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UN REPORT DETAILS ABYSMAL U.S. RECORD OF ABUSE

**At Home and Abroad, UN Report Details Abysmal US Record of Abuse
Torture, indefinite detention, excessive force, and systematic discrimination and
mistreatment have become part of the nation's modern legacy**

By *Jon Queally*

An official report by the United Nations Committee Against Torture released November 28, 2014, found that the United States has a long way to go if it wants to actually earn its claimed position as a leader in the world on human rights.

Following a lengthy review of recent and current practices regarding torture, imprisonment, policing, immigration policies, and the overall legacy of the Bush and Obama administration's execution of the so-called 'War on Terror,' the committee report (pdf) found the U.S. government in gross violation when it comes to protecting basic principles of the Convention Against Torture, which the U.S. ratified in 1994, as well as other international treaties.

This was the first full review of the U.S. human rights record by the UN body since 2006 and the release of the report follows a two-day hearing in Geneva earlier this month in which representatives of the Obama administration offered testimony and answered questions to the review panel. The report's findings do not reflect well on the U.S., a nation that continues to tout itself as a leader on such issues despite the enormous amount of criticism aimed at policies of torture and indefinite detention implemented in the years following September 11, 2001, the invasions of Afghanistan and Iraq that followed, and the global military campaign taking place on

several continents and numerous countries that continues to this day.

In addition to calling for full accountability for the worst torture practices that happened during the Bush administration, the panel also demanded the Obama administration end the continued harsh treatment of foreign detainees at its offshore prison at Guantanamo Bay on the island of Cuba. As Reuters notes, the panel's report criticized what it called a continued U.S. failure to fully investigate allegations of torture and ill-treatment of terrorism suspects held in U.S. custody abroad, "evidenced by the limited number of criminal prosecutions and convictions".

According to the report:

The Committee expresses its grave concern over the extraordinary rendition, secret detention and interrogation program operated by the U.S. Central Intelligence Agency (CIA) between 2001 and 2008, which involved numerous human rights violations, including torture, ill-treatment and enforced disappearance of persons suspected of involvement in terrorism-related crimes. While noting the content and scope of Presidential E.O. 13491, the Committee regrets the scant information provided by the State party with regard to the now shuttered network of secret detention facilities, which formed part of the high-value detainee program publicly referred to by President Bush on 6 September 2006. It also regrets the lack of information

provided on the practices of extraordinary rendition and enforced disappearance; and, on the extent of the CIA's abusive interrogation techniques used on suspected terrorists, such as waterboarding.

As The Guardian reports: Many of the harshest criticisms are reserved for the Bush administration's excesses between 2001 and 2009. But the committee is critical of how the current US government has failed, in its view, to clean up the mess that was created in the wake of 9/11.

In particular, it wants to see the US acknowledge torture as a specific criminal offense at the federal level, thereby removing possible loopholes in the law. It also urges

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the US Senate select committee on intelligence to publish as quickly as possible its report into the CIA's historic detention and interrogation program that has been caught up in political wrangling for months.

"The Obama administration needs to match its rhetoric with actions by supporting full accountability for torture," said Jamil Dakwar, director of the ACLU's human rights program, in response to the report. "As a start, that means allowing the release of the Senate's torture report summary without redactions that would defeat report's primary purpose, which is to expose the full extent of government abuse. It also means ensuring a top-to-bottom criminal investigation of the torture that occurred."

The report says that though the U.S. has tough anti-torture statutes on the books, it has not gone far enough in some areas to guarantee that no loopholes exist and has done far too little to allow redress for violations that have already occurred. In terms of recommendations, panel's report "calls for the declassification of torture evidence, in particular Guantanamo detainees' accounts of torture" and said the U.S. "should ensure that all victims of torture are able to access a remedy and obtain redress, wherever acts of torture occurred and regardless of the nationality of the perpetrator or the victim."

In addition to criticizing other policies related to military engagement abroad, the committee slammed the U.S. for many of its domestic policies, including prolonged solitary confinement of those in prison; charges of "prolonged suffering" for those exposed to "botched" state executions; heavy-handed and discriminatory policing practices in the nation's cities; the treatment of juveniles in the criminal justice system; and serious problems with its immigration enforcement policies.

As protests related to the shooting death of Michael Brown by a police officer in Ferguson, Missouri continue this week, the UN panel specifically referred to the "frequent and recurrent police shootings or fatal pursuits of unarmed black individuals."

Speaking with reporters, panel member Alessio Bruni said, "We recommend that all instances of police brutality and excessive use of force by law enforcement officers are investigated promptly, effectively and impartially by an independent mechanism."

"This report – along with the voices of Americans protesting around the country

this week – is a wake-up call for police who think they can act with impunity," said ACLU's Dakwar. "It's time for systemic policing reforms and effective oversight that make sure law enforcement agencies treat all citizens with equal respect and hold officers accountable when they cross the line." •

ESCALATING PROTESTS INSIDE ISRAELI PRISONS

New statement from Palestinian prisoners

By samidoun

The following statement was released on 29 November by the Prison Branch of the Popular Front for the Liberation of Palestine and reflects the organizing of prisoners from all Palestinian political parties inside Israeli occupation prisons, including the organizing of PFLP prisoners. The Campaign to Free Ahmad Sa'adat distributed the statement below. Samidoun will announce and participate in international solidarity actions with the prisoners' struggle as news and actions develop:

At the time when the occupation is continuing its onslaught against our people everywhere, escalating the attack and violations and racist hatred in everywhere, this attack is becoming more violent and ugly against the prisoners' movement. Here, there are not even the barest elements of parity in the balance of power, which falls decisively in favor of the enemy, as conditions become more difficult and cruel and the occupier escalates its policies that aim to undermine our determination, will and revolutionary humanity through a series of measures impacting all aspects of prisoners' lives inside the occupation prisons. These policies include denial of family visits, limitations and prohibitions on deposits of money to the prison "canteen" (commisary) accounts, eliminating almost all television stations except two Hebrew channels and 1 Arabic channel, as well as arbitrary transfer and a recent increased escalation of solitary confinement and isolation. This comes on top of restrictions on movement within prison sections and continuation of the deliberate policy of medical neglect, denying sick prisoners visits with specialist physicians under various pretexts, and the violent night raids and invasions of prison-

ers rooms under the pretext of inspection and searches for contraband. These so-called searches aim to uproot all stability in the lives of prisoners and make it clear to prisoners that they are being targeted on a daily basis. All of these raids only emphasize the steadfastness of the prisoners and their insistence on their will for life and freedom, which is truly what these raids are attempting to confiscate.

In light of the escalation of these attacks, backed by the political decision of the right-wing extremist Zionist government, and after all efforts have failed to end these attacks, which have been escalating since 12 June 2014, the prisoners' movement has held a series of meetings in various prisons about the current situation, which have issued several specific demands and which have decided to begin the implementation of a program of steps of protest with increasing escalation and rejection of the policy and procedures of the prison administration, in order to pressure the prison authority to implement these demands. These protest steps will begin on 1 December 2014 and will continue until the desired goals are accomplished.

Prisoners' specific demands:

Restore the situation to what it was prior to 15 June 2014

Cancel all denials of family visits, restore the removed television channels, cancel all prohibitions on canteen deposits, and restore conditions of life in general. Resume visits to prisoners from the Gaza Strip with equality with prisoners from the West Bank

End all of the recent punitive practices, including lengthy delays between family visits, prohibitions on assembly and movement within sections, the escalation of isolation and solitary confinement, frequent transfers by "Bosta" and address all matters relating to this issue, which inflicts significant suffering on prisoners while being transferred between prisons or taken to court

Improve the treatment of prisoners suffering from medical conditions and provide the necessary medications to prisoners suffering from disease

End administrative detention without charge or trial

Announced schedule of protests to achieve these demands:

1 December 2014, Monday - Sending a message to the director of the prison to discuss this issue

2 December 2014, Tuesday - One-day hunger strike in all prisons

9 December 2014, Tuesday - One-day hunger strike in all prisons

10 December 2014, Wednesday - Afternoon protest in the prisons

16 December 2014, Tuesday - One day hunger strike in all prisons

18 December 2014, Thursday - Boycotting the prison administration and striking by sections

23 December 2014, Tuesday - One day hunger strike in all prisons

25 December 2014, Thursday - Boycotting the prison administration and striking and protesting in sections

26 December 2014, Friday - Strikes and protests in all prisons, announcing the beginning of mass civil disobedience

This program will escalate in protest steps in order to build up pressure on the prison administration to support our struggle and achieve our just demands. The jailer, sooner or later, will be subject to the will and the victory of the prisoners!

Glory to the martyrs and victory to the revolution. •

The Popular Front for the Liberation of Palestine branch in Israeli jails.

GUANTANAMO FORCE-FEEDING IS ILLEGAL, SAYS UN BODY

A United Nations panel has said that the force-feeding of hunger-striking detainees at Guantanamo Bay is a violation of the UN Convention Against Torture.

The report, released today by the UN Committee Against Torture, said that the practise “constitutes ill-treatment”, and called on the US to halt it. The Committee also noted that “detainees’ lawyers have argued in court that force feedings are allegedly administered in an unnecessarily brutal and painful manner” - an apparent reference to US litigation brought by international human rights NGO Reprieve on behalf of cleared Syrian detainee Abu Wa’el Dhiab.

As part of those legal proceedings, the Obama Administration has until Tuesday (December 2) to appeal a recent court order to release over ten hours of classified footage showing the force-feeding of Mr Dhiab.

Commenting, Cori Crider, Strategic Director at Reprieve and Mr Dhiab’s attorney, said: “The UN is entirely right – abuse at Guantánamo is still happening on Obama’s watch, and I’ve seen the force-feeding footage to prove it. This assessment could not be more timely – the Obama administration has until next week to either face up to a court order to release these force-feeding videos, or to file an appeal, in hopes of covering up the evidence. The right course is clear – the American public has a right to see what’s being done in their name. Obama should release the tapes without delay, and end these abuses once and for all.” •

FEDERAL JUDGES ORDER CALI TO EXPAND PRISON RELEASES

On November 14, 2014, Federal judges on Friday ordered California to launch a new parole program that could free more prisoners early, ruling the state had failed to fully implement an order last February intended to reduce unconstitutional crowding.

The judges, for a second time, ordered that all nonviolent second-strike offenders be eligible for parole after serving half their sentence. They told corrections officials to submit new plans for that parole process by Dec. 1, and to implement them beginning January.

“The record contains no evidence that defendants cannot implement the required parole process by that date, 11 months after they agreed to do so ‘promptly,’” the judges wrote in Friday’s order.

Corrections department spokeswoman Deborah Hoffman said the agency would comply with the order.

But the federal judicial panel did not take action on other steps it had ordered California to take last February. Those include increasing the sentence reductions minimum-custody inmates can earn for good behavior and participation in rehabilitation and education programs.

Most of those prisoners now work as groundskeepers, janitors and in prison kitchens, with wages that range from 8 cents to 37 cents per hour. Lawyers for Attorney General Kamala Harris had argued in court that if forced to release these in-

mates early, prisons would lose an important labor pool.

Prisoners’ lawyers countered that the corrections department could hire public employees to do the work.

The judges also have not resolved a dispute over the state’s refusal to permit inmates with past sex offenses to earn the same sentence reductions now given to other second-strike felons.

California was first ordered to make these changes in February, when federal judges also agreed to give the state an additional two years to meet court-ordered population caps.

The state has been meeting periodic benchmarks set by the judges, but was also supposed to be making other changes that would produce a long-term, “durable” population reduction.

PENNSYLVANIA AND THE CONSTITUTION

By Mumia Abu-Jamal

Recently, there’s been much comment about the Constitution. What are we talking about?

Well, not only is there a U.S. Constitution that allegedly covers the nation, but every state has a constitution as well.

Article VI establishes what’s called the Supremacy Clause, where every state is bound by the U.S. Constitution, usually as decided by the U.S. Supreme Court.

Pennsylvania’s Constitution, Art. I; Sect. 7 addresses Free Speech.

A part of it reads thus:

The free communication of thoughts and opinions is one of the invaluable rights of man, and every citizen may freely speak, write and print on any subject....

Under the Freedom of Speech clause of the First Amendment of the U.S. Constitution, the 6th Article of the U.S. Constitution, how can the state’s legislators pass, and politicians sign, the recent law described as the “Muzzle Mumia” act?

Answer: They can’t - at least not constitutionally.

In order to do so, they had to knowingly and willingly violate both the U.S. and PA Constitutions, and their very oaths of office.

This they did.

If you’ve looked down on your politicians before, this will only increase your

disgust and contempt.

Clearly, the political class are but whores, who sell their tongues to the highest bidder, and their oaths are as empty as dry, withered husks.

They don't really believe in their own constitution.

Why, pray tell, should you? •

CDCR'S NEW CON GAME TO UNDERMINE OUR CLASS ACTION SUIT

By Randall 'Sondai' Ellis

In order to successfully advance in each step of CDCR's newly enacted Step Down Program (SDP), prisoners are expected to fill out and complete a series of thought policing or brainwashing workbooks. One such workbook is entitled "The Con Game" and purports to elucidate for the prisoner via "self-directed journaling" the ways in which he either consciously or unconsciously is a con artist and criminal.

However, empirical evidence irrefutably proves that the true con artists and criminals are CDCR, the Department Review Board (DRB), Office of Correctional Safety (OCS), Institutional Gang Investigations (IGI), Office of Administrative Law (OAL) and the Classification Staff Representative (CSR) – and the con game they're running is the SDP, replete with such old cons as "Three Card Monty," "Smoke and Mirrors," "The Bait and Switch," word games and manipulation.

So let's look at it. It appears that the court has issued CDCR yet another "save." It has effectively permitted CDCR to undermine the class action lawsuit filed in *Ashker v. Brown et al.*, CV-05796-CW, challenging the use of long term solitary confinement and the lack of any meaningful periodic review of our status towards release from said confinement, as was mandated – but never enforced by a court – in *Toussaint v. McCarthy*, 801 F.2d 1080, 1098-1101(9th Cir. 1986).

Following the suspension of the hunger strikes, CDCR issued a series of memorandums that it said would effectively move it away from the current status-based punitive system to a more behavioral based individual accountability system, where a man would be punished based on his in-

dividual actions and not based on this current "he said she said" game. That game has evolved into a mechanism whereby the so-called investigators fabricate so-called evidence of gang activity and association and membership and is based on things like "your name was discovered on a roster in another validated prisoner's property" or whatever comes to their imagination.

The court, seeming to support the prisoners' position in *Ashker v. Brown*, denied CDCR's motion to dismiss the suit saying that "CDCR may be violating prisoners' constitutional rights by confining them to the SHU indefinitely and without offering them a meaningful way out."

True to its form, CDCR released a few hostages from the SHU and set in motion a pilot program that it touted as a change to the current policy. It sold this policy to the Legislature in a series of hearings and informed the prison population via a series of memorandums.

CDCR claimed to be initiating case-by-case (CBC) reviews of every prisoner assigned to the SHU, beginning with those with the lengthiest validation dates, '60s, '70s, '80s etc.

In the meantime CDCR began playing "Three Card Monty." It claimed that as part of these reviews, the DRB would look back four years for evidence of "gang activity" to determine one's placement within a given step in the so-called Step Down Program (SDP). The CCPOA, the guards' union, threw a fit, filing a motion to intervene in the case. It claimed that CDCR was putting guards in danger if they released these guys.

As the process evolved, the court hinted that the new pilot program wasn't a cure for the prisoners' claims because it was only a pilot program, so CDCR moved to make the program permanent by enacting a rule change with the OAL. At the same time, CDCR set up a sanctioned "punishment facility" at Tehachapi, where the program is so dysfunctional, so disrespectful, so degrading, it is said to be even worse than the torturous conditions that spawned the hunger strikes at Pelican Bay!

Here, the DRB selects who it will subject to additional punishment by placing him in either Step 3 or 4 under the guise of there being some sort of recent gang activity uncovered by the IGI or OCS – "smoke and mirrors."

In a subsequent ruling, the Ashker court ruled to certify the case as a class action and said that anyone confined to the SHU at

Pelican Bay for 10 continuous years could adequately represent the class and anyone placed into the new SDP could not represent the class! So CDCR began relocating the named plaintiffs to the new punishment facility Step 3, though one or two went directly to the general population.

And wouldn't you know it, the DRB has changed its focus. It is no longer reviewing those with the lengthiest validation dates. They are now focusing their reviews on those who have been confined to the SHU at Pelican Bay the longest.

So anyone who left here for whatever reason – out to court, transferred for medical treatment or sent to another SHU for a brief period, as experienced by myself – is not viewed as having been held hostage in Pelican Bay for 10 continuous years. Many of us were transferred to Corcoran SHU back in '99-'00 as part of the first con game, the active/inactive reviews.

Now all of a sudden our DRB reviews will be scheduled according to the date they deem you were "returned" to the PBSP SHU. So one can end up being in the SHU 30 to 40 years, as in my and other prisoners' cases, as long as he's transferred to another SHU before he reaches the now requisite 10-year continuous mark – "word games and manipulation."

This effectively undermines the entire case, and CDCR is taking the "save" it's been given by now "bait and switching" its stated procedure of reviewing the hostages by length of validation, to those by length of placement in the Pelican Bay SHU. They didn't even bother to issue a memo for this latest arbitrary policy shift, proving their nefarious if not criminal intent.

This is nothing but a con game, a scheme to buy time so that they can conspire to ensure that they keep this place full of hostages. After all, they have a 10-year window to torture their next victims to death, or worse, at "the punishment facility."

This con game must be viewed for what it really is, an ongoing and continuing conspiracy designed to keep as many hostages in the SHU as possible, while the guards sit back and collect exorbitant pensions in the name of safety and security. Who said crime doesn't pay?

In closing, *Ashker v. Brown* should be amended to make a claim for damages we suffered as a result of being subjected to these unconstitutional practices, which have resulted in irreparable injury to their victims.

Release the hostages! •

GUEST EDITORIAL

WHY PRISONERS NEED REVOLUTIONARY POLITICAL EDUCATION

By Kevin “Rashid” Johnson

I have seen it asked often by prisoner subscribers to *Rock* and other publications edited or published by Ed Mead. “Why do prisoners need a political education, and why in revolutionary politics in particular?”

I’d like to confront the question from several angles.

Politics concerns organizing and governing social activity. It therefore relates to every social member’s activities, whether they be a citizen or a subject. Laws are the rules by which societies are governed and the powers of government are regulated.

Laws and government put us in prison, and demonstrably without an understanding of them we leave ourselves open to the whims and abuses of those who pretend to act under authority of law. So, to understand politics is to understand the forces that govern us, but to understand revolutionary politics is to understand our power to bring about fundamental changes to the established system and how to bring those changes about. Political education therefore serves to acquaint us with the power and potential of the opposition and also ourselves. As Sun Tzu said, “When you understand the enemy and yourself you can fight 100 battles without fear of loss.”

Ignorance of politics also renders one to enslavement. And, as I will show, we are slaves—literally. But first a clear example and analogy can be taken from Amerika’s old plantation slave system, where it was against the law to teach slaves to read. In this way they were kept ignorant of the methods by which they were governed and their central role in the economic system. That is, they were kept politically ignorant.

In this way the slavers could trick the enslaved to believe the slaves needed the slavers and their oppressive system to survive, when the opposite was actually the case. Because the slaves were the primary producers, builders, cooks, and maintainers of the plantation system and its wealth, without whom the slavers (who also monopolized government) would be the ones unable to survive and would have no wealth or power. In fact the slave system without slaves would cease to exist. So political understanding made all the difference between enslavement and freedom and the

very ability to maintain the system of slavery. And so it is with us prisoners, and is why prison officials go to great lengths to suppress revolutionary political consciousness and literature.

As a result, how easily we are conditioned to and are the source of forging the chains that bind us. Across Amerika, we keep the prisons that bind us operating. We repair and maintain them, and their equipment and vehicles. Often we actually build the prisons, as has been the case here in Texas where I’m confined. We install security enhancements, weld, construct, etc. We grow, harvest, prepare and serve the food that both we and the prison officials eat, we make or repair the clothing, bedding, and guard uniforms, etc. And we give up billions of dollars in free or grossly underpaid labor, and stolen funds in interest and paying for obscenely overpriced phone rates and goods purchased from the prison or jail commissaries, etc. We’re slaves. All of us. Black. White. Brown. Red. So all the old silly divisions based on skin color are rendered obsolete by today’s penal slavery.

And speaking of race, those classifications and divisions were also politically created. The very concept of race was invented in Virginia beginning in 1682 by laws passed in response to slave revolts involving Afrikan, European, and Indigenous slaves who frequently united in fighting their enslavers. One revolt (Bacon’s Rebellion) actually succeeded in overthrowing the Virginia colonial government, putting its governor to flight and burning down the capitol (in 1676).



Before this there was no such thing as race as we know it, and all colors of people were enslaved. In fact the divide and rule scheme of inventing race and using it to elevate one sector of an exploited population as ‘superior’ to the other and using that to manipulate it to repress and police the other super-exploited sector, proved so effective in stabilizing the colonial plantation’s slave system it was exported everywhere that the European monarchs and church pow-

ers sought to establish dominance and steal the natural resources and native wealth of peoples’ outside of Europe (who were by and large easily classifiable as non-white). And it still works and is applied today. Ignorance of these designs is what allows us to continually fall victim to them as both proponents, counter-proponents, and victims, and this is what has made it such an effective tactic of subjugation. While those in power are constantly denouncing racism, we see everywhere it is fueled, appealed to, and incited by them—especially the prison officials—openly and subliminally, and every effort is made to counter grassroots struggles to deconstruct racial divisions and privilege.

Finally, let’s look at Ed. No one can deny the role he played in the historical California prisoner hunger strikes or his impact on efforts to end racial hostilities. I’ve followed his years of agitating through his publications and editorials against the racial and group divisions and conflicts that the California pigs’ consciously instigated, facilitated, and in turn used to justify abusing Cali prisoners and imposing the literal torture of long term segregation. And finally, key comrades among them woke up and spoke up—the rest is history ... but history still in the making.

Ed has sacrificed a lot of time, funds, and so on in keeping the struggle alive for us and with us. Now in case its escaped anyone’s notice, revolutionary political consciousness is what drives Ed to do what he does, even into his senior years and while struggling with life-threatening illness. Think on that. No political consciousness, no Ed. No Ed, none of these newsletters and editorials and none of the outcomes mentioned above. Also, no Ed and there’d be no *Prison Legal News*, which he co-founded—the only prisoner oriented legal magazine. Now imagine if we had a hundred Eds, which isn’t hard to conceive of since 95 percent of U.S. prisoners will return to society at some point. That is if we were receiving that revolutionary political education that some have questioned the value of. And here’s the punch line—Ed started out in prison just like us ... Need I say more? ●

*Dare to Struggle, Dare to win!
All power to the people!*

MARXIST MATERIALISM VS. IDEALISM

Dialectical materialism teaches us that the external world (matter) is reflected by our brains through our five senses – sight, hearing, smell, taste and touch. What is first perceived through the five senses is “perceptual knowledge.” When enough perceptual knowledge has accumulated in our brains, perceptual knowledge leaps to “conceptual knowledge” (the formation of ideas, theories, plans, measures, etc.); that is, from objective matter to subjective consciousness, from existence to ideas.

We then test the “truth” of our ideas by putting them into practice; that is, transforming subjective consciousness back into objective matter, from ideas back into existence. Those ideas that fail to correspond with the external material world are incorrect and untruthful, while those ideas that do meet with success and correspond with the external world are correct and truthful.

That this demonstrates is that “truth” is not an idea that exists only in our minds, but that truth exists independently of our minds and is found in the external world. This also demonstrates that consciousness development first begins with matter. Matter came first and without matter, which is translated in our brains in the form of ideas, there can be no consciousness. Consciousness is a product and reflection of matter, and our brains are nothing more than highly developed matter with the ability to consciously reflect and transform the material world around us.

Opposing this truth is the philosophy and thought of “idealism,” which turns truth upside down on its head and falsely contends that consciousness came first, that is, consciousness is the creator of matter. The existence of a god who created the universe (matter) and everything in it being the most extreme expression of this backwards assertion. Consciousness did not and cannot create matter because without matter consciousness cannot exist.

Though most are unaware of it, our ways of thinking are dominated by one of two camps, idealism or materialism, and idealism is the prevailing mode of thought within prison society. This “convenient” way of thinking is not only incorrect because it doesn’t correspond with the external world; it’s self-deceiving and destructive to us as a population. For example, we conveniently convince ourselves that we’re warriors, *soldados*, etc., and that we can do life in

solitary confinement. “Cause nobody can break us,” “We know how to do our time,” etc., etc. In part this may be true for many, but regardless of what we conveniently convince ourselves of, “truth” is found in the external world and exists independently of our minds, and the truth is, we’re still being oppressed when we’re subjected to a lifetime sentence of solitary confinement behind fabricated and frivolous information, no matter what we convince ourselves of. Once we deceive ourselves with convenient excuses in an attempt to justify our inaction, we’re essentially laying down in defeat and accepting our conditions. Idealism and the defeatist poison it spreads must be discarded as a way of thinking if we are going to improve our living condition. We are not who we are because we convince ourselves that’s who we are. It is our interaction with the external world and those around us which determines who we are, and inaction does not make us soldiers. It makes us accomplices of the C.D.C. and contributors to our own oppression. •

H.L., A California Prisoner

AFTER 42 YEARS IN SOLITARY, WILL ALBERT WOODFOX BE A FREE MAN?

In a unanimous decision, a three-judge panel from the Fifth Circuit Court of Appeals upheld the overturning of Albert Woodfox’s conviction. Yet he may remain in prison—and in solitary confinement—for months or even years before his four-decade ordeal is over.

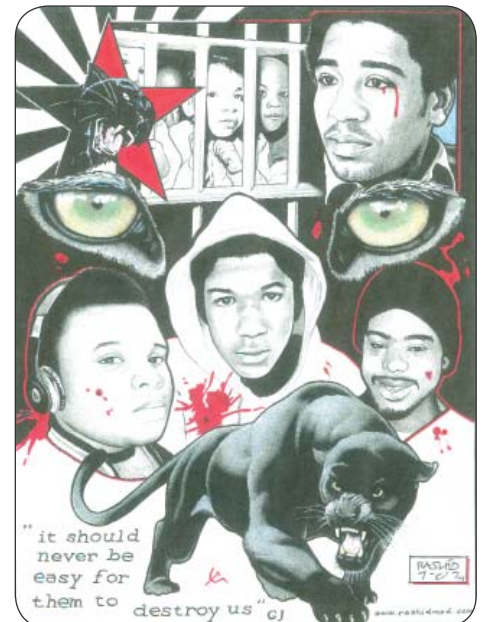
Woodfox has been held in solitary confinement for more than 42 years for the 1972 murder of corrections officer Brent Miller at the Louisiana State Penitentiary at Angola. Many believe that he and the other two members of the so-called Angola 3 were targeted for the crime, and subsequently held in isolation, not because of the evidence but because of their involvement in the prison’s chapter of the Black Panther Party. Woodfox is the only member of the so-called Angola 3 to remain in prison. Robert King was freed in 2001 after 29 years in solitary after his original conviction was overturned. Herman Wal-

lace, whose conviction had also been overturned, died last year after more than 41 years in solitary and a few days of freedom.

The Fifth Circuit, considered one of the nation’s most conservative Federal Appeals Courts, voted to uphold a ruling by a Federal District Court, which vacated Woodfox’s conviction on the grounds that rounds that there had been racial bias in the selection of grand jury forepersons in Louisiana at the time of his indictment. The State of Louisiana could decide to accept the Appeals Court’s decision and free Woodfox, or release him on bail while it seeks to re-indict him for the 1972 murder.

That scenario is highly unlikely, however, considering the past statements and actions of Louisiana Attorney General James “Buddy” Caldwell. Caldwell has called Woodfox, now 67 years old, “the most dangerous man on the planet” due to his political convictions. More recently, when Woodfox’s conviction was overturned last year, Caldwell immediately vowed to appeal, saying: “We feel confident that we will again prevail at the Fifth Circuit Court of Appeals. However, if we do not, we are fully prepared and willing to retry this murderer again.” Now that things have not gone his way, Caldwell may prepare for a retrial, while opposing bail for Woodfox. Or he may appeal the ruling to the full Fifth Circuit Court of Appeals rather than a three-judge panel—and from there, if things don’t go his way, to the Supreme Court, where the Circuit Justice is Antonin Scalia.

Caldwell asserts that the evidence against Woodfox is “overpowering”: “There are no flaws in our evidence and this case is very



“It should never be easy for them to destroy us” by Kevin “Rashid” Johnson

strong,” he said last year. These statements belie the fact that much of the evidence that led to Wallace and Woodfox’s conviction has since been called into question. In particular, the primary eyewitness was shown to have been bribed by prison officials into making statements against the two men. Solitary Watch’s James Ridgeway first wrote about the Woodfox case in 2009 in *Mother Jones*, providing a comprehensive history and analysis, as well as an account of the conditions in which Woodfox has lived for four decades.

Woodfox’s conditions of confinement have if anything deteriorated in the last five years: He was moved from Angola to David Wade Correctional Center in north central Louisiana, where, according to a separate lawsuit, he faces multiple daily strip searches and visual body cavity searches. Woodfox, along with Robert King and the estate of Herman Wallace, is also plaintiff in a major federal lawsuit challenging his decades in solitary on First, Eighth, and Fourteenth Amendment grounds. That suit may finally come to trial next year. ●

<http://solitarywatch.com/2014/11/20/after-42-years-in-solitary-confinement-will-the-angola-3s-albert-woodfox-be-a-free-man>

ON TRIAL FOR PROTESTING CONDITIONS IN SOLITARY

By Victoria Law

Are people in prison allowed to stand up for their rights? Or does all organized resistance to inhumane prison conditions amount to rioting? Five men—Andre Jacobs, Carrington Keys, Anthony Locke, Duane Peters and Derrick Stanley—will stand trial in a case that may determine how Pennsylvania’s justice system answer that question. The trial was scheduled to begin today, but the court issued a continuance until February 17.

All five had been held at the Restricted Housing Unit (RHU) at SCI-Dallas, a prison in Luzerne County, Pennsylvania. In the RHU, men are locked into their cell for nearly 24 hours a day. People can be sent to the RHU for violating prison rules, including various nonviolent infractions. Shandre Delaney recalls that her son, Carrington Keys, was originally placed in the RHU for

90 days in 2001 when he got into a fight with another prisoner. “He kept being written up for things like covering his light because the lights are on all night or for verbal assault for talking back to a guard,” she told Solitary Watch. These write-ups extended his stay in the RHU. Keys spent most of his twenties in the RHU. He was briefly released in 2009 but was sent back to the RHU later that year on charges of having contraband. He attributes his return to solitary confinement to the numerous grievances, lawsuits, and criminal complaints he filed against prison staff.

Like Keys, Derrick Stanley was originally sent to the RHU for a few months. “When I was in the chow hall in general population, the guard would give us three to five minutes to eat. When those three to five minutes was up, I told him, ‘I would like to finish my food.’ He let me finish my food, but then sent me to the hole,” he explained. There, Stanley accumulated write-up after write-up for other actions, such as attempting to cover his light or for talking back to the guards. He spent a year in the RHU.

“If you’ve ever been inside a dog pound, you see individual dogs in individual cages,” he described. “In this particular unit [the Restricted Housing Unit at Pennsylvania’s SCI-Dallas], it’s like being a dog locked in a cage. The dogs depend on humans for food, water, and to be let out. We depend on the COs. It’s like your life is in their hands.”

Stanley said that staff utilized their positions of power to commit extreme abuses. He is not the only person to charge staff at SCI Dallas with human rights violations. In 2009, Human Rights Coalition-Fed Up! began an investigation into conditions at SCI Dallas. Through letters from people inside, interviews with family members, institutional paperwork, affidavits and civil litigation documents, the group compiled *Institutional Cruelty*, a 93-page report detailing “the cruelty, illegality, suffering, racism, violence, and despair that constitute the reality inhabited by inmates at SCI Dallas.”

According to the report, cells are filthy and the water from the sink is often brown. Other complaints included failure to provide physical and mental health care, deprivation of water, and routine physical violence. Stanley recalls more than one instance in which staff notified him of a visit from his mother and sister. Staff handcuffed and shackled him. Then, instead of

taking him to the visiting room, he said he was “knocked out and thrown back in my cell.” When his mother and sister did actually visit, driving six hours for a one-hour visit, staff told them that Stanley had refused the visit. They did not notify Stanley, who found out later from his mother.

Prisoners also reported that staff spit or put other bodily fluids in their food. In addition, staff frequently refused to feed a person by passing his cell as they handed out food trays (a practice known as “burning

them for their trays”). Many men charged that staff prevented them from accessing the grievance box to complain about practices. Those who did manage to file grievances found that their complaints fell on deaf ears. “I put so many grievances in,” Stanley told Solitary Watch. “They turned a blind eye to all of them.”

In at least one instance, according to Stanley, staff encouraged a man to commit suicide. “He was always yelling, ‘I’m a kill myself! I’m a kill myself!’ Stanley said of fellow prisoner Matthew Bullock. Instead of seeking mental health treatment for him, Stanley recalled hearing the guards egging the man on. “Kill yourself! Go ahead and kill yourself!” The guards moved Bullock from a cell with a camera to one without a camera, where he hanged himself. Seven other prisoners independently reported the guards’ actions, including the man’s transfer to a different cell, to the Human Rights Coalition, which included these testimonies in their report. Although his was the only death labeled a suicide, Bullock was one of thirteen people who died that year in SCI-Dallas.

On April 29, 2010, Isaac Sanchez, then age twenty, noticed that staff had not given the man in the adjoining cell, Anthony Kelly, a food tray. Like Sanchez, Kelly had participated in HRC’s investigation, detailing verbal abuse, lack of water and assaults by multiple staff on one person. “I said, ‘My neighbor’s not getting fed. That’s not policy,’” Sanchez told Solitary Watch. “The officer said, and excuse my language, ‘Fuck him and fuck you’ and started burning me for my tray.” Sanchez and the officer had a verbal argument, with Sanchez locked behind his cell door and the officer in the hallway. Then, Sanchez reported, the water to his cell was turned off, leaving him unable to use the sink or flush the toilet.

“From time to time, the sink water would explode [out of the faucet] and water would get all over my property, my bed, and ev-

everything.” Then, staff came to Sanchez’s cell door and told him to pack his property and be ready to move. Sanchez recalled seeing twelve other correctional officers in the hall and, fearing for his safety, refused to move.

“The lieutenant told me, ‘You gonna come out of the cell or we gonna take you out,’” he recalled. “I told him I wasn’t going to leave my neighbor.”

Sanchez reported that he was then sprayed with pepper spray, beaten and tasered. He said staff cut his clothes away with a box-cutter and took him to a section of the law library where they cuffed him into a chair by his wrists and ankles. Sanchez recalled looking at the window and noticing it was dark out. “Then the sun came out and I knew that the hours had passed,” he said. Staff checked on him every two to four hours and, although a nurse was supposed to slip her finger beneath his wrist restraint to check his pulse, he was restrained so tightly that her finger was unable to fit.

Sanchez estimates that he was restrained in the chair for twenty to thirty hours. Then he was taken out and placed in an empty cell with no mattress, clothing or water for about 72 hours.

Others in the RHU attempted to do something about Sanchez’s beating. In Pennsylvania’s RHU, when a person covers the window to his cell, a supervising officer is called to his cell to ensure that he is not self-harming. In the past, people in the RHU have used this tactic to call in higher-ups to complain about guard brutality. That day, six men—Derrick Stanley, Carrington Keys, Anthony Kelly, Duane Peters, Andre Jacobs and Anthony Locke—covered the windows of their cell doors after Sanchez was beaten and taken to the restraint chair. “That was our last resort. We didn’t think they [the captain or superior] was going to help, but what can you do? You’re locked in the cell,” explained Stanley.

No supervising officer appeared. Instead, the men say, they were pepper sprayed and beaten. “I lay on the ground, my face on the floor, put my hands behind my back [when the guards came into the cell],” Stanley recalled. “I lay on the ground in the submissive position and they kicked me in the face so much that I had to get stitches. I couldn’t even cry, I was in so much pain. They tasered me in the groin over and over.”

Stanley says that staff cut his clothes away with a box-cutter, then cuffed him. “They took me asshole-naked in hand-

cuffs and shackles all around the range in front of two hundred to three hundred men,” Stanley recalled. “I was still leaking blood.” Then, he said, he was placed in a cage that he described as “littler than a dog cage.” That night, he could hear others being beaten. “All you heard was the beating. You could hear the impact and the force,” he described, rapping out a simulation of the sounds that night. “You kept hearing, ‘Stop resisting!’ and ‘I’m not resisting!’”

Delaney said that her son was similarly brutalized. Keys managed to send his mother a letter the next day. “By the time you receive this, make some calls to the prison,” he had written. “They [staff] are on a rampage.” When Delaney called, Keys had already been transferred to SCI Frackville. She called Frackville and spoke to the counselor, who assured her that her son was fine. After being transferred again, this time to SCI Camp Hill outside Harrisburg, Keys was placed in a stepdown program and, after spending a decade in solitary confinement, was allowed into general population. For his participation in the April 29th protest, he was issued a misconduct ticket for refusing to obey an order but was allowed to remain in general population.

Stanley too was transferred the day after the beating to SCI Mahanoy, where he was kept locked down for several months and, like Keys and the other men, issued a misconduct ticket for refusing to obey an order. On February 7, 2012, Stanley was released from prison after 22 years behind bars. He moved to New Jersey, moved into his own house, and enrolled in a community college to begin studying to be a paralegal. “I started studying law so I could fight them,” he recalled. But now he faces the prospect of being returned to prison for another seven years.

Months after their protest, the state filed charges against the six men, accusing them of riot and intent to prevent or coerce an official act. If convicted, each faces an addi-

tional seven years in prison. Carrington Keys has also been charged with aggravated assault.

In late 2010, Anthony Kelly finished his prison sentence but, instead of being released, he was sent to the Luzerne County jail where he was told he would be kept until the trial. In 2011, he pled guilty to the rioting charge. He was released on parole in August 2011.

Nearly four and a half years after their protest, the five other men will return to Luzerne County to stand trial starting on Monday, November 10th. The Luzerne County court system, based in the city of Wilkes-Barre, is no stranger to controversy. In 2013, two judges were found to have taken more than two million dollars in bribes from the owner of Pennsylvania Child Care and Western Pennsylvania Child Care, private youth prisons. In a scandal that became known as “Kids for Cash,” the judges had sentenced over 4000 youth to these facilities between 2003 and 2008.

But Delaney and Keys remain optimistic. “Because his case is so bogus, I think he’s very hopeful that he will be successful,” Delaney told Solitary Watch.

“It was no riot,” Stanley insisted. “All I did was cover up my door—a peaceful covering up my door. I was locked in an individual cell.”

“They’re being persecuted because they’re whistleblowers, not because they did anything wrong,” Delaney said at a press conference in Philadelphia two weeks before the trial. “They had the audacity to stand up for themselves—and for other prisoners. When they went to prison, they lost their right to live in a free society. They didn’t lose their human rights and they didn’t lose their civil rights.”

Delaney sees her son’s and the other men’s actions as part of the movement of prisoners standing up against unprovoked violence and other abuses, including the 2010 work strikes in over a dozen Georgia prisons and the wave of mass hunger strikes in prisons across California. “They’re standing up for their human rights,” she said.

Days before the trial, Stanley doesn’t regret his actions. “I feel good because I fought. Not just for me, but for other people even that dead guy.” Thinking about the four-and-a-half years between the incident and now, he would tell others in similar situations, “There is hope. Never give up. There are people who care. Because of that, that’s what kept me strong.” ●



THE U.S. PRISON INDUSTRY —‘NEO-SLAVERY’ A Book Review

[Book Review: *Slaves of the State: Black Incarceration from the Chain Gang to the Penitentiary*, by Dennis Childs {University of Minnesota Press: forthcoming spring, 2015}]

By Mumia Abu-Jamal

Ask any historian, activist or scholar about the origins of the American prison system and they'll confidently reply the Walnut Street Jail, nineteenth century, Philadelphia.

One scholar, literature professor, Dennis Childs, will say, "No, That's not it."

And when you ask him for more, he'll tell you that prisons began in America alright, but it wasn't in Philadelphia. It began as slave ships, sailing prisons for Africans, chained for days, weeks, months on end, in their rancid stifling holds, en-route to Philadelphia, Rhode Island, Rio de Janeiro, Havana, Jamaica, Charleston and beyond.

What sparked Childs' thinking was an article he read years ago as a graduate student by scholar/activist Dr. Angela Davis, entitled "Racialized Punishment and Prison Abolition", in which she noted that "[T]he institution of slavery, "[was} "itself a form of incarceration."

That powerful insight has moved Prof. Childs to pen a book, *Slaves of the State: Black Incarceration from the Chain Gang to the Penitentiary*, in which he examines the deep roots and startling continuities



Caution by Michael Russell

between these two repressive institutions – and why they remain so popular in the [white] American mind.

For slavery, like the Prison Industrial Complex, was a monstrously lucrative business. He illustrates how names have changed over time, but deep, abiding realities and relationships remain.

A prison, he argues, is a slave ship run aground, and prisoners? "Neo-slaves."

He devotes much of his text to Angola in Louisiana.

The name itself is of an ancient African kingdom, from whence millions of Blacks were captured centuries ago.

Today, one of the biggest prisons in America (Angola), a former mass plantation during the slavery era, looks an awful lot like one today. Chains, shackles, whips, rifles and repression, where thousands of dark men labor on land under an unremitting sun.

Childs has written a deeply moving and intricately researched book, which weaves novels and memory, the past and the present, ancient artifacts and modern tools of repression, to reveal an unwelcome truth about modern-day America, and the biggest prison system on earth.

Childs shows us how the past isn't really past at all. •

70 DETAINEES TO HOLD HUNGER STRIKE

By Saed Bannoura

The Palestinian Prisoner Society (PPS) has reported that seventy detainees, held in a number of Israeli prisons and detention centers, have decided to hold an open-ended hunger strike, starting December 10th.

The PPS said the detainees decided to start their strike in solidarity with detainee Nahar as-Sa'ady, who began his hunger strike on November 20, demanding an end to his solitary confinement, and allowing him family visits.

It added that the detainees are also demanding the Prison Administration to end the solitary confinement of dozens of detainees, and to release all ailing detainees.

The Palestinian Detainees Committee said Sa'ady is now totally isolated from the outside world, and is placed in a very small, cold cell, that is not fit for human use. •

<http://www.imemc.org/article/69952>

Quote Box

"When the people liberate their own minds and take a hard clear look at what the 1% is doing and what the 99% should be doing, then serious stuff begins to happen."

Michael Parenti

"He that would make his own liberty secure, must guard even his enemy from oppression; for if he violates this duty, he establishes a precedent that will reach to himself."

Thomas Paine

"Every step toward the goal of justice requires sacrifice, suffering, and struggle; the tireless exertions and passionate concern of dedicated individuals."

Martin Luther King, Jr.

"Make men wise, and by that very operation you make them free. Civil liberty follows as a consequence of this; no usurped power can stand against the artillery of opinion."

William Godwin, (1756-1836)

"The right to utter one's thoughts and opinions has ceased to exist. That, of all rights, is the dread of tyrants. It is the right which they first of all strike down"

Frederick Douglass

"Hope...is the companion of power, and the mother of success; for who so hopes has within him the gift of miracles."

Samuel Smiles

"The evils of tyranny are rarely seen but by him who resists it."

John Hay - (1838-1905)

"Wall Street owns the country...Our laws are the output of a system which clothes rascals in robes and honesty in rags. The [political] parties lie to us and the political speakers mislead us...Money rules."

Mary Elizabeth Leasetor

"Everyone thinks of changing the world, but no one thinks of changing himself."

Leo Tolstoy

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On Jailhouse Lawyers

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

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

Important Notice

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

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

Message Box

"You stand with the belligerent, the surly, and the badly behaved until bad behavior is recognized for the language it is: The vocabulary of the deeply wounded and of those whose burdens are more than they can bear."

Gregory Boyle, Tattoos on the Heart

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