

!ROCK!

★ Working to Extend Democracy to All ★

★ Volume 4, Number 11 ★

★ November 2015 ★

PRISON OFFICIALS COMMIT TO REDUCING THEIR USE OF SOLITARY CONFINEMENT

Garrett Zehr - September 8, 2015

Prison officials across the country dedicated themselves to reducing the use of solitary confinement as they released a ground-breaking survey showing as many as 100,000 people were in solitary as of last fall.

“Prolonged isolation of individuals in jails and prisons is a grave problem in the United States,” said a press release by the Association of State Correctional Administrators, which is directly responsible for the administration of correctional systems

across the U.S. “The insistence on change comes not only from legislators across the political spectrum, judges, and a host of private sector voices, but also from the directors of correctional systems at both state and federal levels.”

The report “Time-in-Cel” (http://www.law.yale.edu/documents/pdf/Liman/AS-CA-Liman_Administrative_Segregation_Report_Sep_2_2015.pdf), produced by the Association and the Yale Law School Liman Program, is the first to provide such a comprehensive analysis of the statistics and conditions of solitary confinement across the United States.

The research was based on a survey of 130 questions that was sent to the directors of all prison systems and details responses from 46 jurisdictions. The report highlights the solitary population totals received from 34 jurisdictions, representing 73 per cent of the more than 1.5 million individuals incarcerated in state and federal prisons alone (not including local jails). The report found that 66,000 individuals were held in secure housing in U.S. prisons, which includes administrative segregation, disciplinary segregation and protective custody. Using these numbers, the authors extrapolated that in all prisons across the United States, 80,000 to 100,000 individuals were held in solitary in the fall of 2014. However, the actual number of individuals in solitary in the U.S. is likely much higher, since the study was solely restricted to prisons and did not include people being held in jail, juvenile facilities, or immigration and mili-

tary detention.

Previously, the numbers of people in solitary were notoriously difficult to determine because of state-by-state variances, shortcomings in data collection and differences in defining solitary confinement. “Although a few in-depth reports and litigation have provided detailed accounts of specific systems, relatively little nationwide information exists about the number of people held in restrictive housing, the policies determining their placement, how isolated the settings are, and whether the rules governing social contact, activities, and length of stay vary from place to place,” the reports notes.

Studies about solitary that are often cited are more than a decade old and often underestimate the reality, with numbers ranging from anywhere between 25,000 and 80,000. For example, U.S. Supreme Court Justice Anthony Kennedy’s pegged the number of individuals in solitary at 25,000 in his recent concurrence in *Davis v. Ayala*, where he notably criticized the practice of solitary.

Prison officials predicted the high numbers shown in the report will soon be outdated. “Having current information is one contribution of this report. So is the documentation of the commitments of correctional officials nationwide to reduce these numbers dramatically,” says the study. “Thus, directors of prison systems believe that these numbers are “wrong” in the sense that they are or will soon be out-of-date, based on their plans to cut back on the

CONTENTS

Solitary To Be Reduced	1
Supporting Political Prisoners ..	3
Beating Bin-Wahad	3
Hepatitis C and Prisoners	4
Jailed Palestinian Children	4
Cons Led Anti-Solitary Fight	5
Don't Give 'em a Break	5
Politics of Mass Incarceration ..	6
Menard Update	7
Editorial	8
Help End Solitary in Texas	9

use of isolation and to change the conditions in it.”

In addition to the numbers, the report also focuses on the conditions faced by individuals in one type of secure housing: administrative segregation.

The study found practices of administrative segregation varied significantly across the country, but found that in many jurisdictions, individuals spent 23 hours per day in their cells and were often locked up 24 hours per day on weekends. In general, the amount of time allowed outside of cell ranged from three to seven hours per week.

The size of cells of the jurisdictions surveyed ranged from 45 to 128 square feet and sometimes two people were locked in the same cell. Reading materials were limited in most jurisdictions, either by total number of items or by cubic foot. For example, individuals in segregation in the District of Columbia are only allowed one book. The report found that a few jurisdictions located in hot, humid climates, including Alabama, Florida, Georgia, Louisiana and Texas, do not even have air conditioning in their solitary confinement units.

In several jurisdictions, individuals were only permitted one phone call and social visit per month. In virtually all jurisdictions, individuals could lose programs, visits, phone calls and possessions as sanctions for misbehavior.

In most jurisdictions, administrative segregation had no fixed endpoint. The report found that only two states – Colorado and Georgia – impose any time limit on solitary confinement. In a substantial number of jurisdictions, people remained in segregation for more than three years, while many jurisdictions don’t even track the number of continuous days that individuals are held in solitary.

The study found that Black and Hispanic individuals were over-represented in administrative segregation. Of the 22 jurisdictions that responded to questions related to race, 21 jurisdictions contained a smaller percentage of White individuals in segregation than the total prison population. On average, Black individuals made up 47 per cent of the administrative segregation population versus 39 per cent of the total male prison population. Hispanic individuals were 14 per cent of the administrative segregation population compared to 12 per cent of the total male prison population.

Of the jurisdictions surveyed, Arkansas has the highest percentage of men being held in solitary. The report found 7.5 per

cent of Arkansas’ nearly 14,000 men are held in isolation for 30 days or more.

The study also notably found that in 2013, more than 4,400 individuals were released directly from solitary confinement to the streets.

To evaluate trends in the use of solitary, the researchers compared the 2014 data with data from 2011. For many jurisdictions, the number of individuals in segregation was roughly comparable after three years. Colorado was a notable exception, with a decrease from 7.4 per cent of individuals in solitary out of the total of all incarcerated individuals in 2011 to 1.1 per cent in 2014. Some of the jurisdictions had a small increase, the largest being Kansas, which went from 4 per cent in 2011 to 6.3 per cent in 2014.

The findings complement research that began in 2012 when the researchers set out to address the lack of data about solitary in the United States. In 2013 they released a study called Administrative Segregation, Degrees of Isolation, and Incarceration: A National Overview of State and Federal Correctional Policies, which analyzed criteria for placement and release from administrative segregation. That study found that the criteria for entry into solitary were very broad, as was the discretion given to correctional officials. “In short, at the formal level, getting into segregation was relatively easy, and few policies focused on how people got out,” researchers said of that report.

The findings of the 2013 report and the report just released both contributed to the conclusions by the Association of State Correctional Administrators to commit to dramatic change.

“No matter what position in government a person holds—legislator, judge or the head of an entire prison system—the



shared sense is that now is the time to reject the use of isolation as a tool of prison management,” said Yale Law School professor Judith Resnik, who works with the Liman Program. “Directors of prison systems see first-hand the harms that solitary confinement imposes—for those held, the staff overseeing the process, and the communities to which prisoners return,” she said.

Reasons cited in the report for the desired reduction in the use of solitary included the required additional training for staff, prisoner and staff well-being, pending lawsuits challenging policies and significant costs. A few directors also said that it was important because it “is the right thing to do.”

Prison officials are not just seeking to reduce the number of prisoners in isolation, Resnik noted, but also to change the way that restricted housing is practised to stop denying social contact. “There is a lot to fix, and the heads of many prison systems, in a host of jurisdictions, are talking about how to do so,” she said.

Despite the consensus emerging from prison officials about the need to bring drastic changes to solitary, their employees are not all in agreement.

“Today’s disciplinary confinement policies have evolved over decades of experience, and it is simply wrong to unilaterally take the tools away from law enforcement officers who face dangerous situations on a daily basis,” the New York State Correctional Officers & Police Benevolent Association told the New York Times in response to the prison directors’ statement calling for a reduction in the use of solitary. “It is a fact that many of our corrections facilities have become more overcrowded with a higher proportion of violent offenders than ever before, and any policy changes must prioritize the safety and security of everyone who works or resides in these institutions,” the organization said. Prison guard unions have considerable clout and have often clashed with calls for prison reforms. However, the unions may be facing an uphill battle in their resistance to change as the researchers note that the study’s findings and the resolution of prison officials are just parts of the growing momentum to reduce and reform the practice.

“This Report is only one aspect of ongoing cooperative undertakings, across the public and private sectors, to reduce and to eliminate the isolation of prisoners, so as to enable prisoners and staff to live and work in safe environments, respectful of human dignity,” the study concludes. •

ON SUPPORTING PROGRESSIVE POLITICAL PRISONERS

“When the prison doors are opened, the real dragon will fly out.”

-Uncle Ho

The issue of political prisoners is as important today as it has ever been in United States history. U.S. imperialism is waging an illegal war of aggression against the peoples of the Middle East in what amounts to an act of international armed robbery to steal their oil.

With nearly all Middle East oil under U.S. control, this nation will own the oil spigot that regulates the ability of China's economy to grow. This is a recipe for world war. We can see signs of this now, with the joint military exercises, which include strategic bombers, taking place between China and Russia this year. And also by the “strategic and cooperative partnership” entered into between China and India on April 12, 2005—a partnership in which “India and China can together reshape the world order,” says India's Prime Minister, Manmohan Singh.

While people in other parts of the world are fighting and dying in the just struggle against international imperialism, we here in the belly of the beast enjoy a special privilege of limiting our feeble protests to only lawful (read acceptable to the bourgeoisie) means.

The American left will of course sleepwalk through yet another widening of these ongoing wars. Marching in circles carrying signs is not enough to prevent the looming global catastrophe. We must take sides.

Ho Chi Ming created the National Liberation Front in Vietnam with only nine armed propaganda officers. That army defeated first the French and then U.S. imperialism. Fidel Castro liberated Cuba from U.S. domination with only a handful of comrades who survived the landing of the Gramma.

While people in other parts of the world are fighting and dying in the just struggle against international imperialism, we here in the belly of the beast enjoy a special privilege of limiting our feeble protests to

only lawful (read acceptable to the bourgeoisie) means. This is nothing short of American Exceptionalism—a racist belief that our lives are more precious than those of our darker-skinned comrades in places like Palestine and Iraq. History demands more from us. Many of those who rise to meet this demand will be imprisoned or worse. They must be supported.

Who remembers our dead from the last effort to build a fighting movement? Where are our monuments (however small) to them? And what of those who are still imprisoned as a direct result of “crimes” committed in the furtherance of those efforts to bring about a better world? What lessons have we learned from them and tested in practice?

Not all political prisoners are created equal. The right wing, for example, calls their bombers of women's clinics and assassins of doctors “Prisoners of Christ” and lavish every sort of comfort on them while they are on the inside. They have money, regular visits, and even letters from school children.

At the very least we must materially support those who have been imprisoned for participating in the struggle for justice, in progressive rather than reactionary struggles. If we fail to do so there will not be another generation of comrades making the kinds of sacrifices necessary to weaken U.S. imperialism's ability to wage new aggressions.

If you call yourself a progressive, a communist, anti-imperialist, or just a lover of justice, then a part of your daily political activity should be focused on the issue of political prisoners. And not only comrades here in the U.S., but also those “rendered”, or in places liked Guantanamo Bay, Israeli prisons, or dungeons similar to the one at Abu Ghraib. ●

Ed Mead



BEATING BIN-WAHAD

By Mumia Abu-Jamal

Who beats up a 71-year old man?

That question flashed in my mind when I heard about the vicious attack on former Black Panther Dhoruba Bin-Wahad during a speech before members of the New Black Panther Party (NBPP) in Atlanta.

While what sparked the attack may be unclear, the results aren't. Bin-Wahad, a lifelong revolutionary who has spent decades in the Black Liberation Movement, was beaten unconscious by NBPP members his jaw broken in several places.

He wasn't hit—or just punched. He was pummeled, kicked, stomped, and repeatedly assaulted.

Who beats up a 71-year old man?

Who beats up a 71-year old veteran of the Black Freedom Movement; a former member of the famed N.Y. Panther 21?

Who does that?

Apparently the New Black Panther Party (NBPP) does.

The New BPP is not to be confused with the original Black Panther Party, as the beating of Bin-Wahad demonstrates.

According to a letter circulated on the internet quoting Malik Zulu Shabazz (leader of the NBPP until 2014) Bin-Wahad threatened him. According to that document, the threat didn't happen at this meeting, but is alleged to have happened some time before.

There may've been some dispute as to speaking times, but that hardly justifies the attack on Bin-Wahad, who long has been known for his outspokenness. Bin-Wahad, since the days of his youth, has been a revolutionary – and he endured almost 20 years in New York State dungeons before proving, using FBI documents, the injustice of his trial and conviction.

When he left prison, he continued the struggle, writing, organizing, and campaigning, struggling for Black Freedom. One could always count on him for sharp analysis and principled resistance to the system's relentless attacks on Black life – years before the Black Lives Matter Movement emerged.

That he should have to endure such an attack from the NBPP proves that, for some, Black lives don't matter much.

Not when you can beat a 71-year-old man unconscious. ●

ADMINISTER THE HEPATITIS C CURE TO MUMIA & THE 10,000 PA PRISONERS WITH THE DISEASE

<http://www.bringmumiahome.com/>

At the urging of Pam Africa, I visited Mumia yesterday, Sunday, September 6. Pam got word from inside that Mumia's cell had been raided by prison authorities.

As you know, after a series of hospitalizations in March and April 2015, Mumia has remained in the prison infirmary. During this time, most of his property has remained in his old cell. According to Mumia, on Friday, September 4, officers rushed him out of his regularly-scheduled medical bath to inform him that all the belongings in his cell had been packed up and placed in storage. The handling of prison property in the absence of a prisoner is a violation of prison procedures. After signing the forms required when prisoner property is placed in storage, Mumia asked if he was about to be moved to a different facility, since the boxing up of a prisoner's property usually precedes a transfer. An officer assured him that he would not be transferred; but this all seemed really strange to Mumia.

These developments follow the immediate aftermath of a medical lawsuit filed by Mumia charging the DOC with medical neglect. Coming at this moment, a prison transfer would not be in Mumia's best interest as it would disrupt contact with his attorneys and isolate him from his family and supporters. In addition, a move would put Mumia's at risk; it would further compromise his physical and mental health and interrupt his medical care. The only transfer acceptable would be safe transit to a professional facility that would guarantee the medical attention he needs for a cure of his "active" Hepatitis C condition, for which there is a cure.

As you know, Mumia has been in an acute health crisis for over 9 months, since January 2015. In March 2015, prison infirmary physicians allowed Mumia to fall into diabetic shock and come close to death.

Please urge the PA Department of Corrections (DOC) to act in Mumia's best interests and refrain from transferring him. Please also urge the DOC to give Mumia, and the 10,000 PA Prisoners with Hepatitis C, the cure he needs.

Recently, Mumia has lost approximately 25lbs in two months. Although his spirits are high and his cognitive abilities have

improved, he still sleeps all day and is suffering extreme lethargy, a bi-product of untreated, "active" Hepatitis C, a liver disease. The skin around his face is clearer than before and although his leg wounds have closed, they have left crater-like scars, which can erupt at any moment. The skin throughout his body remains jet-black, raw, extremely wrinkled, and rough, like elephant hide. Nails on his hands and feet are falling off and the palms of his hands are blackened. These conditions are also symptoms of his untreated, "active" Hepatitis C.

The denial of the Hepatitis C cure to Mumia –while his medical condition remains precarious and while his disfiguring skin condition continues to cause him unthinkable suffering –is cruel and unusual punishment, and torture through medical neglect.

Demand the Hepatitis C cure for Mumia and for the 10,000 PA Prisoners with the disease, NOW! •

100 PALESTINIAN CHILDREN HELD IN THE 'OFER ISRAELI PRISON

By IMEMC News

The Palestinian Detainees' Committee has reported that the number of Palestinian children, held by Israel in the 'Ofer Prison, has arrived to 100, especially since August witnessed the largest number of abductions of children since the beginning of the year.

Representative of detained children in 'Ofer, detainee Abdul-Fattah Doula, who is serving a 15-year term, said 42 Palestinian children transferred to 'Ofer in August, including many who are only 13 to 15 years of age.

Doula added that 23 children were kidnapped from their homes, 5 on military roadblocks, 4 were taken prisoner from their neighborhoods and towns, and nine after being summoned for interrogation.

At least eight of the kidnapped children were violently beaten by the soldiers, while abducting them.

He also said that three children remained under interrogation, without legal repre-

sentation, for 26 days, and three others have been repeatedly detained and imprisoned by Israel.

Mohammad al-A'raj, one of the lawyers of the Detainees' Committee, said 21 children were sentenced, last month, by the 'Ofer Israeli Military Court, to periods varying between 6 and 19 months, and were ordered to pay high fines, mounting to more than 40,000 New Israeli Shekels.

He added that, since the beginning of this year, Israeli courts ordered high fines against many detained children, mounting, until the end of August, to 317,000 New Israeli Shekels.

Al-A'raj also said that 30 of the imprisoned children suffer various health issues, including respiratory and Diabetes, and many of them were wounded during their abduction.

Many of the detained children were already receiving treatment prior to their abduction, while Israeli continues to deny them the right to medical treatment.

"Among the main violations against the detained children are holding them for more than 24 hours without charges, and denying them the right to a lawyer or a family member during interrogation," Al-A'raj added, "They are also placed in holding cells with adults, in direct violation of their basic rights; some are sent to court a year after their abduction." •

PRESSURE BUILDS TO STOP SLEEP DEPRIVATION IN PELICAN BAY SHU

By prisonerhungerstrikesolidarity

Following the historic gains made against solitary confinement last month, people in Pelican Bay State Prison's SHU report the use of "welfare" or "suicide" checks occurring every thirty minutes, 48 times a day. The checks are being conducted in an aggressive way and prevent people from sleeping for over thirty minutes at a time. Loud stomping, the slamming of doors, the striking of electronic wands against buttons installed by cell doors, and the shining of lights into prisoners' faces are routine. Deprivation of sleep is widely seen as a form of torture. •
See: <https://prisonerhungerstrikesolidarity>

PRISONERS LED THE SUCCESSFUL FIGHT AGAINST SOLITARY CONFINEMENT

By Latif Asad Abdullah, Mercury News

I have been out of prison for 10 years, but my eight years in solitary confinement in the Pelican Bay Special Housing Unit still haunts me. It affected the very core of my being. The sensory deprivation was extreme; there was no stimulation for my senses of sight, sound, smell, taste, and touch. Mankind is stimulated by nature — the flight of a bird, the smell of a rose — but Pelican Bay SHU is nothing but concrete. There was nothing to motivate my creativity.

Instead, I had a redundant daily existence — no grass, birds, barking of dogs, soothing sounds of the ocean. It was the opposite. And when I got out, I had nothing. I didn't know what to do to grow, to be active, to be creative, to aspire to be something. What is so disturbing to me is that this environment, which deprives human beings of all sensory input, is created by design.

To survive, I had to see myself as a combatant in a war that was attempting to destroy me. My techniques were exercise, study, and talking to myself. People who did not take this approach would scream, shout, and have mental breakdowns. I had to fight every day not to succumb.

At the very inception of the Pelican Bay SHU, prisoners challenged as inhumane the process used to house us in sensory deprivation units. I was put in the SHU when the prison decided I was associated with a prison gang, not for any behavior on my part. I tried to challenge this as a violation of due process, but like many others, with no legal team or movement behind me, I faced a process that seemed to be set in stone.

Even so, prisoners continued to believe we could prevail. We saw marginal gains with the *Castillo* case, which led to my release from SHU to General Population in 2000.

The wider-ranging gains made by the latest victorious settlement of *Ashker v. Brown*, the class action lawsuit against solitary confinement in California, are a direct result of the ongoing effort of prisoners to bring about real change. Those efforts inspired a human rights movement to say that these conditions are cruel and unusual, and a legal team led by the Center for Constitu-

tional Rights, together with Legal Services for Prisoners with Children and others to get on board.

While some might play down the settlement in *Ashker* as not enough, I believe that it is enough for today. Not sending someone to SHU because of alleged gang membership is huge. Creating a new alternative housing unit for some prisoners is also important. The changes are a step towards a bigger objective—ending solitary confinement entirely.

Challenges to cruel and unusual punishment will continue, and Pelican Bay SHU will continue to be a focal point. I hope that more people will get involved.

We need to apply more pressure on the prison system until it surrenders the arrogant disposition that allows it to maintain these inhumane conditions. ●

DON'T GIVE 'EM A BREAK

By Ed Mead

The Monroe prison in Washington was in the only joint in the state that was not double celled. I was a prisoner there for the last ten years of my confinement. The prison administration offered all kinds of bribes to influential prisoners in an effort to get them to toss the

rest of the population overboard and agree to double celling. And of course these traitors stood in line in front of the warden's office, always ready to sell-out other prisoners if it would advance their own narrow self-interests.

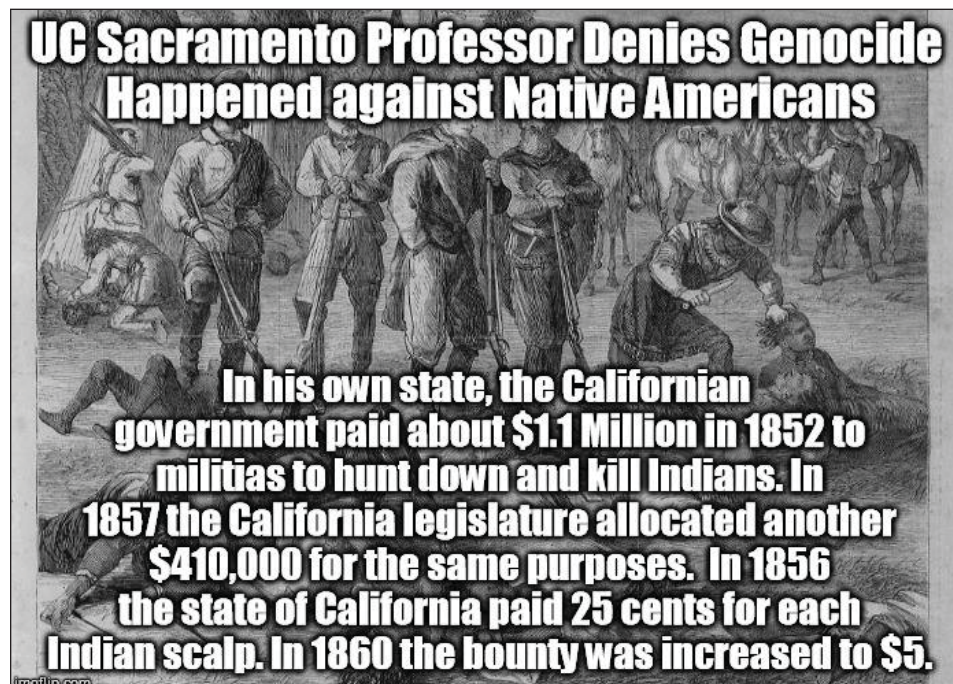
When the state tried to get influential inmates to agree to double celling I would put out typewritten flyers to the GP, pointing out the treachery of the sellouts. I only had to do that a few times before the collaborators gave up. When I left Monroe it the only single celled prison in the state (sadly, though, they double bunked Monroe shortly after my release from prison).

Slavery and imprisonment are wrong! Anyone who is trying to get you to adjust to this wrongness, be in an influential prisoner or the prison staff, is not doing you a favor.

Whatever the case, they must be exposed and shunned (no violence). A cockroach fears nothing like the light of day. You only need to shine that light.

Ah, in comes the peacemaker. "There are no sides," he says. "Dividing things into them-or-us separates each of us from the other and the harmony of life's blessings." Here's the thing, when someone has enslaved and disenfranchised you, trapped you in a small overcrowded cage, etc., then there is indeed an "us against them" situation. When someone is holding you at gunpoint, against your will, there is indeed a us versus them reality. I think you get the picture.

If you're not all in, your not all there. Then where are you? Where's your righteous anger? ●



THE POLITICS OF MASS INCARCERATION

Latest Stats Show Nano-Scale Reform Remains the Dominant Trend

By James Kilgore

Last week the Bureau of Justice Statistics (BJS) published their annual census of the nation's prison population. After over three decades of uninterrupted yearly increases, 2014 was the fourth year in the last five in which the total number of people in Federal and state prisons fell. The figure declined from 1,576,950 to 1,561,525, a drop of about 1%. The some 700,000 people held in local jails were not included in these stats.

This news from the BJS will please those who see opportunity in the increasing acknowledgement of mass incarceration in the political sphere. Proclamations by the President, Hillary Clinton as well as statements by arch-conservative forces as diverse as Rand Paul, Newt Gingrich and the Koch brothers have placed criminal justice on the electoral agenda. In 2012 no candidate made even passing mention of the two million people in the US behind bars. For anyone seeking to reverse the debacle of the US' incarceration obsession, any decrease in the number of people behind bars is welcome. Yet a closer look at the BJS stats shows that reform remains miniscule. The overall landscape reflects the ongoing tension between the continuity of mass incarceration and the need for change. The data actually remind us that the fate of the criminal justice system has yet to be decided.

Nonetheless, there is a bit of good news in these numbers. Sentencing reform at the national level, along with other changes, did contribute to a fall in the Federal prison population of just over 5,000. However, even with this drop, Federal facilities still held 2,449 more people at the end of 2014 than they did in 2009. Moreover, media pundits often fail to note that the Feds hold only about 14% of the nation's prisoners. Action by the Congress or even from the President has little impact on the state-based departments of corrections which house 86% of prisoners.

At the state level, the surprising star of decarceration for 2014 was Mississippi. Through a combination of numerous reforms, many encapsulated in HB 585, the state prison population fell by a whopping 14.5%, amounting to about 20% of the national fall. While noteworthy, this performance was largely driven by one-off

changes in sentencing and parole which won't continue to yield massive annual reductions. Yet, even with a 14.5% fall, Mississippi remains the fifth highest state in terms of per capita incarceration rates. There is still a long way to go in Jackson.

When we turn our attention to other states, a mixed picture emerges, particularly if we move our lens away from a simple focus on year-on-year national figures. For 2014, out of the 49 states recorded, 31 showed changes of 2% or less, 15 of 1% or less. More importantly, not all populations declined. While 26 states showed decreases, 23 upped their populations, with Arizona leading the way by adding more than 1000 prisoners to its carceral rolls. Examining state trends since the peak national prison population of 2009 shows a similarly uneven result. During that time the national prison population fell by just over 52,000 or about 3.5%. Yet 26 states have increased their prison populations since 2009. A closer look at the declines during that period reveals that California accounted for about 35,000 of that national drop. The California reductions came about largely due to a response to a Federal court order to decarcerate. But even the California cutbacks contain hidden contradictions, since many of those in state prisons were simply moved to county jails or transferred to out of state private facilities rather than released. Furthermore, to accommodate that change California has allocated \$500 million to counties for jail expansion as well as putting together financial packages. More people behind bars in the future looks to be in the cards for California.

In the long-term, only two states have demonstrated a serious commitment to decarceration: New York and New Jersey. Since 2000, the New York state prison census has decreased every year but one. Relaxed drug law enforcement combined with massive diversion of people into programs rather than jail has led to the closure of 11 prisons in the state and an overall fall in the incarcerated population of about 25%. New Jersey has followed a similar path, producing a population decline of 24% in the same period. Still, New York and New Jersey are outliers. The dominant trend remains a politically expedient perpetuation of the status quo. If the national prison population continues to fall at the rate of 1%, Marc

Mauer, Director of the Sentencing Project has estimated it will take 88 years to reach per capita rates of 1980. The polar ice caps are melting faster than our prison system is shrinking.

Ultimately, policy talk about mass incarceration in most quarters glosses over the real challenges. Politicians may take the lead in proclaiming the success of their sentencing reforms or new policies on parole, but a deeper look shows that we have not come very far and much of what is on the table will not take us much farther. While the "tough on crime" approach captured the hearts, minds and budgetary allocations of every state legislature and department of corrections in the 1980s, the critique of prison expansion and carceral over spending has not garnered a similar national or local consensus. The rhetoric about the evils mass incarceration may be proliferating but it is not accompanied by the kind of media efforts to popularize the issue that characterized the 1980s. In those days, even Michael Jackson was doing ads for the War on Drugs. Without a concerted effort to create mind set change, contradictory, underfunded nano-scale reform will remain the order of the day.

At the practical level, transformative change requires at least two things which are not on the agenda in most states. First comes the recognition that we cannot significantly reduce prison populations by concentrating on those with non-violent drug cases. This cohort constitutes about 16% of the state prison population. Ending mass incarceration means taking responsibility for the fact that mass incarceration has locked people up unfairly in a systematic way. The majority of those behind bars are not there because of bad personal choices. Legal and policy frameworks as well as budget cuts have been formulated to make the pipeline to prison their most likely path. Absurdly long sentences and disproportionate charging need to be revisited and addressed with retroactive measures to free those who have already served far longer than any just system should reasonably punish them.

Second, political leaders and the public at large need to recognize that genuinely reversing mass incarceration will not save billions of dollars. We need to undo the harm done to millions of people who

have been wrongly imprisoned for excessive terms and to the communities from which they come. These communities have suffered the punishment of population loss, over-policing and cutbacks in social service provision. Mass incarceration has come hand in hand with mass criminalization of poverty, mass immiseration. Addressing this means closing prisons and jails and ploughing the money saved into an urban, anti-racist "New Deal" process to provide public housing, substance abuse treatment, mental health services and employment opportunities to the millions who have been negatively impacted by the war-like policies of law enforcement and corrections across the country. Ending mass incarceration ultimately must come hand in hand with, dare I say it, a new war- one against poverty, inequality and the notion that excessive punishment makes us safe. •

[James Kilgore is a writer and activist based in Urbana, Illinois. He spent six and a half years in prison. During those years, he drafted three novels which have been published since his release in 2009. His latest book, Understanding Mass Incarceration: A People's Guide to the Key Civil Rights Struggle of Our Era will be published by The New Press in September. He can be contacted at waazn1@gmail.com]

MENARD UPDATE

By Alice Lynd

Some of you will remember the hunger strike in January-February 2014 by prisoners in Administrative Detention at the Menard Correctional Center in Menard, Illinois. During and after the hunger strike, several of the strikers were sent to prisons as far away as California, Virginia, West Virginia and New Mexico. Others remain in Administrative Detention at Menard.

Many of the 2014 hunger strikers wanted to know why they were there, and they wanted to know what they had to do to get out of Administrative Detention. Although the Illinois Department of Corrections now issues some notices, the notices still don't answer those questions.

A form called Notice of Administrative Detention Placement Review, DOC 0432 (effective May 2014), says, "This document shall serve as notice of your upcoming review for placement in Administrative Detention by the Administrative Detention Review Committee." The notice shows

the "Review Date for Initial Placement in Administrative Detention" or "Continued Placement" or "Transfer from Disciplinary Segregation."

Next, it says: "Notice of Administration [sic] Detention Placement Rationale: In order to prepare you for your Administrative Detention placement review, you are advised that the Department's rationale for your prospective or continued placement in Administrative Detention is based upon the following reason(s): ..."

But the reason may be no more than "Information was received that ..." without any finding of guilt for a rule violation.

The form then specifies: "Copies of the following identified documents relied upon by department administrators that may subject you to Administrative Detention placement, or continued placement, are attached to the notice; however, portions may have been redacted based upon a finding that disclosure would compromise security or safety: ..."

But the entry in every case we have seen is "N/A" and no documents are mentioned or attached.

After the review, the warden sends the prisoner a memo that says: "This memo is to inform [name and number] the Menard Administrative Detention Committee has reviewed your Administrative Detention placement and has voted to continue your placement in Administrative Detention on Phase 1. You will be reviewed again in 90 days."

I've compiled the following information drawn from letters received in September 2015 from prisoners in Administrative Detention at Menard:

"Here in A.D. [Administrative Detention], everything is still the same. No one is being released and we are still not getting meaningful hearings. We are still not getting any written reasons or any new info relied on for the basis of the committee's decision for our continued placement in A.D. We are still getting the same vague memos.

"We now only get one day a week of out-of-cell exercise (yard). We are in our cells 24 hours a day, six days a week. We are being excessively confined in our cells. We are still not allowed to participate in any educational programs. Our mail is not being picked up or passed out five days a week, as they are supposed to.

"We don't see any end to this indefinite isolation/solitary confinement. Due to these issues and more, we are going to go on hunger strike once again. We will be de-

claring a hunger strike on Sept. 23, 2015. We will feel very thankful for your help in spreading the word.

"Our core demands are:

- We demand an end to long term solitary confinement.

- We demand minimum due process at Administrative Detention Review hearings by providing inmates with written reasons, including new information relied upon for the committee's decision for our continued placement in A.D., and be allowed to grieve all adverse decisions. As it stands, the basis of the committee's votes are kept secret.

- We demand more access to outside recreation for the sake of our physical and mental health. As it stands, we are confined indefinitely to these cages for six days out of the week, with the exception of one five-hour day. This is unbearable.

- We demand that meaningful educational programs be implemented to encourage our mental stability, rehabilitation and social development for the sake of ourselves and our communities that we will one day return to.

- We demand access to more visiting privileges. For most of our families, traveling to Menard is like traveling to another state. Considering the distance, two-hour visits behind plexiglas is insufficient. We should be allowed five or six hours. Moreover, our family members, including inmates, should be provided the human dignity and decency to purchase food items and refreshments from vending machines after traveling such great distances. This would benefit one's social development, as well as benefit prison staff environment.

"We ask the public's help by calling the warden, the director of the Illinois Department of Corrections and the governor to check on our welfare.

- Warden Kimberly Butler, Menard Correctional Center, 711 Kaskaskia St., Menard, IL 62259, 618-826-5071

- Director John Baldwin, Illinois Department of Corrections, 1301 Concordia Court, P.O. Box 19277, Springfield, IL 62794-9277, 217-558-2200

- Gov. Bruce Rauner, Office of the Governor, 207 State House, Springfield, IL 62706, 217-782-0244

"We will stay on [hunger strike] as long as possible in order to hopefully bring some change to our conditions. We thank you for any kind of support you can give us." •

[Ed's Note: The hunger strike ended after 17 days. No news on outcome.]

EDITORIAL 4-11

On page two of the September issue of *Rock*, in an article on “The ‘Hands off Doctrine’ Revisited”, I said, “[w]hile the issue of prisoner enfranchisement (right to vote) is pending appeal in the U.S. Court of Appeals for the 2nd Circuit, in a lawsuit filed by political prisoner Anthony Jalil Bottom, the outcome of that litigation will most likely turn on a political rather than legal rationale.” I’ve since received a letter from Mr. Bottom, who writes from Attica prison in New York, “you mentioned I had an appeal pending in the U.S. Court of Appeals ... regarding prisoners’ right to vote. Indeed, you are correct, the Court made a political decision in this case, by dismissing it stating I did not have standing to file the suit because I am not a resident of NYS, and therefore was unable to vote in the first place. They did not want to rule on the merits of the lawsuit, so, they found a technical reason to deny and dismiss the appeal.”

Pete Brook wrote: “We need to disassemble the notion that prisoners are different.” What prisoners need to do is the same thing the Syrian refugees are doing—saying loud and clear, we are human beings! Those in power do not want you to be seen as a human being, they want you to be seen as “other” upon which any cruelty can be administered, even death, because you are different. You don’t want to follow the constitution and give some people the right to *habeas corpus*, a trial by jury, etc.?

It’s easy, just label them as “other” such as terrorist or criminal. In such circumstances the victims of these labels are visited by all sorts of cruelty that people would object to if it were happening to their loved ones. Mr. Brook said, we need to disassemble the notion that prisoners are different than everyone else. And while we’re at it, we need to educate the public about the new Jim Crow for prisoners that in effect imposes perpetual punishment on prisoners for the rest of their lives in terms of issues like housing and job discrimination.

The December issue will conclude my fourth year of publishing the *Rock* newsletter. When I look back over those years I see something approaching a bell curve. The newsletter started out slowly, gradually reaching a subscription peak of 600 during the second and third hunger strikes, and since then readership has dropped off significantly. My optimistic plan of building first a regional publication for prison-

ers, one that would eventually go national, have not materialized. While prisoners have been providing the stamps, I still pay for the printing.

At its height *Rock* was the only publication I’ve put out that readers not only financially supported, but paid one hundred percent of the costs for over a year.

Then stamp contributions started to drop, and drop again. The decline in support started about the time I announced my diagnosis of advanced stage lung cancer. Contributions have continued to fall ever since then. I don’t think it was totally the announcement of my diagnosis that caused the drop in support, but also the absence of any significant struggle on the inside and a general sense of demoralization. There was also the issue of my communist politics, which turned off many prisoners.

Indefinite SHU continues under the name of Administrative SHU, which requires "compelling evidence" before indefinite SHU...

You might be asking yourself why is there no coverage of the settlement in the *Ashker* case? For two reasons: I did have two-paged article I’d written on the details of the settlement but pulled it after a lengthy discussion with the lead attorney and members of the outside support community. Secondly, we at CPF have just put out a special issue of *Prison Focus* on the settlement, which should be in your hands well before you receive this newsletter.

However, as I understand it, the plaintiffs were asking for more due process before indefinite SHU placement, and for the elimination of indefinite SHU status on the basis of mere gang affiliation alone. The agreement gives them that and a bit more. Indefinite SHU continues to exist under the name of Administrative SHU, but the state must have "compelling" evidence you deserve indefinite SHU in order to place you there—yeah, the new worst of the worst.

I know this is not the 1970s, 1980s, 1990s (I was in prison during a part of all those decades). That said, and old time cons will confirm, that if you killed another prisoner you’d go to Ad Seg until trial. Regardless of whether or not you were convicted or acquitted, you’d be released back into the general population after about 18 months at the most. There was no such thing as indefinite lock down in the hole—nobody

did years in the IMU or on Ad Seg. It just wasn’t done. California’s prisons are a different kind of beast, more inhuman than most. And it has spread its sickness to other jurisdictions, including Washington State.

As I write this the Pope has just made a speech to a joint session of congress. I’m loth to admit that I sort of admire this pope. On a recent tour of South America he told the assembled multitude that “capitalism is the devil’s dung.” And on his visit here in the U.S. he preached for the abolition of the death penalty, leveling the disparity between the rich and the poor, immigration reform, climate actions, etc. When invited to dine with the leaders of congress he declined, instead choosing to go to a homeless shelter to eat with and serve food to the poor.

I’m a sucker for those who live by their principles—whose thoughts, words, and deeds all coincide with each other. The Pope is not at all confused about what he stands for, even if he happens to lead a reactionary and male chauvinist institution that has enslaved and tortured indigenous peoples here in the Americas and elsewhere, oppressed women and abused children, etc.

I’ve written a book called, oddly enough, *Lumpen, the autobiography of Ed Mead*, which can be obtained from Amazon or perhaps your favorite radical book store. If you’ve enjoyed reading the *Rock* over the years I think you’ll also like the book. I would prefer to be modest here, but the fact is, as my publisher said, “it is a fucking great read.” The cover price is a whopping twenty bucks. Out of that I get a dollar for each book sold. No need to worry about me getting rich as radical books written by commies tend not to sell that well here in capitalism land. Besides that, the content is something only a prisoner could love.

The book will help you understand the how and why of what’s going on inside. It is about the struggles I’ve engaged in elsewhere and the lessons I’ve learned in the process. If you are an aspiring prisoner activist, you should to read this book.

I’ll be sending free copies in to some of the prisoners I regularly correspond with. Since I also have to pay for the copies I mail in, and since I have very little money, the rest of you will have to pay up for the read. Copies can be obtained by sending a \$20 check or 41 forever stamps to: Prison Art, Book Program, P.O. Box 47439, Seattle, WA 98146. Or, as I said, order it from Amazon or any radical bookstore. ●

HELP END SOLITARY CONFINEMENT IN TEXAS

Jason Walker, Clements Unit, Amarillo, TX

Having read, and in response to the California prison hunger strike and the agreement to end hostilities, I felt it would be imperative if other states used this historic movement in the making to spread the awareness of how prolonged periods of solitary confinement equals cruel and unusual punishment, at the very least.

From Washington to New York solitary confinement living conditions are pretty much the same, with California allowing its prisoners the privilege of having a TV, which does not make living conditions than those here in Texas (which doesn't give prisoners more than three hours of recreation a week, let alone television).

In order for the movement to abolish solitary confinement to be successful in the near future, it is going to take the populations of state and federal prisons across the country to put racial, ethnical, and social differences to the side and wake-up to the cause that's starting to get very persuasive in the California prison system.

There is no way California prisoners should be playing big brother to something that has a foothold on every prisoner in solitary confinement. Here in Texas we are literally getting man-handled by prison officials, medical staff, and even the maintenance workers. Prisoners work for free, the grievance system is not only inadequate but rigged, the food is of the poorest choice, recreation is seldom provided, prisoner guards are corrupt and assaultive, and telephone calls to the outside are off limits. All of the things I just named are those that are supposed to be provided, but are illegally being stripped away from us.

One reason our repressed status in this state is unmoved by any effort of liberation is because we are embodied by the happy slave mantra. This status has Texas prison-

ers brainwashed into believing that the only things worth fighting for is commissary and confiscated items like homemade speakers and other items ruled to be contraband.

The attitude here is that any form of unity is for the weak and less respected. Prisoners here are more apt to make a deal that strips them of their constitutional rights for a chance to go to commissary. So all in all, Texas prisoners in solitary confinement lack both discipline and social bonding. In order for this to change awareness must be spread to every Texas prisoner—through media, newsletters, and Facebook.

During a talk with a fellow prisoner on the rec yard, he explained that the reason California prisoners are being heard is because they have unity. He explained that the reason California prisoners are being heard is because they have unity. He spoke of this as if unity was purchased and only available to a select few. This though pattern needs to change. We need to recognize that just because we don't have unity doesn't mean we can't trail blaze and gain just as much if not more awareness.

One key to gaining awareness is by realizing our common similarity of being in solitary confinement. We must also understand we all share the goal of being released into the general population. Our goals to be released from solitary have to be stronger than our will to uphold a rung on the social ladder that only exists in our minds.

At this point we can exchange ideas on who to write, what to say and what rights and privileges we will need while we struggle in harmony with prisoners in other states. We have to commit ourselves to daily organizing, networking, and not succumbing to the influence of individualism, separatism and racism, which are three key factors in keeping us from moving forward.

A bright light shines on the Texas prison system, we merely have to remove our shades to see it. I'm calling out all gangsters, recluses, racists, long term residents as well as those who don't believe they will get out of solitary confinement before they die.

Unite today and help jump start a movement to end solitary confinement in Texas and the U.S. Our future lives and sanity depend on it.

Dare to struggle! Dare to Win! All power to the people! ●

POLITICIANS: SERVANTS OF THE WEALTHY

By Mumia Abu-Jamal,

September 9, 2015

It is impossible to look at the current crop of political presidential aspirants and not be struck by their level of subservience to the wants and needs of the owner class.

Like Puppies panting in the presence of their masters, the politicians, emboldened by the unconscionable Citizens United decision, are at the feet of the billionaires for scraps to better serve their betters.

Now, one billionaire can field half-dozen pols, and by so doing, can determine not just who runs, but who wins - and what laws will be passed.

Why not? They own them, don't they?

But still, that is not enough. For witness the emergence of New York real estate executive Donald Trump.

Trump brags, at every opportunity, of his enormous wealth. By so doing, he intimidates his potential rivals, who are used to bending their knees to such men. But he also represents the distrust of his class, for rather than hiring politicians, he runs himself, to lock in his class dominance.

Nor is this solely a Republican affair, for Democrats, who run on emotional appeals to labor unions and working people, once in power lead to the interests of Wall Street - the source of the lion's share of their donations.

Their strategy, of talk labor, while pleasing capital was seen in the destructive NAFTA pact, which decimated manufacturing jobs in the U.S. by the millions.

Bill Clinton hustled NAFTA like a street dealer sold crack, selling dreams that turned to dust.

Now, the Clintons return, posing as the saviors of the working class, when their treasured NAFTA ripped away tens of thousands of jobs annually, undermined unions, and transferred vast wealth to Wall St.

When Texas businessman and 1992-96 presidential candidate, H.Ross Perot predicted NAFTA would produce a "giant sucking sound" of lost jobs, the media pundits laughed at him, making him sound like a fool.

History proves his words were true.

Politicians—servants of capital; promoters of progress, but bringers of disaster. ●



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.

**Class consciousness is knowing which side of the fence you're on.
Class analysis is figuring out who's there with you.**

Free Electronic Copy

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

Outside folks can also have a free electronic copy of the newsletter sent to them each month by way of email. Send requests for a digital copy to ed@rocknewsletter.com.

On Jailhouse Lawyers

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

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

Subscription Form

Subscribe to the monthly *Rock* newsletter for \$20 or 40 forever stamps per year.

Sorry, No Free Subscriptions

First: _____

Last: _____

Number: _____

Prison: _____

Housing: _____

Address: _____

City: _____

State: _____ Zip: _____

Send stamps or check to:
**Ed Mead, Publisher
Rock Newsletter
P.O. Box 47439
Seattle, WA 98146-7439**

**Ed Mead, Publisher
Rock Newsletter
P.O. Box 47439
Seattle, WA 98146**

FIRST CLASS MAIL

COMMUNICATION IS A HUMAN RIGHT