"Silence from and about the subject was the order of the day. Some of the silences were broken, and some were maintained by authors who lived with and what I am interested in are the strategies for breaking it." —Toni Morrison, Playing in the Dark

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There is so much talk. Tongues rattle this and that. Tell me then, why do so few hear, and still fewer act? Is it because the words we speak maintain other silences? As abolitionists we know what it is like to travel along the margins, to talk to brick walls. Some call it the high road. Others scoff — A world without prisons, policing, and surveillance? — Get real! The government just legalized torture through the Military Commissions Act. And then when you think things couldn’t get any worse, Californians turn around and vote techno fascism (Jessica’s Law) in, themselves!

Clearly, idealism, alone, won’t do.

Currently, the broader prison reform movement is a Tower of Babel. Over here people are lobbying politicians and lawmakers. Over there people are talking to foundations and donors about funding priorities and realistic goals. Some feminists are extolling the virtues of “gender responsive” community prisons. Others are trying to build power and alternative forms of safety in their communities that address the underlying social, political, and economic inequalities.

We understand that groups make difficult calculations in their work with the interests of their constituencies in mind. But do these tactics form a coherent strategy? Do the reforms people are pushing for limit the prison industrial complex’s (PIC) ability to exist or do they bring its influence deeper into our communities? How can we continue to appeal to this system as a potential source of justice when even reformers like Jeanne Woodford get stonewalled?

Meanwhile, the situation inside the US gulag is desperate. Programs have been cut across the board, prisons in California are filled to twice the capacity with an average of 65 people dying every year due to medical neglect, Habeas Corpus is a skeleton of what it used to be, more and more prisons are on lockdown for longer periods of time, and not only do administrative appeals fail to address systemic abuses, but they can be downright dangerous for the individuals seeking redress.

As prison administrators continue to seal prisoners off from the media, their families, and civil society — people inside are left with few options beyond using their bodies in resistance and protest. The hunger strikes at Texas Death Row’s Polunsky Unit and Jessup Correctional Institution’s A-Building in Maryland draw attention to the links between the ghastly practices of dehumanization at Abu Ghraib and Guantánamo and their everyday application in prisons and jails across the US. These actions speak volumes, but who is listening?

“Silence from and about the subject was the order of the day. Some of the silences were broken, and some were maintained by authors who lived with and what I am interested in are the strategies for breaking it.” —Toni Morrison, Playing in the Dark

Still, everyone’s talking reform.

If politics happen on a scale of millions, not thousands, then as abolitionists we have no choice but to strategically engage this broader reform movement with all its complexities, tensions, and contradictions. Carceral terrains are constantly shifting as our opponents dole out symbolic victories here and there when they’re on the defensive, appropriate progressive language to protect their interests, and diversify their holdings into new markets like community prisons and GPS tracking. This makes it very difficult to discern what reforms actually weaken the prison industrial complex. This uncertainty behooves us to constantly question, evaluate, and adapt our strategies to changing circumstances.

To this end, Critical Resistance has tried to follow some basic guiding questions: Does your work seek to make the PIC a less workable solution to problems, and to limit its reach over our lives? Does your work take on aspects of the PIC that are most harmful? Do you work to fight forms of harm like white supremacy, heterosexism and class prejudice both in your campaigns and within your group? Are you working in coalitions with abolitionist goals? Are you working to help other coalition members understand abolition? Does your work reject the PIC everywhere? Does your work suggest workable ways to maintain self-determination, meaningful safety, and collective health? Does the language you use challenge commonly accepted notions of safety, responsibility, and justice? Does your immediate work make future challenges to the PIC possible?

“The maintenance of an abolition implies that there is constantly more to abolish, that one looks ahead towards a new and still more long-term objective of abolition, that one constantly moves in a wider circle to new fields for abolition.” —Thomas Mathiesen, The Politics of Abolition

As Andrea Smith points out, this requires that we both take and make power. So, how do we agree upon those points of unity and practical steps that will move us all forward as a movement without silencing important differences? Dortell Williams writes, “Liberty for one or two sectors of the prison population is a victory for all.” But how do we actually make this true when reforms tend to only temporarily shift the definition of those who are worthy of humane treatment and those who are not according to the advocates relative power and influence vis-à-vis the decision makers? What about those who fall on the wrong side of the dividing line?

How does stopping Schwarzenegger’s prison expansion plan evolve into demands that actually bring loved ones home and truly empower our communities? As one tendency within the broader movement, how do we connect the immediate reforms emphasized in the Letter to the Editor (restoring voting rights for prisoners and parolees, getting the media back into prisons, forcing the CDCR to become fully transparent, and exposing the terms of the CCPOAs contracts) with the building of institutions and practices that maintain and create self-determination for communities and individuals?

What role do reparations play in shifting institutional power and oppression — thereby creating opportunities for healing, accountability, and transformation? What can we learn from the autonomous movement underway in Oaxaca? What does a comparison between the Cuban and US systems tell us about democracy? What is the relationship between the Apartheid Wall in the Occupied Palestinian Territories and the recent bill passed by Congress to construct a “fence” along one third of the US-Mexico border?

In the Bronx they say a new jail will break the silences of Rikers Island, as people will be closer to their families. In Sacramento they say gender responsive prisons will listen to women’s “special needs.” In Native lands, where boarding schools were instruments of colonization, sexual violence, and cultural erasure, people were taught that English was the only language of God. Today, state-sanctioned “English-only” laws continue to silence indigenous languages and histories — undermining sovereignty.

Zora Neale Hurston wrote, “There are years that ask questions and years that answer.” These heated questions between abolition and reform, good immigrants and bad immigrants, and those who deserve to be in cages and those who don’t can either separate and lure us into piecemeal solutions or push us to develop strategies that will break them.

It’s time for answers. In humility, The Abolitionist

The Abolitionist

1904 Franklin St. Suite 504 Oakland CA 94612
Pilar Maschi, Critical Resistance's Membership and Leadership Development Director, sat down with The Abolitionist to discuss her own development as a former prisoner organizer, her efforts to involve women from the therapeutic community (TC) where she used to live in CR's work, and a current campaign to oppose the construction of a new jail near that TC.

What follows are excerpts from that conversation.

The Abolitionist: Can you talk about the relationship between being a former prisoner in recovery and organizing?

Pilar Maschi: I heard about Critical Resistance and [its] mission. Then I saw it play out in the people involved in Critical Resistance. I knew immediately that although I was having some difficulty with the meetings and all of this stuff was new—it was a new language, it was a new group of people, a lot of things were really new and uncomfortable for me—I felt like I belonged. I really felt like I could tell anyone in the chapter what I was going through in terms of my addiction, my past history of being locked up and any past stuff with my family. I really believed that I [was] entering a new community [that] throughout my years of addiction something I needed—a safe space. And so, I felt like this is my AA; this is my NA. La Casita, the treatment program that I was in, is a 12-18 month substance abuse program for mothers with children or mothers to be. The majority of women are coming from an ACS case or a felony conviction. They're basically mandated. One of the fears that I've always had about programs is the brainwashing and I didn't want to get numb. I didn't want to assimilate into a society that, frankly, does not give a shit about me. If they had enough power, they'd have me upstate locked up so that society doesn't see me in terms of the problems that I'm experiencing. Basically it's about assimilating and accepting our surroundings so that we don't get high. We can have that 9 to 5 job and can be that productive member of society. I'm not really with society as it exists right now. I [was] reaching a new point in my life where instead of suppressing my anger and saying, I can't be angry, because I have to stay clean or getting in touch with those emotions and putting them to the side, what I [needed] to do is take that anger and realize the validation of it and then transform it through resistance. So in terms of me being involved in CR, I wanted other women, the women from La Casita, the treatment program that I was in, to take their anger and resist. We wanted to create a safe space for women [in the facility] to voice their concerns and all the things they couldn't share while they were in treatment—their concerns about the environment and their lives and their experiences in a different kind of way—a political way. It was also very much about empowering women and having women [from La Casita] see the experiences of other women in organizing and the leadership that other women have played in the movement. From there, out of doing political education workshops, we started doing support groups. Women were getting really, really pissed off and we were like, wow, we need to provide a safe space where we can actually heal from these things instead of talking about them and getting angry. But also having a different, alternative model to the therapeutic community and how they heal, like bringing in meditation or yoga or herbs and teas and holistic stuff. The women were really into that. And then we received money. We applied for money to hire women as organizers and we managed to hire four of the women from La Casita to organize. They were planning their own workshops. They were facilitating their own workshops. They were planning and facilitating the support groups. They were also coming to the CR general meetings and having a voice. We got women to have access to travel and speak at conferences and do the things that I wanted the project to do.

Now there's this proposal [by the city] to build this jail that's literally ten minutes away from the program. So, we've been going in and having conversations with the women about that and there are women that are really pissed off and want to get involved. We came up with a statement and we're in the process of trying to work with staff from the program and see how much leadership the women can take in terms of how much they can come outside. [CR got involved in opposing the new jail when] we received a phone call from Rights for Imprisoned People with Psychiatric Disabilities. They found out through some council meeting that there was a proposal for a jail to be built on this site called Oak Point. It's toxic and it's a landfill and it's a completely isolated area. There are no buses that lead towards there. It's just a piece of land by the water surrounded by two waste companies and a power plant. Of course, the South Bronx is known for the highest asthma rate in all the five boroughs in New York. And then on this land there's a history of being an illegal dumping ground. So this is why it's toxic. CR New York City has a relationship with women and children, of course, in La Casita and I'm a resident of the Bronx so it was very personal for all of us. We've also heard recently that there's a city-wide plan to build a jail in every borough. Martin Horn, [New York City Department of Corrections Commissioner], said, well, you know, if we don't have a jail on that site, then we'll find another one or we'll build more jails on Rikers Island. Horn was talking to the South Bronx community about how [they're] going to be closer to [their] family members. I would just like to know what he's telling the people in the Brooklyn community and Staten Island and Manhattan and Queens and how close that jail will make [them] to [their] family members, because in some places it would triple the amount of distance as opposed to going to Rikers. It's not going to be a holding facility for only Bronx residents. I asked him specifically about women and he said half of them might still be housed in Rikers and half will be housed in the Oak Point jail. It's funny because [Horne is] making a pitch that he's actually going to decrease the number of people locked up by expanding the system. He's also saying, I'm a reformist. I'm for the people. He's like, I'm building a jail in the South Bronx because I want you to have access to your family mem
According to a State Legislative Analyst's Office (LAO) report released in October 2005, following ten years of observation, the Three Strikes law hasn't had the pragmatic results political proponents promised.

The draconian law has been a windfall for the California Department of Corrections and Rehabilitation, its guards and their politically shrewd union (the California Correctional Peace Officers' Association, or CCPOA), but the statute has been a deepening money pit for taxpayers. According to the CDCR's website, the annual prison budget jumped from a little over $6 billion a year ago, to $8.7 billion today.

The report, titled "Three Strikes: The Impact After More Than a Decade," said that of the 43,080 incarcerated people under the law, less than half have actually been sentenced for violent offenses. The report was specific in defining rape, robbery and murder as violent crimes. To the contrary, the majority of incarcerated people sentenced under Three Strikes, many for 25 years to life, were arrested for drug and property crimes, such as burglary. Still, in many cases, after the offender had two serious felonies, a simple misdemeanor, like lying on a job application about previous convictions or possession of a minute amount of drugs, would trigger a third strike.

Meanwhile, Governor Arnold Schwarzenegger and the state legislature contemplate on how to come up with billions of dollars needed for long overdue infrastructure repairs and needed freeway expansion. At the same time, the LAO's report revealed that taxpayers are already straining to pay the estimated $1.5 billion a year required to house the booming three-striker population.

The incarceration of upper-aged and geriatric persons increased dramatically during this ten year period, primarily because the law reaches back to before its 1994 enactment - unfairly penalizing citizens for decades-old offenses. The geriatric sector of the population has increased from 5,500 in 1994 to 16,300 in 2004. The report estimated that it costs about $35,000 annually to house the average incarcerated person and as much as $100,000 a year to incarcerate a geriatric person due to health issues.

According to the report, there's "little consensus among researchers about the impact of three strikes on public safety. In an attempt to counter this growing problem, state Senator Gloria Romero (D-Los Angeles) introduced Senate Bill 1547. Romero's reform bill cites the dangers of overcrowding, effectively calling current management strategies out of control and describing them as dangerous for incarcerated persons, correctional staff and the public.

The department has passed restrictive regulations on the visiting rights of any person convicted of a sex offense. Minors who were harmed by the crime of the perpetrator may visit the inmate, according to a Report of a Dependent Review Panel, which said: "The key to reforming the system lies in reducing the numbers."

Romero's plan, both humane and reasonable, calls for the release of medically incapacitated geriatric persons, 65 or older, who have served a minimum of five years, and those sixty years or older who have served at least ten years of their sentence to be eligible for parole.

Although SB 1547 has not been finally defeated, like most reform bills introduced within the last decade or so, the bill has been stalled.

Writing an opinion piece for the Los Angeles Times in early August, former corrections secretary Jeanne S. Woodford resigned (the second to do so within a matter of months) after her effort at reform hit a political brick wall at the governor's office. She described the problem in her own words: "I was personally thrilled two years ago when...Schwarzenegger proposed adding the word 'rehabilitation' to the name of the [CDC]...[but] despite high hopes at the inception, the reality is not much has changed...

[short-term political concerns on the part of the legislature, pandering campaign tactics that make politicians scared to be seen as soft on crime, and the extraordinary power of the [CCPOA] makes] it impossible to truly turn around the system."

It is this unjust and rancorous political climate that caused the recent failure of the Three Strikes reform effort by Los Angeles County District Attorney Steve Cooley.

One major [deficiency] is a balance in political pressure. Every incarcerated person from juvenile wards to parolees should be chipping away at the foundation of this behemoth. Liberty for one or two sectors of the prison population is a victory for all. Incarcerated people have the time, the pens and the paper. There is plenty of examples of what a writing instrument can do in the hands of a freedom writer. Frederick Douglass, George Jackson, Stanley Tookie Williams, Mumia Abu-Jamalis, et al. all used a pen as a penetrating weapon in the struggle. Incarcerated people should study politics, read books, newspapers and watch the news as if life depended on it: because it does.

It is imperative that incarcerated people learn about their plight in order to effectively challenge the current system. Just as the abolitionist writer, Frederick Douglass, wrote: "The truth and the learned about their plight in order to effectively cap- tivate. As the abolitionist writer, Frederick Douglass, wrote: "The truth and the learned about their plight in order to effectively cap- tivate.

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Ruiz sent 3,000 state police officers on a failed operation to displace the teacher’s encampment. The movement expanded beyond the teachers to generate the Popular Assembly of the Peoples of Oaxaca (APPO). The APPO is both a mobilizing organization for the new popular movement and an alternative governing process.

However, was that US and Mexican commercial media distorted the causes of Brad’s death and paved the way for approximately 4,000 Mexican federal police to invade and occupy Oaxaca City. Posing as peacekeepers between the movement and the state government, the federal police invaded Oaxaca City on October 30th, killing two and arresting over fifty. Disgusted by the manipulation of Brad’s death, his friends in NYC and, literally, from around the world, joined all mobilized contingents of Mexicans, teachers, and political radicals in organizing confrontational protests against the Mexican government throughout the Americas and Europe. The Zapatista-initiated Other Campaign launched road blockades throughout Mexico and is calling for a nationwide general strike on November 20th. The Mexican state has failed to crush the popular movement in Oaxaca and has completely lost the media war. Although dozens have been killed and hundreds have been injured, imprisoned, or disappeared, the people of Oaxaca remain optimistic. Four prominent political prisoners in Oaxaca have just been released and APPO, with support from around the world, is set to be formalized as the de facto governing process in the state.

The road ahead for Oaxaca and the movement’s remaining prisoners remains in the balance. On November 1st, eight women political prisoners from two prisons in Mexico State released a joint letter to “the humble and dignified people of Oaxaca.” A breathtaking document, the prisoners outline a history of the Oaxacan struggle and the lessons they’ve learned from their compañeros on the outside. The political prisoners capture the profound impact of this unfolding movement, “Your pain, dignity and rebellion are being heard loudly, not only in Oaxaca but also throughout the nation and beyond its borders. Here, behind walls and bars, we are listening and making your struggle our own.”

The corrupt governor refuses to step down and APPO shows no signs of letting up. During a major federal police attack on November 2nd, a young woman declared over the radio, “Our eyes are burning with tear gas, but at least now we can see the government for what it really is. We will not budge.” Oaxaca’s corrupt government perhaps still has a chance at hanging on to power, the consciousness of the people, however, seems to have reached a point of no return.

It was Brad’s intention to document this moment so that more people in the world would know what was actually happening. It is a cruel dynamic of oppression and privilege that Brad’s murder generated immeasurably more national and international media attention than the assassinations of movement members that had taken place since May. Doubly cruel, however, was that US and Mexican commercial media distorted the causes of Brad’s death and paved the way for approximately 4,000 Mexican federal police to invade and occupy Oaxaca City. Posing as peacekeepers between the movement and the state government, the federal police invaded Oaxaca City on October 30th, killing two and arresting over fifty. Disgusted by the manipulation of Brad’s death, his friends in NYC and, literally, from around the world, joined already mobilized contingents of Mexicans, teachers, and political radicals in organizing confrontational protests against the Mexican government throughout the Americas and Europe. The Zapatista-initiated Other Campaign launched road blockades throughout Mexico and is calling for a nationwide general strike on November 20th. The Mexican state has failed to crush the popular movement in Oaxaca and has completely lost the media war. Although dozens have been killed and hundreds have been injured, imprisoned, or disappeared, the people of Oaxaca remain optimistic. Four prominent political prisoners in Oaxaca have just been released and APPO, with support from around the world, is set to be formalized as the de facto governing process in the state.

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The current historical moment in the Palestinian/Israeli conflict forms a meeting point for several lessons and conclusions for anyone who has observed the conflict for the past decade:

1) The regression of the Zionist project after the fallback (not withdraw) in Gaza, which forced Israel to restructure its forces and take down 8 settlements has been very significant to the political project of the Zionists on land in the form of colonial settlements. Destroying settlements and having settlers pull out are both evidence of the power of the long-term struggle to defeat the colonial political project, which before was only theoretical.

The occupation seeks, through its fallback in Gaza, to reinforce its strength in the West Bank by causing breakages in Palestinian unity between Gaza and the West Bank, within the West Bank itself through the Separation Wall, and between Palestinians in and outside Palestine. Destroying the unity of the Palestinian people has been the constant strategy of Zionists since the initiation of the 1948 Nakba, a political project to divide Palestine into two that continues today. The separation wall is crucial in breaking up the West Bank, by dividing it into three separate Bantustans within previously divided towns and villages and combining the small settlements into three big ones (Maleh Admomeim, Gosh Etzuon, and Modeen). This is how the Zionists are drawing a final solution to the Palestinian issue. Even more, Jerusalem is completely out of this solution.

This project will create the illusion that Israel is withdrawing from the West Bank when in reality it is preventing a viable country from being established there! Even though Olmert, the Israeli Prime Minister, took the project out of media circulation because of the defeat he faced in Lebanon, it doesn’t mean they canceled the project for good. On the contrary, they are waiting for the right moment.

2) The second historical lesson is that the Israeli army, the sixth most powerful army in the world and first in the Middle East, which has defeated every Arab force that has stepped in its path, could be defeated. Israel is not used to defeat. This defeat is at the heart of a culture that has been formed by over 100 years of conflict! Shimon Peres was right to describe the war in Lebanon as a “war of existence.” Yes, indeed, it’s a matter of existence.

The irony here is that at the same time Israel started building the Separation Wall while the West Bank the Israeli Prison Authority started putting glass panes in the prisons’ visiting rooms to separate prisoners further from their families. Where in the past there was only a metal net, now a totally closed off area has been created, dividing the two sides of the room by glass. Before, prisoners could touch their family members’ hands during the visit, but now even talking to them is done by phone. Outside the prison the Separation Wall is dividing whole communities, families, villages, towns—a whole nation, into large prisons. Families have been facing difficulties getting permission to visit their loved ones in Israeli prisons, while people behind the Separation Wall have also had difficulties getting permission to cross through checkpoints to reach their land or schools. While people in rural areas are now separated from the cities and towns, the West Bank is now separated from Gaza. Just as the south West Bank is now separated from the middle and north West Bank, prisoners within the same facility are now separated from each other. Prisoners are even separated into different categories: the prisoners from 1948 Palestine are isolated from the prisoners from Jerusalem are isolated in another section, and the prisoners from the West Bank are also segregated. This dualism is very obvious with both the wall and prisons, demonstrating different aspects of life.
There has been much speculation in the United States about the possibility that democracy will be achieved in Cuba now that Raul Castro has become the provisional head of state. Those of us familiar with Cuba's legal and political system, not based on dreams or rhetorical ranting, but based on laborious study, were perplexed by the speculations. They simply didn't reflect the results of our research. For over forty decades U.S. citizens have been served a sour diet of anti-Castro propaganda authored in large measure by the "never-say-die" Miami Cuban aristocracy. Unfortunately, their persistence has denied the larger public an opportunity to examine and think for themselves. Indeed, it is this same Miami conspi- racy that has successfully pushed the white house to enforce increasingly draconian restrictions against travel to Cuba. Surpris- ingly, Cuba is a country in the world that "those under U.S. jurisdiction" are for- bidden to visit. Query, from what are we be- ing "protected"? De- mocracy, Cuban style!! One need only scrutinize a country's criminal justice and elec- toral systems to get a true sense of its ranking on the democracy meter. Critics and sympathizers alike are invited to examine the following observations and comparisons of these systems in Cuba and the U.S. Let's start with electoral politics in the Unit- ed States. On the local level governors, mayor, city council people and state legislators are elected by popular vote. Members of the Congress are elected through a system of district divisions for the House of Representative and two senators per state for the Senate. They are paid a salary as Congressio- nal members and at times work in their "districts". Elections are conducted via an electoral college system and do not provide for "one person one vote" counting. Thus it cannot be labeled a "popular" election system. A short re- flection on how Al Gore won the popular vote in November 2000 but lost the presidential election is instructive in understanding the problems with this system. Nonetheless, we Americans pride our- selves on this "democratic" system. In 2000, 67.5% of the registered voters came out to the polls for the presidential election (only 51.3% of the total vot- ing age population participated in the election). Candidates for election spend millions of dollars on campaigns including television and radio ads, bill boards, campaign offices and smear campaigns.

The President of the U.S. picks his cabinet members and they are his chief advisors and pol- icy setters. They serve at his pleasure and do not answer to Congress. The President also nominates the Justices of the Supreme Court and all fed- eral judges to lifetime assignments who are con- firmed on the "advice and consent" of the Senate.

Compare the "undemocratic" government of Cuba to the model of democracy that has just been described. Cuba is ruled by the National As- sembly of People's Power consisting of 601 mem- bers. Members of the Assembly are elected through direct secret popular (one person one vote) ballot. There are no voting machines owned by private corporations headed by relatives of one of the can- didates. The rate of participation in national elec- tions is consistently more than 95%. The country is organized block by block in a system called Com- mittees for the Defense of the Revolution (CDR). Each block elects a president of its CDR. Everyone over 16 years old is qualified to vote and run for office. All the members of the National Assembly are workers except for the president, vice president and commissioners. They are professionals. Members of the Assembly are not paid a special salary. Rather, they hold their regular jobs in addition to their du- ties in the Assembly and they earn only the salary from their regular jobs. Failure to carry out their duties as a representative can result in having their appointment revoked. All the members of the As- sembly have equal power. Majority rules, but most decisions are reached unanimously after lengthy discussion and debate. Most measures voted on in the National Assembly are first debated in each CDR for months prior to their introduction for As- sembly consideration. In this way the will of the people is already known to the Assembly members prior to the vote. The President does not have veto power over the decisions of the National Assembly. The National Assembly meets regularly twice a year and on an "as needed" basis at other times and it ap- proves all national laws and the budget proposed by the Council of Ministers. The Council of Ministers is comprised of the President, the first Vice President, the Vice Presidents, the Ministers, the Secretary and other members determined by the Council of State. Surprisingly to some, these two systems are not very different. In fact, the degree of popular par- ticipation in national politics appears to be higher in Cuba. Now let's turn to the criminal justice system. In the United States judges accede to the bench through elections and appointments at the local level but through appointment only in the state appellate and federal courts. Local prosecu- tors are elected but federal ones are appointed, from the attorney general on down. Judicial deci- sions can be appealed as far as the federal court of appeals (circuit courts) and, in limited cases, to the Supreme Court. Decisions regarding the carrying on of a death sentence have final review via writ of certiorari, if accepted, by the Supreme Court. Decisions on死刑 cases are made by state and federal prosecutors. They answer to no one accept if sued on the basis of mis- conduct or selective prosecution. Rarely if ever are such allegations sustained in the courts. In Cuba all local judges are elected by the members of the municipality or province. Judges of the Supreme Court are elected by the Coun- cil of State. The Council of State determines the members of the Council of Ministers and it con- sists of 31 members who are elected by the Na- tional Assembly. The Supreme Court reviews all death penalty cases de novo (new trial). All death penalty decisions must be approved by the Coun- cil of State before they are finalized. If a majority of the Council of State votes against execution, the death sentence is then commuted to 30 years, the maximum incarcerative sentence available in Cuba. There is no "life" sentence. If the Council of State fails to decide within a fixed amount of time, the death sentence is automatically commuted to 30 years. Nobody under 20 years old can be sentenced to death. Similarly, no pregnant woman or elders over 65 years of age can be sentenced to death. The Prosecutor is elect- ed by the Na- tional As- sembly and serves for a term of five years. All major decisions made by the national Prosecu- tor's office are reviewed by the Council of State. The National Assembly evaluates the Prosecu- tor during his/her five year term, and if a fa- vorable review results, the Prosecutor can be re-elected for a sec- ond term. The national Prosecutor selects the assistant prosecutors, most of who come from the University of Ha-vana. They serve in the various provinces and municipalities. But let us take a closer look at how the crim- inal justice system functions in Cuba. A new penal code was passed in 1988 and it has been modified three times, most recently in 1999. In 1988 thirty per- cent of the previously labeled criminal acts were de- criminalized. All sentences were reduced and many alternatives to incarceration were implemented.

In 1999, a special session of the National Assem- bly modified and added other penalties were implemented for certain crimes and the crime of trafficking in persons was added to address the growing problem of hijack- ings. The tougher penalties have resulted in a drastic reduction in the number of hijackings. Alternatives to incarceration are used in approxi- mately 95% of the cases handled. Any defendant facing a possible sentence of up to five years is eligible for an alternative sentence. The alternative sentences include a form of probation, conditional release and suspended sentences.

Work alternatives are extremely popular. In this arrangement the defendant is released from prison and lives in a home for 12 days and works on a farm or industrial center alongside others not involved with the criminal justice system. They wear civilian clothing and are paid the same wages as their colleagues. They also work the same shifts and receive the same benefits. After 12 days, they go home to their families and stay for 3 days. After 3 days, they return to work and the assigned house to enforce in- creasingly draconian restrictions against travel to Cuba. Surpris- ingly, Cuba is a country in the world that "those under U.S. jurisdiction" are for- bidden to visit. Query, from what are we be- ing "protected"? De- mocracy, Cuban style!! One need only scrutinize a country's criminal justice and elec- toral systems to get a true sense of its ranking on the democracy meter. Critics and sympathizers alike are invited to examine the following observations and comparisons of these systems in Cuba and the U.S. Let's start with electoral politics in the Unit- ed States. On the local level governors, mayor, city council people and state legislators are elected by popular vote. Members of the Congress are elected through a system of district divisions for the House of Representative and two senators per state for the Senate. They are paid a salary as Congressio- nal members and at times work in their "districts". Elections are conducted via an electoral college system and do not provide for "one person one vote" counting. Thus it cannot be labeled a "popular" election system. A short re- flection on how Al Gore won the popular vote in November 2000 but lost the presidential election is instructive in understanding the problems with this system. Nonetheless, we Americans pride our- selves on this "democratic" system. In 2000, 67.5% of the registered voters came out to the polls for the presidential election (only 51.3% of the total vot- ing age population participated in the election). Candidates for election spend millions of dollars on campaigns including television and radio ads, bill boards, campaign offices and smear campaigns.

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Last March, on the same day that hundreds of thousands of immigrants seized the streets of Los Angeles, a group of us numbering a hundred stood in front of New York’s Federal Plaza. One after another, children whose parents were taken by immigration testified to the choir about how deportation devastates families and American kids. We highlighted efforts by Bronx Congress- man Jose Serrano to help our children through a bill called the Child Citizen Protection Act. A New York Times reporter covering the event was confounded: we were not, or not ex- clusively, undocumented workers demanding le- galization. We were overwhelmingly Black. And we were families demanding that our loved ones – many of whom have green cards and served prison sentences for old crimes – not be deported.

The mainstream immigration debate has fo- cused on legalization: should illegals get amnesty? Should temporary guest worker programs replace permanent residency? Delegalization – the process of policing and expelling communities based on migration status – is the trade off. Players on the loosely-defined Right and Left, such as the Man- hattan Institute and National Immigration Forum respectively, resurrected the immigration debate with a term they dubbed comprehensive immi- gration reform: finite legalization in exchange for robust interior and border enforcement measures. Our children and stories, and the growing reality of deportation, are not just orphans to our story. We are like carrots and sticks, our deporta- tion abuse of noncitizens. Many expect the Sen- ate to pass the same measures in the coming days. We are at a historical moment, where popular mobilizations have collided with politics. The stakes are high and rooted in the past.

One of the greatest victories of the civil rights movement was an immigration law that banned racist quotas and the exclusion of specific nationalities such as the Chinese. In 1965 Congress passed the Immigration and Nationality Act. Law- makers anticipated incorrectly that the bill would increase European flows. Instead millions from Latin America, Asia, and Africa came to start anew, or join their loved ones already here. This family reunification bill made America’s reputation as the most progressive Western state on immigration.

Under Republican Ronald Reagan in 1986, Congress passed the Immigration Reform and Control Act. We celebrated this compromise bill for giving green cards to 3 million undocumented immigrants. A green card, or lawful permanent residency, affords you the same rights as a citizen except for voting (since most citizens do not vote, it is experienced as the same privilege). Today’s op- ponents of immigration criticize the “amnesty” for those who broke immigration law, but celebrate its provisions on employer sanctions – penalties levied against those who hire undocumented labor. The same act that gave people green cards also increased the risks of working for the remainder and drove those without green cards deeper underground.

Ten years later, on the one-year anniversary of the Oklahoma bombing, Democrat Bill Clinton signed an anti-terrorism act that was in fact anti- immigrant. A sister bill passed months later. The 1996 immigration laws did not touch the heated question of legalization, and instead expanded de- legalization – the process of policing and expel- ling communities based on migration status. The laws transformed detention and deportation into mandatory minimums, and increased the reliance of immigration police on state-level criminal sys- tems. Immigrants are now the fastest growing seg- ment of the domestic prison population. Nearly half of all deportations are of “criminal aliens.”

September 11th was more a boiling point than a turning point. All levels of government enforced existing laws with a vengeance. The ex- ecutive branch, unchecked by Congress or the Supreme Court, created regulations to target non- citizens. The most infamous initiative was Special Registration: 80,000 Muslim men turned them- selves into Homeland Security for interrogation, and 14,000 were heartbroken to see their good faith effort met with deportation proceedings.

Locally, the same counties and states complaining about the cost of immigration ser- vices would commit their own dollars to the fed- eral deportation agenda. Yet the deportation of every “deportable alien” is not the overarching goal. Mike Bloomberg, New York City’s billion- aire Republican mayor, had the courage to state recently what most politicians know: America would halt without off-the-books help. The lo- cal enforcement of federal immigration laws is a cornerstone of the national effort to expel a few, and discipline the leftovers for business interests.

Police and barbed wire at the Southern border have mushroomed since the deregulation of trade in 1994. After 9/11, politicians have used National Security to justify militarizing the border.

¿Legalización, sí? When a million immigrants seized LA last spring, corporate media quickly framed the popular mobilization as a response against HR 4437: a bill passed in the House that would turn being undocumented into a felony and criminally charge the priests, school- teachers and countless other souls who provide any help to “illegals.”

No HR 4437 was certainly a ral- lyning cry. But immigrants do not dream in negatives. We have positive desires that became vocal demands. The clearest popular cry was for legal- ization. Stylizing the 1986 amnesty,
Unmasking “Gender-Responsive Prisons”: Business as Usual
From Justice Now

“In all the ‘prison reform plans’ in Sacramento these days, everyone has forgotten the most important people: those of us in prison who would suffer the consequences of these proposals,” said Misty Rojo about the host of prison expansion proposals considered by Californian legislators this summer, including that advocating the construction of mini-women’s prisons to provide “gender-responsive” services as called for by the Department of Corrections and Rehabilitations’ Gender Responsive Strategies Commission (GRSC).

In response, over 1,000 people imprisoned at the Central California Women’s Facility (CCWF) and Valley State Prison for Women (VSPW) worked with Justice Now in July to submit a 25-foot-long petition to the Legislature opposing the Governor’s call to respond to California’s prison crisis by expanding the system in a special legislative session from August 7 through August 31. The petition stated:

• Gov. Schwarzenegger’s proposal promotes the economically and socially undesirable expansion of the California Prison System.

“We should not keep expanding the prisons when the current model is a failed venture.” Zundre Johnson, Central California Women’s Facility

...CDCR for the last 30 years has been on a building spree like no other. They have adopted a “if you build it they will come” mentality. And it has served to incarcerate unheralded numbers of society!” Jane Dvorak, Central California Women’s Facility

• The use of lease-revenue bonds and other means in order to expedite the proposed construction has needed voter approval, which we find to be undemocratic. A recent poll found that 3% of Californians view prison construction as a priority (PPIC, Jan. 2006). This is not a proposal that Californians want, need or can afford.

• The inclusion of AB 2066 under this proposal perpetuates the unjust imprisonment of women whom the Department of Corrections and Rehabilitation has needlessly kept in prison for years.

• Decentralization and expansion of both the men’s and women’s system will exacerbate the egregious human rights abuses and gross medical neglect within CDCR facilities.

“I oppose [the Governor’s plan] because...it will exacerbate already shocking medical and human rights abuses by decentralizing control of Californi-a’s prison system for women. There are many organizations out there that have devoted themselves to the daunting task of uncovering these abuses. The limited oversight they have won will be unsustainable in several new, privately-run prisons.”

Marie Bandrup, Central California Women’s Facility

Significantly, the over 1,000 petitioners specifically criticized AB 2066 (reintroduced during the Special Session as ABX2-1 and again as ABX2-16), the bill that would have implemented the construction of 4,500 women’s beds in new mini-prisons throughout the state. Much of the reasoning used by academics and legislators to advocate for this proposed legislation referenced the “needs” of women in prison to justify this expansion. “But they did not stop to ask what we need or want, if even they care,” Rojo said.

The absence of input from people in women’s prisons led Justice Now to believe that the 4,500 women’s bed proposal was not truly aimed at helping people in prison, but served to make prison expansion politically palatable in a climate where, as the petitioners pointed out, only 3% of Californians prioritize more building.

Justice Now’s work has always prioritized the needs of people in women’s prisons and advocated for a reduction of the number of people in prison. This work is precisely what has shown us that expanding the prison system cannot accomplish either of these goals. As Georgia Horton, another petitioner, stated, the opposite would likely be true. “The problem is that the Governor’s proposal is not a real solution for overcrowding or the lack of rehabilitation. Prison expansion has never solved overcrowding; every time California builds a prison, sure enough, it gets filled – to capacity and then some,” Horton said. “The women won’t ever get real help in a CDCR-run facility with the same guards and the same mentality, just a different location. And if we continue to use our state funds for prison expansion, we’ll never be able to afford the services that really do reduce crime by treating the root causes of people’s issues.”

The Governor’s July 2006 “Inmate Population, Rehabilitation and Housing Management Plan” reinforced our concern of prison expansion by explicitly stating that the 4,500 beds vacated by those released would be transferred to mini-prisons under the proposed legislation would be filled by additional women until the fiscal year 2020/2021. The result would be a 40% increase in the number of people in California’s women’s prisons. Then, according to his plan, after 2021 some women’s beds would be converted into men’s beds.

“The majority of the time in here, we’re treated like animals.”

• Assemblymember Jackie Goldberg, originally a co-author of AB 2066 and ABX2-1, announced her decision to remove her name from the proposed legislation after listening to growing public opposition.

“It is with much deliberation that I have reached the conclusion that ABX2-1 is a fraud,” she said. “The recent contract bid proposal put out by CDCR is filled with problems that would almost certainly result in a reduction of services, less family visitation, and countless other custodial issues. ABX2-1 will expand our already mammoth prison system.”

• Susan Burton, a member of the GRSC and executive director of A New Way of Life – a re-entry program in Los Angeles often cited by proponents of the 4,500 bed proposal as their ideal – also came out in opposition to the proposal. She said, "the CDCR has demonstrated its failure to use resource-already available to provide services. Expanding the CDCR in the name of services and on the back of taxpayers is a gross exploitation of power."

• Heidi Strupp, another GRSC member representing Legal Services for Prisoners with Children, said, “As a prison watchdog agency, our organization has spent the past 27 years monitoring conditions in California’s women’s prisons. It doesn’t make sense to expand an agency everyone agrees is failing. Not once has building more prisons helped women and their families. Instead, expansion will lead to more problems and more suffering.”

“If California really wants to reduce the prisoner population, they should eliminate nonsense parole violations that cycle people back into prison, and initiate change that happens before a number is attached to an individual’s name.”

• Beverly Henry, Central California Women’s Facility

As the special session came to a close, the 4,500 prison proposal narrowly passed the Senate, but stalled in the Assembly along with the other prison expansion proposals! This is indeed a victory to celebrate, but we now need your help to ensure that AB 76, reintroduced by Assembly Member Lieber for the 2007-2008 legislative session, once again gets defeated.

To learn more about Justice Now or to get involved, contact us by calling collect from inside at 510.832.HELP or 510.839.7654 x440 outside, or writing us at 1322 Webster Street, Suite 210, Oakland, CA 94612.
The Abolitionist recently talked with Andrea Smith, author of Conquest: Sexual Violence and American Indian Genocide about the book and her work with INCITE!

Women of Color Against Violence, and the Boarding School Healing Project

Critical Resistance: How did Conquest develop as a book project?
Andrea Smith: I used to work in the anti-violence movement, in social services, and I was struck by how the strategy and analysis wasn’t really working for Native women. On the one hand, in Native communities there was a total reluctance to talk about sexual violence. So as people would speak out, because they had been sexually assaulted, the community would usually side against them. Since the Violence Against Women Act there has been money [going] into domestic violence but still relatively little into sexual violence. And then in the mainstream movement it seemed that all the approaches didn’t really address the needs of Native women because [they weren’t] really looking at how the sexual violence Native peoples have suffered is also a result of colonialism. There was no anti-colonial perspective in the mainstream anti-violence [movement], and it can be seen again in the reliance on the prison system and the criminal justice system as a primary strategy for trying to address violence. The mainstream movement is expecting the state to solve the problem that it actually benefits from and has created.

So this book was 20 years in the making of me thinking what we have isn’t really working for Native women because what we have is a white-dominated analysis in the anti-violence movement and a male-dominated analysis in the sovereignty movement, and the needs of Native women aren’t being centered in the thinking about this.

I used to be the National Coalition Against Sexual Assault (NCASA) Women Of Color Caucus chair, but me and other women of color were always getting frustrated by one, the racism against women of color, but on a bigger level how the anti-violence movement was so professionalized and dependent on Federal funding. And it was trying to be so legitimate to the state that it wasn’t able to have a critique of it.

CR: In discussing your book, you say that it is critical to address violence against women of color in Native communities. How did you come to this realization?
AS: It was trying to be so legitimate to the state dependent on Federal funding. And it was trying to be so legitimate to the state that it wasn’t able to have a critique of it.

CR: In questioning the legitimacy of the U.S., it necessarily follows that we question the nation-state as an appropriate form of governance. Doing so allows us to free our political imagination to begin thinking of how we can begin to build a world we would actually want to live in. Such a political project is particularly important for colonized peoples seeking national liberation because it allows us to differentiate nation from nation-state. Helpful in this project of imagination is the work of Native women activists who have begun articulating notions of ‘nation’ and ‘sovereignty’ which are separate from nation-states. Whereas nation-states are governed through domination and coercion, indigenous sovereignty and nationhood is predicated on interrelatedness and responsibility.” Quoted from Conquest Pp 185-186

CR: What role does the women’s movement play in bringing these issues to public attention?
AS: INCITE! is an organization of feminists of color who are focused on organizing around intersections of state violence and gender violence and looking at it from an organizing rather than a social service perspective. Some of the bigger things that happen are in terms of rethinking the criminalization approach towards addressing domestic and sexual violence.

CR: In Chapter 7 of Conquest, “Anti-colonial Responses to Gender Violence,” you discuss some models of accountability to deal with sexual violence, particularly against women of color. For people who may not have access to the book can you discuss some of those projects?
AS: People are experimenting with different things. We learned from the Northwest Network about working with pre-existing friendship networks in queer communities of color to prevent violence from happening. Because violence tends to happen when there is isolation and abuse, the idea is that friends make a commitment to talk about their relationships on a regular basis so that when something starts to happen people are ready to intervene.

CR: In India we learned about this group, Ma-Sum, where to intervene in violence they would go sing outside the perpetrator’s home until he stopped being violent. They do education, they do micro-credit, and they establish themselves as a community player so that people will listen to them when they talk about violence. That’s really powerful. In the US where every service is segmented. They have a holistic community approach that gives them the credibility to intervene on issues of violence.

Other people, like Sista Sista Sista, were starting Sisters Liberated Ground that was informed by movements in Latin America, which [asks] how do you intervene not only after violence happens, but how do you make it not happen in the first place? Part of it is creating alternate governance systems that are based on equality and that change the way people act with each other. They work on models of consensus that reshape the way people interact, so they think to act in a way that is responsible for the group and not just for their own individual interests.

Communities Against Rape and Abuse was focusing on violence within progressive communities. They developed principles of thinking through each situation that help them come.

CONTINUED ON PAGE 15
Critical Resistance was founded on the belief that the system is not broken, but that it does exactly what it’s designed to do. Our mission, which stems from this understanding, is to build an international movement to end the Prison Industrial Complex by challenging the belief that caging and controlling people makes us safe. We believe that basic necessities such as food, shelter, and freedom are what really make our communities secure. As such, our work is part of global struggles against inequality and powerlessness. The success of the movement requires that it reflect communities most affected by the PIC. Because we seek to abolish the PIC, we cannot support any work that extends its life or scope. The main purpose of the Abolitionist is to make this perspective the norm sense through concrete examples of our vision in action — sometimes through our work and other times through the work of our allies. If we are persuading people to become active, strategic abolitionists, we are doing our job.

Some guiding questions for the next issue are: What are the biggest barriers to getting more people (friends, families, and allies) directly involved in challenging the PIC? How do we overcome these difficulties? What opportunities are there for strategic victories that we can use to build momentum? How is racism being played out in prisons and in the movement? Who benefits? Who doesn’t? What roles do identity and difference play in resistance? What are their limitations? What are ways to build antiracist solidarity that defy white supremacy, patriarchy, and occupation?

**SUBMISSION GUIDE LINES**

**DEADLINE FOR THE NEXT ISSUE IS:**
February 15th, 2007

The Abolitionist accepts:

- Reproducible artwork (Inspiring images desperately needed!)
- Letters (250 words)
- Short Articles (250-750 words)
- Questions you have about abolition
- Strategies for coming home (jailhouse lawyering or other)
- Important legal and administrative news
- International, national, and local organizing efforts and PIC news

Note that we WILL edit your piece for content, length and clarity unless you tell us not to. If you do not want your piece edited, write a note on your submission indicating that no changes should be made. In this case, however, it might not be used. Also clearly note if you want us to print your full name and address, just your initials and city, or to make it anonymous. Unfortunately, we will not be able to respond to or publish every submission we receive and will be unable to return them unless prior arrangements are made. What we can promise is that we will read everything that comes in and use it to inform our overall work.

Once again, the DEADLINE FOR THE NEXT ISSUE IS: February 15, 2007.

Please let us know if you would like to be involved in producing the paper, OR if you have questions about what to write for the paper. Also, please forward family members and friends’ mailing and email (this option is cheaper for us) addresses who you want to receive the newspaper or who might want to get directly involved in work going on it.

WE NEED YOUR FINANCIAL SUPPORT. PLEASE BECOME A SUBSCRIBER. SEND MONEY OR STAMPS TO: CRITICAL RESISTANCE/JUSTICE NOW! 1904 FRANKLIN STREET, SUITE 504/OAKLAND, CA 94612.

In solidarity,

The Abolitionist Editorial Collective

• Currently CR does not have the capacity to provide legal services, job placement, or housing placement

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**Disclaimer**

Articles included in the Abolitionist reflect the views of their authors and not necessarily those of Critical Resistance. We print opinions, ideas, and strategies we think are important to engage even if we don't happen to agree with everything the authors write.

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CONTINUED FROM PAGE 2

bers and the community organizations that are out in the South Bronx. And we know for fact that only a select few organizations have the ability to go into Rikers Island, are stationed there, and are able to do intakes to their organizations. And those organizations are supporting the jail.

The Abolitionist: Can you describe the coalition?
PM: It’s 15 organizations. Some of these organizations we have known about and wanted to work with, so it’s really cool that we’re building relationships. And we’re strong. We’re a strong coalition and we’re strong people in the South Bronx. We’ve been doing a lot of outreach. The coalition met with several elected officials in the South Bronx. Most of them are definitely opposing the jail, so we’re getting a lot of support. We also organized two town hall meetings and the last town hall meeting was a very amazing one where we packed The Point [Community Development Corporation], which is another organization [that is] part of the coalition. People were pissed off. When I did outreach, not one person was like, why are you opposing the jail? Everyone was like, oh hell no; we’ll be there. The turnout was amazing. No one knew about [the jail proj- ect] in the community except the people who got that information in the meeting a long time ago. Now it’s out. People are starting to be informed.

The Abolitionist: What are the demands of the campaign?
PM: There are a couple of strategies. My question is not necessarily what people do with the site. No one can live on that site or work on it. The coalition has alternatives, but we agreed to have different alternatives. Each organization can [recommend the] alternative that they want. Critical Resistance’s is reducing the number of people in jail. Reducing the number of arrests and putting the $375 million that would go into the jail into alternatives in the South Bronx like La Casita and affordable housing; not moderate to middle class, but real affordable housing. Some people in the coalition want a recycling plant, but there are a lot of us that are talking about schools, housing, jobs, and harm reduction centers.

What’s amazing is that the first coalition meeting I went to, we went around and did introductions and a lot of people said the “a” word and claimed themselves as abolitionists. If we were really a large group of people, but apparently not. It’s been a really exciting and amazing experience. We all agree that we don’t want the jail, but it sounds like it’s going to be a long fight for some of us who are invested in having our people come home and not come home in another cage or facility close to our houses, but come home to us free and with resources.

The Abolitionist: You had mentioned that you were working with women from La Casita on this campaign. Following the conversation we began with, can you talk about the strategy of getting former prisoners involved in this fight and why you think that’s important?
PM: On a personal, tip, I never ever imagined that I’d be sitting at the table with Martin Horn as he introduces himself to me as Marty and actually being able to share my voice, feelings, and views to the Commissioner of the Department of Corrections and his posse; or to the community at large, for that matter. And it wasn’t just me; it was women who voluntarily wanted to be a part of this process. We came up with a three page statement on how we felt, where we wanted the money to go, how appalled we were, and we wanted to be a part of this process. We came up with a three page statement.

The Abolitionist: What is the impact on the organizing of having them involved?
PM: I don’t know what the impact is yet. I mean, the women are like, I’ve always wanted to do this kind of work, I always wanted to have power in my community. It gets people amped. So, that’s an impact in terms of relationships. And I feel like even though there are women that might not stay with CR for a long time that are from La Casita, just the political education and knowing that they have my number to call me whenever, 24 hours a day, says something. It’s support that’s unconditional.
Letter To The Editor

Dear Editors:

I am a prisoner currently housed at the California Substance Abuse Treatment Facility and State Prison at Corcoran, California. A copy of your publication is being circulated, and was passed to me to read. I found your publication interesting and thought provoking; but while your publication did very well in highlighting the negatives that the pro-prison mindset has on the general population, it did little to speak of the erosion of our human and civil rights, and the corruption that our judicial system has suffered over the last 25 years. Of course, I have only read one issue, but I felt that you could at least dedicate a page to prisoner rights and effective steps that those on the outside can take to end this current insanity towards those who have been accused of crime. There are several areas where political victories could be easily won for the rights of prisoners. These include: the right to vote for prisoners and parolees; opening the prisons up to the media; forcing the CDCR to become fully transparent in its operations; and posing the terms of contracts for the membership of the CCCPOA. Other areas [that] could also be helpful include: making California comply with the terms of the Universal Declaration of Human Rights; The United Nations Convention Against Torture; The Body of principles for the Protection of All Persons under Any Form of Detention or Imprisonment; and the Standard Minimum Rules for the Treatment of Prisoners. These are all treaties and conventions that the United States has ratified, and are the law of the land. Inmates need more and better access to legal materials; we could use internet access; we need to be paid a reasonable wage for the work we do. Prisoners who are mentally and physically ill should not be in a prison environment, they should be in a mental health or medical facility where they are not in danger and where they do receive the help they need; and all medical facilities where treatment is being provided should be offset limits to CDCR personnel (including CTCs). There is no reason that a brain dead inmate needs to be shackled to the bed and have two guards in the room with him. We need a sensible and uniform policy on the receipt of books, publications, and media materials. I fully understand the need for security, but too often it is the guard who determines at his whim what to censor; many magazines are allowed because of concern for sexual harassment or “inmate-to-inmate correspondence” instead of complying with P.C. §2601(c)(1) that allows an inmate to purchase, receive, and read any and all magazines, publications, newspapers, and books and similar media acceptable for distribution by the U.S. Postal Service. We need greater access to visitation, to meaningful education and vocational courses. And we need to stop the overcrowding of the prison system. There needs to be an end to prison gangs and gang violence, a lot of which is instigated by guards as a way to control inmates. Prison gang violence leads directly to gang violence; and the only way to eliminate street gangs, that only mean a direct ticket to prisons to our youth, is to eliminate gangs in the prison system. To this end, there needs to be a standard of performance that all prison personnel must adhere to, and be graded by under the supervision of a qualifications board that is independent of the CDCR. Bad personnel need to be removed from the prisons. As far as the criminal justice system is concerned, we need judges who are fully independent and qualified to be judges. To this end, we need lifetime appointment of judges in California; the same way that Federal judges are appointed for life. The CDCR should be placed under the supervision of an elected official: the Attorney General of California, and revamp the Office of the Attorney General into a Department of Justice in control of the entire prison system in the state. As activists, read and understand the State and Federal Constitutions, and the law as it pertains to [the] the accused and those incarcerated. Many people are convicted in courts that lack jurisdiction simply because they do not understand their rights. Limit the terms of District Attorneys (just look at Kern County to understand the impact of an out-of-court deal). There is no reason that a brain dead inmate needs to be shackled to the bed and have two guards in the room with him. The loss of rights of the accused, and of prisoners, means a loss of rights for everyone; that is the goal of the “War on Terror”, look at Gitmo, Abu Ghraib, and the other atrocities carried out in our name. As Alex- ander Hamilton put it, the loss of rights for one, is a loss of rights for all. This letter is not meant for publication, but, if you feel it might do some good for others, go ahead and use it uncredited. You asked for feedback, and I hope I have given you something that fits. Somehow you must find a way to break through the fear and anger that has gripped our nation; and cut through the chatter of programs like “COPS,” “America’s Most Wanted,” “Fox News”, and “Law and Order”, and expose their lies and misinformation. Educate people, including lawmakers, so that they better understand what The People are losing.

—Anonymous

THE ABOLITIONIST 11
You can see it all the time on the news. All over the internet. U.S. prisoner abuse has run rampant throughout the world. You’ve seen Abu Ghraib, Guantanamo Bay…Amerikkkan soldiers torturing hundreds of people in the interest of democracy, peace, justice, and freedom. It’s been turning the collective stomachs of society these past years, as you come to see the face of a beast none want to recognize. You look overseas and ask yourselves, “How can good, solid citizens behave like that?” you wonder, “Where did that monster come from?”

The question isn’t very hard to answer. That kind of abuse isn’t anything new. It’s been happening here on Amerikkkan soil for decades. And while it’s true that Amerikkkan prisoners don’t suffer the depth of those held hostage by Bush Co, here in Texas on death row, we are forced to endure some of the harsher, more inhumane treatment imaginable.

For the past several years, and a few hundred others have been living out what can easily be called a nightmare. After the injustice of being sentenced to death by a corrupt legal system (our universal right to life not withstanding), we’ve been shipped off to be warehoused in a penal institution of the Texas Department of Criminal Justice (TDCJ). Upon arrival, we are shaved of our dignity and our identity, caged and treated like animals, while we wait through the years of appeals and the judges eventual signing of our death warrants. We spend these years stored in the Polunsky Unit, in a segregated housing facility that has been designed to house over 500 people in a complete indefinite isolation.

Segregative housing units (also called security housing units – SHU’s and control units) have been around for decades, designed to break the most violent and dangerous inmates in the prison system. No one is ever sentenced by a judge or jury to segregation. It’s the person’s actions once in prison that determines the need for placement in these units.

Segregative housing units range from general non-compliance to violent resistance. Any action that shows an inmate is unable to safely live in a correctional facility with the other inmates can result in placement in these units. Segregative units also include special housing units where someone is held for a specific purpose other than non-compliance. The general non-compliance units have been designated as solitary confinement units, where an inmate is allowed to have very limited contact with the rest of the world.

And yet, it wasn’t always like this. From 1965-1999, we were housed on the Ellis Unit, and afforded almost all of the same privileges that maximum-security general population inmates were allowed. We had art programs, group recreation, the ability to work, walk around un-restrained, had religious services, and televisions. We were generally treated better all around. Since being moved to Polunsky, though, life hasn’t been the same. We’ve been it for 22-hour lockdown. We lost all our group recreation, art programs and supplies (except well paper and color pencils), work programs, televisions, and religious services. We’re not allowed contact visits, so the only physical contact we’ll get until they kill us is when the CO’s hold our restrained arms while escorting us. According to policy, we’re supposed to have a chance to have most of that if we’re behaving ourselves. TDCJ’s non-compliance with their own policy isn’t only incredibly immoral, it’s also illegal according to the state constitution’s clause against cruel and unusual punishment. Why they’re allowed to get away with this is beyond me.

The situation we’re stuck in leaves a question begging to be asked: What can we do about it? Unfortunately, an answer really isn’t forthcoming – the courts, state, and federal government are apathetic, even hostile to us. We’ve tried lawsuits, pleas and petitions. Each has been futile, and it has sometimes resulted in further abuse of us and our outside supporters. One of our main problems is that an insufficient number of us speak up about the abuse. [In] the minds of our captors and their supporters: “if they’re not speaking up about it, it can’t be that bad”. Well, speaking up about it intelligently and effectively has been another problem. And even when it’s done, our complaints seem to fall on deaf ears. Over the years, we’ve also tried several civil disobedience movements, ranging from general non-compliance to non-violent resistance to try and get our complaints heard. This, too, to no avail. So if legal remedies and direction aren’t helping, what’s to be tried next?

To answer that, a few of us have come to provide a judge or jury to segregation, it’s the person’s actions once in prison that determines the need for placement here, as a non-punitive measure to maintain safety in and security of the institution. In general, after an inmate is able to prove that his or her actions no longer a threat to the institution, they are placed back into the general population. The same is not true for us. Despite the provision for a non-segregation status in the Texas Death Row plan (the policy outlining death row housing and general procedures adopted by the director of TDCJ to bring the institution into compliance with Texas State Law), men on death row are never allowed to leave isolation.

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To answer that, a few of us have come to take a step out of necessity, realizing that it’s going to make more drastic measures to try to compel a change. In this regard, as of October 8, 2006, we’ve initiated a hunger strike. We will not accept another 100 per cent food from our captors until such a time as TDCJ makes a credible effort towards the changes necessary to remove the current inhumane conditions. We have several viable requests we’re making to the administration, dealing with health and safety issues, with policies and procedures being ignored and misinterpreted, and with our segregative housing conditions. It’s a shame that we have to starve ourselves to be treated decently. We’re hoping we don’t have to starve to death, but we cannot allow ourselves to be denied our basic human rights. We cannot, we will not live like this any longer.

Yet even as we take this drastic step to stand against this injustice, we realize our actions alone will not likely bring the changes we require. We need your support in this struggle, fighting with us side by side. The administration will try to cover up and misconstrue our efforts, so we’re asking you to get involved, to put up as much effort as you’re able. Any actions you can take to help vocalize our plight are positive, be it writing to government officials, TDCJ administration, the media, participation online blogs and forums, protesting if you are able, and encouraging others to get involved. We’ll also need your encouragement and solidarity to help keep us from faltering, as even the most stout of hearts can weaken. The struggle will be long and hard, but in the end, with your help, we hope to succeed.

In strength, struggle, and solidarity,
Steven Woods 999427
Justen Hall 999497
Richard Cobb 999467
Travis Rannels 999505
Kevin Watts 999456

For more information on our conditions and to watch the hunger strike progress, check out www.anarchychains.com
Promised leaders, and the silence and shame we firsthand. But the assimilationist politics of companionable deportees. We even made t-shirts saying “Stop Deportation Now!” and “Deporter.”

Our most ambitious effort to catapult our issues (deportation, the criminal-immigration pipeline, and the impact on children) occurred on the 10-year anniversary of the 1996 immigration laws. In late April our families and the members of organizations in six other states converged in DC to remember our loved ones – among the 1.4 million people deported in the last decade – and to revive efforts to repeal the 1996 mandatory deportation and detention laws. We visited the congressional offices that could join Serrano’s efforts to support representatives who could possibly vote to protect immigrants from unnecessary deportations.

In the 19th Century, the Irish flooded our nation, looking for work. In the 20th Century, the Hispanic flooded our nation, looking for work. The Irish worked day and night, and their children were naturalized. The Hispanic worked day and night, and their children are rounded up and deported. The Irish worked day and night, and we have the 1996 immigration laws. The Hispanic worked day and night, and we have the 1996 immigration laws.

Conclusion

In the 19th Century, the Irish flooded our gates in numbers that surpass any migration we see today. The Democratic machine brought them from the sodden boat to the sacred booth. Today this welcoming gift is out of the question. (Though given the Democratic Party’s track record, giving voting power to new arrivals may be in their best interest.)

Again, however, history is telling. Too often the mainstream coverage of the immigration debate of global consequence.

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Addameer
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Ramallah Office: Al-Irsal Bldg., 7th floor, Al-Irsal St.
http://www.addameer.org/index_eng.html

To read more by Dortell Williams:
dortellblogs.blogspot.com/

To read the Three Strikes Report by the Legislative Analyst’s Office:
http://www.lao.ca.gov/2005/3_Strikes/3_strikes_102005.htm

To read more about the Texas Death Row Hunger Strike:
http://a150445372.onlinehome.us/

To read more about the Texas Death Row Hunger Strike:
http://www.lao.ca.gov/2005/3_Stikes/3_stikes_102005.htm

To read more by Soffiyah Elijah:
http://www.afrocubaweb.com/elijah.htm

To read more about Oaxaca:
http://www.lao.ca.gov/2005/3_Strikes/3_stikes_102005.htm

To read more about the mainstream coverage of the immigration discussion?

PRIVATE POLICY

The second point runs beyond solidarity. Black and Brown people across migration status share more than dreams. We share targets. In 1996, when Congress poured money into immigration policing, it slashed welfare and the little safety net once guaranteed to citizens and immigrants alike. The Dream Act, an education bill for immigrant youth, also leaves no child uneducated by promising educational benefits to citizens and green cards to undocumented youth who enlist. Being documentable is not just a roadblock for migrants at the Motor Vehicles office. Black and Brown citizens cannot get public assistance or vote because of new and growing identity requirements. Felony disenfranchisement is a familiar story to the 2 million citizens and non-citizens in our prisons. And countless women (legal, illegal, citizen, noncitizen), with partners locked up or deported, are struggling to raise children alone.

New Yorkers from different countries and creeds organized an immigrant rights action for October 21st. We hope that our simple, bold demands may be the rallying cry of a renewed, responsible movement:

NEW YORK UNITED
FOR IMMIGRANT RIGHTS DEMANDS

* Legalization now.
* Stop separating families.
* Equal rights for all workers.
* Defend the Black, Immigrant and Senior vote.
* No more discriminatory immigration policies.
* Stop profiting from immigrants’ suffering.
* Stop harming community safety.
* No more deaths at the border.
* NO MORE SILENCE.

IMMIGRATION: CONTINUED FROM PAGE 7

people of all nationalities held signs like: “Legalization Now!” and “We are Americans.” Corporate media attacked protesters: “what right do these illegals have to make any demands?” We retorted in signs and speeches: “We are Not Criminals.” And so lies the contradiction that will make or break us. The immigrant rights movement has anchored itself to the image of the Good Immigrant. She deserves papers because she is hard-working. She stays out of trouble. She has broken only the civil immigration law, not any criminal laws. She is not a Bad Immigrant. This image lends itself to a compromising agenda that is tenuous on legalization, but firm on more deportations, more employer sanctions, and more border deaths.

We need to step back. “Good” and “Bad” immigrants are part of the same communities, being criminalized daily by changing laws, racial profiling, the targeting of informal economies and poverty. My organization, Families for Freedom (FFF), is essentially a defense network for the “Bad Immigrants.” Our constituents are primarily people with past felonies who, after serving time in the criminal system, face deportation as a second punishment.

Typically, deportation is a surprise punishment: on the day that one is acquitted of a crime or expects to return home after serving a sentence, immigration takes the person to another jail and begins a civil deportation proceeding. Because it is not technically a criminal process, you have no public defender. Because of the 1996 laws, most do not get bond while fighting, and most are ineligible to be considered for parole – even when the crime is not a serious one. The second point runs beyond solidarity. Black and Brown people across migration status share more than dreams. We share targets. In 1996, when Congress poured money into immigration policing, it slashed welfare and the little safety net once guaranteed to citizens and immigrants alike. The Dream Act, an education bill for immigrant youth, also leaves no child uneducated by promising educational benefits to citizens and green cards to undocumented youth who enlist. Being documentable is not just a roadblock for migrants at the Motor Vehicles office. Black and Brown citizens cannot get public assistance or vote because of new and growing identity requirements. Felony disenfranchisement is a familiar story to the 2 million citizens and non-citizens in our prisons. And countless women (legal, illegal, citizen, noncitizen), with partners locked up or deported, are struggling to raise children alone.

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In the 19th Century, the Irish flooded our nation, looking for work. In the 20th Century, the Hispanic flooded our nation, looking for work. The Irish worked day and night, and their children were naturalized. The Hispanic worked day and night, and their children are rounded up and deported. The Irish worked day and night, and we have the 1996 immigration laws. The Hispanic worked day and night, and we have the 1996 immigration laws.

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THREE STRIKES: CONTINUED FROM PAGE 3

counselor who works with the prisoner and his/her family to facilitate his successful reintegration into the community. Counselors assist with finding employment, maintaining family ties through monthly family meetings and financial planning and savings. In this way, the plans for reintegration begin as soon as the defendant enters the system. Conugal visits are allowed after a prisoner has served 50% of his sentence and at that time conditional release can be requested. After serving two-thirds of a sentence, a defendant is released. Minor offenses are handled in municipal courts and are presided over by a 3 judge panel, two lay people and one professional. Major offenses are heard in the provincial courts. If the offense carries a lesser than an 8 year sentence then it will be presided over by a 3 judge panel. If it carries a sentence of 8 years or more then it will be presided over by a 5 judge panel, three lay people and two professionals. The lay judges are nominat-ed and elected by the people. They do not collect a salary for their service. There is no jury system. All criminal prosecutions are required to be concluded within 6 months unless the defendant requests that the process take longer. This length of time includes the appeal process to the Supreme Court. Every defendant has an absolute right to appeal any sentence including an admonishment as high as the Supreme Court. Prisoners are incarcerated in the province where they reside no matter where the crime was committed. This is done to facilitate maximum family involvement in the reintegration of the prisoner upon release. Felony disenfranchisement does not exist. Once the sentence is completed there are no residual stigma attached to the formerly incarcerated individual. Turning now to the U.S. criminal justice system there are many dissimilarities, based primarily on the perceived role of incarceration in altering human behavior. The popular notion of incarceration in the U.S. is that it serves as a deterrent to other-ers and punishes the transgressor. Life sentences now have been to lock them up. Felony disenfran-chisement is practiced in many states and in some – a felony conviction is a permanent bar to voting. The financial and human consequences of our ap-proach are beginning to catch up with us. Thus it is not surprising that the rate of recidivism is 66%.
Alternatives to incarceration are used in about half of the cases handled. Probation, suspend-ed sentences and intensive supervision are widely used as alternatives to incarceration. Eligibility for alternative sentences in the U.S. varies from state to state and involves an intricate bureaucratic maze. Work release programs also vary from state to state but usually involve the prisoner residing in a com-munity residence operated by the Department of Corrections from which they depart each day for work and return in the evening. They wear no uni-forms and receive the same benefits and salaries as their colleagues. Some programs do allow the pris-oner to go home during specific days of their work release residency. Work release is used sparingly and most prisoners go directly from prison to their communities upon release without employment as-sistance, counseling or money for their basic needs.
For those prisoners who are not released to some community-based alternative, the availability of conjugal visits depends on the government-
the Supreme Court finally decided to con-demn executions of mentally retarded per-sons. Such enlightened jurisprudence has ar-rived far too late in this “democratic” society. This brief comparative analysis reveals that Cuba has implemented many creative and forward think-ing programs and systems that maximize popular participation in governance with a focus on im-proving the quality of life for its citizens. This is democracy in action. In many instances, the pro-grams and systems used in the U.S. and Cuba are more similar than they are different. Yet, many of Cuba’s innovations in the criminal justice arena are far ahead of those still employed in the U.S. The fact that over 95% of voting age Cubans participate in the national elections as compared to 51.3% in the U.S. speaks for itself. Americans do not hold the market on democracy and are not in a position to determine where it exists and where it does not. Those of us fortunate enough to reside in the rich-est country in the world must strive to overcome the arrogance that comes with such entitlement and humble ourselves to learn from and share with the rest of our neighbors on the planet, including Cuba. Ignorance breeds fear. Fear breeds aggres-sion. And aggression serves as an obstacle to peaceful coexistence.
ANDREA SMITH: CONTINUED FROM PAGE 9 up with a strategy that might work for that par-
ticular context. This involves thinking, who are all the players involved? Who is everybody that the perpetrator cares about? How do you mo-
bilize support to hold that person accountable? And how do you do that on an ongoing basis?
CR: One of the approaches that you talk about
Communities Against Rape and Abuse taking that
I think will be really interesting to people who
read this paper is the idea of organizing and mo-
bilizing around particular groups of women who
aren't necessarily well accepted by the mainstream.
AS: I think Beth Ritchie was the one that articulated [this] well [in] talking about the problems within the
anti-violence movement, and this is actually prob-
ably true for any activist movements. They tend to
organize around the people who are most likely
to be acceptable by the main-
stream. They look for the good post-
er child. The problem with that ap-
proach is it allows a co-optation of the
movement where the poster children get set apart as worthy victims over and against the unworthy victims. What does it mean to organize around
those who are seen as least acceptable?
Because if you “liberate” them you liberate everyone else that has a high-
er status than them. Of course, this is easier said than done and this is not to make light of the difficult strategic decisions people make when trying to build a movement. On the other
hand, I guess if your goal is long-term
liberation rather than short-term policy change, it
makes sense to start thinking in those directions.
CR: And thinking about what elements need to
be in place and working together for these styles of
intervention to work, restorative justice is one of
the things you cover in the book in really interest-
ing terms. Can you lay it out a little bit for people?
AS: Restorative justice is a broad term that is used
by a lot of different folks, from Native people to the
Christian Right. The general principle is that instead of seeing a crime as happening between two individ-
uals, it has to be seen as a breakdown in a community and hence requires a community-based response. If the
problem is a breakdown in community, it doesn’t necessarily make sense to take the “perpetrator” outside the
community to prison because that won’t really solve the problem or restore the community.
The reason the anti-violence movement has had a big issue with [restorative justice] is be-
cause a lot of the restorative justice models tend
not to work in cases of violence against women, because for the community to hold somebody ac-
countable they have to actually think that what happened was wrong. So therefore you can’t rely on a romanticized notion of community or even assume that community actually exists. For a com-
unity-based response to be effective requires a political organizing component to it that actu-
ally creates communities that offer accountability.
CR: So we have lot of these talk about restorative justice programs, while seemingly inde-
pendent of the prison system are still tied to the state. And as such can have the same dangers of any other prison reform movement. As Critical Resistance has demonstrated, the problem is prison reforms have actually strengthened the prison system by in-
creasing the number of people who get stuck within this highly violent and isolating environment.
CR: Can you give people some background on your
work with the Boarding School Healing Project?
AS: One of the policies of the US government start-
ing in the 1800s, to a more intense degree, was the
idea that we need to solve the “Indian problem” by
civilizing them. So Indian children were abducted
from their homes and transported thousands of
miles away to off-reservation Christian board-
gles designed to curb sexual abuse at the boarding
schools have not ever been implemented. So there
is rampant sexual abuse still in boarding schools.
In Canada there is a similar system called the Resi-
dential School System but there was a lot of out-
cry and documentation about these abuses and as
a result lawsuits were filed. Some churches have
been threatened with bankruptcy because of the
number of lawsuits that have been filed. So, that
system might not be perfect, but at least people
acknowledge that it happened and there is some
movement around redress. But in the US, there
has been no documentation of this although
the abuses are certainly as bad as in Canada.
"In questioning the legitimacy of the U.S., it necessarily
follows that we question the nation-state as an appro-
ciate form of governance. Doing so allows us to free
our political imagination to begin thinking of how we
can begin to build a world we actually want to
live in. Such a political project is particularly important
for colonized peoples seeking national liberation be-
cause it allows us to articulate 'out of' from nation-
state. Helpful in this project of imagination is the work
of Native women activists who have begun articulating
notions of 'nation' and 'sovereignty' which are separate
from nation-states. Whereas nation-states are governed
domineeringly through domination and extermination,
the idea of 'nation' and 'sovereignty' is based on free-
eighty and nationalhood is predicated on interrelatedness
and responsibility.” Quoted from Conquest Pp 185-186

So we wanted to do a document. Sammy
Toineeta, from Rosebud, came up with the idea of
having a documentation project that would
then become the basis for us to call for repara-
tions and redress. We wanted an approach that
would be a collective remedy and also would be
grounded towards having people be involved in the
strategies rather than somebody doing it on their
behalf. And also to make healing central, because if it’s healing to go there and then have support. So we have a heal-
ing infrastructure throughout the documenta-
tion and also educate both Native and non-Na-
tive publics about the legacy of boarding schools.
We are [now] focused on South Dakota
and we are trying to finish the interviews up this
year. [We] are looking towards trying to do an in-
tervention maybe with the Inter-American Court
or maybe through some other UN process to get
the ball rolling around bringing this issue up.
[We didn't] go through the US domestic court because
we want to approach it from a sovereignty perspec-
tive. We wanted to pursue UN strategies and we also
wanted to see this as part of a larger reparations
movement, so we had a joint strategy session with
folks involved in African-American reparations
movements. [We are] looking at this as an oppor-
tunity to educate our own communities about the
other reparation struggles because, particularly in
reservations areas, there is very little information
available so we want people to be law-
ayer-proof, not to have some lawyer take care of the
problem, but to be involved in shaping the strate-
gies themselves. This is all much easier said than
done. It is a very long and slow and difficult process.
CR: Has it been hard to get people to
participate in the project?
AS: They participate, but in a very
trumatized way. So let’s say we have a meeting for survivors. South Da-

dota is very spread out and people
don't have money so it takes a long
time just to get gas or find a car to get a
ner part. They have to drive
200 miles and they get there and

they can’t walk in the door, so that is part of the reality: how do you build a

moving around trauma? Because

so a lot of our movements are based on

the idea that when you come to the

organizing space you’re going to have

your act together and be totally cool

and happening and you don’t get
to discuss your problems. But what do

you do if nobody actually is all-together and people

have real issues? It’s hard to make social

services get cut off from organizing. If you have

a problem, go to a psychiatrist. And they’ll put

a Band Aid on it. And if you are organizing, don’t
talk about those problems. So it creates this
gendered private/public split. How do we have a
more holistic view of organizing so you can bring your

whole sick, tired, and depressed person to the work

and the movement can’t be made up of just

sanitized people?

CR: One of the things we are trying to put out with

all of our pieces are some concrete strategies that

people are thinking about that others might take up

or look into. You talked about some of the

models from the book, but is there anything you want to add?

AS: One key thing is to think what can we do. With

violence a lot of times people think what can I do.

If you think – What can I do? – it’s call [the] police

or do nothing. Yes, there is a raw modal of an activist

autonomous accountability came with doing these activist insti-

tutes because we thought prison didn’t work, but we

didn’t know what else there was to do. So we have

these community-based activist institutes to dis-

uss what could we do and we actually found out

[that] it wasn’t hard to figure out what we could
do. What could we do might depend on the differ-
ent contexts, but [it is]. That we’re just figur-

ing out ideas. What I found around the country

is that when people put their brains together and

think creatively there are often plenty of things to
do. I don’t want to make it sound too easy, but in

some ways it’s not as hard as you’d think either.

So I think the key thing is just getting folks to

together in your community, however you define it,

and say “if something is happening...”

Also, a lot of times our tendency is to wait

until something happens and then there is this panic,

and emotions are high and it’s hard to figure it out.

Maybe all progressive movements or organizations

need to think about what they would do if some-

thing happened within their organization before it

happens, because it probably will at some point. In

doing that you start to develop not just a strategy

for intervening but also a culture of accountable-

bility that has an impact not just in terms of violence,

but in terms of how to act together in a better way.

THE ABOLITIONIST
On August 13th the New York Times ran an article about medical experimentation on prisoners. The article discusses a proposal put forward in July by the Institute of Medicine to relax restrictions on the participation of prisoners in drug trials. This isn’t exactly what we’re talking about when we demand access to quality care. Prisoners have been abused in drug experimentation in the past and it can easily happen again. Knowing the history of experimentation on prisoners will help protect you from being hurt in the future. Participating in the trials is not worth the money they’ll offer.

When talking about abuses in medical experimentation there are two trials that often come up: the medical experiments conducted by Nazi doctors during World War II and the Tuskegee Syphilis Study. In concentration camps, Nazi doctors conducted a range of mutilating and abusive experiments, from freezing people alive, infecting prisoners with malaria or typhus for drug treatment tests, exposure to toxic gases, sterilization, dissections, and surgical transplants. Most people died during these experiments. Doctors in charge of the studies said they conducted them to deepen medical knowledge, citing American experimentation on US prisoners as a model for their work. When these experiments were indicted for war crimes in 1947, the Nuremburg Code – an international set of principles for human medical experimentation – was established. The code requires that participants be volunteers, give informed consent, and be free from personal or mental injury, disability, or death. In 1932, the Tuskegee Institute in Tuskegee, Alabama, enlisted 399 black men with syphilis into a syphilis study. These men did not give informed consent nor were they told they had syphilis, but instead were told they had “bad blood,” and were offered free care, transportation to the clinic, a hot meal, and $50 for a funeral in case of death. The people in charge of the experiment knew the individuals had syphilis and did not provide care even though by 1947 penicillin was being used widely as treatment. Instead, the doctors observed the course of the disease, how it spread and killed individuals, in the name of gaining information for “public health.” These practices were in complete violation of not only basic human ethics, but also the established Nuremburg Code.

Experiments at Holmesburg ended in 1974. Many could not sue because they had signed waivers, but others had not. In 1986, one inmate who had lifelong rashes from the lotions tested on him reached a $40,000 settlement with the City of Philadelphia. There is an ongoing class action lawsuit on behalf of about 300 prisoners for physical harm caused by the experiments. One of the men filing this suit has had swollen hands since the experiments. The mental and physical injury and disability caused by these experiments were in direct violation of the Nuremburg code, but Dr. Albert M. Kligman, who headed the experiments at Holmesburg, sees nothing wrong with the experiments he ran, asserting that the radioactive, carcinogenic, and psychotropic drugs were given in low doses and had tremendous payoff for the public. What public? Are the prisoners who were hurt in the trials and their families not part of this public?

Prisoners across the country have been used in medical trials and California prisoners are no exception. At San Quentin between 1918 and 1922, senile prisoners were used in testicular transplant experiments. At the same time medical experiments were being conducted throughout California. Although there were systems of oversight in place, abuses went unchecked. Prisoners were used in skin, pain tolerance, and psychological testing. At Vacaville in 1962, for example, a drug company called Lederle funded a pain tolerance test using an enzyme injected into prisoners’ muscles: causing fever, chills, and extreme pain. The use of unapproved drugs, incorrect dosage of approved medications, and the administration of psychotropic drugs as punishment or for control by non-medical corrections personnel have particularly been problems at Vacaville, the California Institute for Women, and Lompoc. Trials like these have not been permitted for about forty years in California and according to Rachael Kagan, a spokeswoman from the federal receiver’s office, regardless of the Institute of Medicine’s current recommendations, prisoners in California state prisons won’t be participating in medical experiments until California can guarantee prisoners basic health care, which she estimates will take 5 to 10 years.

Access to basic health care is not one of the requirements the Institute of Medicine has made in order to include prisoners in future drug trials. The Institute of Medicine identifies people currently imprisoned, on parole, and on probation as “prisoners” and is confident that the regulations they would set up would prevent them from being taken advantage of or hurt in drug trials. But previous regulations were ignored in favor of funding. The Institute of Medicine claims that they want to include prisoners in trials due to the high incidence of infectious diseases among prisoners (up to 10 times greater than people not imprisoned) and that allowing experimentation will benefit participants who suffer from chronic or infectious illnesses, and is even essential in improving their care. Are they recommending drug trials to improve people’s health instead of ensuring quality healthcare? Even if there were short-term positive benefits for people involved in trials, would participants and their families have access to developed medications? Without insurance and access to health care, medications are near impossible to get.

One of the main tenets of the Nuremburg Code requires that participants be voluntary and informed, yet prisoners live in a coercive environment. How can consent be possible? If a drug study enters a prison promising health benefits, where there is inadequate healthcare, what would you do? When offered a hundred dollars to participate in a study when you make $8 an hour for breakfast duty, what would you choose? When offered a private cell when you’re living in an overcrowded cell block, would you move?

What the doctors charged in the Nuremburg trials, at Tuskegee, Holmesburg, San Quentin, Vacaville, and now in the Institute of Medicine have in common is that they all believe experiments on prisoners will benefit the public. Implicit in this idea is that prisoners are somehow not part of the public. They are an expendable loss for public gain, a separate group with less humanity and fewer rights. This is the exact attitude and perspective that allowed abuses to happen in the past. Before the Institute of Medicine ever thinks about opening a drug trial, maybe they should guarantee people quality healthcare.

As part of a movement to access healthcare, prisoners have advocated and educated themselves, and each other about their health for years. Next issue will focus on what people do and how we can continue to fight for quality healthcare rights.

Until next time…be well.
In solidarity.
liz
MONEY FOR TESTING BUT NOT FOR CARE

While the Institute of Medicine pools money to increase their access to prisoners for drug testing, what about access to basic healthcare? As we already know, there is no healthcare in prison (sick call does not count as healthcare). Prisoners are ignored by guards and often misdiagnosed or neglected by unskilled/disrespectful health professionals employed by the state or private health contractors. Health care is a central part in transitioning out of prison and staying home, but sadly, care outside of prisons is also lacking. Getting health care both in- and outside of prison is frustrating. If you are getting out, received care in prison, and will need more after you are released, there are a few important things you should try to do:

1. Get your prison medical records! If you received care, they documented it. At least they should have. Your doctor on the outside will need that information so they know the details of your medical history. People are able to get these when they are released, but not always. It can be a difficult and slow process to get state and federal prison medical records after release, so ask for your records.

2. Get a supply of medication. If you are on regular medication, ask for a supply of meds to tide you over until you can see a regular doctor. This is critical. You don’t know how soon you will be able to find a place to get care while you’re trying to juggle everything else. A 30-day supply should be sufficient. Some facilities will give you 30 days worth, others will only give you enough for two weeks or a couple of days—it depends on the facility and the medication.

3. Get into care! This one is not easy any-where. If you are getting paroled to the Bay Area, especially San Francisco, there is a network of public health centers where you can get care. At Southeast Health Center in the Bayview, there is a program called Transitions Clinic, which is specifically designed to give care for people just paroled. (Southeast Health Center and Transitions Clinic are located at: 2401 Keith St., SF, CA 94124. Their phone number is 415-671-7000.)

There are clinics across the country where you can get care, but there’s often a wait. Public health centers and other sliding scale clinics will be able to provide you primary care, basic services, and refer you to another doctor if needed. They can also help you network and refer you to agencies in the area that specialize in the other things you may need: housing, employment, substance abuse programs, counseling, or educational opportunities. Public Health clinics can be a great resource to use to support getting you on your feet after being released.

If you don’t have a medical condition, it’s a good idea to see a doctor anyway. Aside from being at greater risk for infectious diseases, prison is hard on your mind, body, and heart—medical neglect compounds this. So go see a doctor on the outside that will give you the respect and care you deserve.


THE ABOLITIONIST

Read at Town Hall Meeting on August 3, 2006

- We members of Critical Resistance NYC who reside at La Casita, a mother and child alternative to incarceration, and substance abuse program in the South Bronx, oppose the construction of a new jail at Oak Point.
- We believe it is being constructed to make a profit for the rich, not for the justifications that have been stated.
- Throughout experience, we know personally the negative impacts locking people up has on us, our communities and our families.
- Rather than building a new jail to lock up more people, we need to lessen the number of people in jail.
- Many people who would be put in the new jail would be doing time for drug-related charges and suffer from drug addiction.
- It is our experience and belief that being locked up does not work for preventing and treating drug addiction.
- Instead of a jail, we want to see things that will bring the community together, not close it down.
- A new jail at Oak Point would cost about $95 million dollars! That’s a lot of money that could be spent on real harm prevention services and solutions that would make a positive impact on South Bronx communities.
- We demand that the money which will be spent on a jail in the South Bronx, go to the public schools in the South Bronx, so our children of the South Bronx have a better chance of staying out of jail.
- We demand more community centers, recreational centers, and gardens where kids and families can come together.
- We demand affordable housing and healthy jobs for people coming back from jail and prison.
- We demand that funding go to better public hospitals and walk-in clinics.
- We demand better mental health provision services that truly heal people in our communities with psychiatric disabilities.
- We demand better forms of preventing harm in our communities such as counseling, and safe spaces where people can find support.
- As members of the South Bronx who want to see our communities growing and coming together, we strongly oppose a new jail anywhere in New York City.
- We are asking community members who question who we are, what our actions have been in the past, and what we say, to please question with compassion and go beyond jails and punishment as being the answer to rehabilitation and community safety.
- We as women who are greatly affected and the target of Horn’s proposal for a new jail, demand that our voice and input matter. We will not be silenced.

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We would also like to send much love to our friends at Left Turn who have been generous in too many ways to keep count.
Prison Expansion as "Prison Reform"

One of the most intriguing and disturbing aspects of the State's proposal is the fact that this dramatic expansion plan is being sold as "prison reform." Despite the rhetoric, new prison construction is not and never can be prison reform. Building new prisons under the rhetoric of "gender responsiveness" is not prison reform. Increasingly, the state's only and ubiquitous answer to any problem within the prison system – whether it be the need for more and better programming, disastrous medical and mental health care or the fact that there are too many people in prison – is bricks, mortar and expansion. But, as State Senator Gloria Romero and others have cautioned, "You can't build your way out of this problem." Increasing the number of cells will only increase the number of people in prison. And, history teaches us better than anything else: if we build them, we will fill them. As far back as 1882, when Folsom Prison was built to replace the already decrepit and crumbling San Quentin, we have seen expansion after expansion fail to address the rising number of people in prison, conditions, public safety, or the lack of programming and services for women or men. The current plan offers no indication it will produce any different result and that reality is coming to light in Sacramento.

The Myth of Kinder, Gentler Gender Responsive Prisons

California is selling these new prisons for women to feminists, reformers and progressives as better for women. Even if one believes that prisons could resolve the issues facing women, the details of the CDCR plan challenge the notion that these prisons would, in fact, be kinder, gentler and able to reduce the population. Ironically, a major justification for these new prisons is that women would be "serving their sentences closer to their families." Thus, it is suggested, they will be able to better maintain family ties. State documents posit that the new prisons are "intended to strengthen family ties by making it easier for children to have regular contact with their mothers." However, women are soon to be granted three visiting days per week at the state prisons where they are currently imprisoned. CDCR, however, is only requiring operators of the new prisons to provide for two days per week of visitation. The CDCR also states that these new prisons will be guarded by CCPOA guards, exactly like the prisons these women are in now. And secondly, both the infrastructure and guard requirements mean that few, if any, truly "community organizations" could or would bid to operate one of these prisons.

A New Way of Life is a prime example of a truly community-based organization that could effectively provide the desired services to women outside a correctional setting. A New Way of Life has built the only sober-living facility for women coming home from prison in the Watts area of Los Angeles. It has served 120 women since 1998. It's director, Susan Burton, knows well the struggles, since she too faced them as a woman coming out of prison in the late 1990s. A New Way of Life's goals are: to create a clean, safe, sober-living environment; to offer education, job training and skills building; and perhaps uniquely, to provide leadership to community advocates for the rights of women in prison, the formerly incarcerated and their families.

While the CDCR's plan eventually anticipates using the freed up 4,500 beds in current women's prisons for men, the conversion of a women's prison to one for men is not slated to occur until 2020. Thus, CDCR plans on increasing – not decreasing – the capacity to imprison people in women's prisons for over a decade. Moreover, the projected increase is huge. An additional 4,500 people in women's prisons would mean a 50 percent increase by 2020.

The CDCR has offered no detailed plan as to how it would actually reduce the population of people in women's prison in 2020. While CDCR might argue that the reduction will come from all the programming that will occur in the new prisons because space would be available, there is not one penny slated for this purported programming and the only detail given thus far would require the new prisons to use a particular literacy model. The plan's advocates appear to forget that construction of the buildings alone does not mean the programming will necessarily follow, or that this unspecified programming will produce results.

Conclusion

Shortly after Governor Schwarzenegger called the Special Session to build an entirely new system of imprisonment for women, the International Center for Prison Studies (ICPS) at King's College, London released the first World Female Imprisonment List. Bringing together data from 187 countries, the ICPS found that globally over 500,000 people are locked in women's prisons. About one-third of the worldwide total, 183,000, are in U.S. prisons. The two largest women's prisons in the world are in California. At the same time, the Howard League for Penal Reform petitioned the British government to start closing women's prisons and transferring resources to community programs and treatment facilities. In addition, Italy announced that, as a solution to its overcrowding problem, it would pardon and release 12,000 prisoners. The Justice Minister had threatened to resign unless Parliament passed the bill.

Previously, Governor Schwarzenegger created a Commission to study and recommend reforms to California's prison system. The Governor's Commission, headed by former Governor George Deukmejian, concluded that the "key to reforming the system lies in reducing the numbers." We all want safe and healthy communities. But bankrupting the state to expand a prison system that has not made us safer is bad public policy. There are literally hundreds of ways we can both reduce the number of people in prison and improve public safety. The most obvious include releasing the 4,500 people in women's prisons that the state has identified and investing the resources that would have gone into the construction and operation of 30-40 new mini prisons in their communities.

Imagine if we took just a portion of those funds and simply provided each of the women six months housing upon release. It's time to stop pretending that increased capacity, no matter how gender responsive, is part of the solution.