

!ROCK!

★ Working to Extend Democracy to All ★

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PELICAN BAY REPS MEET WITH TOP CDC PRISONCRATS

By Arturo Castellanos, October 20, 2013

This is a short update from the four principle SHU reps here at Pelican Bay State Prison to inform you that Mr. Michael Stainer [director of the Division of Adult Institutions], kept his word and arrived here on Sept. 25 and 26 with Mr. Ralph Diaz [warden at the California Substance Abuse Treatment Facility and State Prison (SATF) at Corcoran] and Mr. George Giurbino [retired director of the Division of Adult Institutions]. We went through all 40 supplemental demands as well as some aspects of the step-down program, where we also gave them written suggestions on loading up each step with real meaningful incentives.

Although they were adamant on not rescinding or reducing any RVRs [Rules Violation Reports] for participating in the hun-

ger strikes, they were forthcoming in other areas. For example, there will be additional allowed personal property items in SHU. The memos on those and other supplemental demands will be out soon and placed in the new CDCR DOM [Department Operations Manual] Article 43 as soon as possible.

Those memos should be more specific so prison staff and prisoners will know what kind and size of the items is or is not allowed so the same problems from the June 5 memos won't re-occur. On other issues, it will take time for them to investigate and confirm or not on what we argued regarding those, and on still others, like not rescinding the RVRs, they clearly stated "no," which we prefer to a vague answer that only will string us along. But over all, the meetings were positive and productive.

With all the above and the promises of future meetings in person or by phone conference with Mr. Stainer or his staff regarding any updates on the above and step-down program and the first Senate-Assembly hearings this month in Los Angeles, as we explained to Mr. Stainer, as long as we continue to see forward progress, we do not foresee that the other 16 reps and prisons will want to resume the hunger strike anytime in the near future.

They also granted and reinstated our monthly meetings with this administration and the new warden, Mr. Ron Barnes, to deal with any new or pending issues at the institutional level. These meetings are vital to deal with any new issues and prevent future problems or having to file a lot of unnecessary 602 appeals. We are not MAC [Men's Advisory Council] members, and if

the same has not been put in place in your SHU prison – including women – then you need to sweat your warden about it asap.

Finally, if any of you on PBSP GP [General Population] or any prison have gone through the potty watch be sure you contact the Prison Law Office but address your letters Attn: Sara Norman [Prison Law Office, 1917 Fifth St., Berkeley CA 94710]. She's an attorney there. She came up asking for names and information on this but we only see some of you laying on cold concrete as we walk by those nasty-ass holding cells. So it's very important that you get at her asap to stop this torture.

We stopped them from using the tubes. Now we need to stop the further torture of having nowhere to sit or lay down other than cold nasty concrete and taking craps out there in the open. This is wrong! And it needs to be stopped now!

On this issue, Mr. Stainer explained that x-rays are no longer an option and potty watch is not supposed to be torture. We explained that even those who are not found to be carrying anything and are innocent, because x-rays are no longer an option, are forced to go through this humiliating and torturous experience for two to three days or longer, until after they have three bowel movements. Before, they could just prove they're innocent by an x-ray.

They have agreed to investigate our allegations, but your information on actually going through it is more important, so Ms. Norman and her office can actually file something on it to stop it!

That's it for now. Expect more future updates from me and the other reps as time goes by. Always in solidarity.

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D Facility Visiting Room

Oct. 16, 2013 – This is to notify Warden Barnes and the budget associate warden for SHU of another issue that will be brought up and discussed at the next monthly meeting between the SHU reps and PBSP administration.

CDCR Sacramento officials provided the funds to reopen D Facility SHU visiting room to provide “extended visits” (see Supplemental Demand No. 4). However, PBSP officials just opened half and are only using that half for “overflow visiting” and the other half continues to be used for law library access during weekdays. This is not acceptable.

That visiting room half has to be used for extended visits and overflow, and the only way – as we reps have repeatedly advised this administration and Sacramento – that our family members will all receive extended visits is if this administration changes the schedule from three time slots to two time slots, with D Facility in the first slot and C Facility in the second slot, where all visits are a solid three hours long during the weekends and holidays. This could even work using C Facility and just half of D Facility visiting rooms.

The second option is that all of D Facility visiting room be opened, not just half, where all C Facility prisoners go to the C Facility visiting room and all D Facility prisoners go to the D Facility visiting room – i.e., the short corridor during the first slot and the long corridor during the second slot – thus giving everyone a solid three hour long visit and providing plenty of room for any overflow problems.

Exaggerated responses

First and more importantly, the D Facility visiting room was built to solely be used for D Facility visiting – regular and legal visiting – not to be converted into a law li-

brary or recreational book library. Now, so far, this administration has reopened just one half of our D Facility visiting room.

But in doing so, they also punished us by claiming they had to remove all the recreational reading books and take them to the B Facility general population library. So now we have NO recreational library at this time where SHU prisoners can order reading books (see also our Supplemental Demand No. 8).

Second, the administration has not put any effort into resolving this, other than give excuses why they don't wish to change anything – like, if they reopen all of D Facility visiting room they won't have anywhere to put the law library. These excuses are old ones. In fact, in the past, we gave the administration a suggestion to solve this problem:

Since the law library mainly consists of multiple computers containing all the legal books on discs, they have enough computers to place one in each of the 22 SHU units' dry cells in front of each unit control officer and run law library all day in each unit using just that unit's officers to escort prisoners to and from those dry cells and back to their unit section.

A new suggestion, since the administration has not responded to the suggestion above, is that there is plenty of room in the SHU to move both the law library and the recreational library. For example, both C and D Facilities presently have a lot of space available between the back of each main corridor control booth and the visiting rooms. Right now it's even being used as a partial storage area.

These available spaces can easily be utilized as both law library and recreational library where six-10 modified cages with the computers can be constructed and installed in those spaces to be used for law library access. Shelves can also be constructed or moved from the present library and placed in those spaces for law books, legal forms, copy machines and even for recreational books.

In fact, these spaces are so big that even with all those mentioned cages, shelves etc., there will still be plenty of room for staff desks and a walkway in between to provide access to the visiting area from SHU. So all the present excuses for not re-opening all of D Facility visiting rooms are unfounded and

“Three key points [in the previous article] need our present and future pressure....” Taken from a post by a family member on the HS list server.

“CDC ‘won’t budge’ on the issue of ‘Rules Violations Reports’ (the 115’s) that were given to everyone who participated in the hunger strike. (Note: Demand to rescind the 115’s is the subject of this week’s Alert! by the Pledge of Resistance/Emergency Response Network.)

“Pelican Bay Prison Warden (Ron Barnes) is not moving to open up 3 hours a day, Saturdays and Sundays, for family visits, as was promised. The space is available, but the prison is dragging its heels. This is totally unfair to family members who drive so many hours to see their loved ones.

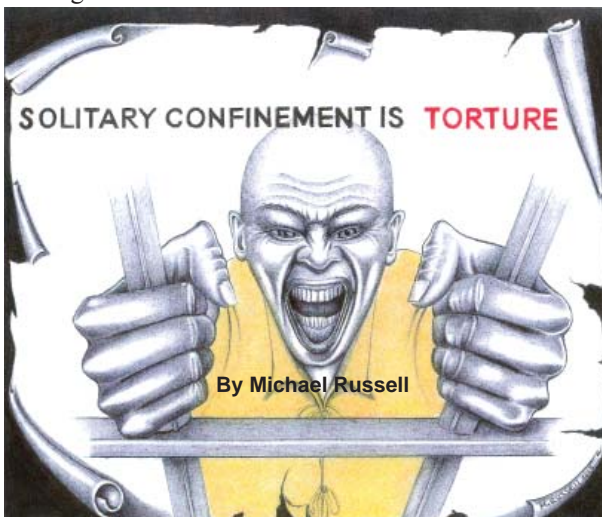
“If someone you know in PB has been potty watched, please tell them to write Sara Norman, attorney, Prison Law Office, 1917 Fifth Street, Berkeley, CA. 94710”

it appears that on this issue, the old CDCR game of delay and excuse is being played here.

In closing, the above problem of our family members barely receiving a 90-minute visit, if they're lucky, has greatly affected those relations over the two decades plus since this prison was opened, especially those who must travel very great distances.

So, our advice to this administration is to find somewhere to permanently move the law library and recreational library and re-open all of D Facility visiting room and change the present three visiting slots to two visiting slots as soon as possible, because on this issue, there is no in-between and we as SHU reps promise you that this will continue to be one of our main issues until it's permanently fixed. ●

Arturo Castellanos is one of the four main SHU reps writing on behalf of all 20 reps and all SHU prisoners and their family members.



HAVING THE FORESIGHT TO END ALL HOSTILITIES!

By *Mutope Duguma*

In my 29 years of incarceration I never seen what I would witness on September 24, 2013. On our way back to PBSP solitary confinement torture chambers.

We must commend our 20 Representatives for having the foresight to see that the cdcr officials would be utilizing their authority (i.e., power) to create situations and circumstances that would attempt to encourage and manipulate warfare between races inside the prison environment. Now, on the way to CSP-SAC (New Folsom), on August 23, 2013, for our emergency medical transfer from PBSP Ad-Seg, we prisoners were placed on the bus and separated by race. New Afrikans were placed in the up front cages. The whites were placed across from the New Afrikans in the more wider cage, but still up front cages. The larger group of Mexicans from the Los Angeles County area was placed in the back of the bus and they too was cut off from each other by a dividing cage door. The bus had cameras in the back and the front of the bus, in which the transportation officer, not driving the bus, can surveillance these cameras. This was their legitimate security protocol for transferring so called highly secured prisoners.

So why was security protocols neglected on the way back?? Where there was 1 white, 1 Mexican from the northern district, and 2 New Afrikan prisoners. It was a total of 25 prisoners on the bus. The remainder were Mexican prisoners from the Los Angeles County area. Now, there was no attempt to secure the bus. We prisoners was hopping from seat to seat. It was all good. The front row cages were not locked, which afforded us to move about freely. Now there was a 'colorful' transportation officer named Wagner, who came on the bus to give a speech, talking about nothing. Now, I never seen him before in my life prior to this bus ride, but he get on the bus talking all this nonsense and he kept eluding to my name after every speech he would say, "Aren't that right, Crawford?" I wouldn't say nothing in response.

Now, I didn't read too much into this initially, but after we got five hours from Pelican Bay State Prison, it was night fall outside, and here is where, in all my 29 years of incarceration I have never seen nothing so blatantly clear. Earlier we picked up a young 23 year old New Afrikan from Old Folsom, who was 15 months to the house,

named Tay, who had never been to prison in his life. 'Young and innocent' he would make the third New Afrikan in the bus. We would be unable to see each other for five and a half hours, due to transporting officers refusing to turn on the lights and not one prisoner requested that they do so. It was so dark you could not see the person next to you. Never before has this every happen for such a long period of time on a cdcr transportation bus, especially with the caliber of prisoners that these so called officials call the worst of the worst.

No, we prisoners have to realize that these types of situations will be prevalent throughout our futures because cdcr will do whatever is within its power to place us as prisoners back on a path of senseless, reckless violence in order to serve their interests. They wanted the majority to attack the non-majority, when there existed a clear opportunity to do so, in which the cdcr transportation provided. But our 20 Representatives and their ability to understand our historical contradictions, to which cdcr has utilized these same realities in order to allow one group to attack another based on how they place them inside the prison theater, where cdcr officials allow each race, at times, depending on who they are out of favor with, to have total dominance over the other races, inside prison theater, which unfortunately would lead to opportunities of attacks by the majority race.

The End To All Hostilities has basically weakened the cdcr ability to create race, gang, and internal warfare inside the prison theater to the extent that they once did. We prisoners have to be very conscious of the many traps that will be set up by prison officials toward encouraging prisoners into warfare. We have to remain very vigilant inside these prison environments to protect our End To All Hostilities.

After we finally got to PBSP, one of the Elders (Huerta) turned to me and said, "Mutope, you see what they just tried to do??" I 'sponded, "I sure did !!" He said, "You need to put that out there." You know I am ... smile. The youngster, Tay, from Richmond CA, was a fish out of water. I pulled him to the back of the bus with me and an Elderly New Afrikan prisoner, Dadisi, and after he was done talking with the two of us, on occasions, he would lean back and go to sleep, unaware of any threat whatsoever for an innocent, level 2 prisoner who had no clue. Hopefully, when he

learns more about the prison environment, he will come to appreciate the 20 Representatives for their foresight to institute An End To All Hostilities. He would be the only prisoner to sleep on the bus. •

Mutope Duguma,

*sn James Crawford, D05996, D-1-104
PO Box 7500, Crescent City CA 95532*

EDITORIAL 2-12

This issue contains an articles and a letter proposing the creation of a prisoners' Political Action Committee or PAC. The authors seek comments from readers. The object is to get a lot of ideas and opinions on how best to continue building a strong and peaceful prisoners' movement. The idea of a PAC is one such proposal.

Someday both prisoners and the CCPOA membership will come to realize that their respective class interests are one and the same. But that day is not now. I agree with the letter-writer's analysis of things between CCOPA and the CDCR [*see last letter on page 4*]. And I agree that prisoners should stick to what works. But I disagree with any solution to the problem that does not include a provision that no amount of convict money will be given to bourgeois politicians—to liberal politicians.

What works is not for prisoners to try and outspend the CCPOA on these politicians. [*See PAC proposal on page 7.*] Prisoners are currently the lower segment of the working class; they are mostly poor. They will never win a spending contest with members of the highest paid prison guards in the nation (and their conservative supporters). And even if convicts did manage to out-spend the guards, we'd still be strengthening the corrupt, pro-rich government. What has worked so far is the strength that flows like water from your unity. You would not be where you are today, and today you lead the nation, were it not for your unity of purpose. This has thus far been a masterfully orchestrated contest.

I get letters from prisoners asking what lies ahead, what's the next step? They ask because they think I know more because of this newsletter. That's not the case. My guess is that nobody knows for sure, although I'm fairly certain when a decision is made, as in previous situations, the public

Editorial.....Continued on page 5

LETTERS

Unhappy Reader

I am writing to question why you not only printed my article, which I did not send to you (I sent it to *Prison Focus*). Not only did you hack it up and take out material relevant to the content portions of it, you did not print my name and CDCR number as I had requested to *Prison Focus*. Then to slap me in the face you didn't even send a copy of the issue my article was printed in. I had to read it from someone else.

Look Mr. Mead, you do a lot of good work and I do read the *Rock* (I should be on the mailing list as my lady signed me up and gave a donation) as there is good, relevant materials within it. But I would never write an article for you as I don't agree with your [word unreadable] nor views on many matters. I ask for clarification in the next issue and/or a reprinting of my entire article along with my name.

Salvador Negrete #P-49458

[Ed's Response: *In addition to this newsletter, I am also the editor of the Prison Focus newspaper. When you submit an item to Prison Focus it goes to me. If you are not sending material to Rock because you disagree with me, then you should not send it to Prison Focus either—we are the same in terms of editorial content.*

You wrote your piece while on day 49 of your HS (I greatly respect and honor your sacrifice). It was timely as the HS was still going on when I received your letter. It would not have been timely, however, and would not have been printed at all had I waited until the next issue of Prison Focus came out. As for my failure to print your name, at the head of the letters section of the November Rock was the message no names would be printed in that issue

I do edit letters spelling, clarity, and length. When editing for length I try not to obscure the key points the writer is trying to make. In this case it appears as if I failed in that regard. For that I apologize.]

Public Misled

Foremost respect and veneration for your courageous stand and to those whom in solidarity stand up and are willing to die for humane treatment and dignity. As we all know, injustice, abuse and disregard for established federal, state, and administrative

law and precedent occurs on a regular basis. It is necessary to speak out and to educate society as to what truly goes on behind these dark corridors, that reek of fear, hate and ignorance.

It is sad how the public is so confused and it's attention taken away from the problem by so much media "junk." They [the ruling class, media?] have taken their free will and common sense and turned them into gullible, empty sheep that may be led to believe it's in their best interest to incarcerate, abuse and confine your husbands, sons, uncles and nephews in [SHU] dungeons for 24 hours a day (and twice a week put in a cage/kennel to exercise for mere two hours). All of this under false pretenses, simply because one seeks to educate himself in philosophy, ancient cultures/societies, and the judicial system. Then those individuals become threats, as they are now able to see how unjust, illegal, and contradictory the state's draconian underground rules are. [Remainder of letter omitted.]

Name withheld, Tehachapi

Prisoner PAC?

On August 23, 2013, 50 hunger strikers from the Ad Seg unit in PBSP were sent out on a special transport to a temporary Ads Seg, unit in New Folsom. Many of us were already on our 47th day of fasting, not an ideal time *anyone* to be traveling, let alone all wrapped up in chains; but myself personally, I've come to enjoy these moments, where I can see the outside world, live, in motion and feel a part of it. But there was something else going on here, something that has growing steadily throughout this whole protest, and that's the unity we've been having that really shines when the adversity is turned up. Nobody who has experienced this trip can deny the sincerity of that unity that goes beyond race and regional groups, we're all there for one another, a prisoner class with one foe and that's the CDCR/EEPOA (and selected groups). If we can hold on to this spirit and let it spread to the lower level yards then we can actually start changing things and I'm not talking about just the SHU situation.

One thing we've been talking about, besides what Ed talks about in his editorial 2-9 in September 2013 issue of *Rock* newsletter (which I completely agree with that these prisons cannot function if prisoners withheld their labor) is the formation of some form of prisoner PAC or PAC-like fund to give us some sort of political par-

ticipation. I know we can get this off the ground with prisoners initially contributing \$5 or so and then outside support to where businesses and even celebrities can contribute as well—see the separate letter by Perez which articulates it all very clearly and which I fully endorse. We prisoners throw enough of our money at these worthless magazines which the c/o's (cops) routinely just walk in and throw away as trash a few months after we get them. Surely we can sacrifice some of that or a few junk food canteen items to build this fund. We spend a fortune on a lot of things that don't even benefit us. We have the attention of the legislature, now let's start to push the things they can actually help to change, including Board reform (those blanket denials), family visiting, our weights, restitution and a lot more.

Let us not forget the previous 3 strike proposition that we were actually winning until CCPOA launched a last minute media blitz that turned the tide against us and narrowly defeated the proposition. So that should tell us how powerful media blitzes can actually be. CCPOA union dues are about \$80 and some a month per member, so that's a powerful chest there but it's about time we get on the board here and put our numbers to work—there's a whole lot of us!!! (prisoners outnumber the correction staff union membership by a huge margin).

I also want to urge everyone to write to Assembly person Tom Ammiano and Senator Lori Hancock thanking them for their committed support and also giving them a brief story of how these years in SHU have affected you and the relationship with your loved ones.

Gabriel A. Huerta #C-80766

Ain't that something

As the Hunger Strike [of 2013] came to an end we must and cannot stop the fight against the ones that keep us in these cages, all for the mighty dollar. We must fix this broken criminal justice system that the taxpayers bankroll. I was reading a motion from the law suit against solitary confinement (Riuz v. Brown) in which the California Correctional Peace Officers Association (CCPOA) filed a motion to intervene in the law suit (be a defendant/part of the lawsuit) claiming that "CDCR does not have the prison guards best interests at

hand [as] during a recent hunger strike by PBSP SHU inmates CDCR made a number of concessions, including the introduction of colored pencils and pens. SHU inmates regularly use colored pencils and pens to dye clothing and fashion the pens and pencils into weapons.” Ain’t that something? The guard’s union also stated that they fear for their lives if SHU validated inmates who have been in SHU for more than ten years are released without going through a step-down program. The only reason the guard’s union is trying to intervene in the law suit is so they can stop any negotiations and or settlement.

The CCPOA is the prison guard’s union and functions as the representatives for unit 6, which consists of 27,389 rank and file corrections employees. Started in 1982, this union is the highest paid guards union in the nation, and the second largest union in California. Nothing happens in prison without the CCPOA’s approval—they run the show. When we did our hunger strike CCPOA shortstopped any and all our negotiations with CDCR Director Jeffrey Beard and Governor Brown. You ask yourself how can they have so much power? MONEY, that’s how. “Money is power.” They fund/donate to judges and politically powerful people! I say let’s do what works; let’s copycat what has shown to work. This is something I would like all of us to think about. If we in California prisons, over 170 thousand [according to state officials that number is now down to 110 thousand], donated ten dollars a month to a fund that lawyers can open and our hunger strike representatives/short corridor collective can get together with our lawyers to see the best way to use the money for the best interests of all inmates, as in supporting legislators/assembly members when they run for office. Back the state legislators that are courageous like Tom Ammiano, Loni Hancock, Tom Hayden when they run for office, drafting legislation/proposals to be on the ballot for voters, class actions lawsuits, money for expert testimony as in Ex PBSP officer associate warden Patten, Doctor E-Allen, etc. as we could use right now in our lawsuit *Ruiz v. Brown*. This movement will only work if we continue our fight in solidarity, united as one, a hundred percent committed to ending solitary confinement and in inhuman conditions in all SHUs and main-lines the fight for the five to the 40 demands continue. Do the math, ten dollars a month for 12 months over 170 thousand equals power! That’s just a rough draft

idea; I know better heads could fine-tune it. With the Upmost Respects,

James Godoy CI

SHU Food

I am writing to you because of something that is going on inside PBSP SHU by OTHER INMATES, which adds an unnecessary dimension to the horror of daily life for those in the SHU and I find it hard to swallow. I am speaking about their meals. I am writing to one of the SHU inmates and he tells me that his meals regularly arrive on dirty trays, or with dirty dishwasher splashed all over them, the food itself is slopped all over the tray – vegetables etc. put on top of the dessert or coleslaw juice poured or slopped on to the Jell-O etc. In addition, the so called “fresh” components of the meals are usually wilted, rotting or rotten. Items that should be on the tray according to the menu are missing and others are stale etc.

The men to whom this food is being served are fighting for the rights of ALL prisoners, not just themselves, and to be “rewarded” by having their fellow prisoners give them such slop, is a slap in the face to both them and their efforts. Is this fair?

To those inmates who serve this food, please keep in mind that you too could be validated because you said hello to the wrong person, pissed off a guard or have the wrong piece of artwork in your cell or on your body – then you will be eating the slop you currently serve to them! If you are one of those men serving this food, ask yourself how you would feel knowing that your fellow inmates are co-operating with CDC to make your life even more miserable than it already is! That, is what my friend tells me is the hardest part – knowing that his fellow inmates are doing this to them!

To ALL of you who, inside and out, have friends and/or connections with those serving up the food, PLEASE exert some pressure on them to serve decent food, on clean trays, with everything present that is supposed to be present to those men who are fighting for YOUR rights and cannot work as you can for extra money for extra food.

In addition to not being able to work, they, along with many others are still recovering from 60 days of no food, so now it is even more important that they receive their full rations! They were prepared to DIE for you; can’t you give them some decent food in return? We must stop prisoner punishing prisoner and helping CDC in the process.

Jewels

Editorial..... Continued from page 3

will have many months of advance notice.

Anyway, in terms of a prisoner’s PAC, liberal politicians have a more finely tuned sense of justice and will therefore support the prisoners’ call for actual (meaningful and merciful) justice, no matter what—there’s no need to pay them. And even if we could buy-off a lawmaker or two, someone with more money would just come along and buy those politicians back.

As for getting a ballot initiative, that would take way more strength and resources than currently exist. Just look at previous failed efforts like three strike reform. With all that said, there is a real need for money to be spent on things like legal filing fees, duplicating costs, postage needs, etc. I agree there should be a secure fund set up for that.

Back when we had some money, Mark and I setup a bank account in the name of the Bruce Siedel Memorial Fund. We put \$13,000 in that fund for the purpose of giving it to progressive political prisoners being released from prison. Today there is something like \$3,500 of that money left. We’ve given away about \$4K to released political prisoners, and the rest was used to support the three California hunger strikes.

If it would ease the burden on your lawyers of opening and maintaining a bank account, Mark and I could act as disbursement officers—at least to start with. The Coalition would really be a much better choice for this task, however, since they have more people, including lawyers, and are located right there in Oakland.

Anyway, maybe a membership organization in which dues are collected can be created. Yeah, that would go up the CCPOA’s ass sideways, but if any group has a right, a need, to peacefully organize, it’s prisoners.

It was a crime from workers to organize into unions back in the early 1900s—they called workers organizing “criminal syndicalism” or some such thing. But workers went ahead and organized anyway. They won the right to organize, the eight hour day, weekends off, etc. The unions accomplished a lot until they started sucking up to management and kicked out all the communists from the unions. The result of this treachery can be seen in the sorry state of trade unionism in the U.S. today. Membership is at an all time low and workers are under continuous attack by big business, even their pensions are being taken, while the union leadership remains paralysed. ●

California to limit pepper spray use on mentally ill inmates

By Paige St. John, LA Times, 10/23/2013

Facing federal scrutiny of the way it uses force to subdue mentally ill prisoners, the California corrections department is working on new rules to curb some of those practices. In testimony Wednesday before a federal judge, the state official in charge of adult prisons said he sought the changes in part because of videotapes showing half a dozen inmates — some naked and screaming for help — being repeatedly sprayed with large amounts of pepper spray.

Those tapes “are honestly one of the reasons we will be revising our policy to provide additional guidelines,” said Michael Stainer, deputy director of the California Department of Corrections and Rehabilitation.

Stainer said the new rules would limit the amount of pepper spray guards may use and ban canisters of the substance meant for crowd control in a small cell. •

Inmates briefly take control of part of Oregon youth prison

Posted by John de Leon

The Associated Press, Oct. 7, 2013

Authorities say 11 inmates rioted at a youth prison in Southern Oregon, taking over a portion of the Rogue Valley Youth Correctional Facility in Grants Pass for several hours.

Superintendent Ken Jerin told the Grants Pass Daily Courier (<http://bit.ly/19vEFPS>) that one guard had to barricade himself in an office Sunday night until police and guards regained control. Two other guards backed out and locked down the quadrant.

Jerin says two SWAT teams and negotiators were called in, and the last youth gave up shortly after midnight. A day room was “trashed,” but no one was seriously injured.

During the incident, someone identifying himself as an inmate called The Grants Pass Daily Courier and said there was a riot.

Jerin said the cause of the riot was under investigation. •

One For Ten

For every 10 people on death row who are executed, at least 1 person on death row is innocent. That would be about 74 in CA which houses 740 prisoners on death row.

There are many reasons why innocent people might be wrongly sentenced to

death, and the *One For Ten* documentary series — taking its title from the statistic that for every 10 people executed, one person is exonerated — recently highlighted the stories of innocent people who found themselves facing execution. Some people falsely confess to the crime under pressure from the police.” •

Private prisons suing states for millions if they don't stay full

The prison-industrial complex is so out of control that private prisons have the sheer audacity to order states to keep beds full or face their wrath with stiff financial penalties, according to reports. Private prisons in some states have language in their contracts that state if they fall below a certain percentage of capacity that the states must pay the private prisons millions of dollars, lest they face a lawsuit for millions more.

And guess what? The private prisons, which are holding cash-starved states hostage, are getting away with it, says advocacy group, In the Public Interest. In the Public Interest has reviewed more than 60 contracts between private prison companies and state and local governments across the country, and found language mentioning “quotas” for prisoners in nearly two-thirds of those contracts reviewed. Those quotas can range from a mandatory occupancy of, for example, 70 percent occupancy in California to up to 100 percent in some prisons in Arizona.

One of those private prisons, The Corrections Corporation of America, made an offer last year to the governors of 48 states to operate their prisons on 20-year contracts, according to In the Public Interest.

The offer included a demand that those prisons remain 90 percent full for the duration of the operating agreement. If there are not enough prisoners then there will be an unspoken push for police to arrest more

people and to have the courts send more to prison for petty, frivolous and nonviolent crimes. There will also be a “nudge” for judges to hand down longer or maximum sentences to satisfy this “quota.”

Private prison companies have also backed measures such as “three-strike” laws to maintain high prison occupancy. When the crime rate drops so low that the occupancy requirements can't be met, taxpayers are left footing the bill for unused facilities. The report found that 41 of 62 contracts reviewed contained occupancy requirements, with the highest occupancy rates found in Arizona, Oklahoma and Virginia. •

Prison guards accused of making inmates fight for snacks

Three Pennsylvania corrections officers who have been accused of organizing inmate fights have been suspended pending an investigation.

The three York County Prison officers have been placed on unpaid administrative leave while state police investigate the allegations, the York (Pa.) *Daily Record* reported.

A York County news release Friday said the allegations were made against the officers during another investigation into graffiti at the prison.

“Earlier this year, while conducting an unrelated investigation into pen/marker graffiti and other minor vandalism inside an area of the facility, prison administration learned of possible unprofessional conduct by three corrections officers. Management immediately began an internal investigation,” the release said. “Based on evidence obtained during the internal investigation, the three officers were placed on unpaid administrative leave and the matter was turned over to the Pennsylvania State Police for further investigation and possible criminal charges. The York County Prison and its staff actively cooperated with the State Police investigation.”

The officers are accused of having inmates fight each other or perform stunts for coffee or snacks.

One inmate alleged that he took part in the “Retard Olympics,” organized by officers, and had to perform “stupid stuff for food and coffee.” Another inmate said he agreed to be sprayed in the face with pepper spray foam for coffee, which he never received. •

**BUILD
STRONG
COMMUNITIES
NOT
PRISONS
AND JAILS!**

PRISONER PAC PROPOSAL

By Jesse Perez

Merely days after the suspension of the historic California hunger strike of 20123, which lasted an unprecedented sixty days and saw record prisoner support across the state, the task of tactical and strategic reassessment—imperative in any protracted struggle at key junctures of the same—is well under way.

As our reps have publicly made known: we are gearing up for the upcoming battles in our overall struggle to abolish the state's practice of long-term solitary confinement in both the political and legal arena, which, given the prisoncrats resistance to change, are very likely the forums where the matter will ultimately be decided—one way or the other.

With that in mind, the occasion recently arose to submit to some of our reps the idea of developing a prisoner Political Action Committee (PAC) aimed at, in the short term, bolstering the tactical momentum gained in the latest strike and, in the long term, competitively establishing our voice in the one place where it all goes down—the public policy making process of the California legislature. The reps were receptive to this idea but had reservations, chiefly, is the actual prisoner population even there? An entirely legitimate question. To get a gauge on an answer it was further suggested that an article outlining the idea and requesting feedback on it from the prison population could be disseminated. That being the precise intention here; the idea is as follows:

The object would be to formally register a prisoner PAC, an act protected by the First Amendment of the U.S. Constitution as set out by the U.S. Supreme Court in *Citizens United v. Federal Elections Commission*, 93 S.Ct. 375 (2010). Such a PAC would give prisoners competitive access to the political arena by way of “independent expenditures” that would focus on promoting/advancing our political interests.

Such expenditures would have to be primarily funded, at the onset at least, by the prison population. Yes, we are not well off and some are barely scrapping by—if that. But prisoner contributions required to get this idea off the ground are reasonable and, more importantly, entirely doable. Consider this, the overall prison population in California is just above one hundred thousand,

and if that number of prisoners each contributed only five bucks that would bring in five hundred thousand dollars. Five bucks pales to the amount most spend in canteen each month or the sacrifice of starving yourself or blowing your release date for supporting a work strike.

Or, for a more conservative estimation, if the thirty-three thousand who initially supported the latest strike contributed a similar amount that would still place a notable sum (\$165K) in our political war chest. Further, such estimates don't even take into account likely contributions from non-prisoner sources (i.e., informed voters for whom the tough-on-crime rhetoric has run its course, natural allies such as small businesses who stand to gain from effectively opposing the prison industrial complex (PIC), and of course family and friends). So an actual final tally could top a million worth of independent expenditures.

...the prison population in California is above one hundred thousand, and if that number each contributed only five bucks that would bring in five hundred thousand dollars.

Independent expenditures are prohibited, under federal regulations, from making direct contributions to the official campaigns of candidates for office. So you can dismiss any misplaced belief that your contribution to the PAC would end up in the pocket of some politician. What regulations do allow, however, is PAC expenditures towards purchasing space in the media (i.e., TV, radio, newspapers, magazines, etc.) to run ads informing the voters in support or in opposition of candidates for office. For those who don't follow politics, that is mostly how it works. Lawmakers/politicians are more responsive to the narrow interests of the few who support them by financially investing in their political career (directly or not) than the broader interests of the many who support them with their vote. Why? Because the vote is influenced by the information (accurate or not) that voters are exposed to via political ads. Such expenditures can be, and should be, very strategically made.

For example, say Tom Ammiano, Chairperson to the Assembly's Public Safety Committee and demonstrated supporter of our cause, decides to run for the office of state senate once his term is up and he is

constitutionally ineligible to seek another term in the assembly, our PAC can make expenditures to run ads opposing the candidates of his political rivals because Ammiano has already shown to be responsive to our interests even, quite incredibly, without even the specter of receiving financial support for this political aspirations from us. The likely tactical edge gained by instituting a well-funded prisoner PAC, in the run up to the impending legislative hearings, should be clear at this point.

Another of the concerns that came up with this idea of a PAC was this: How do we avoid individual contributor's natural skepticism about whether their contributions are actually being put to work for them? The answer is simple enough—complete transparency. More specifically, a website would be developed where the instant a contribution is received the name and exact amount contributed by every person would be posted, along with the overall sum total of all contributions as well as when, where, how, and why any contributed penny is expended/used. In this way, anyone and everyone could ask their people to simply go online and confirm whether their contribution was received and if it is being used to push for progress in the political arena.

Furthermore, to completely eliminate the development of any degree of skepticism, among any and all the sub-sectors that collectively make up the overall prison population, regarding contributions made, we can opt to delegate their management to a neutral party (such as a willing political science professor and his/her students), while still basing such management on the consensus coming out of the decision making process already in place within the infrastructure of our movement.

The above, then, is the prisoner PAC proposal as currently envisioned. Any feedback, critiques, suggestions, commentary, etc. in support or opposition would be welcomed and considered.

In conclusion, I submit this personal observation: not only is an idea like this a natural progression of all our efforts thus far, but to pull something like this off would send a strong message to the world of state politics. That message being that no longer can the interests of working-class poor (i.e., our families and us) be wholly ignored without political consequences. ●

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PANTRIES, POISONS, GASSINGS AND OTHER ATROCITIES COMMITTED AGAINST MENTAL PATIENTS IN SECURITY HOUSING UNITS AND AD-SEG

It seems that change in our society is only brought about by those of our populace who are considered to be radicals, so this piece is written for those radicals who are passionate enough to care and who will take the necessary efforts to make a lasting difference for us who are held and tortured in security housing units, SHUs, which are specifically dedicated for those inmates who are claimed to be patients and who are, and who are supposed to be under the care of CDCr's Mental Health Delivery System Clinicians. These American gulags are also known as "psychiatric service units", or PSUs.

CSP-Sac (New Folsom) These specifically dedicated SHUs are rarely, if ever visited by outside prisoner rights organizations, to my knowledge. Also, the inmates housed therein are simply forgotten. These inmates have no representatives and no means to voice their concerns, and so the atrocities accumulate unchecked. Aggressive and sadistic guards are known to pepper spray an individual until he can not breathe, due to accumulation of micronized capsaicin (pepper essence) in their lungs when the guard empties into the individual, several canisters of the corrosive irritant chemical weapon. It is not third party hearsay; I know of it personally, for it has happened to me. Of course, nothing is done about it when you have the foxes guarding the henhouse. Think an inmate can obtain justice through prison administrative grievance systems? You had better think about it again. No Way. And, the courts, including the federal courts, will not entertain themselves of the issues of complaint, when the completion of the administrative appeal process has been denied to you. It has been made law, a statutory pre-release, otherwise known in litigation circles as a "procedural bar." It creates gross injustice and perpetuates unchecked human abuse which is tolerated by society. It's a blatant indication of how cruel and vicious we have become as a people.

Even more sinister is the presence of *food pantries* created within each of the SHU/PSU units which are independent from the main kitchen, where mainstream inmates receive their meals. Also, they are therefore not under the control of licensed food service entities, which are in fact, totally controlled by the guards assigned to that block. Those inmates who are targeted

by the 'system' quite often find themselves physically sickened by the meals which they are served; meals which are served with full-blown contamination.

The milk is a flavored vehicle to get an inmate victim to ingest a 'knock-out' drug and get raped as he lies unconscious. It is a fact, it has happened to me twice. Also, milk is utilized in these modernized dungeons as a tool to get unsuspecting targeted inmate/patient victims to consume psychotropic substances which have the effect of a 'truth serum' and are used as an aid in covert interrogation of an inmate suspect, by debriefer inmate informants – snitches.

And for the same purpose, targeted inmate/patient victims are placed in cells with low pressure or dysfunctional ventilation systems, which are used to force irritant gasses, pepper spray or other toxic, obnoxious chemical weapons through to be inhaled by the occupant of that particular cell. In addition, the usual torture routine goes something like this: air cooling system on full blast in mid-winter, heating system turned full up in mid-summer. Ever hear of heat related death by inmates who have been prescribed psychotropic medications, in your local news rag? It is well known to all, now, that claims of ignorance pertaining to a subject, which through due diligence on your part you should have known, is not accepted as a legitimate defense. Fact is, we are all responsible for the repeated occurrences of these atrocities. After all, it is us who established the 'closed' penal institutions, and it us who refuse to enter it. Is it a cause to wonder why our society is falling apart? And what will ultimately be the end? Right? We shall see. But our future is 'seeable' if we take a look at the past.



And where are the mental health clinician professionals when all of this madness reveals itself? Think they will stand up and report inmate/patient human abuse? Better think again! Jobs are hard to find and our economy along with our morals are stagnant. Bottom line is, it seems that few, if any, even our social-minded organizations, will keep a vigil on our state prisoners condemned to serve lengthy terms in SHU/PSU gulags, sometimes at the price of life itself!

And, how about those massive jail facilities, serving huge metro areas, which are built with integral hospitals and extensive medical facilities and integral (loyal-to-laki entombment) medical personnel which also helps inmates who are deemed to need psychiatric care or medications, who, in fact, may not need psychiatric services or medications at all, but may have been railroaded into such mental health systems by corrupt public counsel and an indifferent court. I am one of those inmates.

Think that the courts will intervene on my behalf when I file litigation for relief? Or for any other inmate who finds himself in similar situation, where their foods are subsequently wheeled into those hospitals by potentially dangerous inmate trustee snitches and they are subjected to unauthorized medical procedures? Remember we are describing acts performed in closed-to-the-public penal detention facilities here. I have personally witnessed very strange behavior and operations, involving inmate/patients, medical personnel and trustees at very late hours at night and very early hours of the morning.

Say these type of atrocities of which I describe could not possibly happen in our modern society? Better think again. Better yet, let's rally support in our communities and force investigative committees and regularly tour these penal facilities. Talk to the inmate/patients themselves, not just to the captain or warden, or whoever they assign to follow you around their facility. The ability, also capacity, of most organizations is insufficient to maintain the constant watch necessary to prevent this type of gross human abuse and torture. We, ourselves, individual concerned citizens, must form these groups. It is time for us to become our Brother's Keeper, and never stop! ●

James E. Smith, AB5463, Represa CA

CALIFORNIA LEGISLATIVE HEARINGS TAKE ON SOLITARY CONFINEMENT, ADDRESS HUNGER STRIKE DEMANDS, 100 RALLY IN SUPPORT

By *prisonerhungerstrikesolidarity*, 10/9/13

A rare joint session of the California Senate and Assembly Public Safety Committees held this afternoon to address demands made by prisoners during this summer's massive hunger strike has just ended. California's use of indefinite solitary confinement, and the devastating physical, mental, and public health impacts of the notorious practice was at the center of today's three hour hearing. The hearing was preceded by a lively rally of 100 people, made up mostly by prisoners' loved ones, who demanded an end to solitary confinement. The crowd then filled the hearing room where panels of experts gave sometimes emotional testimony on the internationally condemned practice. Impassioned public comment continues at the time of this release. The California Department of Corrections and Rehabilitation (CDCR) continued to defend its practices during the hearing.

Billed as an informational hearing, Senator Loni Hancock was clear that these "frank, public discussions will lead to legislation." Calling conditions in solitary "beyond the pale," Assemblymember Tom Ammiano said bluntly that he didn't want "lip service" from the CDCR. Giving often meandering answers to direct questions, the CDCR admitted directly that action was taken against prisoners who participated in the peaceful hunger strike protest.

"We have to work with, and urge our representatives in the legislature to ensure that changes are made in the interest of imprisoned people, their loved ones, their communities—in the interests of humanity," prisoners being held in solitary at the notorious Pelican Bay State Prison said today in a statement issued to their supporters and state legislators. They continued: "We cannot ignore the urgency of this moment. Let there be no illusions about the difficulty of making these changes, but they are necessary and inevitable."

After hearing testimony from expert panels including the ACLU, legal scholars, prisoners' loved ones, and former prisoners, legislators were particularly interested in the astounding number of people being held in solitary in California, the length of

time people are being held there, as well as clear pathways other states have taken to reduce or eliminate their use of solitary confinement.

"We are glad to take the opportunity to educate the Public Safety Committee on the human rights violations happening in California's solitary confinement cells. We are thankful that the committee understands the gravity of this issue and the legitimacy of the hunger strikers' demands," said Dolores Canales of California Families to Abolish Solitary Confinement after testifying before the Committee on the conditions faced by her son in solitary confinement. "But, we have had many informational hearings on this issue over the course of the past 10 years. It cannot be clearer: now is the time for the legislature to take swift and resolute action to end California's shameful use of solitary confinement." •

THE WALLA WALLA EXPERIMENT

A few issues of *Rock* back I printed a quote from a California prisoner named C. Landrum. He said something to the effect that "there's no such thing as prisoners' rights. There are only power struggles." I believe that to be true. That in the long term prisoners will entirely run the prisons, facilities that will look nothing like today's institutions. The long term can be discussed another day. There is still a medium and short term to be discussed. Regardless of the term, short or long, the issue will be one of power—that of empowering the powerless. In the short term we are talking about dual power, where prisoners control all non-custody functions. While I view this as the primary short term objective, I doubt it is something most of us will live to see. "Short term" may be 50 years or more.

To start with let's understand that prisons cannot be seen as serving the long range needs of the public. While offenders are off the streets, what goes on behind the walls brings no chance for a safer society. This is demonstrated not only by the violence that takes place inside the prisons, but also by the seventy percent recidivism rate that

exists in most states. When a person steps through prison doors he or she becomes a number and loses their identities as human beings. Fact is, you just don't get good results from doing bad things to people. The prisons are returning folks back to society with more anger and hatred in them than when they entered the system. Yet neither politicians nor correctional officials will admit there is much room for improving their failed system of corrections—at least not beyond public relations ploys such as adding the word "rehabilitation" to their name.

Here is how the prisons are often managed: The prison administration has a few key leaders among the population. These persons serve the role of the modern-day capos. These prisoners are rewarded with special favors. They get choice cells, better work assignments, and other perks such as greater access to the officials. These few are the prison administration's first line of defense. If there is trouble brewing they learn about it through these stooges, and the cops often leave it to them to bring potential troublemakers into conformity. The practice is unconscionable in its unfairness to other prisoners, yet it is widespread in America's prison system.

Dr. William Conte was a psychiatrist who in 1966 became the Director of Corrections in Washington State. It was a time when the public was not as intolerant of crime and criminals as it is today. During the course of his term Dr. Conte made a trip to Scandinavia to view the operation of their prison systems. He came back to Washington with some radical ideas. At about this same time, it was 1971, prisoners at the Washington State Penitentiary at Walla Walla went on a work strike for long hair and beards, which was what many men on the streets were sporting at the time.

They won that demand, along with a lot of others they'd not asked for, including abolishing strip cells, the installation of telephones inside the prison, the elimination of prison censorship, and, most controversial and sweeping, the creation of a "Resident Governing Council (RGC) inside the prison. Prisoners were given a hand in shaping their own destiny inside the walls. "The purpose of the council," Dr. Conte subsequently said, "was to give the men in prison an opportunity to learn something of the process of representative government because, after all, we were preparing them to return home."

Suddenly prisoners had rights and were not subject to the indiscriminate orders and

power that formally existed. The program was called 50/50 in which prisoners had 50 percent of the power and the administration had the other 50 (and veto power)—essentially all non-custody areas of the prison. So if a prisoner was drunk from too much pruno, for example, his comrades would escort him back to his cell. If he was too obnoxious, they would take him to the hole to sleep it off and then release him the next morning. There was an elected prisoner legislature and an RGC president. Needless to say, this new situation did not sit well with the guard's union, nor then warden B.J. Rhay for that matter.

Power is not something that can just be handed to you, rather it is something that must be struggled for, and in the process of that struggle people learn how to exercise the responsibility that comes with holding power. While mistakes were made, prisoners did a remarkable job of implementing this form of self-government. Yet as one president of the RGC said to the *Seattle Times* newspaper in early 1979, "These innovative and experimental programs, in spite of their high rate of success, will disappear one by one until they remain nothing but idealistic dreams of the advocates of

penal reform." Some months later another president of the RGC wrote the *Associated Press* saying, "Somebody, somewhere, has to do something about the [guards] union. The union wants a crisis here so they can ... strengthen their hand." The guards got their way, years after the 1971 work strike and after Dr. Conte had left office, and in spite of its many successes, this experiment in self-government was ended. It did not end peacefully, however, as nobody quietly suffers the snuffing out of even rudimentary democracy. The rebellion was led by the RGC, and crushed by armed guards.

So this was an example of power being thrust upon prisoners who had not sought nor struggled for it, and yet for years they did a remarkable job against huge obstacles placed in their way by the guards union and the prison administration. Should this experiment ever be replicated, as it must, it will be by prisoners consciously seeking to implement the short term goal of dual power. The long term goal of course being the total elimination of prisons as we know them, and with the politically and class conscious residents of such facilities making all decisions (budgetary, classification, custody, etc.). ●

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