

!ROCK!

★ Working to Extend Democracy to All ★

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IT'S OVER!

Statement Suspending the Third Hunger Strike

From: prisonerhungerstrikesolidarity, September 5, 2013

Greetings of Solidarity and Respect!

The PBSP-SHU, Short Corridor Collective Representatives hereby serve notice upon all concerned parties of interest that after nine weeks we have collectively decided to suspend our third hunger strike action on September 5, 2013.

To be clear, our Peaceful Protest of Resistance to our continuous subjection to decades of systemic state sanctioned torture via the system's solitary confinement units is far from over. Our decision to sus-

pend our third hunger strike in two years does not come lightly. This decision is especially difficult considering that most of our demands have not been met (despite nearly universal agreement that they are reasonable). The core group of prisoners has been, and remains 100% committed to seeing this protracted struggle for real reform through to a complete victory, even if it requires us to make the ultimate sacrifice. With that said, we clarify this point by stating prisoner deaths are not the objective, we recognize such sacrifice is at times the only means to an end of fascist oppression.

Our goal remains: force the powers that be to end their torture policies and practices in which serious physical and psychological harm is inflicted on tens of thousands of prisoners as well as our loved ones outside. We also call for ending the related practices of using prisoners to promote the agenda of the police state by seeking to greatly expand the numbers of the working class poor warehoused in prisons, and particularly those of us held in solitary, based on psychological/social manipulation, and divisive tactics keeping prisoners fighting amongst each other. Those in power promote mass warehousing to justify more guards, more tax dollars for "security", and spend mere pennies for rehabilitation — all of which demonstrates a failed penal system, high recidivism, and ultimately compromising public safety. The State of California's \$9.1 billion annual CDCR budget is the epitome of a failed and fraudulent state agency that diabolically and systemically deprives thousands of their human rights and dignity. Allowing this agency to act with impunity has to stop! And it will.

With that said, and in response to much sincere urging of loved ones, supporters, our attorneys and current and former state legislators, Tom Ammiano, Loni Hancock, and Tom Hayden, for whom we have the upmost respect, we decided to suspend our hunger strike. We are especially grateful to Senator Hancock and Assembly Member Ammiano for their courageous decision to challenge Governor Brown and the CDCR for their policies of prolonged solitary confinement and inhumane conditions. We are certain that they will continue their fight for our cause, including holding legislative hearings and the drafting legislation responsive to our demands on prison conditions and sentencing laws. We are also proceeding with our class action civil suit against the CDCR.

Our goal remains: force the powers that be to end their torture policies and practices....

The fact is that Governor Brown and CDCR Secretary Beard have responded to our third peaceful action with typical denials and falsehoods, claiming solitary confinement does not exist and justifying the continuation of their indefinite torture regime by vilifying the peaceful protest representatives. They also obtained the support of the medical receiver (Kelso) and Prison Law Office attorney (Spector—who is supposed to represent prisoners interests, and instead has become an agent for the state) to perpetuate their lie to the public and to the federal court — that prisoners participating in the hunger strike have been

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coerced — in order to obtain the August 19, 2013 force feeding order.

We have deemed it to be in the best interest of our cause to suspend our hunger strike action until further notice.

We urge people to remember that we began our present resistance with our unprecedented collective and peaceful actions (in tandem with the legislative process) back in early 2010, when we created and distributed a “Formal Complaint” for the purpose of educating the public and bringing widespread attention to our torturous conditions.

...we've gained a lot of positive ground towards achieving our goals. However, there's still much to be done. Our resistance will continue to build and grow until we have won our human rights.

After much dialogue and consideration, this led us to our first and second hunger strike actions in 2011, during which a combined number of 6,500 and 12,000 prisoners participated. We succeeded in gaining worldwide attention and support resulting in some minor changes by the CDCR concerning SHU programming and privileges. They also claimed to make major changes to policies regarding gang validation and indefinite SHU confinement by creating the STG/SDP Pilot Program. They released a few hundred prisoners from SHU/AD SEG to general population in the prison. But in truth, this is all part of a sham to claim the pilot program works and was a weak attempt to have our class action dismissed. It didn't work.

In response we respectfully made clear that CDCR's STG-SDP was not responsive to our demand for the end to long term isolation and solitary confinement and thus unacceptable. (See: AGREEMENT TO END HOSTILITIES)

Our supporting points fell on deaf ears, leading to our January 2013 notice of intent to resume our hunger strike on July 8, 2013 if our demands were not met. We also included Forty Supplemental Demands.

In early July, CDCR produced several memos notifying prisoners of an increase in privileges and property items, which are notably responsive to a few of our demands, while the majority of our demands were unresolved, leading to our third hunger strike, in which 30,000 prisoners participated and resulted in greater worldwide

exposure, support and condemnation of the CDCR!

From our perspective, we've gained a lot of positive ground towards achieving our goals. However, there's still much to be done. Our resistance will continue to build and grow until we have won our human rights. •

Respectfully, For the Prisoner Class Human Rights Movement

Todd Ashker, C58191, D1-119

Arturo Castellanos, C17275, D1-121

Sitawa Nantambu Jamaa (Dewberry), C35671, D1-117

Antonio Guillen, P81948, D2-106

And the Representatives Body:

Danny Troxell, B76578, D1-120

George Franco, D46556, D4-217

Ronnie Yandell, V27927, D4-215

Paul Redd, B72683, D2-117

James Baridi Williamson, D-34288. D4-107

Alfred Sandoval, D61000, D4-214

Louis Powell, B59864, D1-104

Alex Yrigollen, H32421, D2-204

Gabriel Huerta, C80766, D3-222

Frank Clement, D07919, D3-116

Raymond Chavo Perez, K12922, D1-219

James Mario Perez, B48186, D3-124

CA BISHOPS ISSUE STATEMENT ON PRISON HUNGER STRIKE AND ISOLATION POLICIES

Bishops offer to serve on any oversight committee convened to investigate alleged human rights violations and propose corrective measures.

The following joint statement was issued today on behalf California Conference of Catholic Bishops concerning the current prisoner hunger strike and state policies on prisoner isolation. Please attribute to the “California Conference of Catholic Bishops.”

“Today marks Day 52 of the California prisoner hunger strike. We, the California Conference of Catholic Bishops, once again extend our offer to Gov.

Brown and Dr. Jeffrey Beard, Secretary of the Dept. of Corrections and Rehabilitation (CDCR), to assist in the resolution of this urgent life threatening situation. We offer to serve Gov. Brown and Dr. Beard on any outside oversight committee that may be convened to investigate any alleged human rights violations in the California's prisons in order to propose the necessary corrective measures.

“As the U.S. Catholic Bishops wrote in their pastoral letter, Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice (dated November 15, 2000), ‘We oppose the increasing use of isolation units, especially in the absence of due process and the monitoring and professional assessment of the effects of such confinement on the mental health of inmates.’ No one affected by crime is helped when a human being is subjected to this inhumane form of punishment. The California Catholic Bishops have voiced concerns and have been in dialogue with the CDCR for 12 years on the very issues being surfaced now.

“We stand opposed to any form of unjust, inhumane treatment. While it may be that isolation mitigates gang activity, placing humans in isolation in a Secure Housing Unit (SHU) has no restorative or rehabilitative purpose. It is not a sustainable solution to legitimate security concerns. Some of the men on this hunger strike have been in isolation for up to 35 years with very minimal human contact. International human rights standards consider more than 15 days in isolation to be torture.

“Our prayers and concern go out to the men involved in this hunger strike and their families. Our prayers and concern also go out to all who are affected by the criminal justice system: prison leadership, staff, correctional officers and administrators; as well as to crime victims and their families, who have endured the pain and suffering of criminal violence. We offer our assistance to state officials to resolve this terrible situation.” •

(Eds: The California Catholic Conference is the public advocacy office of the Bishops of California. Representing the Archbishops of Los Angeles and San Francisco, and the Bishops of Fresno, Monterey, Oakland, Orange, Sacramento, San Bernardino, San Diego, San Jose, Santa Rosa and Stockton, it is the official voice of the 10 million Catholics and their many parishes, schools, universities, social service agencies in California.)

LAWMAKERS PROMISE HEARING

By the Prisoner Hunger Strike Solidarity Coalition

As prisoners' endure their 54th day without food, California state senator Loni Hancock and Assemblymember Tom Ammiano issued a statement today where they vowed to hold hearings in response to the hunger strike.

"The issues raised by the hunger strike are real – concerns about the use and conditions of solitary confinement in California's prisons – are real and can no longer be ignored," Senator Hancock and Assemblymember Ammiano said in a joint statement. Assemblymember Ammiano said further, "The Courts have made clear that the hunger strikers have legitimate issues of policy and practice that must be reviewed. The Legislature has a critical role in considering and acting on their concerns. We cannot sit by and watch our state pour money into a system that the US Supreme Court has declared does not provide constitutionally acceptable conditions of confinement and that statistics show has failed to increase public safety."

"We appreciate Senator Hancock and Assemblymember Ammiano's promises to take action. Ultimately it is up to the hunger strikers' themselves as to when and how they will end their protest. But as their advocates on the outside, we feel positive about today's developments," said Dolores Canales, who is a member of the strikers' mediation team and whose son is in Pelican Bay.

Hancock and Ammiano's statement represents the strongest steps forward in addressing the prisoners' peaceful protest, and advocates and lawyers representing the strikers say they are eager to communicate this development to the prisoners. "The prisoners on strike have always been clear that there is a viable pathway toward resolving the crisis created by the CDCR," Said Anne Weills, a civil rights attorney representing some of the hunger strikers at Pelican Bay. "I look forward to talking to hunger strike representatives at Pelican Bay to get their thoughtful input around the Senator Hancock and Assemblymember Ammiano's proposal."

As advocates work to communicate with prisoners on strike around this development, they are also encouraging a cautious attitude. "The strike is not over yet and it is still at a very dangerous moment given

that we are entering a long weekend where people have gone 54 days without eating," said Marie Levin, whose brother is one of the 4 remain strike representatives locked in Administrative Segregation at Pelican Bay. "We hope that the CDCR will not act to disrupt this potentially positive development by spreading false information to strikers or continuing to retaliate against their peaceful protest."

Lawyers visited New Folsom Prison north of Sacramento yesterday where they discovered nearly 80 Pelican Bay strikers had been relocated. They reported that health conditions are poor but that many are still on strike. Some prisoners that had come off strike have resumed the protest due to mistreatment at that facility. Lawyers also reported that other prisoners at New Folsom also joined the protest when they learned of the mistreatment of their fellow prisoners from Pelican Bay. Concern for the strikers and condemnation of the CDCR is spreading internationally. Earlier today Tessa Murphy, Campaigner on the USA at Amnesty International said, "it's nothing short of appalling that instead of dealing with the complaints, California's prison authorities have chosen to threaten inmates with force-feeding and disciplinary measures, and have moved some to other facilities." Meanwhile the California Conference of Catholic Bishops, said they would "again extend our offer to Gov. Brown and Dr. Jeffrey Beard, Secretary of the Dept. of Corrections and Rehabilitation (CDCR), to assist in the resolution of this urgent life threatening situation. We offer to serve Gov. Brown and Dr. Beard on any outside oversight committee that may be convened to investigate any alleged human rights violations in the California's prisons in order to propose the necessary corrective measures." •

CA PRISON BOSS TOYING WITH THE LIVES OF CONS ON HUNGER STRIKE

The refusal by California's prison authorities to explore options to resolve the hunger strike crisis in the state's high security units is a dangerous move that could lead to the deaths of inmates in their custody, Amnesty Interna-

tional said.

More than 30,000 prisoners joined a hunger strike last July over inhumane detention conditions in California's security housing units (SHUs). More than 70 are still refusing food.

"It's nothing short of appalling that instead of dealing with the complaints, California's prison authorities have chosen to threaten inmates with force-feeding and disciplinary measures, and have moved some to other facilities," said Tessa Murphy, Campaigner on the USA at Amnesty International.

"No one should be punished for exercising the right to peaceful protest. California prison authorities must stop toying with people's lives and meet with the mediation team to begin a meaningful process of negotiation."

Amnesty International has also received reports that some of those on hunger strike have been denied medical care.

This week, the California Department of Corrections and Rehabilitation (CDCR) published a press release saying that it had addressed some of the inmates' demands.

"Recent proposals by California's prison authorities do not go far enough to address the inhumanity that permeates many aspects of the security housing units, including lengthy periods during which inmates are held in isolation and excessively harsh conditions of confinement including lack of social contact and programming," said Tessa Murphy.

"The rehabilitation of prisoners is absolutely essential for their positive reintegration into society at the end of their sentence."

Amnesty International is calling on CDCR to reduce the length of the step down program and to make meaningful changes to the isolation units, particularly in Pelican Bay prison, with an emphasis on increased social contact and rehabilitation.

On 19 August, a federal court issued a decision that would allow the state to force-feed hunger strikers "at risk of near-death or great bodily injury." The court also ruled that the state may ignore "do not resuscitate" directives if they were signed for the purpose of the hunger strike, or if the state believes they were achieved through coercion.

The force feeding of mentally competent hunger strikers is contrary to medical ethics and breaches their right to freedom of expression. •

Amnesty International

FREMONT'S PAY-TO-STAY JAIL OFFERS A MORE PLEASANT PRISON EXPERIENCE

By Bruce Watson

A San Francisco-area city is now offering the opposite service: For a price, scofflaws can get a deluxe jail cell that, while not quite hotel-grade, is still miles better than the standard prison accommodations -- much less New York's Sun Bright hotel!

In 2002, Fremont built a \$10.6 million, 58-bed detention center. While the facility don't quite qualify as five-star, is still a lot nicer than the local prisons, where gang affiliations and overcrowding can make a stay harrowing, to say the least.

The Fremont detention center is rarely filled to capacity -- a factor that led town officials to offer the space as a pay-to-stay prison. Under the new program, healthy, nonviolent offenders who don't have a gang affiliation and have not been convicted of a sex crime can stay in one of Fremont's cells for \$155 per night, with a onetime \$45 fee. For the jail's new occupants, many of whom will likely come from rich enclaves in San Francisco and Silicon Valley, the benefits are obvious: The program enables them to avoid the general population in one of the area's overcrowded prisons. For Fremont, it's also a great deal: It costs the city only \$8.35 per night to take care of its prisoners, which means that it realizes almost \$147 a night of profit for every bed it fills.

Fremont is hardly the first California city to open a pay-to-stay prison: There are approximately 15 such programs in Southern California, with rates ranging from \$85 to \$255 per day. This is, however, the first in the Bay Area -- a region whose extremely wealthy citizenry would seem to make it especially fertile ground for such a program.

Other states have experimented with pay-to-stay prisons, but most don't offer California's two-tiered system. In Michigan and Ohio, pay-to-stay jails attempt to charge every inmate, often on a sliding scale that takes into account their earnings, dependents, and other financial data. In addition to creating a lot of paperwork, the programs aren't nearly as lucrative as one might expect: Ohio's Fairfield county, for

example, was only able to recover about 12 percent of the charges that it levied on inmates.

It remains to be seen how profitable Fremont's plan will be, but -- given California's statewide prison problems and budget woes -- it looks like the small city just may have found a way to make crime pay. •

<http://www.dailyfinance.com/2013/08/06/fremont-calif-offers-pay-to-stay-nicer-jail-cells>

Still Standing Strong

In this deplorable world of confusion

And of endless confinement

Where we are faced with constant degradation and intrusion
And battered down for trying to seek personal refinement
In a world so dark, so ugly, so cold
Feeling so isolated, alienated and all alone
A world where I no longer belong
All I can do is keep standing strong

This is a world where weakness gets no slack
Where my mind has been enraged, my heart has gone black
Psychological warfare; they're on the attack
Consciousness has died in this graveyard
But I've been fighting so damn hard
To try to bring it back!

So many things have gone terribly wrong

Yet through it all, I still stand strong

Standing strong and on my feet

While surrounded by broken prisoners

Who have become so accepting of defeat

The strong, the resilient, the wise and the brave
Have been pitted against the deranged and the depraved
By us, the oppressor's path has been so easily paved
While they lead us straight to our graves
For some, it won't be long
But for me, I'm still standing strong

Coyote
Ely State Prison, Nevada
August 5th, 2013

BOX BANNED IN SEATTLE

The Jobs Assistance Legislation passed unanimously in Seattle City Council -- after an amendment that would have weakened its enforcement was withdrawn! Twice, a half dozen or more No New Jim Crow Seattle people stepped up to the microphone to offer public testimony or stood by holding signs—Steve, Carol, Lorraine, Carl, Hakeem, Lynn, Jack, and the Raging Grannies, with whom we are proudly affiliated!

Among many other individuals and groups testifying for this small but significant piece of legislation are: Michael Woo of Got Green, Gerald Hankerson of NAACP, Seattle Human Rights Commission, Real Change vendors, the unstoppable and beautiful Merf Ehman and Martina Kartman of Columbia Legal Services, and many, many others whose names I look forward to learning in the weeks and months ahead. We will all continue to work together to see these and other reformations and transformations bear fruit. For the Jobs Assistance Legislation, for instance, a stakeholders commission will be established in Seattle to work with the Seattle Office of Civil Rights to implement this legislation.

Thank you to everyone in the No New Jim Crow Seattle Campaign who has worked directly or indirectly for this very local effort. •

No New Jim Crow, Seattle

[Ed's Note: Some members of Seattle's Free Us All were also involved in this Ban the Box campaign.]



By D. Nanez

DAY 60 AND COUNTING

By Mark Cook, Rock Co-Editor

Today, September 5, 2013, hunger striking California prisoners have chosen to suspend their 60 day hunger strike.

My task is to facilitate the voices of those prisoners who struggle for justice. I am not a prisoner but am a convict for life. I have served 40 years behind lock and key, at time I have been considered the worst of the worst. Today I live under the conditions and laws binding a “free” convict. Your struggle is my struggle.

This is politics pure and simple. Politics is the “struggle for power.” Your immediate struggle is over the abusive conditions the CDCR has applied to California prisoners. You do not have the right to vote but you do have the right to peacefully protest. I must jump through various hoops to get that right to vote outside of prison. We are in the same boat and need to rock together. But this does not mean that we convicts out here have the right to make suggestions and choices for those imprisoned convicts.

In “Editorial 2-9” of the September edition we said, *“There is some talk of going with what I call the nuclear option. Under this option individual prisoners would starve themselves to death, one after the other, with larger scale outside support behind each volunteer...”* suggesting such an end would be a failure.

We have not received one prisoner letter to ROCK staff in response the suggestion, telling us we were way out of line. We are not the gurus of struggle! When we write crappy editorials, you guys have to speak up. You are living under the abusive conditions of CDCR and know what manner you should or can employ to change those conditions. You are the final editors of *Rock*. You pay for the paper, printing and mailing. We do the processing.

We, the *Rock* staff have great admiration for not only the peaceful manner you chose to engage with the CDCR but also with the general compliance of California prisoners to cease all hostilities to get the job done. We can take criticism. Do your fucking job!!

Everyone who reads *Rock* and *Prison Focus* and writes letters to both is part of a study group. Listen to what your brothers and sisters are saying, weed out the bad and absorb the good. Discuss and fuss.

PUBLIC SCHOOL SOLITARY CONFINEMENT

By Carol Isaac, Free Us All, Seattle

In some Northwest schools, if a child has an “outburst”, they may be put forcibly in a device called an “isolation booth” or “isolation room” where they are left for some portion of the school day. In Longview, Washington it is a free standing 4’ x 4’ padded, pink-walled, empty room with ceiling ventilation, an observation window, an outside lock, and, presumably, a monitor. A student from first grade on may be judged as problematic, removed forcibly in front of other students, and locked inside “the naughty room.”

In Oregon, after a shocked parent complained this past year, the state legislature in February unanimously passed House Bill 2576 with follow-up passage of the Senate version. This requires that there be no purchasing, building or use of a free-standing isolation booth in public schools. A Portland elementary school, within months, went around the bill creating a “room” instead of a “booth” by using an already standing wall of the school. It is available for use.

In Washington, where the practice was brought to the attention by the news media, the “isolation booth” was reputed by the school to be used for only special education students whose parents had given permission. A parent shocked to learn about her own student’s detention in this cell while they together watched a news program that showed the unit, came forth with the assertion that she never had, and never would have given such permission. It appears no audit has yet been done by the states.

Therapeutic isolation is supposedly a technique abandoned by the psychiatric field decades ago, and one psychiatrist testified against it in the Oregon Legislature leaving the schools, you would think, with the task of proving their value.

Some schools contend they served disabled students especially in the “autism spectrum”, but there has not surfaced the scientific data needed to show the efficacy of such a protocol. One student reported observing a fellow student go in relatively calm, and later turn violent while locked inside. Certainly this is dangerously traumatizing to the student body witnessing these procedures for some years now. Some of the cells have even been within

some classrooms. Young people must come away with the inevitable belief that they may do something that will put them in one of these horrific lock-ups. The element of fear increases the daily stress involved in learning subjects a student may find naturally difficult or there may be stress added when managing racially charged situations traditionally not in their favor. The fact that there are students who have not discussed this with their parents up until now is especially concerning. What other practices are hidden from parents?

There are no actual complete figures on how many schools use this procedure, but so far enough schools have been forthcoming to show that with eight Oregon School districts reporting, children have been put in a seclusion room 791 times in the past school year.

Certainly there are children with special needs whose control of themselves is not going to be adequate for the average classroom. These are children for whom there needs to be a much different situation, but it must be proven at the very least that their isolation in this severe manner away from home and the guidance of their health care professionals is harmless. All parents need to know their child may have been traumatized simply by witnessing the procedure and the schools need to address that harm as well as the possible harm done to the subjects of isolation.

This jump to a punitive, not a harmonious, means to control the student body is in alignment with the growing list of other trends in the nation’s school system: metal detectors at entrances, uniformed police, ‘resource officers’ who wear guns, tasers and cuffs in the halls, dogs for ‘sniffing’ and patrolling, warrantless searches, and school suspension rules with sentences expanded to so many days that catching up is impossible, failure insurance. Truancy courts themselves are an along-the-way invention replacing the school principal’s role as the arbiter of situations that used to be called a “ruckus”.

Perhaps the surveillance cameras that students are under in school should be used to live-stream the classrooms to public television channels so parents may watch the conditions under which their children are being educated.

Unfortunately, all these practices brought over from law enforcement and the judicial and prison systems groom the young for a dominated existence instead of deepening an understanding of democracy. ●

AUGUST 23, 2013

LONG TERM SOLITARY CONFINEMENT IS TORTURE

The United Nations Special Rapporteur on torture, Juan E. Méndez, today urged the United States Government to abolish the use of indefinite solitary confinement.

There are approximately 80,000 prisoners in the United States of America who are subjected to solitary confinement, nearly 12,000 are in isolation in California.

“Even if solitary confinement is applied for short periods of time, it often causes mental and physical suffering or humiliation, amounting to cruel, inhuman or degrading treatment or punishment, and if the resulting pain or sufferings are severe, solitary confinement even amounts to torture,” Mr. Méndez stressed as nearly 200 inmates in Californian detention centres approach their fifth consecutive week on hunger strike against cruel, inhuman and degrading prison conditions.

“I urge the US Government to adopt concrete measures to eliminate the use of prolonged or indefinite solitary confinement under all circumstances,” he said, “including an absolute ban of solitary confinement of any duration for juveniles, persons with psychosocial disabilities or other disabilities or health conditions, pregnant women—women with infants and breast feeding mothers as well as those serving a life sentence and prisoners on death row.”

The independent investigator on torture and other cruel, inhuman or degrading treatment or punishment urged the US authorities to ensure that “solitary confinement is only imposed, if at all, in very exceptional circumstances, as a last resort, for as short a time as possible and with established safeguards in place.” In Mr. Méndez’s view, “its application must be subject to independent review, and inmates must undergo strict medical supervision.”

Since 8 July 2013, thousands of prisoners detained in nine separate prisons across the state of California have gone on hunger strike to peacefully protest the cruel, inhuman and degrading prison conditions. The inmates are demanding a change in the state’s excessive use of solitary confinement as a disciplinary measure, and the subjugation of prisoners to solitary confinement for prolonged periods of time by prison authorities under the California Department of Corrections and Rehabilitation.

In California’s maximum security prison in Pelican Bay more than 400 prisoners have been held in solitary confinement for over a decade, and the average time a prisoner spends in solitary confinement is 7.5 years. “I am extremely worried about those numbers and in particular about the approximately 4,000 prisoners in California who are held in Security Housing Units for indefinite periods or periods of many years, often decades,” Mr. Méndez said.

In many cases inmates are isolated in 8-foot-by-12 foot (2.5 x 3.5 m. Approx.) cells and lack minimum ventilation and natural light. The prisoners are forced to remain in their cells for 22 to 23 hours per day, and they are allowed only one hour of exercise alone in a cement lot where they do not necessarily have any contact with other inmates.

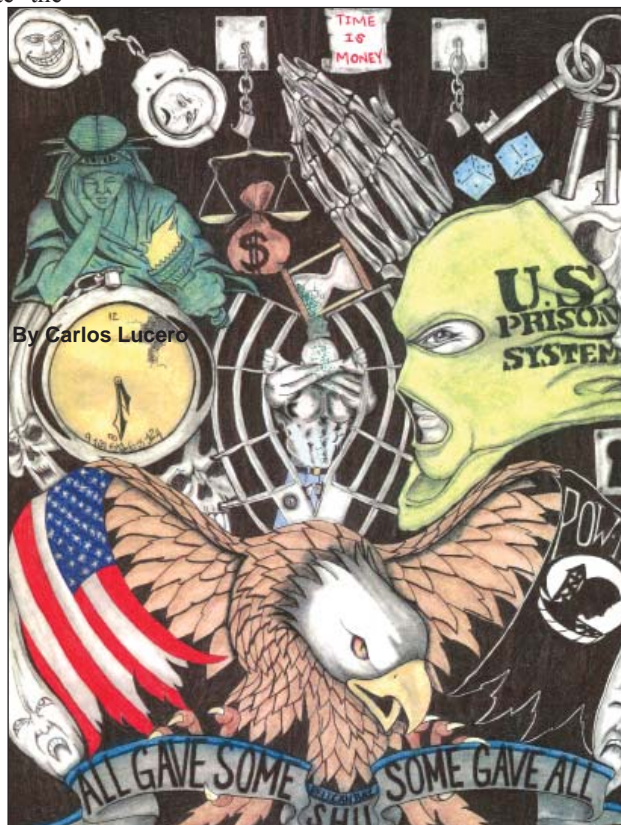
In the context of reported reprisals

against inmates on hunger strike and a District Judge’s approval of Californian authorities’ request to engage to force-feed prisoners under certain circumstances, the UN Special Rapporteur also reminded the authorities that “it is not acceptable to use threats of forced feeding or other types of physical or psychological coercion against individuals who have opted for the extreme recourse of a hunger strike.”

Mr. Méndez addressed the issue of solitary confinement in the US, including prison regimes in California, in his 2011 report* to the UN General Assembly and in numerous communications to the Government. He has also repeatedly requested an invitation to carry out a visit to the country, including State prisons in California, but so far has not received a positive answer.

“My request coincides with some prominent voices in the United States, including the first-ever congressional hearing chaired by Senator Durbin on 19 June 2012; the decision to close Tamms Maximum Security Correctional Center by the State of Illinois on 4 January 2013 and numerous editorials by prominent columnists in major papers addressing the excessive use of solitary confinement across the country,” Mr. Méndez said. “It is about time to provide the opportunity for an *in situ* assessment of the conditions in US prisons and detention facilities,” the UN Special Rapporteur underscored.

[Juan E. Méndez (Argentina) was appointed by the UN Human Rights Council as the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment on Nov 1, 2010. He is independent from any govt. and serves in his individual capacity. Mr. Méndez has dedicated his legal career to the defense of human rights & has a long & distinguished record of advocacy throughout the Americas. He is currently a Professor of Law at the American Univ. – Washington College of Law & Co-Chair of the Human Rights Institute of the International Bar Association. Mr. Méndez has previously served as the President of the International Center for Transitional Justice (ICTJ) until 2009 & was the UN Secretary-General Special Advisor on the Prevention of Genocide from 2004 to 2007 and an advisor on crime prevention to the Prosecutor, International Criminal Court, between 2009 and 2010.]



CA HUNGER STRIKERS AND THE MALNOURISHED AMERICAN CONSCIENCE

Rebecca McCray, Aug 20 2013

“We are not in search of death; we are looking for real life.”

Tiananmen Square Hunger Strike Declaration, 1989

In an eight by ten foot cell in California, Todd Ashker is starving. He hasn't eaten in nearly six weeks, and his body has begun to lose muscle mass. Exhaustion has set in, and his organ functions have slowed. In the windowless cells on either side of his, more men steadily starve. These men are isolated in the Secure Housing Unit (SHU) of California's Pelican Bay Prison, a tidy euphemism for long-term solitary confinement. Pelican Bay is the state's most notorious supermax prison, reserved for what officials identify as “the worst of the worst” criminal offenders.

In this space, California's “worst” are engaging in one of the most radically non-violent acts of resistance a protestor can employ. They have elected to starve themselves until the state agrees to meet their five core demands – chief among which is a call to end the well-worn practice of indefinite solitary confinement. To achieve a life behind bars that resembles one worth living, they are risking death. After repeated attempts to negotiate with the California Department of Corrections to improve the conditions of their confinement (as well as two previous hunger strikes), these men have turned to the only tool they have left, offering their bodies in a dramatic act of corporal dissent.

In spite of their extreme isolation, the stark SHU cells at Pelican Bay are the unlikely birthplace of the CA prisoners' hunger strike, which spread to two-thirds of the facilities across the state, engaging 30,000 prisoners at its peak. Prisoners held here are the most dramatically exiled segment of an already banished population; the most aggressively marginalized people confined in the state's massive and dysfunctional correctional system. More than 500 prisoners at Pelican Bay have survived in solitary

confinement for more than a decade.

Historically, politically motivated hunger strikes have been employed by the free and the imprisoned alike; from Irish prisoners to Chinese students, to imprisoned activists and tomato harvesters, to suffragettes and journalists. While for obvious reasons self-starvation is generally considered a desperate last resort, the strategy has been most notably utilized en masse by prisoners, who lack the mobility and power to engage in other modes of protest.

Bobby Sands, an Irish nationalist who led the 1981 Irish prisoners' hunger strike, sought to reclassify thousands of people as political rather than criminal prisoners, thereby demanding reforms to their conditions of confinement. He was so successful as a leader and gained so much media attention during the strike that he was elected a member of Parliament. Though the hunger strike ultimately led to his death, his election galvanized public support for the prisoners' cause, leading to the election of numerous nationalist party members. In today's world of mass incarceration as the accepted American standard, it is a challenge to imagine a parallel political success story for prisoners in California.

While advocates throughout the state and across the country have demonstrated in solidarity with the hunger strikers, CA prisons chief Jeffrey Beard only begrudgingly agreed to meet advocates on behalf of the prisoners after weeks of protest in early August, while his office made clear that this meeting should not be misinterpreted as “a mediation or negotiation.” Shortly after, he wrote an inflammatory editorial for the LA Times, dismissing the hunger strike as “gang power play,” and needlessly highlighting the violent backgrounds of the incarcerated strikers. According to Beard's disjointed logic, an individual's violent past is enough to warrant the inhumane conditions that the United Nations has likened to torture.

With more than 300 remaining hunger strikers closing out their sixth week of refusing food, a question uncomfortably lingers: is anyone really listening? A recent LA Times editorial cartoon bluntly and accurately notes that a hunger strike can only succeed if the society whose attention it seeks to engage has a conscience. A fleeting mention in an article or a social media share is a start, but these passive actions alone have clearly not inspired enough support behind the prisoners in California to motivate large-scale change on the part

of the CADC. **As their situation grows more perilous by the hour, the question of American conscience, or lack thereof, rings louder than ever.**

Stay updated at: prisonerhungerstrike-solidarity.wordpress.com 707.442.7465

Quote Box

“Iniquity, committed in this world, produces not fruit immediately, but, like the earth, in due season, and advancing by little and little, it eradicates the man who committed it. ... justice, being destroyed, will destroy; being preserved, will preserve; it must never therefore be violated.”

Manu 1200

“Each man must for himself alone decide what is right and what is wrong, which course is patriotic and which isn't. You cannot shirk this and be a man. To decide against your conviction is to be an unqualified and excusable traitor, both to yourself and to your country, let men label you as they may”

Mark Twain

“They (corporations) cannot commit treason, nor be outlawed, nor excommunicated, for they have no souls”

Lord Edward Coke

“This is the tendency of all human governments. A departure from principle in one instance becomes a precedent for a second, that second for a third, and so on 'til the bulk of the society is reduced to be mere automatons of misery, to have no sensibilities left but for sinning and suffering... And the forehorse of this frightful team is public debt. Taxation follows that, and in its train wretchedness and oppression.”

Thomas Jefferson

“The lesson of that history is that you must not despair, that if you are right, and you persist, things will change. The government will try to deceive the people, and the newspapers and television may do the same, but the truth has a way of coming out. The truth has a power greater than a hundred lies. My hope is that you will not obey the rules, when the rules are unjust; that you will act out the courage that I know is in you.”

Howard Zinn,

Adress to Spelman College, 2005

PEACE PRIZE FOR THE TRUCE MAKERS AND STRIKERS

Campaign to Obtain a World-recognized Peace Prize for the Truce Makers and Strikers of the 2013 California Prison Hunger and Work Strikes.

Mision:

We propose a world-wide, popularly-supported campaign to nominate the prison truce makers for the highest honors the planet's human community recognizes: a Nobel Peace Prize and the Right Livelihood Award.

Objectives: What possible changes will it make?

1. The primary effect is that it will mobilize world opinion to pressure California to stop the practice of torture by prolonged solitary confinement. Traditionally following such a nomination there are many additional actions, like boycotts that bring economic pressures further threatening the state's illegitimate control.

2. This is an opportunity to force the corporate media to reveal that the U.S. prison system is committing torture in the American people's name inside the U.S.

3. The truce and strike action will present the public with a picture of a struggle that succeeded in spite of facing a most dangerous range of odds coming from the most powerful, wealthy and unconscionable penal complex in the history of the earth, and, holding to its cessation of hostilities agreement in spite of its truce and strike members' own legendary, deeply-held personal enmities among each other. And yet there is another factor: All this must happen while under torture in solitary confinement during a self-imposed slow, painful journey through body-crippling, mind-abusing starvation. Unlike some previous prize winners, Kissinger and Barak Obama, the prisoners are not seeking to obtain territory or profits, but rather to secure a righteous condition in what should be an honorable society: the recognition of the right not to be the subject of state torture. The human race itself is, in these times, craving peace. This models a reach for peace under overwhelming odds.

Each human right won benefits all.

4. A humane change in the U.S. system as a result of the success of the truce and strike force's actions will help to inspire the international society to remove the punitive

system that has been steadily exported from the U.S. to European and other countries, especially since 2001, where the trend has been to replace former semi-compassionate and rehabilitative systems with punitive paternalism.

5. Most hopefully this effort could help to lead people to a deep, unrelenting questioning of the value of imprisonment itself.

The world leaders are not leading us, and never will lead us, to a favorable future. If movements can develop a form to bring the eventual sea change that allows for nature to stabilize and humans to create a path other than consumerism and profit, all in time to keep war and climate chaos at bay, then there truly and virtually is 'all the reason in the world' to pursue this one mission as though it is a rare gift that demands taking high risks like the truce makers and strikers have taken.

Aims: What actions are to be taken?

Research the requirements for a Nobel Nominations for both the Nobel Peace Prize given at Oslo, Norway and also for the Right Livelihood Award also called the Alternative Nobel Peace Prize.

- Study the project, Roots Action, headed by Norman Solomon by which Chelsea (Bradley) Manning was nominated for a Nobel Peace Prize.
- Interview those who have won the international Right Livelihood Award.
- Recruit those involved with the above for ongoing consultations in this project.

Develop an organization to manage the campaign and fund-raise to initiate and maintain it.

Plan a campaign that results in a serious, world-recognized nomination of the prison truce and strike makers for a Nobel Peace Prize and the Right Livelihood Award.

Create a website for information to the world public, an online petition, an online sign-up for volunteers of a variety of categories, and online fund raising, all to begin the first phase of the campaign.

Actions within the campaign:

- Emphasize participation by ordinary people in the U.S. The Manning campaign collected 100,000 signatures on its petition. Few in the U.S. knew Manning personally or have been personally touched by our recent wars while a larger segment of society knows someone

victimized by prison excesses; therefore, a larger number of people may be more sensitive to injustice here than to war in a foreign lands or to a soldier.

- Emphasize internationally the fact that the replacement of punitive rather than rehabilitative incarceration methods have been actively exported by the U.S. throughout Europe and other parts of the world. Ask Professor Loic Wacquant, at U.C. Berkeley for consultation and endorsement on the project as an expert in this aspect of the field.
- Ask the many national petition campaign organizations that have created mass internet campaigns sent to Governor Jerry Brown against solitary confinement and ancillary petition campaigns: to provide their results to the peace prize committees, to inform their petition participants of the Nobel campaigns, and to provide a new campaign from their organizations with a statement directed toward nomination for a Nobel.
- Identify and solicit the endorsement of organizations of a variety of sizes and issue concerns to add their names to an organization petition.

Conclusion

It is for us to bring people to recognize these truce makers and strikers, in spite of their extreme capacity to submit to no one, have nevertheless negotiated among themselves a unanimous decision that has held in the form of a signed truce for more than a year. They are not suddenly following a saint or a prophet. They are each following the understanding within themselves the clear truth of the state of their lives in relation to the state. This is not submission to anyone, but a firm adherence to each one's own belief in the rightness of their cause. They have made themselves into one voice, completely unified by a common cause, the demand to be humanely treated by a society whose own honor is now made visible and, thereby, on trial for its rampant, decades-long use of solitary confinement. The invisible is being made visible by the self-imposed life-endangering suffering of the prisoners, the victims who would be the victors. ●

*Free Us All
P.O. Box 47439
Seattle, WA 98146*

EDITORIAL 2-10

Need Stamps: For the first time in a very long time I've had to use donated cash to buy stamps in order to complete the mailing of this issue. Such money is usually reserved for cases of paper and toner for my laser printer. Accordingly, if you have not yet financially contributed to this publication, then now would be a very good time to do so. You can send stamps or money. Those of you who have given in the past, and still have more you can spare, the newsletter can use your continuing support.

We have over 500 readers, almost all prisoners. Of that number 247, about half, have not contributed anything (a part of this is the little over 100 Oregon and Washington prisoners who are not yet expected to donate). One California prisoner paid only one stamp (back in June), 14 prisoners have donated only two stamps, six prisoners have donated 3 stamps each, twenty prisoners have donated 4 stamps each, and seven prisoners have donated 5 stamps each. You can see the progression here. Since starting this publication in January of 2012, I've received a total of 5,318 stamps, which means that a small number of prisoners are carrying the weight of supporting this newsletter. I understand that many are broke. But dude, if you are too lame to hustle a few stamps you got no business reading this rag.

Legitimate or Not: And so it comes to pass, some prisoners are not allowed to receive the *PHSS News* or the *Rock* newsletter because prison officials don't think we are "legitimate" publications. You see what the problem is here, if you speak for the poor and oppressed you are not legitimate. Although if you are rich and powerful, no matter what kinds of lies you spew out into the world, you are very legitimate.

As an example, take the war we are trying to launch against Syria (or will have been launched by the time you read this). The bourgeois press accepts as fact that the Syria's president ordered the use of chemical weapons against his own citizens.¹ Although being killed by a bomb or a chemical probably makes little difference to the dead.

1. Note that the U.S. remained totally silent as Saddam Husain of Iraq used such weapons on his own people back when the U.S. was supporting him in his war against Iran. Also note that the U.S. used what fits the definition of chemical weapons on the people of Fallujah during the Iraq war.

The first thing the government and its lapdog media will do is ignore the evidence that does not fit the lie they want you to believe. So we will ignore the Syrian rebels and local residents in Ghouta, where the attack took place, who claim that Saudi intelligence chief Prince Bandar bin Sultan was the one who provided chemical weapons to an al-Qaida linked rebel group. Then we doctor up faulty intelligence to make it sound like a... well... "slam dunk." Now we have U.S. Secretary of State John Kerry saying that Assad's guilt was "a judgment ... already clear to the world." Kerry goes on to say, "We intercepted communications involving a senior official intimately familiar with the offensive who confirmed that chemical weapons were used by the regime on August 21...."

Gez that sounds bad. It looks like U.S. intelligence intercepted such communications. But according to *Truthout*:

...former British Ambassador Craig Murray has pointed out that the Mount Troodos listening post in Cyprus is used by British and U.S. intelligence to monitor "all radio, satellite and microwave traffic across the Middle East ..." and that "almost all landline telephone communications in this region is routed through microwave links at some stage [and] picked up on Troodos."

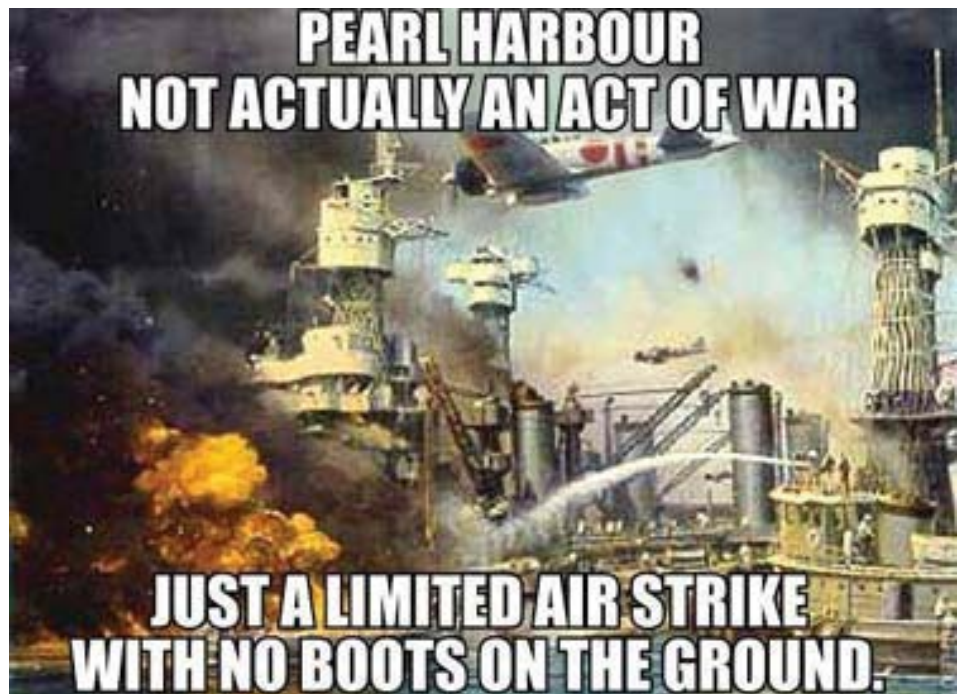
All intelligence picked by the Troodos listening post is shared between the U.S. and British intelligence, Murray wrote, but no communications such as the ones described in the U.S. intelli-

gence summary were shared with the British Joint Intelligence Organization. Murray said a personal contact in U.S. intelligence had told him the reason was that the purported intercept came from the Israelis. The Israeli origin of the intelligence was reported in the U.S. press as well, because an Israeli source apparently leaked it to a German magazine.

The clumsy attempt to pass off intelligence claimed dubiously by the Israelis as a U.S. intercept raises a major question about the integrity of the entire document. The Israelis have an interest in promoting a U.S. attack on Syria, and the authenticity of the alleged intercept cannot be assumed. Murray believes that it is fraudulent.

You news junkies will remember the laptop "lost" by an Iranian scientist that contained plans for the trigger mechanism of a nuclear bomb—thus proof that the Iranians were planning to build atomic weapons. Well, come to find out, and finally reported by the *NY Times*, the laptop was never in the hands of an Iranian—it was an Israeli plant!

Regardless of whether the readers accept the putrid dish of lies served up by the bourgeois press, there is one fact you cannot ignore. An attack on a sovereign nation is an act of war. President Obama tell us the CIA-trained rebel unit is about to join fighting against the Assad government. The U.S., as in Libya, will be providing air support for their minions on the ground. The bourgeois press screams that the Russians



are supporting Assad regime, Putin says no, we are defending international law.

International Law? Oh yeah. U.N. Secretary-General Ban Ki-moon the other day said that the use of force is only legal when it is in self-defense or with U.N. Security Council authorization. So much for the legality of U.S. plans to strike Syria.

I'll leave you here with a couple of quotes from former Chief Supreme Court Justice Robert H. Jackson, who was the lead U.S. prosecutor during the Nuremberg trials of Nazi war criminals. He said, "We must make clear to the Germans that the wrong for which their fallen leaders are on trial is not that they lost the war, but that they started it." As "To initiate a war of aggression, therefore, is not only an international crime; it is the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole."

How many wars of aggression has the U.S. started since World War II? See if you can count them. Here are hints from recent wars: There's the totally fabricated Gulf of Tonkin Gulf incident that justified the Vietnam war, the phony incubator baby massacre in Kuwait and the first Gulf war, the

Racak massacre and the Kosovo war, the Iraqi weapons of mass destruction and the second Gulf war, the threat of massacre in Benghazi and the Libyan war. You can take it from there.

Trust me, dear reader, if I were beating the pro war drums, praising their god, and calling for longer prison sentences and wider use of the death penalty, your captors would never question the legitimacy of this publication. It is the truth that they fear and oppose. And the truth is they are perpetuating slavery and torture and war. •

Ed Mead



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