

“A DIVERSION”

“A PLOY”

**“A NEFARIOUS
AGENDA”**

**THE MEANING AND IMPACT OF
PACKAGE RESTRICTIONS IN
NEW YORK STATE PRISONS**

Testimonies of resistance

A Project of Critical Resistance NYC
February 2018

INTRODUCTION

On January 12, 2018, a package restriction pilot program instituted in three New York State prisons was temporarily suspended following a tremendous and unceasing outpouring of public resistance. The program, active for less than two weeks, prohibited personalized packages sent from anyone besides a small list of preapproved vendors, and placed new constraints on the kinds of items allowed in. People were no longer able to receive packages containing perishables like fresh fruit and fresh vegetables. Clothing was restricted to solid colors only—white, pink, tan or green—without logos. Only new books were permitted, preventing people from receiving the lightly worn and used books that have long been provided by free book programs. In agreement that this policy was overtly hostile and had to be stopped, people all across New York came together in full force to condemn and halt the pilot program.

Critical Resistance began compiling the following testimonies in March of 2017 when fellow abolitionist and imprisoned comrade, John K., shared an internal memorandum with us and encouraged us to begin contacting

others in New York State prisons to develop a report in opposition to package restrictions. Soon after, many more people began reaching out to us with a shared sense of urgency.

These restrictions expanded the ever-widening reach of the violence of the prison industrial complex and sought to justify the exploitation of imprisoned people and their families through the rhetoric of “safety” and “security.” In this moment, as the Department of Corrections and Community Supervision (DOCCS) regroups to revise, rewrite, and relaunch a restrictive package policy, it is more important than ever to reject wholesale any restrictions made to package access and to fight for the well-being of our imprisoned comrades. **The following testimonies denounce package restrictions from multiple angles: it is economically exploitative, it is life-threatening, and it is unjustifiable.**

Many people contributed to this report, which emerged from ten months worth of correspondence and hundreds of letters. It is our intent that this collection contribute to ongoing efforts to resist DOCCS’ repression in all its many forms.

A MESSAGE FROM JOHN K.

As a prisoner in New York State, I felt obligated to expose the treachery, deception, and financial assaults taking place due to the DOCCS package reform policy. As they attempt to capitalize on our family members taking care of us, I had to speak.

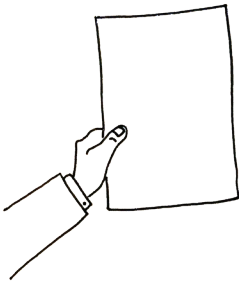
They are trying to sell contracts to vendors and catalogs so they can operate in closed markets and inflate prices. I brought this issue to CRNYC in an effort to wage war against their proposed oppression. Your comments, concerns, and all your letters have been read. Your information processed, and now, as we distribute it, presenting it to government officials, we ask you to contact them as well.

*Assembly Corrections Committee Chair
David Weprin
LOB 602
Albany, NY 12248*

*Governor Andrew Cuomo
Executive Chamber, State Capitol
Albany, NY 12224*

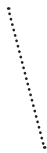
Tell them package restrictions are unacceptable and that we will not stand for this abuse. Stand firm in the struggle and never surrender.

In solidarity,
John



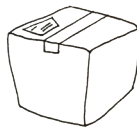
MARCH 6, 2017

An internal memorandum is issued by NYS DOCCS announcing that the existing package policy would be revised and ultimately restrict packages to orders from preapproved vendors.



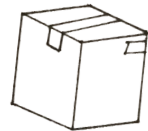
MARCH 24, 2017

DOCCS issues a request for applications from potential vendors.



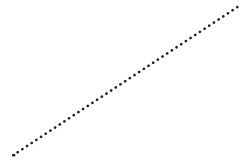
DECEMBER 4, 2017

Directive #4911A, the new packages policy, is issued by DOCCS.



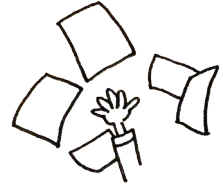
DECEMBER 8, 2017

Jalil A. Muntaqim issues a widely circulated "Open Letter to the Community" outlining changes made to the directive.



DECEMBER 15, 2017

The Inmate Liaison Committee at Green Haven CF releases a statement of opposition to the directive.



JANUARY 12, 2018

NYS Governor Andrew Cuomo issues a statement and DOCCS confirms that the directive will be suspended until further notice.

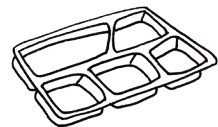
DECEMBER 20, 2017

A coalition of people outside of prison walls launch a mass postcard campaign to target the Governor and demand Directive #4911A be thrown out.



JANUARY 2, 2018

Directive #4911A takes effect and the pilot program begins at three prisons: Greene, Green Haven and Taconic. The same day, a coordinated hunger strike begins in Green Haven.

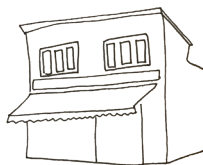


**“IT’S NOT
ABOUT
THE
PACKAGES,
IT’S ABOUT
THE
PROFITS.”**

PART I

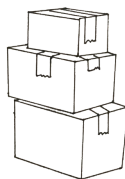
Restricting packages to vendors means fewer options at higher prices; at the same time, limiting families' abilities to send personalized and affordable items further harms relationships between imprisoned people and their support systems.

This is just another example of the state trying to exploit the most vulnerable, poor and least fortunate. Currently, our families are able to purchase the least expensive items that they can afford from stores such as the Dollar General, Walmart, and the 99 Cent Store and this will also deprive them from being able to use food stamps, savings coupons, or catch certain items on sale from these local stores and markets. **Edwin**



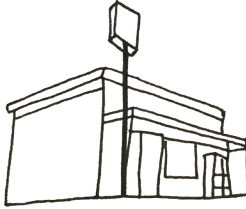
These restrictions are merely pretext for DOCCS to gain financial control over prisoners' right to receive packages from home. Because DOCCS doesn't provide the most basic items we need, and because the income we receive from prison jobs isn't nearly enough to enable us to purchase these things on our own, we rely on support from our families. For DOCCS to interfere with our families' ability to send packages would be hypercritical, since they claim to be a firm believer in maintaining strong family ties. **Phillip**

Restricting the vendors and the products available for purchase puts us and our families in a position to be exploited by private companies seeking to profit off of the prison industrial complex. That is the real battle, not just the packages but the profiteers and their motives and hidden agendas. **Reuben**



DOCCS' proposed ban on prisoners' personal home packages allows catalogs to monopolize an industry where they already practice price gouging, making people who survive off minimal funds incapable of affording packages. **John K.**

Most areas have mom and pop operations serving a handful of nearby prisons with fresh vegetables and the like. Those people would also be impacted by these changes. I also don't think the scale is there for multiple vendors to make a profit without gouging. The whole market is less volume than a corner drug store. Most packages now don't come from vendors.



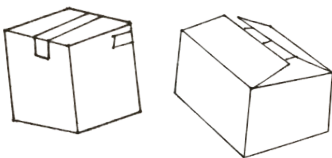
Families shop the dollar stores or other affordable places. The other whispered element of all this is that a whole lot of what gets sent in is bought with food stamp money and without that option families couldn't send in anything at any price. An unforeseen consequence of this change will likely be greater extortion of those people who can afford to buy things from packages. **John B.**

My support network isn't very technologically aware. My mom doesn't even own a computer, let alone know how to place orders online. I won't even mention what she can't afford. Essentially, I was one of the few major financial contributors for my family. Now DOCCS is attempting to institute another punitive restriction on our families. **John K.**

This begs the question as to whether this illegally curtails market competition, which keeps prices for goods and services low. Nevertheless, taking away packages from prisoners increases the cost of incarceration, which will be borne by the public for more prisoners will become sick from the over-consumption of soy, and such an increase will necessitate more doctor and hospital visits, and lawsuits for cruel and unusual punishment for forcing inmates to, in essence, commit suicide by eating nothing but soy, processed foods, and sodium- and preservative-filled items. **Sheldon**

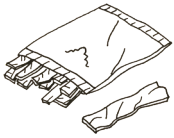


This package situation is going to be very hard for a lot of us in here. They're going to take our packages away and make us order through expensive vendors even though, you know, most people that are incarcerated come from poor neighborhoods. **Jimmy**



Some families use SNAP, WIC or donations to bring their loved ones food packages. Some people even grow their own fruits and vegetables to send to their incarcerated loved one. Some people do not want to go online or use their credit card information for fear of fraud or identity theft. There are a number of reasons why we feel the family packages should not be restricted and eliminated. **Ron**

As we all know, it is very unfair for family members, friends, and us in here, to be forced to order from these vendors who have such outrageous prices. This just adds to the burden of being in prison and adds that burden to people's family members and friends. How is it that our governor always promotes small business in New York and meanwhile this is taking place? **Shawn**



**JACK LINKS
BEEF JERKY,
2.85 OZ.**

Average Vendor
Price: \$6.97

Average Store Price:
\$3.70

Markup: 88%



**FRUIT OF THE LOOM
CLASSIC BOXERS,
5 PACK**

Average Vendor
Price: \$19.83

Average Store Price:
\$14.81

Markup: 34%

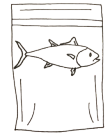


**RITZ
CRACKERS,
13.7 OZ.**

Average Vendor
Price: \$5.09

Average Store Price:
\$2.95

Markup: 73%



**STARKIST TUNA
IN WATER,
2.6 OZ. POUCH**

Average Vendor
Price: \$2.21

Average Store Price:
\$1.00

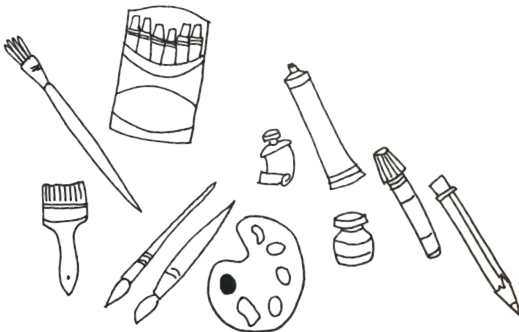
Markup: 121%



Nearly all the products in the approved vendors' catalogs are more than two or three times the price from stores in the street. For example, a box of Little Debbie Nutty Bars is listed at just over \$4.00 even though the price on the box is only \$1.29. Also, one of the approved vendors, Music by Mail, sells books at full list price, while Edward Hamilton Bookseller—who has been doing business with prisoners since at least 1999—sells the same exact books at a fraction of the price but will no longer be allowed. As another example, art materials have to be ordered through these vendors, who only carry a limited type and brand of such materials at a much higher price.

Prisoners, their families, and their friends are not being offered a fair price. In fact, we are dealing with companies that are price gouging because they know, just as well as the Department of Corrections knows, that they are our only source for packages. I honestly feel that we are damn near being extorted by monopolizing companies.

This is, in more ways than one, placing a burden on our families and friends financially! Not to mention that the average prisoner only makes \$10.00 every two weeks. How is a prisoner supposed to afford to buy from these approved vendors when our two-week wages would only pay for the shipping charges? **Keith**

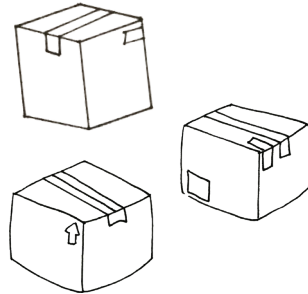


Many of us rely on packages from the outside because either, one, heavy fees, fines and surcharges have been imposed along with our sentence and we have a difficult time paying that off with the money earned inside or, two, we have no access to funds from our loved ones to assist us with commissary. The fact that you can currently have your visitor drop off a package during their visit is convenient for everyone, and the new rules take this away. Food items, clothing, books, and so on, are way more affordable for family and friends to purchase outside. DOCCS is not being very rational. Here they are, wanting us to be people that'll be able to "rehabilitate" back into society but in the process they complicate our transition.

Travis



I don't think packages should be restricted, because a lot of families can't travel far distances to show us their love so they do it through packages, and packages are what help a lot of us who have surcharges get by. This doesn't just effect me or the next person doing time, it takes a serious toll on our loved ones that want to be here for us when things are rocky. **Antwan**



I know restricting prisoners and their families to only make purchases from so-called "approved vendors," will only make it harder for low income families to provide a package for their loved ones. The prices of these vendors are exorbitant. Not only do families struggle to reach these prisons to visit their loved ones, which is another expense in itself, but they struggle everyday just to keep food on the table. **Reginald**

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PART II

Limitations on the quality and diversity of items received through packages, particularly fresh fruits and vegetables,

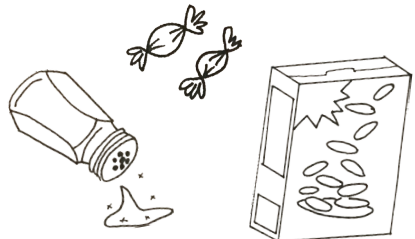
further prevent people from meeting their most basic needs.

Currently, all of the food that people have access to in prison, with the exception of preservative-filled canned vegetables, an apple, orange, or banana here and there, and a chicken thigh twice a month, is completely soy based. As you and other informed readers may know, a completely soy-based diet is a biological hazard, a veritable recipe for disaster. Strictly soy-based diets have been linked to certain cancers and hormonal changes and imbalances that lead to cancer and other physiological ailments. However, the food that the New York State Department of Corrections & Community Supervision provides is 97% soy!

Many prisoners, myself included, that are fortunate enough to have family that provide us with food via packages, heavily rely upon those packages in order to obtain fresh fruits and vegetables as well as real meat products, albeit fully cooked. We rely on those packages not only as comfort food, but in order to maintain some semblance of a healthy diet and life.

Many facilities do not sell fresh fruits and vegetables in their commissaries. Most of the fare in the commissaries are processed cakes, cookies, candies, and other items that are so filled with sodium and other preservatives that you are practically embalming yourself by consuming them.

Once they take away packages, people such as vegetarians and those with restricted diets based on religion, for example, will be left with nothing safe to consume on a daily basis. The decline in the number of items we can receive via packages will result in many men and women also seeing a decline in their health. Packages allow us to supplement the atrocious and inadequate food provided by the state. **Sheldon**





They are pretty much telling me I can't ever get mangoes again if this goes through. Mangoes are my favorite fruit and over the mangoes alone I'll be launching a protest upon my release from solitary. **John K.**

Probably many in the public are surprised we get packages at all. Most people on the outside don't know how inadequate state supplies like warm clothes, nutrition, and hygiene products are, and don't understand the value of having a little leeway to express individual style and taste in prison. Some people need specialized dietary or hygiene products that those few vendors might not carry. Another key issue is the crucial value of family and community ties. We have long, deep cultural traditions of families and friends expressing love and bonds through gifts. Reducing that to a cold cash connection, as opposed to picking out gifts for loved ones, dilutes those family ties. **Dave**

The variety of unique foods and other things floating around make everyone feel more human. Mom can go find your favorite candy. That won't be possible with limited package companies. I don't get much, but every year my mom buys a pile of winter mint cookies and I make them last until July. Also, I can say from personal experience that the ability to wear some non-prison clothes goes a long way mentally—this won't be possible with the new rules. **John B.**

Food now isn't worth eating. It's mostly soy, and rarely real meat and they only give enough to survive. For example, we get hard boiled eggs once every four to six weeks, if we're lucky. **James**





Food packages from our families substitute for the meals that they serve us inside, which have very few vitamins, minerals, protein, or any other health benefits. Further, this will be unaffordable for those who shop around for the best bargains on healthy foods. This will be a real disaster to our families and their incarcerated loved ones. **Edwin**

We are dealing with an aging population with medical conditions and an inadequate supply of fruits and vegetables, which is only provided when families bring a package. The food they serve in these prisons does not include fresh fruits and vegetables or anything healthy, which only adds to the medical conditions and high cost of medical care. These junk food vendors will only make matters worse. **Reginald**

In prison, the ability to mail order items from a store or receive a package from home is very important. Often, these items are not provided by the prison, nor are they sold in the commissary. While the prison provides three meals a day and offers food and snack items for purchase at commissary, packages allow people the opportunity to eat healthy. Most people in prison rely on packages for their fresh fruits and vegetables. **Michael**

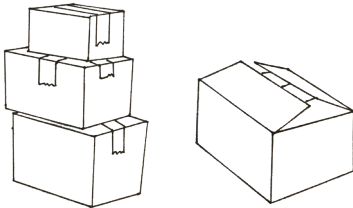
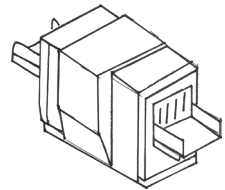


**“ONCE THEY
PULL THE
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PART III

Expanding harmful regulations that limit packages further exerts abusive, arbitrary control over imprisoned people's lives.

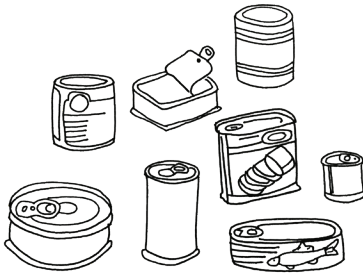
In 1971 people imprisoned at Attica organized for better living conditions. One demand was packages and, like every other demand the uprising won, DOCCS is slowly taking this away from us. Stopping packages from family and friends has little to do with contraband coming in by packages. I want to also point out that the package room officers x-ray all packages coming in as well as search each item. They open closed items such as coffee, candy, chips, soap and tobacco regardless of who sent them or where it came from. **James**



They say contraband is being smuggled in through packages. For argument's sake, let's just agree—but COs bring contraband in all the time, does that mean they're going to stop letting them in? All this is a ploy to make us suffer because in the eyes of the state we shouldn't have family support. **Antwan**

The ostensible reason why the New York State Department of Corrections & Community Supervision is instituting this policy is the introduction of dangerous contraband into its facilities. The amount of drugs that are being found in state correctional facilities is far too much to have been smuggled into the facilities undetected via visitors and packages, and the department is well aware of this fact. That is why the department also, as of April 17, 2017, restricted all correctional staff from bringing numerous items into the facility and also issued clear, see-through bags that they must use in order to bring their meals into the facilities. **Sheldon**

I believe the government claim that the aim is to reduce contraband is hogwash. Like the recent taking of our hoodies, and almost everything else, a false claim of security matters. Our lives, our families' lives, and our communities are managed and controlled by others. It is my belief that package restrictions are simply a reflection of the world we live in. Capitalism at work. Corporations maneuvering to maximize profits. Government officials in cahoots. The false premise that the new policy will curtail contraband is proof of a nefarious agenda. **Keith**



DOCCS produces so much money and wealth and they will continue taking from us as long as they gain from us. If DOCCS paid its incarcerated workers a legal wage then DOCCS wouldn't be able to sustain itself as it now operates. It's all about money. So, when they say "stop packages from home for security reasons," what they are really saying is "we can profit by not allowing the incarcerated to receive packages from their families." That's business! When we stop making more for them than we are making for ourselves we will get their attention. **Ron**

They're just using this as an excuse to take everything from us. Last year they took the cans from us and all hooded sweatshirts that keep us warm outside in the winter. But we see what they are doing—they keep taking and taking and it will all come to an end because people get tired of oppression. **Jimmy**

We constantly endure poor living conditions, poor treatment, excessive sentencing and so forth. Why must we be continually harshly scrutinized and penalized in new ways? **Travis**

CONCLUSION FROM MALCOLM

It was once stated that the limits of oppression are determined by the tolerance of those who are oppressed.

In less than a month, DOCCS discovered just how much incarcerated people would tolerate. After attempting to implement sanctions on where incarcerated people in New York State could receive care packages from—as well as what those care packages could consist of—DOCCS officials received a rude awakening when incarcerated people, their loved ones, the public (and even the National Supermarket Association) all voiced or otherwise expressed their discontent with the attempted policy change. Just three weeks after imposing the pilot program at three state correctional facilities, Governor Cuomo suspended the plan.

Despite the excitement about the small victory, not all incarcerated people are satisfied. “I think it’s crazy that so many people came together for packages, but just two years ago we couldn’t get even half of this momentum going in support of the hoodies they took from us,” said one incarcerated man who requested not to be named. His reference is to the 2015 policy change that banned hooded sweatshirts. “They took our hoodies then passed us these cheap, thin hats as replacements.”

DOCCS officials cited “security” as the reason for the hoodie ban, but people imprisoned contend that it is a malicious reaction to the 2015 escape at Clinton Correctional Facility that prompted the hoodie ban and other recent attempts at policy change.

In 2016, Governor Cuomo attempted to limit the amount of visits that people in maximum security prisons could receive per week. According to a memo circulated at the time, the proposed visit changes would have helped to save the state approximately 1.5 million dollars by lessening the amount of staff needed during weekdays. However, like the recent proposal to change package room policy, the proposed change to visiting was met with swift opposition from incarcerated people and their friends, family and supporters, which subsequently forced the governor to go back on his plans.

“It just goes to show that a little solidarity can go a long way,” said the aforementioned incarcerated person. “However, we really need to show this kind of unity for other matters like abuse from correction officers or the intentional and systematic breaking apart of familial bonds. Our priorities really need to change if the prison reform movement is to make any real progress.”





Get involved with Critical Resistance NYC

We are one chapter of a national, member-led organization with volunteers and supporters across the country. Critical Resistance envisions genuinely healthy, stable communities that respond to harm, violence and conflict without relying on policing or imprisonment.

Please contact us if you are interested in learning more about our work:

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