



The Abolitionist

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*“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 within the policing strategies. What I am interested in are the strategies for breaking it.” —Toni Morrison, *Playing in the Dark**

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's 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 their 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 Guantanamo and their everyday application in prisons and jails across the US. These actions speak volumes, but who is listening?

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 actu-

ally 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 CCPOA's 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

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COMING HOME



An Interview With Pilar Maschi, Critical Resistance's Membership and Leadership Development Director

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 was 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 in particular, to experience what I was experiencing with Critical Resistance. I wanted them to have access to organizing and see resistance as a form of recovery, then make CR the space to provide that.

I know there were a lot of things about the treatment facility that I agreed with and that it was a safe space for me. At the same time there were things that I wanted to challenge I knew I really couldn't while I was in there. I was like, when I'm out, I'm going to do this. I had not heard anyone talking about this shit outside of the rooms where I used. So, it was really amazing [with

CR] to see smart thinkers investing their time on me, and people like me, who experienced addiction, and jail, and being poor and homeless—all these things being part of why we get locked up.

If we had a home that we didn't have to worry about, if we had food on the table we didn't have to worry about getting, and if we had an environment where family members and friends and the people in [the] community felt empowered, and felt like we had decision-making power over our lives, our lives would be a lot different. If we had access to the things rich people have access to, we'd be a lot better. We wouldn't be locked up, that's for sure.

So, I was with it. Even though I thought, OK, it's a little crazy, because I'd had so many things that had happened to me, I was just like I got to work through that shit. That also challenged me to work through my rape, work through my physical abuse, why I've abused, all these things. The concept of abolition shapes the way I think now. Raising my child as an abolitionist is also a challenge. It challenges all of my conditioning and all of how I've been raised.

The Abolitionist: Can you talk about the history of CR's La Casita project?

PM: From the initial moment I walked into CR, I wanted my people with me. I felt like if our voices and our experiences were heard in these forums, in these conferences, in these meetings and we had some power, we could make real change. I worked it out with the directors, and brought an abolitionist organization into a treatment facility. And they backed me up and were really proud, you know, so it was good.

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 work-

shops. 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-

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THREE STRIKES NEEDS TO BE STRICKEN

By Dortell Williams

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 LOA'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.

SB 1547 directly targets overcrowding by calling for a reduction in the prison population, echoing a recommendation by the Correctional Independent 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 fatally 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...[s]hort-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-Jamal, 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 capsize this modern-day Mayflower. The truth and the revelations of the constant injustices and

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Title 15

Title 15, the CDCR's code of regulations is the document that limits and protects your rights while you are imprisoned. It can be difficult to access, and is constantly being revised. Below are some of the newest changes to Title 15. While other rules have been recently modified, these ones seemed to have the greatest impact on the quality of life for people in California prisons. Knowledge of these rules is an important tool for defending the rights you have, and preventing disciplinary action for rules you didn't know about. If you feel your rights (as protected by Title 15) have been violated, you can file a 602 complaint (this is why section numbers are cited below for those rules that protect your rights). Please do so at your discretion; in some facilities, prison guards may seek retribution for a complaint filed against them.

Grooming Rights; Permanently adopted July 27, 2006

Section 3062e now allows you to "maintain hair at any length," with restrictions for identification reasons. Facial hair is acceptable in the forms of "short beards, sideburns, and mustaches," of one half inch according to Section 3062h. You can't grow hair that covers your face or eyebrows or that somehow poses a safety risk. While prisoners of all genders can grow their hair to any length, it must be worn "in a neat, plain style," though possession of approved hair holding devices is a privilege, not a right. If you work around machinery, in a fire hazard area, or in food preparation, you may have to wear a hair net. If you noticeably change your appearance within a five year period, you will be charged the cost of a new photo for your ID card. If your hair is longer than three inches, you are subject to hair searches by prison staff. You cannot have any lettering, numbers, or designs on your hair or scalp.

Religious Programs; Permanently adopted July 27, 2006

According to Sections 3210a and 3210c, you now have the right to attend religious services and to have your schedule accommodated in the case of scheduling conflicts. This includes modifying work schedules, using break time or earned time-off to attend services, getting job assignment change, and changing regular days off. Section 3210d states that some requests will be referred to a Religious Review Committee - a committee of chaplains and a correctional officer at each prison. This means the attendance of religious services is your legal right, protected by Title 15. Requesting accommodation should in no way affect your credit earning status.

Visiting Restrictions with Minors; Effective June 6, 2006

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 prisoner may not visit the prisoner at all in most cases. Visits from minors who were not involved in the case are limited to non-contact status. In the case of people imprisoned for a sex crime, who have not been convicted, it is up to the classification committee to determine the extent of visiting privileges. If you are imprisoned for a sex crime, but have not been convicted, and disagree with a decision made by the classification committee, Section 3173.1(g) directs that you have the right to file a 602.

Compiled By Cara Bayles

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POINT OF NO RETURN IN OAXACA: BY RJ MACCANI

So much has happened in Oaxaca, Mexico since I left there nine months ago. It was February and Subcomandante Marcos, spokesperson of the Zapatistas, had just passed through the state. Part of a national tour to build an anti-capitalist movement of the poor in Mexico, Marcos made two prison visits while in Oaxaca to listen to political prisoners and to highlight to the rest of Mexico the priority of freeing them.

Three months later, in May, the teacher's went on strike and set up an encampment in the center of Oaxaca City just as they'd done for the past 26 years. This year, though, the strike's demands grew from a greater education budget to a popular demand for the removal of Oaxaca's corrupt and repressive governor, Ulises Ruiz Ortiz. A few days later 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.

When the government and police vacated Oaxaca City shortly after the APPO emerged in June, I began receiving reports that the violent crime rate in Oaxaca had dropped significantly. Contrary to the commercial media's image of lawlessness in the city, even my "gringo" contacts there informed me that they'd never felt safer on the streets. The municipal and state police were replaced with community police, known as *topiles*, and mobile guards who would respond to alarm calls in the form of launched firecrackers.

This feeling of safety began to shift when, in August, members of the government police and people affiliated with the governing party began "Operation Clean-Up". The nighttime drive-by shootings that characterized this operation were designed to break the resolve of the popular movement and to retake the many media outlets seized by the movement. Failing to crush the movement, "Operation Clean-Up" marked the beginning of a new wave of state violence.

After five months of popular mobilization to oust the governor, the APPO began a three-day general strike on October 27th that was met with an escalation of paramilitary activity. Groups of government-allied thugs began daytime attacks on the encampments of protestors, killing two on the first day of the strike, including Bradley Roland

Will, an independent reporter from New York City.

It was Brad's intention to document this popular movement 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,

"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 more 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.

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.

[Editor's Note: APPO has declared a new stage in the struggle. The "Stage of Peace with Justice, Democracy and Liberty without Ulises Ruiz Ortiz" has as its demands "the release of political prisoners, the return of the disappeared, the cancellation of orders of apprehension, an end to illegal arrests, an end to gag orders, the withdrawal of the Federal Preventive Police (PFP), and what brought us all together: the departure of the murderer Ulises Ruiz from Oaxaca. We call for this to happen in all regions of the state through our regional, municipal and sectorial Popular Assemblies."]

RJ Maccani is a member of Critical Resistance NYC and helped to form the Ricardo Flores Magón Brigade, which is still reporting from Oaxaca, Mexico for The Narco News Bulletin. He can be reached at rj@riseup.net or C/O The Abolitionist, 1904 Franklin St., Suite 504, Oakland, CA 94612.



PHOTO BY KATIE ORLINSKY

Resisting Separations: The Palestinian Struggle for Freedom Will Continue

By Rula Abu-Duhou and Wisam Rafeedie

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 dominance 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 Etzuonand, 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 colonial society that lacks historical legitimacy, and was established on the account of other people, can only survive by convincing its settlers and colonists, in acts, not just words, that they shall be undefeatable. That ideology has been central to Israel's success over the past 100 years. But the resistance in Lebanon struck that to the ground! The resistance also proved that a small popular resistance of only a few thousand is capable, through guerilla warfare, to defeat a very strong army like the Israeli's. The re-

sistance is reminiscent of the traditional Left tactics used by Cuba, Algeria, China, and Vietnam, though all those movements were far better supported and equipped than the resistance in south Lebanon.

3) All of the diplomatic projects including the Oslo Agreement, the Road Map, and the joint settlement plan didn't bring peace to the area. First, they didn't deal with the conflict at the root (the right of the Palestinian people to their land and the illegitimacy of the occupation). It is clear that the aim of all of these projects for Zionists is the end of the Palestinian cause. The Israeli political leaders are faithful to Israel and have acted accordingly until now: no place for Palestinian national sovereignty on land. Therefore, the issue to them as to us is "a war of existence."



4) The only choice given to Palestinians is the one created by Israel, but not a choice of our own. Israel achieved the destruction of the P.L.O. in favor of the Palestinian Authority (a government with no real sovereignty according to the Oslo Agreement). Furthermore, the accord removed any economic and ethical burden on Israel in continuing its occupation, making Palestine the cheapest occupation in history. Instead of Israel paying a high price as the occupier, the result of the Oslo Agreement was that Palestine became a country under occupation, with the Palestinian Authority operating through institutions under Israeli control. Under this structure the Palestinian cause would transform from a national liberation movement into the Palestinian Authority leading negotiations for better conditions for its work. Dissolving the Palestinian Authority means bringing back the legal, international, ethical, political and economic burden of occupation to the occupier, which will bring back the national issue as "a national struggle movement against occupation."

Israeli policy towards Palestinian Prisoners

The main target of the Israeli policy since 1967 has been to empty the Palestinian national spirit and to change prisons into stations designed to sweep up all Palestinians who participate in the national cause and struggle. Torture, daily humiliation, neglect of health conditions, and isolation from the world, are all strategies used to achieve this objective. Therefore prisoners have been concentrating

their struggle on changing the prisons into a struggle school to help prisoners gain new skills to help them after they are released from prison. Through this work the prisoners have established new self-determination, challenging the Israeli prison authority. Prisoners' internal lives are organized according to the political structure of the different Palestinian factions, concentrating on the cultural aspect of activities. The prisoners' success in the 1970s and 1980s is that of huge sacrifices: long hunger strikes, family visit bans, and assaults. Unfortunately, after the Oslo Agreement, and with the regression of the national struggle, the Israeli prison authority jumped again on prisoners' lives, taking them backwards almost to their starting point.

Prisons and the Separation Wall

As stated above, the Oslo Agreement created new realities, and in response, the Israeli occupation authority took the opportunity to destroy any possibility of Palestinians regaining the struggle. Taking advantage of Oslo, the Israeli authority began to change the realities on the ground, attacking the unity of the Palestinian people and land. Since 2002, more than 20,000 Palestinians have been held in Israeli prisons. Inside the prisons there are more and more isolation sections, preventing prisoners from creating the internal life that helped unify them in the past. The isolation units are also

creating more complications for lawyers and families to contact prisoners, and cutting them off from the outside world.

The irony here is that at the same time Israel started building the Separation Wall in 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 the wall 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 alone, 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

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No Monopoly on Democracy ©

By J. Soffiyah Elijah, Esq.

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 four 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 constituency that has successfully pushed the white house to enforce increasingly draconian restrictions against travel to Cuba. Surprisingly, Cuba is the only country in the world that "those under U.S. jurisdiction" are forbidden to visit. Query, from what are we being "protected?" Democracy, Cuban style??

One need only scrutinize a country's criminal justice and electoral 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 United States. On the local level governors, mayors, 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 Congressional members. Presidential 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 reflection 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 ourselves 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 voting 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 advisers and policy setters. They serve at his pleasure and do not answer to Congress. The President also nominates the Justices of the Supreme Court and all federal judges to lifetime assignments who are confirmed 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 Assembly of People's Power consisting of 601 members. 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 candidates. The rate of participation in national elections is consistently more than 95%. The country is organized block by block in a system called Committees 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 duties 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 Assembly 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 approves 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 participation 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 prosecutors are elected but federal ones are appointed, from the attorney general on down. Judicial decisions 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 out of a death sentence have final review via writ of certiorari, if accepted, by the Supreme Court.

There is no review of decisions made by state and federal prosecutors. They answer to no one except if sued on the basis of misconduct 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 Council of State. The Council of State determines the members of the Council of Ministers and it consists of 31 members who are elected by the National Assembly. The Supreme Court reviews all death penalty cases de novo (new trial). All death penalty decisions must be approved by the Council 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 elected by the National Assembly and serves for a term of five years. All major decisions made by the national Prosecutor's office are reviewed by the Council of State. The National Assembly evaluates the Prosecutor during his/her five year term, and if a favorable review results, the Prosecutor can be re-elected for a second term. The national Prosecutor selects the assistant prosecutors, most of who come from the University of Havana. They serve in the

various provinces and municipalities. But let us take a closer look at how the criminal 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 percent of the previously labeled criminal acts were decriminalized. All sentences were reduced and many alternatives to incarceration were implemented.

In 1999, a special session of the National Assembly modified the penal code. Tougher penalties were implemented for certain crimes and the crime of trafficking in persons was added to address the growing problem of hijackings. The tougher penalties have resulted in a drastic reduction in the number of hijackings. Alternatives to incarceration are used in approximately 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 for the next 12 days. If a defendant fails to adhere to the conditions of the work alternative his status can be revoked. The sentencing court is informed of the defendant's failure to adhere to the rules and he is returned to prison. Recidivism is roughly 13-15%. Each prisoner, whether they are in an alternative program or not, is assigned prison



PHOTO BY KARA SCHMITT

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Papers and Prisons: Opportunities for Today's Immigrant Rights



PHOTO BY MIZUE AIZEKI

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 Congressman 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 exclusively, undocumented workers demanding legalization. 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 focused 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 Manhattan Institute and National Immigration Forum respectively, resurrected the immigration debate with a term they dubbed comprehensive immigration 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 their story. We are like carrots and sticks, our deportation being offered by some politicians and spokespersons in exchange for limited legalization. We are also one example of the countless local, grassroots efforts struggling to intervene in a national arena that masquerades pro-immigration business interests as immigrant rights.

This article outlines broadly the policy debates that have brought us here; how the immigrant experience in today's America is changing given the growth of the criminal and civil prison industries; and the obstacles to and opportunities for building the immigrant rights and social justice agendas. At the time of writing, the House just passed bills to construct a fence between a third of the US-Mexico border; allow the indefinite detention of immigrants, despite Supreme Court rulings; require local police to enforce immigration laws; and prevent judicial courts from reviewing govern-

ment abuse of noncitizens. Many expect the Senate 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. Lawmakers 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 opponents 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 delegalization – the process of policing and expelling 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 systems. Immigrants are now the fastest growing segment 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 executive 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 themselves 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 services would commit their own dollars to the federal deportation agenda. Yet the deportation of every "deportable alien" is not the overarching goal. Mike Bloomberg, New York City's billionaire Republican mayor, had the courage to state recently what most politicians know: America would halt without off-the-books help. The local 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, schoolteachers and countless other souls who provide any help to "illegals."

No HR 4437! was certainly a rallying cry. But immigrants do not dream in negatives. We have positive desires that became vocal demands. The clearest popular cry was for legalization. Stylizing the 1986 amnesty, CONTINUED ON PAGE 13



PHOTO BY MIZUE AIZEKI

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 Rehabilitation’s 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 Dorotik, Central California Women’s Facility**

- The use of lease-revenue bonds and other means in order to expedite the proposed construction avoids the need for 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 have deemed suitable for release.
- 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 California’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, even if 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 CDC-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 who 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.” –Emily Erck, Valley State Prison for Women
“The guards especially create a really destructive environment...the system, the training in particular, breeds abusive behavior. Guards don’t recognize the humanity of the women, and they treat them with a lot of disrespect...because they’re prisoners and they think they don’t matter. So it’s really impossible to have an “alternative to incarceration” that uses correctional officers because we will see the same negative environment and misplaced priorities that are causing so many problems at the prisons right now.” –Shachie Day, Central California Women’s Facility**

While Justice Now initially was one of the very few who publicly critiqued building “gender-responsive prisons” as a sham reform, a coordinated campaign and media strategy quickly raised the public opposition of advocates and organizers who saw through the proposed legislation as business as usual.

“I oppose [the Governor’s plan] because...it will exacerbate already shocking medical and human rights abuses by decentralizing control of California’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

With our allies in Californians United for a Responsible Budget, Justice Now continued to target legislators and the media throughout July and into the start of the special session. As August wore on, legislators and advisors to the GRSC publicly withdrew support from the 4,500 bed proposal:

- 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



PHOTO BY ROSE BRAZ

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 resources 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 bed 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 x4# on the 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.

"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

So these two interests converged and I thought about how we understand violence against Native women. And it seemed like the big mistake that was made was that we were looking at sexual violence as separate from state violence, or colonial violence, or white-supremacist violence, and we were not seeing that white-supremacy and colonialism [are] successful precisely because [they] operate through sexual violence. So if we don't address the two together, then ei-

ther movement will miserably fail. So, in developing that kind of analysis, the question becomes what strategies do we use to change this situation? That is part of where INCITE! came from — rethinking how we develop an anti-colonial approach to ending violence against women and then conversely, a feminist approach to ending colonialism and white supremacy.

CR: For people who don't know about INCITE!, can you say a little about what the organization does?

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 kinds of 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 be off people are ready to intervene.

In India we learned about this group, Masmum, where to intervene in violence they would go sing outside the perpetrator's home until he stopped being violent. They do education, they do health, 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 was a different approach than 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 II 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

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PALESTINE : CONTINUED FROM PAGE 5

in Palestine that Israel wants to control, diminishing the possibility for a future uprising of the Palestinian national struggle.

Similarly, as Israel is dividing and isolating the Palestinians by the wall and prisons, the USA is dividing the whole world through their wars in Afghanistan and Iraq, encouraging the religious and ethnic division of Iraqi people. The US policy is to crumble into small pieces all national identities through ethnic and religious divisions. Ironically, both Israel and the USA lost this battle by the strong, courageous struggle of Lebanese movements.

All of the difficult measures that Israel is taking against the Palestinian people, especially

prisoners, make Addameer's work very hard. Addameer has had to escalate its work in the past five or six years. Before the 2002 Israeli invasion, Addameer used to work with about 350 files, but during the year of invasion more than 3000 files were opened. Now we work on more than 700 files a year. Addameer also launched media campaigns in favor of prisoners and their families. Not only have the number of files increased, but there has also been a change in the type of cases. Addameer now works on legal representations of prisoners in courts, torture issues, health mistreatment, prison conditions, family visits, movement rights, and all files signed under human rights violations according to international law and the

Geneva Convention. Not only are Addameer's lawyers facing this rapidly increasing workload, but all lawyers dealing with human rights violations are.

The Palestinian struggle for freedom will continue no matter what the current situation is. With the victory of the Lebanese struggle movement, Palestinians see a new hope for freedom and a better future. Here we will have a lot work to do, following up with the Palestinian prisoners, standing up for them in court, exposing the difficult life and conditions they face being imprisoned, and believing that the destiny of the occupation is to end one day.

Rula and Wisam are Palestinian ex-political prisoners. Both are volunteers at Addameer.

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 project] 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. I thought we were really a little group of people, but apparently not. It's been a really 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 are that they actually have the nerve to think that they can have mothers and children on a toxic land site, and how we want to see our people come home—basically saying our demands, and not asking, demanding it. We wrote that together. We've said our statement out loud at the two town hall meetings. Right now I'm trying to work with staff to allow the women who want to come into the coalition meetings to come. Whatever happens they are going to be at the forefront of whatever move we decide to make as CR.

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 empowering women and having women have a voice. The other impact is people listen. Martin Horn listens, and we get some skills while we're doing it. Society always tries to get us out of our selves. "You're not them, you're in recovery now. You're not that addict on the corner anymore. You're not that murderer who's locked up in that prison." Actually we are. They're talking about us. They want us to be there. We have been there and they would love to see us go back there again. How do we make that different?

Janet [one of the former paid La Casita interns], for instance, came to the town hall meeting, and also went to a couple elected official meetings and she was like, I'm a member of Critical Resistance and this is how I feel. She's working at this organization in Washington Heights [and] she's an abolitionist now, so wherever she works, whatever she does, she's going to push CR, because it's her way of thinking. In that sense, that's an impact. 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.

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 common 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 working 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 *

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.

Survey Analysis: What you are saying!

Greetings Abolitionist Readers:

A big thanks to everyone who took the time to fill out the Critical Resistance Survey in the last edition of the Abolitionist. We can already see how valuable your input is going to be for CR.

Even though the surveys are still coming in, we wanted to give you a breakdown of the first 100 or so surveys. We will be writing to everyone who gave us your name and address with the full results in the new year, and will also publish the final results in an upcoming issue of the Abolitionist.

We are still accepting surveys, so if you haven't filled one out, please do. If you don't have a copy of the survey from the last issue of the Abolitionist, we can send you one or more copies to distribute to friends and family.

In solidarity,
Rose Braz

Preliminary Survey Results:

WHO FILLED OUT THE SURVEY

- 41% were from California
- 20% were from New Jersey
- 18% were from New York
- 62% of people who responded are currently in prison
- 38% had been in prison, jail, detention, or youth authority
- 36% have or have had family members in prison
- 19% reported being a survivor of police violence

TOP ISSUES OF CONCERN THUS FAR:

- Gaining parole for those serving life sentences with the possibility of parole: 64%
- Reducing the number of people in prison through changing the sentencing laws or decriminalization: 48%
- Reducing prison spending by reducing the number of people in prison by closing prisons and re-investing funds in education or social services: 47%
- Ending barriers to employment for people who have convictions: 47%

COMPLETE RESULTS SO FAR:

Parole:

- Gain parole for those serving life sentences with the possibility of parole: 64%
- Shorten lengths of parole: 23%
- Coming Home:
- End barriers to employment for people who have convictions: 47%
- Increase support services for people coming home from prison: 34%
- End policies that result in people in prison losing custody of their children: 32%
- End the policy that bans people with certain convictions from public housing: 31%
- End geography restrictions on where people on parole can live: 25%

Immigration:

- Fight the detention of immigrants: 19%
- Fight deportation of those convicted of criminal offenses: 13%

Sentencing/Decriminalization:

- Reduce the number of people in prison through changing the sentencing laws or decriminalization: 48%
- Abolish "Three Strikes" Law: 44%
- End Criminalization of homelessness: 27%
- End the criminalization of self-defense related to intimate partner violence and gender and sex based violence: 20%
- End criminalization of drug use: 18%
- Abolish civil commitment—imprisoned people after release under civil statutes: 16%
- End the criminalization of mental illness: 15%
- End the criminalization of sex work: 9%

Prisons:

- Stop the constructions of prisons: 35%
- Close prisons: 18%
- Close super max prisons: 15%

Human Rights:

- Make imprisonment a human violation: 16%

Policing:

- Stop racial, religious, and transgender profiling: 37%
- End policing practices that target and occupy low-income communities of color: 36%
- Decrease local budgets for police equipment and hiring: 18%
- Remove police from public schools: 11%

Youth:

- Ban the prosecution of youth as adults: 33%

Reinvestment:

- Reduce prison spending by reducing the number of people in prison and closing prisons and re-invest funds in education or social services: 47%

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 negative impact 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 exposing the terms of contracts for the membership of the CCPOA.

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 can receive the help they need; and all medical facilities where treatment is being provided should be off 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 not 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.

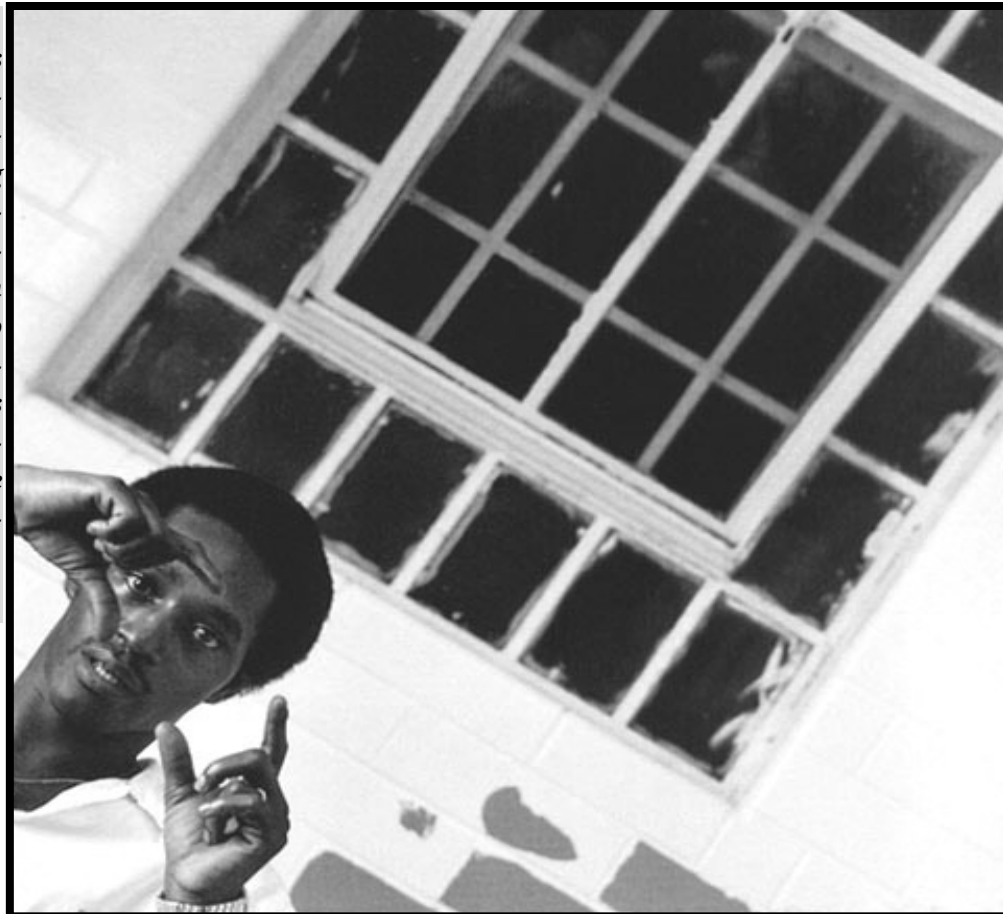
As activists, read and understand the State and Federal Constitutions, and the law as it pertains [to] the accused and those incarcerated. Many people are convicted in courts that lack jurisdiction simply because they do not understand their rights. Limit the terms of District Attorneys (just look at Kern County to understand the impact of an out of control D.A., Edward R. Jagels), and curtail their powers of office. Read "The Federalist Papers", read case law, read English law, read everything – then make people aware of their rights, and the obligations of the government to the people. Most of all, get out the vote, and inform others: those who can change the direction we are going in this country.

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 Grhaib, and the other atrocities carried out in our name. As Alexander 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 unaccredited. You asked for feedback, and I hope I have given you something that is useful. 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

Over two million people are imprisoned in the US. The environments in which people are imprisoned in the US are increasingly punitive, restrictive, and isolating. Continuous cuts to arts, educational and vocational programming in jails and prisons intensify these difficult situations. Increasing visitation restrictions and longer sentences also contribute to the limited options and opportunities faced by US prisoners. Stripped of access to educational materials, resources, and social opportunities, the means through which prisoners can challenge their imprisonment are extremely limited. With so little to work with one of the last, although limited, spheres in which prisoners can exert influence is control over their own bodies. Work stoppages and hunger strikes have long been used as tools of resistance among prisoners. This fall, a group of death row prisoners in Texas went on hunger strike as a means of protesting the severe conditions of their confinement. The following letter lays out their grievances, demands, and call for solidarity.



The Illusion of Hope... Is all but gone.

A statement of Intent- By Steven Woods

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 harshest and most inhumane treatment imaginable.

For the past several years, I 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 notwithstanding), we've been shipped off to be warehoused in a penal institution of the Texas Department of Criminal Justice (TDCJ). Upon arrival, we are shorn 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 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 they are 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 procedure 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.

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 put on 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 [the believe] "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 together out of necessity, realizing that it's going to take 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 morsel of 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 request 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 heart can waver. 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 Runnels 999505

Kevin Watts 999456

For more information on our conditions and to watch the hunger strike progress, check out www.anarchyinchains.com

CONTINUED FROM PAGE 3

Gang Management Validation; Effective May 25, 2006

Whether the CDCR defines you as a gang member, non-member, or gang drop-out can affect your placement. "Current activity" in a gang is defined as any documented gang activity in the last six years. If you have been identified as a gang member in the past, but have not been documented as participating in prison gang activity for the past six years, you are officially 'inactive' or a 'gang dropout' (Section 3341.5c6). If you have been validated as a dropout, but are then suspected of gang activity, you will be removed from the general population. Correctional officers must now have evidence and an explanation of how that evidence proves gang activity in written form. This includes, for example, a photograph of a 'dropout' with an 'active member' that was taken less than six years ago, or recent written correspondence with a gang member. Active gang member status may go into your central file. According to Section 3378c6, you have due process rights in the determination of your status as a gang member. It is your right to look over the evidence of in-prison gang activity and defend yourself in an interview. You should be notified at least 24 hours in advance of the interview. The interview will be recorded and considered in the case.

Tobacco Ban; Effective January 26, 2006

Tobacco products and paraphernalia of all kinds (with the exception of those used for religious services) are now considered contraband. Possession can result in confiscation and disciplinary action. However, if you are 'approved' as an exception, it is your right to use tobacco for religious ceremonies (protected by Sections 3187b2 and 3188c1). According to Section 3189, the Department may provide assistance for quitting smoking, including classes and printed information.

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 pardon – even when the crime is tiny, or when the deportation may devastate American-born children. More than 250 jails nationwide house detainees. Brooklyn residents usually go to Manhattan, then New Jersey, then Pennsylvania, Louisiana and Alabama. Deportation may be the cruelest civil proceeding in America.

Deportation is becoming as mundane as prison or military recruitment. The New York Post reported, based on a Homeland Security study, that every week 300 inmates at Riker's Island (New York's largest jail) are tagged for deportation. Jails are the single largest pipeline into deportation in most urban centers nationwide. That pattern is only growing, as the government relies increasingly on jails, probation and parole to target noncitizens.

¡Deportación, No!

FFF participated in New York's mass mobilizations in early April. But we did not see ourselves, our struggles, in the sea of bodies. That is not because marchers do not know prisoners or deportees firsthand. But the assimilationist politics of compromised leaders, and the silence and shame we hold within, are borders. We have to break them,

and use our blunt tools until the edges sharpen.

More ties bind Good and Bad Immigrants than we often admit. We are people who have lived in this country for decades (many since infancy), breadwinners who pay taxes and support elderly parents, and are the parents of American-born children. Just like people under the radar, those already identified for deportation are poor people who lose thousands of dollars on a predatory legal industry, fear going to public servants for help because of migration status, and want desperately to keep their families together.

Our members spoke at the different mobilizations about our personal struggles: seeing a dad taken away at dawn; missing a daughter for three years as she was detained in seven facilities; struggling to make it as a single mother because Homeland Se-



curity took away a husband. We even made t-shirts saying "Stop Deportation Now!" and "Deportee."

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 help our children and start more ambitious ones. We also went to the foreign embassies of countries receiving deportees, to urge them to help their nationals and raise claims against the U.S. in a domestic immigration debate of global consequence.

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 de-

bate assumes that, of course, we need to stop border crossers, of course, we need to punish undocumented workers, and of course, we need to deport lawbreakers. And some of our community leaders and think tanks, hungry for any papers, are both willing to diminish the very value of being legal.

These are not just lofty observations, but serious questions of strategy. The immigrant rights movement needs a holistic strategy to oppose the targeting of all people based on migration and a renewed effort to build meaningful ties to Black and Brown citizens.

The former point is clear enough: legalization – in the sense of just green cards – is an outdated cry. There are 12 million undocumented and 12 million legal residents, all at risk of deportation because of violating some civil and/or criminal code. All of these immigrants, their family members, neighbors, church friends, and schoolmates want safety against being uprooted. Given the growth of the delegalization movement, we need to update our formal demands. Legalization is shorthand for dreams far more comprehensive than a green card.

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 unrecruited by promising educational benefits to citizens and green cards to undocumented youth who enlist. Being documented 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.

RESOURCES

To read more about Palestine:

<http://electronicintifada.net/new.shtml>
<http://leftturn.org/>

To read more about Oaxaca:

<http://narconews.com/>
<http://leftturn.org/>

To read more by Soffiyah Elijah :

<http://www.afrocubaweb.com/elijah.htm>
<http://www.jerichoboston.org/info.shtml>

To read more of Andrea Smith's work:

<http://www.boardingschoolhealingproject.org/index.htm>

http://www.aclu.org/hrc/NativeRights_Andrea_Smith.pdf

<http://www.incite-national.org/>

Conquest: Sexual Violence and American Indian Genocide. Andrea Smith. South End Press. 2005.

To read more by Dortell Williams:

<http://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://s150445372.onlinehome.us/>

NY United For Immigrant Rights

<http://nyunitedforimmigrantrights.blogspot.com/>

Families For Freedom

2 Washington Street, 766 North, New York NY 10004

T #212.898.4121 F #212.363.8533

<http://familiesforfreedom.org/>

Justice Now

1322 Webster Street, Suite 210, Oakland, CA 94612

T# 510 839 7654 F #510 839 7615

<http://www.jnow.org/>

Addameer

Postal Address:

PO Box 17338, Jerusalem

Ramallah Office:

Al-Isra' Bldg., 7th floor, Al-Irsal St.

http://www.addameer.org/index_eng.html

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. Conjugal 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 less 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 nominated 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 9 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 others and punishes the transgressor. Life sentences

are common as is the use of capital punishment. The trend in the U.S. has been to criminalize more and more anti-social behavior such as sex offenses, drug possession, driving offenses and "quality of life" incidents. The increase in criminalization reflects our society's reluctance to tackle the more difficult questions that arise from an increase in anti-social behavior. A larger percentage of the populace feels marginalized, yet our government's response up to

tal custodian. Conjugal visits are not permitted in the federal system. States vary in the availability of conjugal visits and they are frequently arbitrarily denied even in states where they are permitted. The use of solitary confinement for prolonged periods of time is commonplace as is the use of other forms of sensory deprivation and brutality. Frequently prisoners are forced to seek the assistance of the courts in addressing the most egregious violations of their civil and human rights. Criminal prosecutions can last for years and in the case of capital punishment cases, decades. Defendants have one appeal as a right. Thereafter, access to the higher courts is frustrated by the 1996 enacted limitations on habeas corpus relief. Only this year the Supreme Court ruled that the death penalty could not be imposed in cases where the defendant was 17 years old at the time of the crime.

Just a year ago



PHOTO BY KARA SCHMITT

now has been to lock them up. Felony disenfranchisement is practiced in many states and in some – a felony conviction is a permanent bar to voting. The financial and human consequences of our approach 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, suspended 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 community residence operated by the Department of Corrections from which they depart each day for work and return in the evening. They wear no uniforms and receive the same benefits and salaries as their colleagues. Some programs do allow the prisoner 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 assistance, 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 saw fit to condemn executions of mentally retarded persons. Such enlightened jurisprudence has arrived far too late in this "democratic" society. This brief comparative analysis reveals that Cuba has implemented many creative and forward thinking programs and systems that maximize popular participation in governance with a focus on improving the quality of life for its citizens. This is democracy in action. In many instances, the programs 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 richest 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 aggression. And aggression serves as an obstacle to peaceful coexistence.

THREE STRIKES : CONTINUED FROM PAGE 3

corruption is enough to make change if only incarcerated people would engage themselves. Incessant letters to the legislature, judges, and print media editors would shed light on dark places no one else is situated to expose.

It is no secret that the governor misrepresented the facts during the 2004 Proposition 66 campaign, paid for in part by Crime Victims United, a political front for the CCPOA. Such cheating can be countered by encouraging out-of-state residents to flood our state politicians with calls and emails demanding change. From the perspective of the politician, this strategy would seemingly enlarge the state political machine in opposition to California's nefarious penal history and add a counter balance of political pressure to compete with special interests.

From there incarcerated people can argue for not only the release of the 4,200 or so non-violent three-strikers, and the 3,000 or so geriatric persons, but also for the estimated 18,000 parolees unjustly in for technical violations, and the 7,000 lifers who have fulfilled their parole board requirements and are long overdue for release. It is up to the incarcerated to expose the fact that the system designed to parole people is failing miserably with just an average of 2 percent actually being paroled.

Then there's the 4,500 non-violent low-custody women and the thousands of mentally ill persons who would be better served in hospitals, not prison. This approach starkly contrasts the governor's "build it" mentality by closing up to one-third of the current 33 prison sites.

The legitimate argument for release of these segments of the prison population would not only appeal to the public's logic and sense of justice, but also for the more conscious taxpayers who demand government accountability when it comes to their pocketbooks.

The incarcerated need to convince this nation that it is more prudent to follow the recommendations of criminologists and penologists as opposed to self-serving politicians - especially in an ulterior motives filled election year.

ANDREA SMITH : CONTINUED FROM PAGE 9 up with a strategy that might work for that particular context. This involves thinking, who are all the players involved? Who is everybody that the perpetrator cares about? How do you mobilize 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 mobilizing 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 probably true for most social justice movements. They tend to organize around the people who are most

likely to be acceptable by the mainstream. They look for the good poster child. The problem with that approach 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 higher 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 interesting 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 individuals, 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 because a lot of the restorative justice models tend not to work in cases of violence against women, because for the community to hold somebody accountable 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 community-based response to be effective requires a political organizing component to it that actually creates communities that offer accountability.

The other thing that we became wary of is that restorative justice programs, while seemingly independent 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 increasing the number of people who get stuck within this apparatus based on violence and domination. 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 starting 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 boarding

schools where they were malnourished and were physically, sexually and emotionally abused. They often had their tongues cut out if they spoke their native languages. They had to be Christians. And they wouldn't be returned until they were 18 years old, so they would come back and not even necessarily be able to speak the same language as their parents. And if you look at the dysfunctionality in Native communities today you can almost always trace it to the boarding school generation, because prior to that most nations weren't patriarchal. But part of the Christian boarding school project was to instill patriarchy into our communities and also a lot of violence. Often these schools were so traumatic people often can't even talk about them.

The schools still exist today and there are still abuses going on. There have been at least two deaths recently and there is a report saying that the poli-



cies 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 Residential School System but there was a lot of outcry 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 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

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 reparations and redress. We wanted an approach that would be a collective remedy and also would be geared towards having people be involved in the strategies rather than somebody doing it on their behalf. And also to make healing central, because it wasn't good to have someone spill their beans and then have no support. So we have a healing infrastructure throughout the documentation and also educate both Native and non-Native 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 intervention 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 perspective. We want 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 opportunity to educate our own communities about the other reparation struggles because, particularly in reservation areas, you may not have that same information available. So we want people to be lawyer-proof, not to have some lawyer take care of the problem, but to be involved in shaping the strategies 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 traumatized way. So let's say we have a meeting for survivors ... South Dakota 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 anywhere. Then 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 movement around trauma? Because 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? As a result of that I think 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 take you the way you are?

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. Our first work around community accountability came with doing these activist institutes 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 discuss what could we do and we actually found out [that] it was not hard to figure out what we could do. What we could do might depend on the different contexts, but people didn't have a hard time figuring 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 together in your community, however you define it, and say "if something happens what can we do?"

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 something 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 accountability that has an impact not just in terms of violence, but in terms of how to act together in a better way.

CRITICAL CONDITION: TAKING CARE OF BUSINESS... AND NOTHING MORE

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 doctors were indicted for war crimes in 1947, the Nuremberg 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 Nuremberg Code. The study ended due to a media leak in 1972, and only 44 men survived. The NAACP won a class action lawsuit of 9 million dollars and free medical treatment for the surviving study participants and family members infected in the course of the study. The exposure of the abuses at Tuskegee also led to the 1974 National Research Act, which requires institutions that receive federal funds to establish Independent Review Boards for all medical studies.

Until the early 1970s, about 90 percent of all drugs were tested on prisoners. Testing prisoners became particularly popular after the Second World War. At Holmesburg, a county jail in Philadelphia, drugs tested on inmates from the early 1950s to mid 1970s had disastrous short- and

long-term effects. Prisoners were paid hundreds of dollars to participate—significantly more than the few cents an hour they could make working in the kitchen or making shoes. Participants did not know what was being tested on them, but were told the chemicals were harmless. Prisoners suffered burns, scars, rashes, cuts, nausea, skin discoloration, fevers, lost fingernails, infections, and liver damage from experimental lotions, powders, and medications. The experiments were mostly done for Johnson and Johnson, Dow Chemical, RJ Reynolds, and the US Army. The US Army tested chemical agents like Agent Orange, the cancer causing chemical used in the Vietnam War, and high doses of hallucinogens that gave inmates frightening visions and long-term psychological damage.

Experiments at Holmesburg ended in 1974. Many could not sue because they had signed waivers, but others had not. In 1986, one inmate who has 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 Nuremberg 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 taking place at Holmesburg, medical, cosmetic, and psychological 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 Lederie 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,

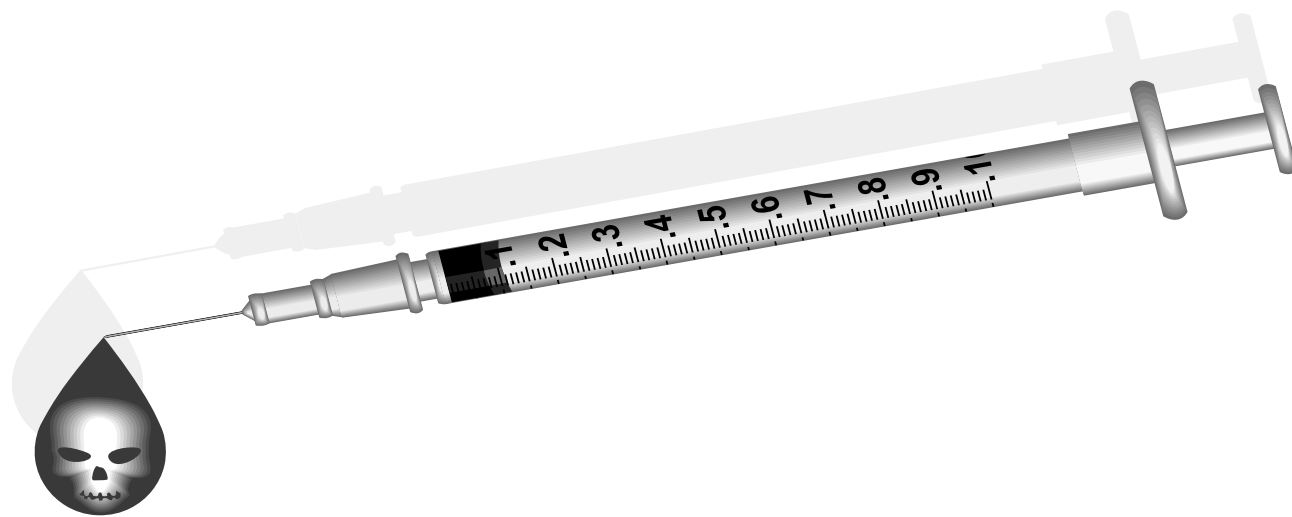
and is even essential in improving their care. Are they recommending drug trials to improve people's health instead of ensuring quality healthcare? Even if there were short-term positive benefits for people involved in trials, would participants and their families have access to developed medications? Without insurance and access to health care, medications are near impossible to get.

One of the main tenets of the Nuremberg 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 Nuremberg 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 even 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 healthcare 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 anywhere. 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 you getting 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.

For more information about the medical experiments at Holmesburg Prison, see: Hornblum, Allen M. *Acres of Skin: Human Experiments at Holmesburg Prison*. New York: Routledge, 1998.

For more information about experimentation in California Prisons, see: Flower, R. F Herch. *Medical and Psychological Experimentation on California Prisoners*. UC Davis Law Review, 1974:7, 351 – 384.



Critical Resistance NYC

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La Casita Statement

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.

• Through our 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 395 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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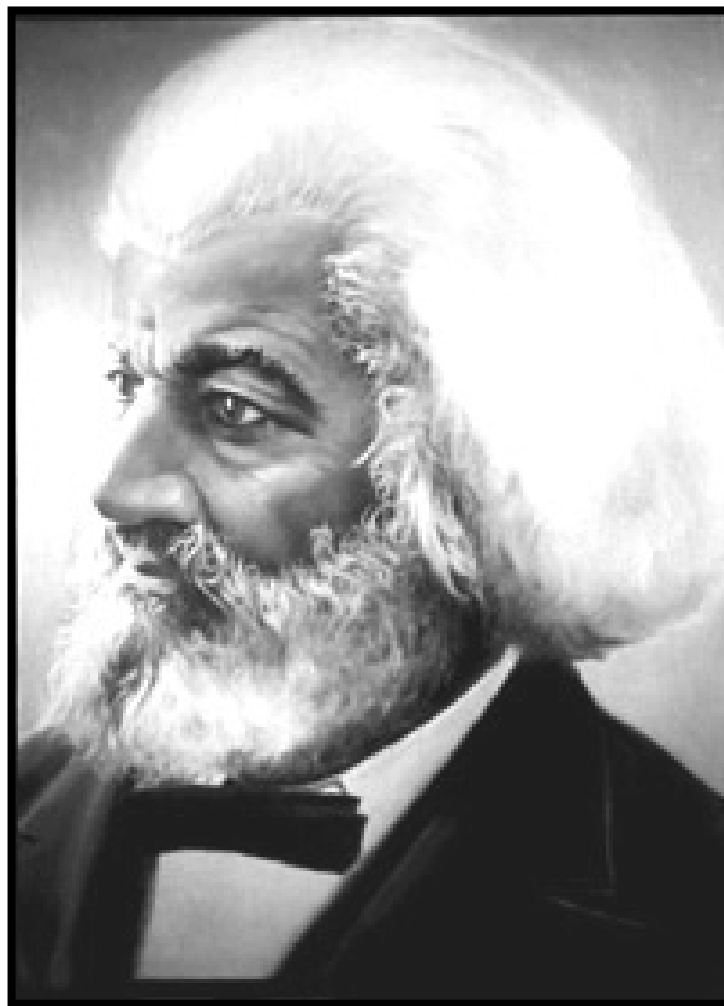
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We would also like to send much love to our friends at Left Turn who have been generous in too many ways to keep count.

THE CALIFORNIA PRISON CRISIS : “KINDER, GENTLER, MORE GENDER RESPONSIVE” CAGES

ANOTHER VIEW BY ROSE BRAZ



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 pris-

ons will be established through contracts with “community organizations” that will provide a “residential setting”. Notably, two obstacles confront the realization of these assertions. First, in a concession to the state’s powerful prison guards union, state documents maintain that “although the facilities will be operated by private contractors, female offenders will be supervised by correctional officers of the CDCR”. Thus, the 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. Its 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 as 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 program-

ing 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. © 2006 Civic Research Institute, Inc., 4478 US Route 27, Kingston NJ08528. This article was originally published in *Women, Girls & Criminal Justice*, October/November 2006, and is reprinted here with express permission. All rights reserved.