participating in the fight. Ultimately the only control we really have is over ourselves as individuals. And though they are wrong for duping us, we do not have to *continue* being duped! The good news is, we are not doomed to *be* that which we have always *been*. A person is capable of change. But, that change cannot be forced. It must be desired internally first. It cannot be fabricated. To attempt to appear something other than you are is simply lying.

It is not that we have a lack of opportunity, resource, or strength to facilitate change. It is a lack of will, and a lack of vision. The problem I have had understanding out movement is, where are we moving *to*? A wise man said, 'you've got to decide *where* you're going before you can figure out how to get there.' So I ask, *where* are we going? If I am to be led, where is the promised land? We end solitary confinement and then what? Back to business as usual? That would just prove the point of order, it's all a mad power play. So, what next? Where do we go *after*?

I hear accusations of unequal power and uneven distribution of wealth. But, what are *doing* to balance the scales? We can 'protest and rally' for 'more', but that sounds suspiciously like throwing a tantrum for a hand out, and I for one have too much pride for that. We forget that by the prison machine the politico has created a far reaching and vast under class that greatly outnumbers any assemblage of people they have on their side! There are nearly six million probationers, parolees, ex-cons, and currently incarcerated people in California alone. All affected by the same laws and stigmas of incarceration. All understand what it feels like. To that underclass, its 100% relative. If even a fraction could be tapped for donations and support, it'd be a powerhouse no other union could compare to, except maybe the AFL-CIO. Six million convicts, they all know at least *one* voter, and can scrape up \$10 a month. You do the math! We overlook the fundamental lesson of military tacticians from ages long past. *Power in numbers!* The CCPOA, Police Officers Union, Long Shore men's Union, none of them have our numbers. The simple fact is, we're deeper than everyone! Communication networks, chapter houses, etc., we have all of it, albeit in an unofficial capacity. That's just on the political spectrum. What bout wealth disparity? Sure, individually we're pretty poor. But collectively, the 'poor' aren't so poor. Why not create credit unions? What about investment groups to turn over sums to wealth managers and invest in business for our people? Why not hire consultants to help our people get grants for business and non-profits? Loans for the same? Why not *encourage* our 'little homies' to *stay* in school and become our lawyers and business people? The resources are at our fingertips. The possibilities are endless. But, we must first be willing to abandon the old ways. We can no longer be what we have been. The rest of the world has evolved, and we must evolve with it. We cannot look to others to bring us what we desire. We must create it for ourselves! For all its fault and foibles, America is a land of upward mobility. If a black kid from Hawaii with an absentee immigrant father can become president, *anything* is possible! If is a common misconception that slavery in its original form was ended in this country because white men came to save the day and help the poor black men out of his troubles. But that's simply not true. People of color were property. Little more than beasts of bur-

den. It was the common believe that people of color *were* stupid animals at the time. It was not the pity of a white man that was the catalyst of change. But, it was that when given the opportunity, people of color took it, *seized* it, to *prove* they were not beasts, but *men!* We know that you cannot make a ban man into a good one by locking him in a cage and treating him like an animal. But, to show 'them' that, we must prove that we are not wild beasts to be feared. We feel. And we fear, and we experience job and sorrow. We have made mistakes, many of them irreparable. But we can be something else. Something new. Robert Frost said, 'it was never too late to be what you might have been.' Well, we have our opportunity. Let's not squander it on pettiness and small thinking. Let's dream big! Show me a plan, and I'll show you a leader! Let us first use appropriately what we have before we seek more we don't know how to handle. We have so much already. We are quite literally the sleeping giant.

Why do we not use the democratic machine against itself? There are ballot initiatives on the rise like the FairJusticeProject.org that would do so much or criminal justice reform like standardize parole procedures for lifers, make it harder to try juveniles as adults, abolish LWOP, and reinstitute the Inmate Bill of Rights, among many other things that, with our collective political power, we could force through with little effort. It's just a matter of having people go sign the petitions and donate or buy t-shirts to fund ad campaigns so more people will sign the petitions and ultimately vote, (some of those adds will be bought in this very newsletter). It's a simple matter of getting the word out to our people. If we can organize and execute three statewide hunger strikes and countless rallies and protest as well as international support, It's certainly doable. And then, the sky in the limit, one our own political machine starts rolling.

From this small issue and incidence, we could spawn an entirely new era. What began as a means to get out of a box, could give birth to a means to end the class disparity. We have the power.

I'll end this for now Mr. Mead. Again I thank you for allowing me/us to speak and I hope I've given you food for thought. If you have the time and inclination, I'd be interested to hear *your* thoughts on my words. Keep up the good work. It's appreciated. Take care and God bless.

Ian J. Whitson

CCR Moves To Fast Track CA Prisoners Out Of Solitary Confinement

By Center For Constitutional Rights

On July 2nd the CCR filed a motion for summary judgment on the due process claim in *Ashker v. Brown*, which is litigation challenging long-term solitary confinement in California SHU prisons.

Throughout discovery in the case, the California Department of Correction and Rehabilitation (CDCR) has repeatedly acknowledged that its procedures for placing and holding prisoners in solitary confinement need to be changed. CDCR began that process by implementing a step-down program for prisoners currently isolated in the Security Housing Unit (SHU) to work their way into general population, and creating new levels of review to consider placement of prisoners into solitary in the future. However, hundreds of prisoners remain in isolation in California to this day, held under the old, faulty procedures, because CDCR has not moved swiftly to implement its new procedures.

Despite some reforms, prisoners are still being held in the SHU on vaguely defined pretenses of gang "affiliation" (often established on the basis of such things like reading about Black history or possessing a photograph of a former cell mate); CDCR still only reviews some prisoners' SHU placement once every six years; and prisoners are still given misleading notice regarding how they can earn their way out of SHU isolation. CCR's motion seeks an order from the judge fast tracking California's review of all SHU prisoners, so that they do not spend years more subjected to these unconstitutional policies.

EDITORIAL 4-8

“Until they become conscious, they will never rebel, and until after they have rebelled, they cannot become conscious.”

—George Orwell

At least one prisoner has written to tell me that recent issues of *Rock* have been “kind of thin” in terms of content. That has been true of at least both the April and June issues, although I think this July newsletter was pretty good, and this one should be nice too. If you want to get material into *Rock* you will need to get it to me by the end of the month for it to go into the following month’s newsletter. In other words, if you’ve got something to say for the September issue, get it to me by the end of August at the latest. That gives me time to type your hand written letters or articles. Here are some simple guidelines: This is not a gripe rag. If you feel you are not getting enough peanut butter on the mainline this is not the forum for how bad conditions are. This is a forum for those who already know how bad it is, and who are willing to entertain the idea of doing something peaceful and constructive for positive change.

Another complaint I am receiving these days is my no free subscription policy. So you newer readers will understand, starting from the first hunger strike through the third one Mark and I spent over \$5,000 in direct support of those struggles. We spent close to another \$5,000 putting this newsletter out for the past four years. We gave out free subscriptions to anyone who asked, in any state. We focused on trying to build rights and class consciousness on the West Coast, with a priority of California, then Washington, Oregon, and (about 30 readers in Texas). The big dream of building a prisoner supported publication crashed on the rocks of financial reality.

We ran out of money. I’ve chopped some 500 names off the mailing list, after giving readers more than a year of notice that the change was coming. Here’s how it works: This is a publication that addresses your issues. Mark and I are both ex-convicts and we don’t have much money. So here’s the deal, I’m getting ready to cut some more dead weight from the mailing list. If you have received this publication for a year and not contributed anything during that period, or if you sent something like ten stamps and you think that buys you a life-long subscription, this will be your last issue. In short, if you’ve not sent stamps in a

while, it’s that time again.

California’s SHU and Ad Seg prisoners, not to mention the thousands of mainline prisoners who joined them, participated in three history making hunger strikes—the last one of which kicked off with 33,000 prisoners not eating and some 2,500 not working. I am not aware of a single historical event in which over 30,000 people engaged in a hunger strike—let alone it being prisoners who did it! The SHU and Ad Seg prisoners gave it their all—at least two prisoners died as an indirect result of the hunger strikes, others suffered health problems as a direct result of their participation in these just struggles.

SHU and Ad Seg gave it their all—far above and beyond what any prisoners have ever done before. They have shot their wad (if you’ll excuse the term). Now it’s time for the general population to peacefully pick up the slack. It’s your turn to sacrifice for the common good.

Over the years, in both *Rock* and *Prison Focus*, I’ve written about the 47 day work strike at Walla Walla during the late 1970s. That was the longest work strike in that state’s history, and possibly longer than any in the U.S. before. As a prisoner at that penitentiary I helped to organize that work strike, the result of which was the release of me and the other Walla Walla Brothers from the SHU, where we went on to organize Men Against Sexism (MAS) to put an end to the then prevalent practice of prisoner-on-prisoner rape (armed with six homemade shotguns and three hand grenades, the queers at Walla Walla pushed the jockers back into their holes). You got to be all in. Yet you don’t think we can win?

Yes, all your life the system has beaten you down. But are you defeated? Is it hopeless? Is the state too large and powerful to resist? Besides, the public is against us too, right? All of these are very good reasons for passive evasion of your duty as an intact human being (dogs that have been neutered, for example, are not considered “intact”). Unfortunately, the time for passive evasion has past. The SHU hunger strikes were the little motor that is going to fire up the big engine of change for prisoners in California. That big engine is the GP of every prison in the state of California. It is the only group capable of bringing the state to its knees. And all they need do is peacefully withhold their labor power for an extended period of time. Yes, it requires sacrifice, but as the former slave Fredrick Douglas once said:

“If there is no struggle there is no progress. Those who profess to favor freedom and yet deprecate agitation, are men who want crops without plowing up the ground, they want rain without thunder and lightning. They want the ocean without the awful roar of its many waters. This struggle may be a moral one, or it may be a physical one, and it may be both moral and physical, but it must be a struggle. Power concedes nothing without a demand. It never did and it never will.”

There is a path for prisoners. It’s not an easy one. First, and above all, it must be peaceful. What that means is *absolutely no violence against other prisoners or the prison staff—no matter the provocation*. Engage in violence and you instantly become an agent of the state and an enemy of the struggle for justice. Why? Because they have all the guns. Also, because we want to win. The object is to win. We have the numbers for a massive peaceful protest that can win. I told you that we stopped rape at Walla Walla, did I also tell you that our 47-day peaceful work strike also resulted in the immediate firing of the Director of Corrections, Harold Bradly, from his job. The removal of B.J. Rhay as warden of the penitentiary. The transfer of the Associate Warden of Custody to the kids join at Shelton. And the release of us, the Walla Walla Brothers, from the SHU (where we went on to do many other good things).

California is not Washington State and this is not the late 1970s. What we able to do in back then from one prison, even the main prison in the state, will not be enough to move the government of California. I think the outcome of the last three hunger strikes makes that pretty clear. No, this is going to take a massive, protracted struggle involving multiple prisons across the entire state. And by “protracted” I mean long term—months!

The prisons cannot function for long without the labor of prisoners. Withhold that labor in enough facilities for a long enough time and the state will honor your just demands. As a direct result of such a struggle, the public will be better educated on the issue crime and imprisonment, and effectiveness of prisons in crime control (given the 70 percent recidivism rate)¹.

1. I’ve not checked on this figure since I took the number from former Governor Swartenager’s website. Just for the hell if it, at the same time, I also checked the CDCR’s website to see what they said their rate was—they were claiming something like a 48 percent recidivism rate.

In the end it all comes down to sacrifice—we trade sacrifice for progress. Which brings us to Ed’s one third rule. During the American Revolution a third of the people in this country supported King George. Another third wanted to oust the monarchy’s king and establish a republican democracy. The final third did not really care one way or the other. When I was a prisoner at the federal prison in Marion there was an escape attempt from the big yard—six men hit the fences. Loud speakers immediately demanded that the yard be cleared. A third of the prisoners went in to be locked up. Another third stood by the door leading into the cellblocks, waiting to see which way the wind was blowing. And the final third, the group I was in, refused to go in until medical personnel were in between the fences to care for those who had been shot. The guards ordered us in. Hidden by the crowd, I picked up some small rocks from the ground and threw them at the officers who were trying to move us toward the cell house door. The guards backed off and the medical folks tended to the wounded. We then went in. My point is that it only takes a third of you to bring it down. But if you have more it’s good.

At the McNeil Island federal penitentiary in 1971 we engaged in a ten day work strike. I was on “C” tier in cellblock six. The Men’s Advisory Committee (MAC) ordered a work strike. I was appointed responsible for C tier, which was made up of about ten eight man cells. Only one man went to work from my tier, and his name was Sam Bowers and he was a member of the KKK. We had nearly 100 percent participation by the entire population. In general, the Jehovah Witnesses and right wing nuts will not participate, but if you’ve done your homework correctly, all gangs and independents will be on board.

And here’s a brief message for the state censors: Muzzle me if you like, but the fact is that you are holding tens of thousands (dare I say millions) of United States citizens in a condition of constitutionally sanctioned slavery and total disenfranchisement from the nation’s political processes—the only lawful process that could change their deplorable conditions of existence. Here, the prisoners are being asked to do this peacefully, only after your 70 percent recidivism rate has totally failed to address this matter. To censor this publication you must be anti-democracy and pro-slavery. You must ignore the interests of the public to be free from crime by continuing with

this destructive fraud.

This publication is advocating for a protracted state-wide work strike by prisoners in multiple prisons, a struggle for real justice—not punishment. A justice that gives us decent housing, enough money for an apartment, and jobs upon release from prison. How about some Rehabilitation, cdcR?

Punishment does not even work with dogs or cats, rewards have proven to change behavior far more effectively than punishment. I totally understand that it will take some time for these ideas to sink in. It took a dozen years for SHU prisoners to come around. Let’s hope we can reach the GP in less time. I’m 73 years old. Mark is even older than me. I’ll be pounding on this drum until I die. My hope is that one or more of you will hear the call—who will be the next generation of strugglers for justice? As the old saying goes: If not you, who? If not now, when?

International law supports your just struggle. The Supremacy Clause of the US constitution, Article Six, Clause 2, states: “This Constitution, and the Laws of the United States which shall be made in pursuance thereof; *and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding.*”

Accordingly, to the US constitution, the highest law of the land is a treaty. The Universal Declaration of Human Right is a United Nations Treaty the US is a signatory to—meaning it is legally binding. What does the UN’s Universal Declaration of Human Rights have to say? Article 4 says: “No one shall be held in slavery or servitude; *slavery and the slave trade shall be prohibited in all their forms.*” Yet a pro-slavery provision is written into the Thirteenth Amendment, which authorizes the enslavement of millions of Americans. Article 5 states that “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” Can you spell today’s prisons? How about the SHU? Article 19 is their counterpart to our First Amendment. It says “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.” But the biggie here is Article 23, section (4): “Everyone has the right to form

and to join trade unions for the protection of his interests.” If you are a human being you are a part of the “everyone” who has a right for form a union for the protection of your interests. Lastly, Article 30 brings it home: “Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.” (emphasis added)

I’ll close this with a quote from Jonathan Simon’s 2014 book, *Mass Incarceration on Trial*. He says, “. . . the very things that define mass incarceration as a distinctive mode of punishment – its scale, its categorical nature, and its prioritization of custody over reform or rehabilitation – all predict that intensified health crises will be an inherent problem.” ●

AEH..... Continued from page 3

1. For further reading on the conditions in Soledad’s O-Wing, read the Melancholy History of Soledad Prison by Min S. Yee; and also see the report of the Assembly Select Committee on Prison Reform and Rehabilitation: Administrative Segregation in California’s Prisons from the 1960s.

2. The court ruled the conditions in Soledad’s O-Wing unconstitutional in *Jordan v. Fitzharris* – 257 F.Supp. 674, 682-83 (N.D. Cal. 1966)

3. The mandate of 10 hours of outdoor exercise was established in *Spain v. Procu- nier* – 600 F.2d. 189, 199 (9th Cir. 1979)

4. The living conditions at Old Folsom and San Quentin State Prisons were found to be unconstitutional in *Toussaint v. Mc- Carthy* – 801 F.2d. 1080 (9th Cir. 1986)

5. A culture of police terror was revealed in *Madrid v. Gomez* – 889 F.Supp. 1146, 1162, 1167 (N.D. Cal. 1995)

6. Sham inactive gang status reviews were conducted every 6 years per. *Castillo v. Alameida, et. al.* – Case No: C-94-2847

7. *Ashker v. Brown, et. al.* – Case No: C-09-5796-CW is a class-action lawsuit that has been mounted, to challenge the torturous conditions of solitary confinement and can be downloaded at www.cand.uscourts.gov

– WE CAN’T BREATHE!!!

RECENT HISTORY

Six on San Quentin Death Row sue over time in solitary

By Bob Egelko

A group of Death Row inmates has sued the state for keeping them in solitary confinement for years or even decades, locked in windowless cells with no phone calls or human contact. It's treatment, they said, that "amounts to torture."

The suit was filed in federal court Wednesday by six condemned prisoners, who said they were among about 100 inmates, out of 750 on Death Row, who are kept in isolation in the Adjustment Center at San Quentin State Prison as suspected gang members or associates. The suit said they are held in their cells 21 to 24 hours a day, with no natural light, no access to education or work programs, no phone calls and no contact visits from family members, who must speak to them by phone across a glass barrier.

One of the men has been in solitary confinement for 26 years, and two others for more than a decade, the suit said. Condemned prisoners in California spend an average of nearly 25 years on Death Row while their cases are appealed. A federal judge cited the duration of their confinement, though not the conditions, in a ruling last year that declared the state's death penalty unconstitutional. The state has appealed the ruling.

The suit is similar to a case scheduled for trial in December in federal court in Oakland over the solitary confinement of thousands of inmates in various prisons' Security Housing Units, the maximum-security lockups that house prisoners suspected of gang affiliations. The San Quentin suit was filed separately because the adjustment center isn't classified as a Security Housing Unit, although the conditions are similar, said Daniel Siegel, lawyer for the Death Row inmates.

Inmates in both cases claim their isolation violates the constitutional ban on cruel

and unusual punishment and denies them due process of law. Until recently, they said, the only way out of the isolation unit was to become an informant. Prison officials say they now conduct case-by-case reviews of each inmate's gang status or affiliations, and have released some inmates into the general prison population. But inmates say they are still kept in solitary confinement because of books they've read or cartoons found in their cells.

Siegel said release from isolation is even harder to win on Death Row. He said some inmates have been kept in the Adjustment Center solely because their capital crimes were gang-related.

Terry Thornton, spokeswoman for the Department of Corrections and Rehabilitation, said officials haven't seen the suit and can't comment on it. But she said no inmates are held in the cells for 24 hours a day, because they're entitled to 10 hours a week in the prison exercise yard.

Bob Egelko is a San Francisco Chronicle staff writer

Death of student who suffered multiple blows to head and body after being strapped to a prison restraining chair ruled a homicide

Has been confirmed he died from several blows to the head and body

Nine deputies were fired in connection with the incident last month. A 22-year-old black college student found dead in restraints at a county jail died from several blunt-force injuries to his head and upper body, a Georgia coroner has said.

Chatham County Coroner Bill Wessinger confirmed Thursday that last month he ruled the death of Matthew Ajibade of Savannah a homicide.

Ajibade was found dead on January 1 in a restraining chair at the Chatham County jail after he struggled with deputies booking him on a domestic violence charge.

Will Claiborne, an attorney for Ajibade's family, said his parents were 'very distressed' to learn the cause and manner of death from their son's death certificate.

Sheriff Al St. Lawrence last month fired nine deputies in connection with Ajibade's death.

The sheriff released no findings from the investigations into Ajibade's death, which

is still considered an open case as prosecutors weigh possible criminal charges.

One deputy suffered a concussion and a broken nose, according to the sheriff's office.

The fired deputies include two supervisors — Cpl. Maxine Evans and Cpl. Jason Kenny — who were suspended after Ajibade died.

At the time the sheriff's office said new policies implemented since Ajibade's death include security measures to audit the use of stun guns at the jail as well as booking procedures to ensure jail medical staff are notified immediately when a detainee requiring medication arrives.

<http://www.dailymail.co.uk/news/article>

Convicts sue, saying they got Valley fever while in state prisons

By John Ellis

Four inmates who contracted Valley fever while housed at prisons across the region are suing state officials including Gov. Jerry Brown, saying they knew of the fungal infection's dangers but did nothing to protect prisoners.

The legal actions are the latest in a string of federal civil rights lawsuits filed by multiple Southern California law firms on behalf of inmates housed mainly at Avenal and Pleasant Valley state prisons who have contracted the fungal infection. Pleasant Valley is located in Coalinga. One lawsuit filed late last year has 45 plaintiffs from the two prisons. A third, filed in July 2013, seeks class-action status on behalf of African Americans, those older than 55 and others with compromised immune systems who contracted Valley fever while at either prison.

Attorneys representing some of the men, however, say in legal filings in U.S. District Court in Fresno that the problem goes far beyond those two prisons. Plaintiffs in the latest round of lawsuits come from Kern Valley State Prison near Delano, Corcoran and Wasco as well as Avenal and Pleasant Valley. They say state prison officials violated the Eighth Amendment's prohibition against cruel and unusual punishment in housing inmates vulnerable to Valley fever in the prisons.

"The American system of criminal justice requires that state correctional authorities carry out the exact sentence determined by the judicial process — no more and no less," the lawsuit filed on behalf of the

more than 160 Avenal and Pleasant Valley inmates, states. "Instead, Defendants knowingly imposed on plaintiffs a lifelong, crippling, and sometimes fatal disease in addition to their lawfully determined sentences."

See: <http://www.fresnobee.com/news/local/article23306760.html#storylink=cpy>

Number of Terrorist Killed in Drone Strikes only 2%

A study by Stanford Law School and New York University's School of Law notes the number of Islamic terrorists killed as a percentage of total casualties in drone strikes stands at a paltry 2 percent. The study also casts doubts on Washington's claims that these attacks produced few civilian casualties. An investigation by the human-rights group Reprieve indicates that drone bombings on al-Qaida members in Pakistan resulted in the death of 874 innocent men, women and children. In Yemen 17 men were targeted and 273 people (seven of them children) were killed in the process.

The use of drone warfare is a disaster-in-the-making. When you kill people who are not the enemy, you simply create more enemies.

<http://www.times-standard.com/opinion/20150606/drone-strikes-equal-collateral-massacre>

Israeli Prison Service to Stop Providing Medication for Detainees

By IMEMC News & Agencies

Minister of detainees and ex-detainees affairs committee, Issa Qaraq, says that the Israeli prison administration has decided to stop providing Palestinian prisoners with medication, under the pretext of an allegedly insufficient budget.

Qaraq told Wafa Palestinian News & Info Agency that prison service informed detainees that they have to buy their medicine from their private funds.

Israel's Manual on the Laws of War (1998) provides that, "Prisoners must be administered proper medical care, at the expense of the detaining State and a monthly follow-up examination must be made of each detainee's state of health. It is incumbent on the detaining State to provide the prisoners with sufficient food, drink and

clothing," reported the International Committee of the Red Cross (ICRC).

Article 10 of the International Covenant on Civil and Political Rights (ICCPR) requires treating "All persons deprived of their liberty (with) humanity and respect for the inherent dignity of the human person."

Geneva's Common Article 3 requires "humane treatment for all persons in enemy hands, specifically prohibit(ing) murder, mutilation, torture, cruel, humiliating and degrading treatment (and) unfair trial(s)."

To be noted, Palestinian prisoners detained in Israeli jails are subjected to a systematic policy of medical negligence by the prisons administration, further worsening their already precarious health conditions.

According to Addameer Prisoner Support and Human Rights Association, "Israeli authorities are responsible for prisoners regularly neglect their duties to provide medical support for Palestinian prisoners in their care, as required by the Geneva Conventions."

According to the Global Research website, "Treatment is often inadequate and is delivered after substantial delays. Often medication is limited to over-the-counter pain killers."

It said, since 1967, dozens of Palestinian prisoners died from medical neglect, many of whom painfully over a prolonged period, which is a crime against humanity by all standard.

The number of sick prisoners detained in Israeli jails has reached 1500, of whom 80 prisoners are suffering from serious health problems and do not receive the necessary treatment; they suffer from malignant diseases, paralysis, and disabilities, in addition to cases of mental illness and neurological disorder.

<http://www.imemc.org/article/71976>

Report Reveals \$8.5 Trillion Missing From Pentagon Budget:

You read that right. While Republican politicians rush to slash food stamps for the 47 million Americans living in poverty - the highest amount in nearly two decades. The D.O.D.'s 2012 budget totaled \$565.8 billion, more than the annual defense budgets of the 10 next largest military spenders combined, including Russia and China.

<http://crooksandliars.com/2015/06/report-reveals-85-trillion-missing>

Quote Box

"Believe nothing just because a so-called wise person said it. Believe nothing just because a belief is generally held. Believe nothing just because it is said in ancient books. Believe nothing just because it is said to be of divine origin. Believe nothing just because someone else believes it. Believe only what you yourself test and judge to be true."

Buddha

Hindu Prince Gautama Siddharta

"A new fascism promises security from the terror of crime. All that is required is that we take away the criminals' rights—which, of course, are our own. Out of our desperation and fear we begin to feel a sense of security from the new totalitarian state."

Gerry Spence Lawyer and author, 1998

"The modern conservative is engaged in one of man's oldest exercises in moral philosophy: that is the search for a superior moral justification for selfishness."

John Kenneth Galbraith

"If liberty means anything at all, it means the right to tell people what they do not want to hear."

- George Orwell

What we think, or what we know, or what we believe is, in the end, of little consequence. The only consequence is what we do.

John Ruskin (1819 - 1900)

"If there is some corner of the world which has remained peaceful, but with a peace based on injustices - the peace of a swamp with rotten matter fermenting in its depths - we may be sure that that peace is false. Violence attracts violence. Let us repeat fearlessly and ceaselessly: injustices bring revolt, either from the oppressed or from the young, determined to fight for a more just and more human world."

Dom Helder Camara (1971)

"As long as the world shall last there will be wrongs, and if no man objected and no man rebelled, those wrongs would last forever."

Clarence Darrow

Important Notice

Articles and letters sent to the *Rock* newsletter for publication are currently being delivered and received in a timely manner. Please do not send such materials to third parties to be forwarded to *Rock* as it only delays receiving them and adds to the workload of those asked to do the forwarding.

Letters sent to *Rock* (located in Seattle) in care of *Prison Focus* (located in Oakland) can take over a month to reach us. Send *Rock* mail to this newsletter's return address (below). Anything for publication in *Prison Focus* can be sent either to me or to CPF in Oakland.

Shout Out Box

**We're back! Shouting out to Juan Medina and the men of Soledad's C-Lower for their donation of 150 forever stamps.
Rock On!**

Free Electronic Copy

Outside people can read, download, or print current and back issues of the *Rock* newsletter by going to www.rocknewsletter.com and clicking on the issue of the *Rock* newsletter they'd like to read.

Outside folks can also have a free electronic copy of the newsletter sent to them each month by way of e-mail. Have them send requests for a digital copy of the newsletter to ed@rocknewsletter.com.

On Jailhouse Lawyers

"...jailhouse lawyers often unwittingly serve the interests of the state by propagating the illusion of 'justice' and 'equity' in a system devoted to neither." They create "illusions of legal options as pathways to both individual and collective liberation."

*Mumia Abu-Jamal,
JAILHOUSE LAWYERS: Prisoners
Defending Prisoners v. The U.S.A.*

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