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WOMEN DECRY DEPLORABLE CONDITIONS IN STATE PRISON

Former inmates at the Central California Women's Facility say they were denied health care and diagnosed with diseases they don't have. A recent report backs up their claims.

By Andrea Abi-Karam

When Theresa Martinez was an inmate at the Central California Women's Facility, prison health officials diagnosed her as having HIV. Martinez said her mental health deteriorated as a result. Prison doctors also put her on a rigorous anti-HIV drug regimen for ten years. Eventually, officials with the California Department of Corrections and Rehabilitation transferred her to a state prison facility in Southern California.

Once there, the facility's health staffers urged Martinez to take another HIV test, even though she had assured them that she was infected with the virus. The results came back negative. They did the test again. It was negative, again. She didn't have HIV.

Martinez said she later learned that the Central California Women's Facility, where she and many other East Bay women end up when they're sentenced to prison, had a contract with a pharmaceutical company that sells HIV medication. Martinez, who now works for the Oakland-based prisoners' rights group Justice Now, shared the story of what happened to her at a recent public event. She contends that corporate-driven interests affect the physical and mental health of prisoners throughout the California prison system.

There's also compelling evidence that the health facility within the Central California Women's Facility (CCWF) in Chowchilla has a history of badly mistreating female prisoners. Late last year, a three-person panel of court-appointed medical experts released a scathing report on the deplorable conditions inside the prison. Overall, the panel found that CCWF "is not providing adequate medical care, and that there are systemic issues resulting in preventable morbidity and mortality [disease and death] that present an ongoing serious risk of harm to patients."

The 57-page report, which didn't receive much press coverage, also stated that CCWF's health facility is disorganized and overcrowded. "We believe that the majority of problems are attributable to over-

crowding, insufficient health care staffing and inadequate medical bed space," the report stated.

The court-ordered health care evaluation came in response to a January 2013 report conducted by Governor Jerry Brown's office that declared the health care conditions at CCWF improved. The dismal quality of health care inside California's prisons was the driving force behind orders issued by federal judges to the state to dramatically reduce its inmate population. "Overcrowding and health care conditions cited by this Court to support its population reduction order are now a distant memory," Brown's office stated.

Despite the scathing report on CCWF by court-appointed medical experts, federal judges agreed last month to give Brown and state corrections officials more time to relieve overcrowding in California's prisons.

The overcrowded conditions at CCWF worsened in 2012 when the state converted Valley State Prison for Women (which is located near CCWF) into a men's facility and then funneled that facility's female prisoners into CCWF and the California Institution for Women near Chino. CCWF's inmate population quickly grew to 184 percent of capacity.

According to the court-appointed medical experts, the packed conditions at CCWF resulted in health care staff being slow to respond to inmates' medical needs.

"I would assume that during an emergency you would run toward the emergency, but no, 95 percent of the time they walk — stroll," said Mianta McKnight, a former

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Brisbane resident who was released from CCWF three months ago and currently resides at a prisoner re-entry facility on Treasure Island.

McKnight told me that when nurses at CCWF respond to an emergency, they'll only provide care if the patient is incoherent and can't stand up. She described an instance in which her roommate was waiting to get treatment for an earache. The pain became so intense, she passed out and hit her head on her bunk. "She was trying to be seen and was ignored," McKnight said.

And even if a prisoner does get seen by health care staffers at CCWF, there's a good chance she won't get appropriate care. According to the court-ordered report, as well as first-hand accounts, CCWF medical staffers routinely prescribe expired, incorrect, or insufficient medication.

"You go in and say, 'I don't feel well because XYZ,'" McKnight said. "They'll give you a cold pack and you may have a migraine."

Inmates also "were given the wrong medications at times — kind of like test this and see if it works and if it doesn't work we'll try something else," she continued. She said she once helped take care of a fellow inmate who became paralyzed down the left side of her body because she received the wrong drugs.

McKnight also said that it was not uncommon for prisoners to wait in the pharmacy line for long periods and then watch staffers withhold their prescribed medications. They'd get to the front of the line, and then watch staffers pull up their mugshots and arrest histories on Google, and send the prisoners to the back of the line if the staffers disliked what they saw, she said.

At CCWF, prisoners with chronic illnesses and disabilities are consigned to the skilled nursing facility, which further isolates them within the prison system, and further alienates them from their families. "They are sometimes thrown back there and don't know why they're back there," said McKnight of inmates being put in skilled nursing. "They have little or no communication with their families." Prison officials also regularly lock down the skilled nursing facility without explanation, she said.

The court-appointed medical experts who examined CCWF substantiated McKnight's experiences. The panelist said they "found problems with timeliness and quality of care." They also stated in their report that "[i]nternal audits show lapses in con-

tinuity of chronic disease medication. We also found concerns related to expiration of chronic medication orders."

McKnight, who now works with the prisoner's rights group California Coalition for Women Prisoners, said that the health care staffers at CCWF don't treat patients as humans. "I would like to see people have the opportunity to have a better quality of life," she said. "And not have them have a slow death sentence as a result of not being taken care of."

The California Coalition for Women Prisoners is working on a campaign that calls for health care staff to be held accountable; health care to be improved to the standards of care outside of prison; and prisoner release in lieu of overcrowding.

"It's corrections, but it's not meant to be cruel and unusual punishment," McKnight said. "And sometimes that's what it turns into." •

GRASS ROOTS PROTEST

On March 29th the *Catrinias Del Barrio* a grass root women's organization which focuses on human rights, inmates rights and community needs scheduled a "Inmates Are Human" demonstration in Santa Barbara. Demonstrators meet at Tuckers Grove Park at 2pm, including the family members of inmates currently in Santa Barbara County Jail as well as members from *LULAC Santa Maria*.

This demonstration was inspired by hearing stories from inmates family members about how their loved ones who are currently in Santa Barbara County Jail, are not receiving mail, some have even gone without their legal mail, including letters from the lawyers representing them in current cases as well as the inmates outgoing legal mail to ACLU being denied sending service. Inmates' post cards to their children or from their children are not being sent or received. In talking to the families as well as former inmates of Santa Barbara County Jail who have expressed the conditions they experienced while incarcerated; the CO's are turning cells normally used to house intoxicated people aka "drunk tanks" as solitary confinement units. This is similar to the SHUs many are familiar with that are used in a prison setting. The transformed drunk tanks do not allow the prisoner any human contact

unless it is from a guard. Prisoners are left in these solitary confinements for months and months on end, the longest so far is approaching one year in solitary. Some drunk tanks are equipped with cameras, so not only are the prisoners left without human contact they are under video surveillance 24 hours a day 7 days a week, without even being convicted of a crime, this is all while they await trial.

Demonstrators walked 3 miles, 1.5 each way from the park to the Jail, chanting, "Inmates are Human", "Stop Solitary" along the way and at the driveway entrance of the Jail. The demonstrators were approached by the Santa Barbara Sheriff's department officers, who offered them "A spot we reserved just for you." Since earlier it was said by inmates family members that the inmates were being teased about the future protest, and officers were overheard saying "these protesters are really pissing me off!" the demonstrators declined the set up invite and maintained their position.

During the protest some of the inmates were actually offered yard time, at first thought to be a positive sign, until inmates returned from yard to a raided room and write ups. Write ups for things that weren't in their room, or a write up of contraband for having one rubber band. Inmates who asked officers about why the search happened and if this is why they received yard time after so long without were told, "I don't know." Other inmates were told they were "Talking to much about not getting their mail." All inmates were told "This is going to make it worse on you!"

The demonstrators met back at the park and did interviews of inmates' family members, describing what they and their loved ones are going thru. These videos will be posted on utube by the *Catrinias Del Barrio*. The video footage of the protest is available online via Facebook at: <https://www.facebook.com/CatriniasDelBarrio>. •

Written by: *Venosa Del Barrio*



WASHINGTON STATE GUARDS OBSTRUCT LITIGATION

Coyote Ridge Corrections Center Superintendent Bans Blank Cassette Tapes Under Same Policy the DOC Sold the Tapes to Prisoners

By Karl Tobey, Coyote Ridge Corrections

Prisoners are often unrepresented litigants in many court cases. They access the courts pro se for various reasons, such as criminal appeals, habeas corpus, civil rights violations, and public records act violations. Prisoners have very limited resources at their disposal to help them gather evidence and overcome the various court rules and procedural hurdles in order to even get their claims heard on the merits. Some of those resources include: access to a law library for case law, statutes, and court rules; typewriters, typing paper, and carbon paper; and blank cassette tapes to record depositions. Prisoners also rely on prison officials not to actively obstruct their access to the courts by blocking or failing to provide the above resources. Unfortunately, many prison officials (and attorney generals) believe it's a legitimate practice to obstruct prisoners' court access by any means necessary.

In the past two years at CRCC, assistant attorney generals (AAG) have refused to stipulate to tape recorded depositions as they allowed in the past. Prison officials have reduced the amount of typing paper provided for preparing briefs and motions from 20 sheets a day down to 5 sheets a day, they have rewritten policy 590.500, Legal Access for Offenders, to exclude typewriters and then removed all typewriters from the law library, and finally, Superintendent Jeffery Uttecht, under the same policy which the DOC used to sell us tapes, unilaterally banned blank cassette tapes for purchase on commissary and possession. While this list is not all inclusive of every dirty trick the DOC uses to obstruct litigation, and while each one deserves to be written about, this article focuses on the blank cassette tapes.

The DOC implemented policy 440.000 Personal Property for Offenders in 1995. Since that time, cassette tapes have been allowed as personal property under the property matrix. The DOC has revised the property policy 15 times over the years and the last 3 revisions were 8/1/11, 9/15/12, and 1/1/13. The DOC had never eliminated blank cassette tapes as allowable property. Since 2008, The DOC has allowed prisoners to purchase blank cassette tapes on the commissary. Prisoners use these tapes

to record music off the radio, record their band music, and record depositions for court cases.

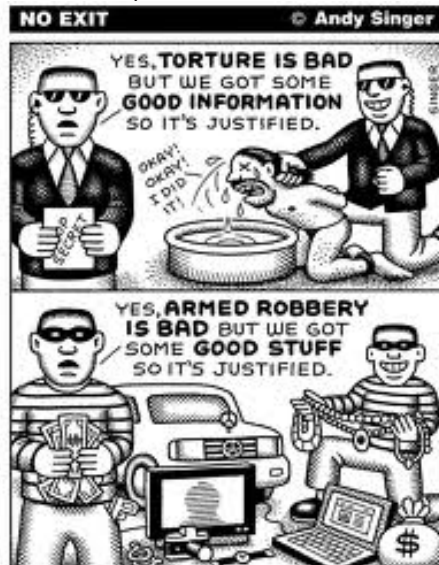
What is a deposition? In simplest terms, a deposition is where one side of litigation ask the other side questions pertaining to the issue(s) in the law suit. Either side can take a deposition. Depositions are one of the best evidence-gathering tools available under court discovery rules. They are better than interrogatories (written questions) because those are often answered by attorneys rather than their clients. Plus, depositions are the closest thing to being on the stand in court because the person is under oath to answer questions truthfully, and he/s cannot rely on an attorney to provide the "correct" answer. This method often gets to the heart of the controversy and, when DOC officials are involved, it places them in the seat of accountability for their actions. It is for these reasons Superintendent Uttecht banned blank cassette tapes as a way to stop depositions of DOC employees.

What was impetus which led to his draconian method? It's because he was about to be deposed in a lawsuit. Between March and September of 2012, CRCC prisoner, Mathew G. Silva, deposed several DOC officials and others related to *Silva v. McKenna et al.*, U.S. District Court No. C11-5629-RBL/KLS, which alleged a common pattern and practice of state officials obstructing prisoners' access to the courts and their ability to effectively litigate their claims--the very same actions such as banning the tapes. Several of Silva's depositions were tape recorded as was common in

prisoner litigation until the Attorney General's Office began refusing to stipulate to them (again, a tactic to frustrate litigation). In August, before DOC officials placed Mr. Silva in segregation, he had a deposition pending for Superintendent Uttecht. After Mr. Silva went to seg, Uttecht issued a memorandum (memo) on August 28, 2012 titled "Cassette Tapes for Depositions" stating blank "cassette tapes will no longer be available for offenders to purchase or accrue debt for depositions ... other options offenders may consider include hiring a stenographer or using other methods such as interrogatories or discovery to gather information they many need for legitimate legal purposes...." He knows, of course, prisoners are mostly indigent and cannot afford to pay for stenographers or for copies of discovery materials. To add insult to injury, Uttecht claimed policy 440.000 did "not provide offender access to blank cassette tapes [ironically sold on commissary] for legal purposes." Further, He issued another memo on October 19, 2012 stating that "only pre-recorded commercial tapes/CDs or authorized letter tapes/CDs are allowed" under 440.000, and therefore, offenders will have 15 days to mail out their cassette tapes which do not comply or they will be confiscated.

Because of the threat of confiscation, another CRCC inmate, Jeffrey R. McKee, a well-known prison litigator who has successfully litigated several civil suits against the DOC, appealed the planned confiscation to Lieutenant Richard Duncan on 10/26/12. McKee claimed the tapes were allowed under policy because DOC had sold inmates blank cassette tapes on commissary since 2008 under the same policy, and that CRCC had sold him tapes between May and July of that year. After 6 months of repeated kites to Duncan, he finally responded on 4/30/13 stating, "I am sorry that I can't help you with your issue; I cannot over turn DOC policy or Superintendent's memo ... you will have to send your tapes out at your own expense." It is noteworthy that McKee also had pending depositions in civil litigation involving Uttecht and other DOC officials at the time.

In between his appeal and the response, McKee sought help from Director of Security Devon Schrum. He sent a letter on



4/15/13 requesting clarification whether prisoners may retain their previously purchased tapes. Ms. Schrum never responded to McKee's request, but she did respond to another inmate's request. Interestingly, her response did not maintain the hard-line denial of possession of the tapes as Uttecht wanted:

Cassette tapes are no longer offered for sale in our prisons, however, offenders may retain possession of their previously purchased cassette tapes (up to 20). I apologize for the misunderstanding around clear cassette tapes and have since spoken with all of the Superintendents about this clarification.

According to the c.c. at the bottom of her letter, Uttecht received a copy of her letter, and Lt. Duncan did too well before he denied McKee's appeal. Unfortunately, Uttecht did not change his hard-line stance or issue a new memo reflecting the clarification. In fact, his October memo is still posted in the property room. Further, prisoners' tapes are still being confiscated, even after they provide a copy of Ms. Schrum's letter as authority to retain their tapes. Apparently, Uttecht does not believe in following his own chain-of-command when it comes to DOC policies. What this boils down to is that DOC officials will do anything and everything to obstruct litigation by prisoners. •

RETALIATION

and Civil Rights Violations Pile Up at the NWDC in Tacoma.

Remaining original hunger striker breaks fast and placed in retaliatory solitary confinement. Former isolated hunger striker "convicted" in a Kafkaesque hearing; the twenty men placed in solitary confinement for hunger strike grows. Despite retaliation, peaceful protest continues.

Jesus Gaspar Navarro ended his 25-day hunger strike on the morning of April 1st with a full breakfast. An hour later, after speaking on air on Spanish language 1360 am about the strike, he was removed from medical isolation to solitary confinement. His administrative segregation order cited risk to self and the facility and participation in the hunger strike as reasons for his isolation. The conditions of isolation are not healthy for someone recovering from a

nearly month-long fast.

Today Ramon Mendoza Pascual, who was held in medical isolation for two weeks, had a hearing on charges stemming from the fast. In the hearing the same ICE officer acted as translator, witness against him and adjudicator. He was convicted of inciting a group demonstration. Mr. Mendoza Pascual was sentenced to 20 days in solitary confinement. The conditions include near total deprivation: 23 hour a day lockdown with no human contact (one hour a day of solitary time in the prison yard), no use of telephone, no access to commissary account items, and no access to television or written materials.

Mr. Gaspar Navarro and Mr. Mendoza Pascual joined dozens of other hunger strikers who are in isolation in retaliation for the hunger strike, what detainees call "the hole." But they work to keep their spirits up. Ramon Mendoza Pascual observed while encouraging those on hunger strike, "They don't have enough holes for all of us."

Army vet Hassall Moses remains in isolation for advocating a work stoppage for work that is compensated at \$1 per day and that ICE and GEO allege is voluntary.

Increasingly experts are coming forward with evidence that isolation is torture. In a recent New Yorker Magazine article public health researcher Dr. Atule Gawande summed up all the research: "simply to exist as a normal human being requires interaction with other people."

A 16-year resident of the US, Mr. Gaspar Navarro is sorely missing his large family, all U.S. citizens - a wife, five children, and two grandchildren born since he was detained. Ramon Mendoza Pascual and his wife of 13 years, Veronica, have three children, ages 12, 10, and 5. Ramon first came to the United States 11 years ago, in 2002, and works as a carpenter, finishing homes and hospitals. Before being detained, Ramon was a significant source of support to his family, and his wife now works three jobs seven days a week to make ends meet.

EDITORIAL COMMENTS

In my last comments I complained about the low number of stamps that had been donated, but after that issue went to the press a lot of stamps came in, enough to mail out the April issue of *Rock*. Unfortunately, no money came in so once again I

had to pay for the cost of printing, as I will again this (May) month.

I keep a spreadsheet of every stamp donated and every dollar received, as well as the date of the donation and who gave it. So far *Rock* has received \$4,047 in money from both inside and outside sources, and 7,454 in stamps. With that money we've put out 29 issues of *Rock*, starting with a mailing list of 100 and growing that to over 600, primarily in California but also a slowly growing presence in Oregon, Washington, and Texas.

This newsletter may or may not survive. That depends on my good health and your willingness to provide the resources necessary to keep it going. But whether it continues or not, there will ultimately be other prisoner oriented publications—maybe more radical or maybe less—that will be the scaffolding around which a peaceful national prisoners' movement will be built.

ON BEHAVIOR MODIFICATION

By Ed Mead

Behavior modification can be a legitimate tool for positive change in the hands of a skilled mental health professional. For example, if you wanted to stop smoking cigarettes, you and your psychologist, social worker, or whatever, would work out a mutually agreed upon plan wherein you reward yourself for successfully completed steps, and maybe even punish yourself for backsliding (such as making a financial contribution to an organization you despise). In the hands of the state, however, behavior modification becomes just another instrument of control. It becomes illegitimate.

In custody behavior modification programs are a part of the systematic process of reinforcing that a prisoner has no control over his own being. In behavioral psychology, this condition is called 'learned helplessness'—a derivative of Skinnerian operant conditioning (commonly called 'learning techniques'). In essence, a prisoner is taught to be helpless, dependent on his overseer. He is taught to accept without question the overseer's power to control him.

The United States Penitentiary (USP) at Marion, Illinois, opened in 1963, the same year the federal prison at Alcatraz closed.

Behavior Mod..... Continued on page 10

TOTALLY RADICAL MUSLIMS ZINE #3

Call for Submissions!

“Hubb: Queer Muslim Love Stories”

We are a group of Bay Area based social workers, activists, attorneys, and artists who put together quarterly compilations of articles by the progressive and/or LGBT Muslim community. We are non-denominational, volunteer run, and self-funded.

For volume three of the Totally Radical Muslim Zine, we're exploring topics of love, trust and vulnerability. We would like to hear from Muslims inside California prisons, if you feel able to. Our previous volumes focused on Islamophobia and resilience.

We recognize these are not easy topics to write about to complete strangers, especially for people who have been incarcerated. If we print your story, we will send you a confirmation letter and complimentary Zine, with gratitude.

The Totally Radical Muslim Zine is about telling our stories and reclaiming our truths. This project is about resisting Islamophobia, homophobia, imperialism and so many more systems of oppression, which we are tackling, one love story at a time! By telling our stories, with all their edges, contradictions, beauties and gems – we are taking back the power to create our narratives and imagine another present, and another history.

For Volume 3, we are seeking submissions that share experiences on: falling in love, falling out of love, finding queer love, feeling loved by family, heartache, loneliness, critical thoughts on relationships, friendship, platonic love, and stories on self-love across prison walls, and borders.

Tell us about the ways you've opened and closed your heart. Count the times you've heard it break. Describe the love you've asked for, prayed for, waited for, cherished, embraced, feared, denied, chased, or fled. Name the feelings that visit you by night.

Submission invited from all self-identified Muslims – queer, trans, straight, questioning, and more. We especially welcome submissions from voices often left out of Muslim discourse: queer and trans, black, youth, disabled, Shia, Ahmadi, poor, working class, folks incarcerated and recently released.

Formats: written, drawing, photography, all accepted.

Deadline: Tuesday May 1, 2014 (goal is

to print for the Summer of 2014)

We do not edit your work. This is our commitment to honoring individual voice and storytelling. We are however, discerning in maintaining a political frame and may decide that your piece does not fit within our projects vision and intent.

* All submissions must be UNDER 800 words! Send submissions to TRM at P.O. Box 29843 Oakland, CA 94604. •

Salaam and solidarity,

Totally Radical Muslims Zine crew

TWO LESSONS THE USA MUST LEARN FROM GLENN FORD

By Tessa Murphy, USA campaigner at Amnesty International.

There are two lessons the USA should learn from the release of Glenn Ford, a 64-year-old man who spent 28 years on death row in Louisiana for a crime he didn't commit.

The first lesson is that the death penalty is never the answer, including because it carries the inescapable risk of executing innocent people. The second is that there are some serious problems with Louisiana's justice system.

Glenn Ford walked out of the southern state's infamous Angola prison late yesterday, after spending nearly three decades behind bars for a crime he's always claimed he never committed.

He was sentenced to death in 1984 for the murder of Isadore Rozeman in the north-western Louisiana city of Shreveport in November 1983. His freedom comes after a Louisiana judge ordered his release, following the state's disclosure last year that another man had admitted to the crime in May 2013.

Glenn Ford is the 144th exonerated prisoner to be released from death row in the USA since 1973, and the 10th such case in Louisiana, according to the Death Penalty Information Center in Washington, DC.

His case shows some of the hallmarks present in other cases of wrongful conviction – inexperienced trial lawyers, unreliable witness testimony, and prosecuto-

rial misconduct. Questions of race, never far from the US death penalty, were also raised in this case. Glenn Ford is African-American and was tried for the murder of a white man by a jury consisting of 12 white jurors, after African Americans had been dismissed by the prosecution during jury selection.

Despite the flimsy nature of the evidence against him, the death sentence hung over his head for decades. The Louisiana Supreme Court affirmed the conviction and death sentence in 1986, despite acknowledging that there were “serious questions” about the evidence. One of the judges had dissented, arguing that there was insufficient evidence to convict Glenn Ford.

This case is reminiscent of another that has been litigated for over 40 years, sharing many of the same flaws. Albert Woodfox, one of the ‘Angola 3’ inmates previously in the same prison as Glenn Ford, was convicted in 1973 of the murder of a prison guard before an all-white jury. No physical evidence linked him to the crime, potentially exculpatory evidence was lost and the convictions were based on the discredited testimony of the only eyewitness to the murder – who was later shown to have received privileges, including a pardon, in return for his statement.

Despite his conviction having been overturned three times, once in a state court and twice by federal judge, Albert Woodfox remains incarcerated while he continues to litigate his case. The state of Louisiana has appealed against every court ruling in his favour while the serious flaws in his case remain without remedy. The case is currently before the federal appeals court. Should the court rule against him, it is likely that Albert Woodfox will die in prison.

A second member of the ‘Angola 3’, Herman Wallace, had his conviction overturned by a federal judge last year on the basis of the systematic exclusion of women from the grand jury that indicted him. It took a terminal diagnosis of cancer for the federal court to expedite their ruling on the case, and a judge who recognised that “the Louisiana court, when presented with the opportunity to correct this error, failed to do so”. Herman Wallace died three days after his release.

Glenn Ford and Herman Wallace lost decades of their lives behind bars under a flawed system. Meanwhile, justice remains elusive for Albert Woodfox. Amnesty International continues to call for him to be released. •

BILL WOULD LET STATE PRISONS CONTRACT OUT INMATES AS FARM LABOR

Idaho's state Board of Correction could contract out prison inmates as farm laborers, under legislation making its way through this year. Reporter Sean Ellis of the Capital Press has a report here on the bill, SB 1374 from Senate Judiciary Chairwoman Patti Anne Lodge, R-Huston. Ellis reports that fruit growers in southwestern Idaho have struggled to find enough workers to pick their fruit in recent years, and last year, pear were left unpicked in the Sunny Slope area. The inmate workers would be paid under the same payment standards used by Correctional Industries, and part of their earnings could go to pay restitution orders, to offset their costs of incarceration, to buy prison commissary items and to help them re-enter society when they're released. •

The Spokesman Review, March 7, 2014

LEGALIZED SLAVERY

By Shawn Womack

The prisonindustrial complex is one of the last visible relics of colonial slavery. The inmate workforce located within the walls of Oregon State Penitentiary is not allowed to protest, not allowed even nonviolently, to obtain a living wage. These inmates are mandated by laws enforced by the state to offer their bodies in service/slavery to the factories located within the prison complex. The highest paid position in any of the various factories/industrial plantations i.e. OCE laundry, OCE metal shop, OCE furniture factory, or OCE call center is \$150 to \$200 a month. How can a man be expected to provide for himself and his family on such a paltry income?

Corporate executives and capitalist elites have engineered production facilities that bear a shocking resemblance to thirdworld neocolonies right here on American soil. Not that this is a new phenomenon. We can see quite plainly in the annals of American history how society has been purposely structured to allow for a maximization of

profit for a relatively small group of individuals at the expense of impoverishing the workers who actually produce the nation's wealth. From the steel mills to the coal mines, the worker has always been at the mercy of his employer. The worker is viewed as an expendable asset, something to be used, exploited by capital until he/she can no longer produce. The strike was one of the workers' most effective tools. It allowed him/her to forcefully change the relationship of labor versus capital. Nevertheless, we all know too well what happened to the workers who chose to strike. They were beaten by police officers, gunned down by national guardsmen, hauled off to penal/concentration camps, forever denied employment within the matrix of America's mainstream economy, marginalized and stripped of all human, social, and political rights.

Oregon Corrections Enterprises is a corporation that makes ample use of employing slave labor for that one reason alone: inexpensive slave labor.

The saying goes "Those who forget history are doomed to repeat it." The strike has been unceremoniously bartered away by the so-called leadership of the workers movement. What is left can only be seen, in its proper light, as begging for relief and tokenism. This mentality is not only found within organizations operating in free American society, it is also the subject of this essay regarding the treatment of inmate workers. The inmate population has very little incentive to work. If it weren't for the fact that their collective stomachs compel them to eat, I daresay the revolution would be complete. These inmates know I mean they are conscious of how and by who they are being exploited. It is common knowledge that Oregon Corrections Enterprises is a corporation that makes ample use of employing slave labor for that one reason alone: inexpensive slave labor. Slaves do not have to be justly compensated for their labor, nor do they have any real rights—rights that the courts would not only respect but also defend. These inmates will not strike because they are all aware of the retaliation that will commence on the part of OSP's administration. Capitalists use the government and its military agencies to break strikers. Prison administrators

use isolation/solitary confinement, physical violence by highly trained storm troopers, and the fear of being transferred to another state away from one's loved ones as a deterrent to any inmate who wishes to organize the inmate workforce against those who would exploit them for private gain.

I do not want to give the impression that this essay is merely an intellectual exercise. I am trying to demonstrate the historical nature of my observations. What I am witnessing right now is not a coincidence. It is the product of much thought, time, and preparation. This system is designed to crush anyone who opposes it, to silence anyone who would speak out against it. Most decent humans would say that what the state is doing is criminal. Slavery is abolished, right? No! The U.S. Constitution allows for the imposition of slavery for anyone convicted of a crime. This is an actual fact. No man in this place if he be of sound mind will deny the sheer brutality and dehumanizing effect of being identified as a slave. These men are my brothers, and yet, they are being conditioned to think of themselves as something inferior to human beings. Their struggle is my struggle. It's not a matter of race, it's a matter of class. My place is with the people, those who live but never know freedom. Our leaders have failed us entirely. They have either joined our oppressors in exchange for a piece of the devil's pie, or have coopted the revolutionary struggle in favor of meaningless reform. The inmate is the new steel worker, the coal miner, the assembly linesman. One made a slave by economic policy, the other made a slave by judicial policy. There is only one winner in all this: the policy maker. •

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LETTERS

Cops Won't Follow Rules

First and foremost, a huge shout out in solidarity to all those individuals who remain committed to the overall struggle to end CDCR's corrupt practices and the indefinite use of solitary confinement. And a warm salute to all those beyond the prison walls, friends, family members, advocates, etc., who's invaluable contributions have helped change the face of our movement. On behalf of all prisoners, thank you! Without your steadfast support none of this would be possible.

I am writing to help further expose the extensive corruption, lack of accountability, and abuse of authority being suffered by those held at Tehachapi and potentially everywhere in similar situations. More specifically, myself and other like-minded individuals continue to apply the necessary pressure on administration in an effort to ensure they adhere/follow their own rules and regulations established within the Title 15. We decided it was in our best interests to dedicate our time and energy to the issues/matters which would benefit all those confined without the Tehachapi SHU.

A little over a year ago we launched a campaign against the administration here to address/correct the inordinate amount of institutional deficiencies by using the available grievance procedure. For example, we challenged: The prisoner official's refusal to comply with the required ten hours of outdoor exercise/out-of-cell-time per week mandated for segregated prisoners [15 CCR § 3343(h)]. The processing of inmate packages within fifteen calendar days and that the packages be opened/inspected in the presence of the inmate per policy [15 CCR § 3134 (c)(3) and (4)]. The inhumane and unsanitary living conditions as a result of copious amounts of water flooding numerous cells and dayrooms from leaky roofs/plumbing chases [15 CCR § 3343 (a) and (g)]. The administration's denial of authorized personal property for Security Housing Unit (SHU) inmates to purchase and receive (e.g., headphones) [DOM § 54030.20.7.2].

All of the aforementioned appeals were granted at one or all levels of review. However, despite being fully granted, prison officials refuse to adhere, comply, or enforce any departmental policy/regulation that is

counterproductive to their agenda to suppress all local, state, and federal rights of prisoners. These unethical and blatant acts are underhanded attempts to render the venue for review (inmate/parolee appeal process) ineffective and minimize the potential for negative publicity. It should be equally noted that these are only a handful of the appeals that have been fully granted within the last year that are not being honored.

We are currently pursuing further judicial review regarding most of these matters. Unfortunately, prison officials will continue to lie, falsify records, and disregard any court orders issued requiring CDCR to comply with their own rules and regulations. Therefore we are seeking any information/advice from prisoners or anyone else having knowledge and/or expertise in these areas—on how we might combat Tehachapi's ongoing attempts to ignore these granted appeals and prevent our efforts in obtaining meaningful resolution.

With that being said, we will remain diligent and focused in achieving our objectives and goals. Enclosed are 24 forever stamps donated on behalf of the 4B-5A collective.

Nick Wilds, Tehachapi SHU

PBSP SHU Food Prep

....[T]he topic of a better existence does give occasion to also note that we are not unaware of the previous criticism directed at the SHU food preparation approach. Going forward we trust such criticism is no longer merited and we reaffirm our appreciation for and solidarity with the struggle for prisoner's human rights and the betterment of us all.

Name Withheld, A Yard, PBSP

On Women, Step Down, and the Future

[This letter was written back in January but got lost in the mess that is my desk.]

I've been in solitary confinement doing indeterminate for over two decades now and counting here in Pelican Bay SHU.

I want to acknowledge the strong women in CIW and Massachusetts for their statements and acts of solidarity, as well as all strong women within and behind jail and prison walls. I believe it is important that we recognize the women who so bravely stood and stand by our sides as equals in both this struggle and in life.

We have women from all walks of life

and family positions serving time in jails and prisons across the country. Here in Cali-incarceration land CDCR has subjected women to terms in solitary under false pretenses. They justify their existence of their torture chambers with allegations such as "gang activity" or "enemy concerns." CDCR does not care about the gender of the bodies, so long as they can fill these living tombs. And just like us men, these women suffer on a daily basis the repercussions and retaliation of their captors for having the audacity to speak out against the injustice being done them.

The issues facing women are the same as ours, maybe even more profound than ours. Like us men, they are being denied proper medical attention, real education, nutritious foods, meaningful contact, and access to family and loves ones, all of which are important aspects of rehabilitation and success on parole. The once prominent idea of rehabilitation is now just a myth that is heard only in stories of past times.

Now CDCR is attempting to build a new idea and create a new myth, called the Step-Down Program (SDP). It is nothing more than a new con that CDCR is running on the public. This new SDP has more holes in it than Swiss-cheese! In this case, however, CDCR won't be able to play its SDP game because we prisoners, men and women, have spoken with a united voice. This voice has been heard, and joined, by many other human beings from the outside world who are now seeing the torture going on here in Cali-incarceration Land, and have stood up and sided against this crime against humanity!

Sadly, we have had to take serious measures and put our own bodies in harm's way to be heard and taken seriously. But that is nothing new, as CDCR has put our bodies and minds in harm's way since the creation of the Prison Industrial Complex SHUs! We as human beings are used to hardship, the difference is choice, and we all have the freedom to choose what is acceptable to us, and what is not. These courageous women have decided that the conditions they are forced to endure are unacceptable and they demand, alongside of us, to be treated as human beings. They demand an end to the psychological and physical toll placed upon them (and us) by the indefinite and torturous placement in solitary confinement.

We have come a long way, and I understand the frustration felt due to the slow progress of change, but we must continue to keep our heads up and stand by each other. We know that CDCR is hesitant to change, will drag its feet for as long as possible, and will continue on its path of falsity. The Green Wall will also continue its scheming tactics. We must hold them accountable; it is by exposing their criminal behavior to the light of day, for all to see, that we can make them accountable.

It is of great significance for all to remember during this peaceful struggle, that we must keep striving for our basic humanity, and for those to follow in generations to come, if we do not then who will? The green wall already is licking its chops at our children and the young. Let's not let history repeat itself.

So, in closing, to our sister's standing with us, I and the short corridor salute you! You are not alone!

Alex Yrigollen, PBSP

LETTER TO CDCR

From a Prisoner's Friend

When I look at your proposed new Step Down Program/Security Threat Group regulations, an old saying comes to mind – the more things change, the more they stay the same.

We are not fooled by your proposed new regulations and Step Down Program. We can easily see that you are in no way scaling back on the use of torture units in California prisons, but are finding ways to continue and even expand operations at taxpayer expense.

The elements you say are changing, are actually staying the same. That includes:

1. **Continuation of indeterminate solitary confinement** – it is still absolutely possible that a person could spend decades or even a lifetime in the SHU torture unit.
2. **The regulations are STILL not behavior-based!** In fact, they go even further in complete eradication of even a tiny shred of first amendment rights for those in the torture units.
3. **“Alleged association”** continues to be used as valid criteria to keep a person in the torture units. CALIFORNIA IS THE ONLY STATE IN THE COUNTRY THAT DOES THIS.
4. **There is still no due process...** placement and release from SHU torture units

is completely discretionary and arbitrary.

5. **Coercive debriefing remains in place** – inherently unreliable “evidence” given by people desperate to have their torture ended. With the substance of the accusation withheld, it is impossible to defend against – truly a Stalinesque feat.

6. **The disciplinary matrix criminalizes innocuous social activities and first amendment rights** – only 3 out of 8 of the sections address seriously criminal and violent behavior. The other 5 criminalize the tiniest acts of thinking, speaking, reading and interacting.

I personally find it horrifying that CDCR has written into their regulations that participation in a peaceful, non-violent protest such as a hunger strike is a crime. Incarcerated people are still US citizens and have the right to peaceful protest of abuses by the state.

The things that are actually new, merely serve to expand your control, so the fact of torture, again remains the same. Your chilling use of Homeland Security language (i.e. “Security Threat Group”) actually EXPANDS the net for who can be placed into indeterminate torture.

Step Down Program, Interlocking Traps and Deceptions

The Step Down Program as designed under these regulations is a deceptive game of chutes and ladders, with miniscule rewards and arbitrary regressions to earlier steps, no independent oversight and no legal protections whatsoever.

The end result, as we well know, will be that many will continue to be held in torture units, in the complete lack of any genuinely violent or criminal behavior.

Those who refuse to submit to cognitive restructuring will not progress through the steps – a neat way to cast blame on people resisting sensory deprivation for refusing to submit to the traps they did not create.

The Step Down Program takes far too long, and the incentives are so miniscule they are insulting. The first 2–3 years in the SDP are spent in sensory deprivation under basically identical horrific conditions. This is NOT APPROPRIATE for

SHOUT OUT BOX
To the men of F and E rows
of the PBSP ASU for their 74
forever stamps.
Rock on!

men already in torture units for decades without a single violent act.

Also chilling is that your new regulations will make the “interactive journaling” mandatory for those who want to advance through the Step Down Program. While these degrading exercises in character invalidation will have little effect on those who possess self-respect and political maturity, the effect could be devastating on younger, less mentally stable people housed in torture units. As you well know.

As you also know, mandatory cognitive restructuring under ANY kind of coercion, is against Article 1 of the Nuremberg Code. You know it, and we know it too.

As if this weren't bad enough, there are no legal safeguards about how information obtained through these “journals” can be used by CDCR in terms of classification hearings, criminal prosecution, civil litigation and/or Board of Parole Hearings.

This is particularly reprehensible, and allows CDCR the façade of clean hands while those desperate to exit your torture units are at great risk of inadvertently “choosing” their own extended torture sentences.

These seemingly innocuous journals are a “damned if you do, damned if you don't” sort of proposition. A lose/lose for incarcerated people, and a win/win for maintenance and expansion of SHU torture.

Longer than 15 days in a sensory deprivation unit, under international law, is considered torture. The US (champion of democracy?) employs this form of torture far more than most countries, and California employs it far more than other states in the US. What that means is that California is running a domestic torture program in gross violation of international law, more so than any other state in the country.

What this also means is that the handwriting is on the wall – we will END this kind of torture. We, as Californian taxpayers working together with incarcerated people fighting for their human rights, will not stop until it ends. True human rights work is rooted in great love, which sustains us for the long term.

There are far, far better and more honorable uses for our money, and we will do everything we can to stop this torture happening in our name. Basic human rights for all are not negotiable, and we roundly reject this pretense of reform. ●

Sincerely,

Denise Mewbourne
April 3, 2014

MAROON UPDATE

Rising like a Phoenix from the Ashes

After 22 years in solitary confinement Russell Maroon Shoatz has been transferred to general population. This is significant since the U.S. government is determined to break the spirit of political prisoners through confinement, silencing, and torture. Here is an update on Maroon's transition into general population at SCI Graterford, Pennsylvania's largest maximum-security prison:

It has been five weeks since his transfer. Every week he gains his humanity back, as he learns how to live without shackles on his hands and feet, breathe fresh air for the first time in months, and carefully re-teach himself how to redistribute his weight in order to walk up and down stairs again. He is acclimating to his new surroundings and becoming familiar with how prison authorities regulate his life in general population.

SCI Graterford confines up to 3,500 prisoners. They are holding Maroon in the newest wing where prisoners are completely broken. They have lost all self-respect and dignity. They have been broken by the prison system and living out of fear and desperation. Upon entering his new cell, fellow prisoners surrounded and begged Maroon for food. This is unimaginable to Maroon since any sign of weakness makes you vulnerable to manipulation by both prison authorities and prisoners.

Along with the breaking of prisoners' spirit, this is also a result of the privatization of prisons as they cut corners to make profit. The prisoners are not getting fed enough during mealtimes so they are desperate for food. Most don't have the outside support and cannot afford to buy food and drink from the commissary. As a result, the spirit of the prisoners is so low and defeated that Maroon spends most of his time alone in his cell reading, writing, and studying.

Maroon is gaining clarity on the trauma caused by long-term solitary confinement. He understands more concretely how prolonged solitary confinement has been specifically designed and used to target and destroy prisoners who display political leadership or abilities to organize prisoners (i.e. political and politicized prisoners). He is barely beginning to recognize all the psychological and bodily harm it has done to him over the past decades. Despite the fact

that Maroon is one of the stronger prisoners, it is clear that 22 years of solitary confinement has done severe damage to him. One can only fathom how much of a toll solitary confinement takes on prisoners that are not as strong-willed as Maroon.

We will keep you—his ardent supporters—regularly updated on Maroon's progress and with his campaign as we transition into a new phase demanding a full release from prison.

Russell Maroon Shoatz is an innocent man who has suffered tremendously under the duress of state torture. He needs the kind of rehabilitation that prison may have once promised, but clearly can't and won't give him. His cruel punishment—22 years of continuous solitary confinement and torture—has well exceeded his original sentence.

It's way past time to free Russell Maroon Shoatz! •

ONE STEP FORWARD, TWO STEPS BACK PROGRAM

I have read the various letters from the California prisoners regarding the so-called Step Down Program. It pretty much amounts to one step forward and two steps back.

In the forty years I have spent behind lock and key, the most humiliating and useless "step" program was one conducted in the hospital of the Washington State Penitentiary at Walla Walla in the late 1960's. Dr. William Conte was the head of all the prisons and mental hospitals in Washington State. B. F. Skinner was the author of books applauding the use of behavioral modification.

The particular program I remember involved "voluntary" participation by prisoners. It began where everything was taken away from the prisoner and the prisoner was placed in diapers and forced to drink all liquids from a baby bottle. The idea was to reduce the prisoner to the lowest point of human immaturity. The prisoner had to wet himself in the diapers and it would go unchanged for a period of time. The prisoner was gradually over a period of time "awarded" progressive niceties such as adult clothing, mattress, bedding, recreation period, etc. It was an unsanctioned

research project that was ended.

SHU prisoners established Cessation of Hostilities among prison groups brought 30,000 prisoners together to stand up for their human rights. Now comes the prisoners with their modified "step program" creates new divisive groups. And it is tempting prisoners to break that solidarity that was gained among California prisoners over the past three years and with great personal sacrifice. The step program provides the prisoner with a means to ease the torture not to end it. Remember it is a one step forward program and if the prisoner slips it is two steps backward. •

Mark Cook,
NLG Prisoner Advocate

RULING ON LIFER PAROLE HEARINGS

Most of you may know by now that Judge Lawrence Karlton, U.S. Dist. Ct, Eastern District made a ruling in the case of *Richard Gilman vs Gov. Brown*. This is a class action suit that will affect all lifers. Submitted by Barbara Brooks.

"The court accordingly DECLARES that Proposition 9, as implemented by the Board, violates the ex post facto rights of the class members."

"The court further DECLARES that Proposition 89, as implemented by the governors of California, violates the ex post facto rights of the class members."

"The court orders injunctive relief as follows:

1. Going forward, the Board shall apply Cal. Penal Code 3041.5, as it existed prior to Proposition 9, to all class members. That is, all class members are entitled to a parole hearing annually, unless the Board finds, under former Section 3041.5(b) that a longer deferral period is warranted.

2. The Governor of California shall refrain from imposing longer sentences on class members than are called for by application of the same factors the Board is required to consider, as provided for by Proposition 89.

This order is stayed for 31 days, and goes into effect immediately thereafter, unless a timely appeal is filed.

IT IS SO ORDERED.

DATED: February 27, 2014."

Behavior Mod..... Continued from page 4

In 1983, the whole prison was permanently locked down and turned into the first control unit. Until recently it was the highest security prison in the United States. I was doing time there during the late 1970s and early 1980s. Shortly after I was transferred out of Marion the American Friends Service Committee observed that Marion represents choosing “a course that favors the continual escalation of repression as a means of control, even though it has never been demonstrated that repression brings its desired results.” A John Howard Association Report concluded that Marion “is not a normal maximum-security prison on lockdown status but rather a firmly established, fully functioning behavior modification program...”; that “the Marion program seems to be designed to break the defiant spirit and behavior... through a year or more of sensory and psychological deprivation [in which] prisoners are stripped of their individual identities...”

In the *Journal of Prisoners on Prisons*, Vol. 4 No. 2 (1993), is an article entitled “Breaking Men’s Minds: Behavior Control and Human Experimentation at the Federal

Prison in Marion.” It was written by Eddie Griffin, who spent 12 years there. I’m not going to waste a lot of valuable space detailing Marion’s behavior modification program, as Eddie sums it up pretty well:

“Behavior modification at Marion consists of a manifold of four techniques: 1) Dr. Edgar H. Schein’s brainwashing methodology; 2) Skinnerian operant conditioning; 3) Dr. Levinson’s sensory deprivation design (i.e. Control Unit); and 4) chemotherapy and drug therapy. And, as I will point out, the use of these techniques, the way they are disguised behind pseudonyms and under the philosophical rhetoric of correction, and even their modus operandi, violate the Nuremberg Code, the United Nations’ Standard Minimum Rules for the Treatment of Prisoners, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Department of Health, Education and Welfare policy on human experimentation, and the 1st, 6th and 8th Amendments to the U.S. Constitution.”

The program degenerated into individuals ratting each other out for minor rule violations and groups of prisoners acting as vigilantes to enforce the dictates of

their captors. This too was a “voluntary” program—volunteer or stay on indefinite lockdown.

The prisoners who volunteered were shunned by other prisoners, who deemed them rats and collaborators. There was a huge campaign by Marion prisoners who wrote articles, exposing the program for what it was, which in turn generated widespread outside support, and it was this combination of inside and outside working together that shut down that program. It was not the participants in the program that did this, they were brain washed. Rather it was the rest of the population of Marion who despised these “volunteer” minions of the state.

Now we have to fight this same battle all over again against the so-called Step Down (behavior modification) Program. The next issue of *Prison Focus* is completed and at the printer. When you get it, carefully read the article on page 1, “Power Concedes Nothing.” Understand the dynamics of what’s going on here. Contrary to what you’ve been conditioned to believe, there are no individual solutions. As only peaceful collective action can produce a progressive outcome. ●

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FIRST CLASS MAIL

COMMUNICATION IS A HUMAN RIGHT