OMNI, JUSTICE SYSTEM, PRISONS USA NEWSLETTER
#3, August 20, 2012. COMPILED BY DICK BENNETT FOR A CULTURE OF PEACE.

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For a knowledge-based peace, justice, and ecology movement and an informed citizenry as the foundation for change.

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State Prison Population Declined Slightly 2010-11, Federal Rose
US 2011 HAD 330,000 DRUG OFFENDERS MAINLY IN FEDERAL PRISON S

http://stopthedrugwar.org/chronicle/2012/dec/17/us_has_330000_drug_offenders_pri

The number of people in prison in America declined last year for the second year in a row, according to a new report from the Bureau of Justice Statistics. The number of prisoners at the end of 2011 dropped to just under 1.6 million, a 0.9% decrease over the previous year.
More than 330,000 were doing prison time for drugs in the US at the end of 2011. 
(supremecourt.gov)

Of those 1.6 million prisoners, some 330,000 were doing time for drug offenses, including nearly 95,000 doing federal time.

There were 15,023 fewer inmates at the end of 2011 than a year earlier, but that number is more than accounted for by a single state, California, which reported a decline of 15,493 prisoners due primarily to an incarceration realignment program that has sent what would have been state prisoners to county jails instead. Counting just state prison populations, 2011 saw a decline of 21,164 prisoners, or 1.5%, again with California accounting for 72% of the decrease.

Overall, 26 states reported declines in prison populations, while 24 reported increases. While overall state prison population numbers are declining slightly, the federal prison population continues to increase, largely offsetting the decline in the states. The federal prison population increased by 6,591 prisoners, or 3.1%.

The growth in the federal prison population is largely driven by drug war prisoners. Drug offenders constitute 48% of all federal inmates, or some 94,600 inmates. By contrast, only 7.6% of federal inmates are doing time for violent crimes.

Among state prisoners, drug offenders accounted for 17%, or slightly fewer than one out of five. That means some 235,000 were doing state prison time on drug charges at the end of 2011, bringing the combined state and federal total to 330,000. That's a slight decline over a decade ago, but still represents incalculable human costs.

Where American criminal justice went wrong

IDEAS

THIS STORY APPEARED IN
The book was written in a hurry. It had to be, because William Stuntz was dying, and the story he wanted to tell was long and complicated. It would be the Harvard Law School professor’s final major work, a sweeping indictment of the system he had been studying for 25 years.

Stuntz was 49 when he found out he had stage four colon cancer. For the remaining three years of his life, he worked on the book whenever he could: in his office at Harvard; at his family’s home in Belmont; even at the Massachusetts General Hospital Cancer Center, where he would sit with his laptop in the infusion chair and type. Stuntz passed up pain medication so he could think more clearly. In the final days, after he entered hospice care, he had his assistant mail him a draft of his manuscript so he could go over any last minute changes.

What drove Stuntz to finish the book -- even as he continued teaching classes and trying to spend as much time as he could with his wife and three children -- was a belief that something had gone fundamentally awry in America. Stuntz, an evangelical Christian and an avowed conservative, wanted people to grasp the profundity of the crisis he had observed -- how, over the past 50 years, our criminal justice system had been transformed into an unfair, amoral bureaucracy--one that had given up on the very idea of justice.

Stuntz submitted his completed manuscript to his editor at Harvard University Press in January 2011, about three months before he died at age 52. “The Collapse of American Criminal Justice” was published the following fall. In it, Stuntz describes how America’s incarceration rate came to be the highest in the industrial world; how the country’s young black males came to bear the brunt of its increasingly harsh penal code; and how jury trials became so rare that more than 95 percent of people sent to prison never had their guilt or innocence deliberated in court. At the heart of the book is Stuntz’s surprising argument about how we reached this point: that well-intentioned Supreme Court rulings meant to protect defendants from unfair and discriminatory police practices combined with the harsh laws passed in response to the crime wave of the 1960s and ’70s to produce a
system that is merciless, destructive, and above all, unjust.
MORE: Arkansas Democrat-Gazette (4-1-12); http://articles.boston.com/2012-02-26/ideas/31094279_1_prison-population-jury-trials-harsh-laws

SOLITARY CONFINEMENT IN NEW YORK STATE
Dear EmailNation Subscriber,

As states like Mississippi reject solitary confinement, perhaps surprisingly, the "blue" state of New York leads the nation in the use of "disciplinary segregation. Or as prisoners call it: torture. After reading this new Nation report by Jean Casella & James Ridgeway, take action to help end solitary confinement. http://www.thenation.com/article/168839/new-yorks-black-sites
http://www.thenation.com/blog/168860/ending-solitary-confinement

All best,
Peter Rothberg, The Nation

Cover Story

12:00 AM - March 1, 2013

Fortresses of solitude
Even more rare: journalist access to prison isolation units

By James Ridgeway
Supermax prisons and solitary confinement units are our domestic black sites—hidden places where human beings endure unspeakable punishments, without benefit of due process in any court of law. On the say-so of corrections officials, American prisoners can be placed in conditions of extreme isolation and sensory deprivation for months, years, or even decades. At least 80,000 men, women, and children live in such conditions on any given day in the United States. And they are not merely separated from others for safety reasons. They are effectively buried alive. Most live in concrete cells the size of an average parking space, often windowless, cut off from all communication by solid steel doors. If they are lucky, they will be allowed out for an hour a day to shower or to exercise alone in cages resembling dog runs.

Most have never committed a violent act in prison. They are locked down because they’ve been classified as “high risk,” or because of nonviolent misbehavior—anything from mouthing off or testing positive for marijuana to exhibiting the symptoms of untreated mental illness. A recent lawsuit filed on behalf of prisoners inADX, the federal supermax in Florence, CO, described how humans respond to such isolation over the long-term. Some “interminably wail, scream, and bang on the walls of their cells” or carry on “delusional conversations with voices they hear in their
heads.” Some “mutilate their bodies with razors, shards of glass, sharpened chicken bones, and writing utensils” or “swallow razor blades, nail clippers, parts of radios and televisions, broken glass, and other dangerous objects.” Still others “spread feces and other human waste and body fluids throughout their cells [and] throw it at the correctional staff.” While less than 5 percent of US prisoners nationwide are held in solitary, close to 50 percent of all prison suicides take place there.

After three years of reporting on solitary confinement for Solitary Watch, a website I co-founded, I’m convinced that much of what happens in these places constitutes torture. How is it possible that a human-rights crisis of this magnitude can carry on year after year, with impunity?

I believe part of the answer has to do with how effectively the nature of these sites have been hidden from the press and, by extension, the public. With few exceptions, solitary confinement cells have been kept firmly off-limits to journalists—with the approval of the federal courts, who defer to corrections officials’ purported need to maintain “safety and security.” If the First Amendment ever manages to make it past the prison gates at all, it is stopped short at the door to the isolation unit.

As a reporter, I ran into solitary confinement three years ago in writing an article about Herman Wallace and Albert Woodfox, members of the so-called Angola 3, who have lived in solitary confinement in Louisiana since they were convicted of killing a prison guard in 1972. After writing an initial article about the case, based on public records, I sought permission to visit Angola and interview the two men. I was told by a deputy warden that the prison wanted nothing to do with me, because officials didn’t like what I had written. The ACLU of Louisiana took up my case, gathering evidence to show that while the prison denied me entrance, it had welcomed many others, including press, politicians, religious figures, schoolchildren, tourist buses, Hollywood filmmakers, canoeists paddling past on the Mississippi, and such notables as Miss Louisiana. Since Angola had such an open-door policy, its discrimination against me was actionable. Warden Burl Cain backed off and granted me what turned out to be the standard guided tour of the plantation prison. It included numerous dormitories, chapels, and even the death chamber—but not the solitary confinement units. Even the ACLU couldn’t help me penetrate those fortresses of solitude.

It would be the first of many times I was turned away from such units. While reporting on solitary confinement in New York State, I was readily shown around Auburn Correctional Facility by the affable warden there. I saw all kinds of cells, yards, and workshops—everything but the so-called Special Housing Unit (SHU) where prisoners are held in solitary. These units, I was told, are never shown to the media. At another New York prison, I managed to visit (under the watchful eye of a guard) with a man who has been in solitary for nearly 25 years. Since the Department of
Corrections media policy forbids media visits to prisoners in “segregation,” I had to withhold the fact that I was a reporter, and sign in as his “friend.”

Once I launched Solitary Watch, I learned of a handful of other reporters who were encountering the same restrictions—and working around them and in spite of them. “I was never able to get inside” a SHU in New York, Mary Beth Pfeiffer, a reporter for the Poughkeepsie Journal, wrote in an email. “In 2001, after I began writing about links between solitary confinement, mental illness, and suicide, they refused even to let me into any of their prisons except through the visiting room. Even there, I once had my notes seized by prison officials who claimed note-taking was not permitted.” Pfeiffer says she relied on “official reports of conditions and suicides there, and the accounts of former prisoners.”

George Pawlaczyk and Beth Hundsdorfer of the Belleville News-Democrat authored a series of articles called “Trapped in Tamms,” about the supermax prison in southern Illinois. The 2009 series, which won a George Polk award, revealed horrendous treatment of mentally ill prisoners and the cruel attitudes of the prison officials, including doctors. Unable to secure a visit, Pawlaczyk says their reporting was based largely on court documents, mostly depositions, and the surprise finding that one Illinois county’s mental health reports were filed and open to the public.
Susan Greene, the former *Denver Post* reporter who in 2012 wrote “The Gray Box,” a blistering report focusing on ADX, for the Dart Society, says she couldn’t even get close to the prison, which has been completely off-limits to the press since 9/11. “I have had absolutely no access to the place at all,” she told me. When she pulled up in front of the driveway to the remote prison complex, she was chased away by armed guards. But in addition to public records, Greene based her reporting on correspondence with prisoners in extreme isolation, carried on over more than a year. Ironically, once her article was published, she could not send it to her correspondents in ADX, due to a policy against allowing prisoners’ names in an article. “So I redacted all the prisoners’ names,” she said, “and then it came back saying something like, ‘You can still see it if you hold it up to the light.’ Out of frustration and wanting to be a pain in the ass, I Exacto-knifed out all the names and sent it, and it still didn’t get through.”

Shane Bauer, who wrote a 2012 expose about solitary confinement in California for *Mother Jones*, also relied heavily on correspondence with dozens of prisoners in Pelican Bay and other state SHUs who had staged several highly publicized hunger strikes after years or decades in isolation. Bauer spent more than two years in an Iranian prison after being captured on the Iran-Iraq border, including four months in isolation, and thus has the rare perspective of someone who has himself experienced solitary. He also succeeded in gaining access to Pelican Bay, though it was severely limited and carefully orchestrated. Bauer says he was taken to a unit full of men who had cooperated with prison officials by passing on information about prison gangs, “and was allowed to interview one inmate while the gang investigator stood by.” Visits to the solitary cells were refused, as were interviews by the warden and top corrections officials.

Lance Tapley began writing about solitary confinement for the Portland *Phoenix* seven years ago, when a supermax prisoner named Deane Brown got in touch with him. Brown “wanted to expose to the outside world the torture he was experiencing and seeing in the Maine State Prison’s Special Management Unit,” Tapley wrote to me. Initially denied access to SMU prisoners, Tapley was able to convince the governor’s office to intervene. Then he was allowed to interview several men “in hand and foot shackles on the other side of a Plexiglas window.” Those six interviews and a leaked official videotape of a cell extraction, plus interviews with the corrections commissioner, defense attorneys, and others, formed the basis of his first supermax stories. Once those stories were published, Tapley was banned from the prison. And like many prisoners who talk to the press, Deane Brown faced retaliation: He was shipped to a prison out of state.

Where journalists have succeeded, one way or another, in penetrating the black sites, their reporting has undeniably had an impact. In Maine, it helped spark a grassroots movement and a legislative initiative, which eventually spurred the prison system to reduce its use of solitary confinement. In New York, it became ammunition in a battle to keep mentally ill prisoners out of solitary. And in Illinois, it provided fuel for an effort that has convinced the governor to shut down
Tamms supermax prison.

The stories have been effective. But their scarcity also suggests that the lack of press access to these sites around the nation has stifled public debate on a significant issue of policy and human rights. “Solitary confinement is a brutal form of prison punishment that has claimed many lives and caused untold suffering,” says Mary Beth Pfieffer. “That is the story that officials do not want told.” Until we are allowed to tell it properly—until we can visit solitary units ourselves, and speak unhindered with prisoners and corrections officers—we cannot fulfill our duty to shine a light into society’s darkest corners.

James Ridgeway has been a reporter for close to 50 years, writing for The Village Voice, The New Republic, and Mother Jones, among others, and is the author of 16 books. He is co-editor, with Jean Casella, of the website Solitary Watch and a 2012 Soros Justice Media Fellow

Comments Post a Comment

This is a fantastic and necessary piece of journalism -- and a call to action, though that's language that will make a lot of journalists uncomfortable. I also read a great post at Solitary Watch summarizing the specific media access regulations at various prisons, and it's clear that there's inconsistency across the country -- which puts reporters at a disadvantage. It's clear that some mass action is needed to push a large-scale precedent on this issue -- like the ACLU's mass FOIA campaign that made public thousands and thousands of pages about American torture abroad. Here's that Solitary Watch post telling you what you need to do if you want to get in to federal prisons or prisons in CA, FL, LA, NY, OH, PA and TX

http://www.solitarywatch.com/2013/03/05/guarding-the-fortresses-how-prison-policies-limit-media-access-to-solitary-confinement/

#1 Posted by jina on Fri 8 Mar 2013 at 01:19 PM
Herman's House

WATCH THE TRAILER

PBS Premiere: July 8, 2013

Check local listings »

Online: July 9, 2013 – Aug. 7, 2013

Watch now »

Synopsis

Herman Wallace may be the longest-serving prisoner in solitary confinement in the United States—he's spent more than 40 years in a 6-by-9-foot cell in Louisiana. Imprisoned in 1967 for a robbery he admits, he was subsequently sentenced to life for a killing he vehemently denies. Herman's House is a moving account of the remarkable expression his struggle found in an unusual project proposed by artist Jackie Sumell. Imagining Wallace's "dream home" began as a game and became an interrogation of justice and punishment in America. The film takes us inside the duo's unlikely 12-year friendship, revealing the transformative power of art. A co-presentation with the Center for Asian American Media (CAAM).

Read the full film description »

What Do You Do When You No Longer Need Your Slaves? By Thom Hartmann, Truthout, 2012

What does America do when she no longer needs her slaves or surplus workers?

The 1880’s reconstruction era was the first time in our history that America had seen a large surplus of non-white labor.

In the 1870’s many former slaves were integrated into the labor force, but white backlash in
the 1880’s and 1890’s led to a permanent underclass through nearly a century of “separate but equal.”

For very different reasons, there was a similar surplus of white labor in the early 1930’s.

Regardless of race, capitalism runs in cycles: It’s called “the business cycle.” There are uptimes when there are jobs for everybody, the labor market is tight, and pay rises.

Then there are downtimes when the economy has a surplus of workers, falling wages, and a high level of unemployment.

We saw this cycle during the boom-and-bust of the roaring 20’s and the stock market crash and Great Depression of the 1930’s. After the crash, nearly a third of American workers couldn’t find a job, and the numbers were even worse in minority communities.

Our economy couldn’t put them to work, because capitalism failed.

So what do you do with all of those extra workers who can’t find a job?

In the 1920’s and 1930’s, that very question was the subject of a clear and open disagreement between Democrats and Republicans.

Herbert Hoover and the Republicans believed that when capitalism fails and you have high unemployment, you do nothing. You wait for the “free market” to magically fix things, and for capitalism to right the ship.

FDR and the Democrats believed that the Republican’s benign indifference was the completely wrong approach. Instead, FDR said that it’s the responsibility of government to put people back to work during times of high unemployment.

He enacted his New Deal. He put Americans back to work planting trees and forests, building schools, and improving the nation’s infrastructure. Twelve million Americans who’d been unemployed for years went back to work, and capitalism was rebooted in America.

For much of the 20th century, Hoover’s and FDR’s approaches represented the two sides of the debate about what to do with surplus workers.

Up until 1980, Republicans said you waited for the market to absorb the surplus of workers, while Democrats said you proactively used the powers of government to put Americans back to work.

But then Ronald Reagan came to Washington, and everything changed.

When Reagan stepped foot in the White House, he said the job of the government was not just to ignore a surplus of workers, but to figure out ways to make a buck off of them. Reagan lived by the notion that profit was king. If America’s businesspeople always and only did whatever made them the most money, that would magically cure all ills with supply-side fairy dust.

He fundamentally changed the way that we deal with surplus workers. Instead of ignoring them, or having the government put them to work, there was now a third option.

Make a profit off of them.

There are a variety of ways capitalists make a profit off of poor and unemployed people, from payday lenders, to “rent to own” furniture stores, to the most radical of them all: Turn them into prisoners.

That latter is the most radical, and has turned out to be the most profitable for America’s capitalists.
It’s almost elegant in its simplicity.

Turn unemployed Americans into criminals. Track them, punish them for any crime possible, take away their rights and throw them into for-profit prisons.

Once thrown inside a for-profit prison, an inmate needs food, housing, healthcare and other services. This means huge profits for capitalists. They’re raking in tens of thousands of dollars per prisoner per year – hundreds of percent more than Roosevelt paid to simply put them back to work.

And turning unemployed Americans into very profitable prisoners is a booming business.

From the beginning of America until 1980, the incarceration rate in America remained fairly steady. While Nixon declaring his war on drugs in 1971 did slightly increase incarceration in the United States, the increase was nothing drastic.

But then Reagan came to Washington, and his buddies realized they could make a buck off of unemployed Americans.

The nation’s incarceration rate took off like a rocket.

Thanks to Reagan elevating profit to a religion, between 1980 and 2009, the state and federal prison population in the U.S. increased by over 700 percent.

Since the for-profit prison industry started aggressively buying Congressmen 15 years ago, the number of people thrown into for-profit prisons has exploded.

And Americans sitting in jail make a very exploitable, very profitable, slave-like labor force.

According to the Prison Policy Initiative, the minimum wage for a prisoner who works in the UNICOR program, the federal government’s prison industries program, is 23 cents an hour. The maximum UNICOR wage is $1.15 an hour.

Across all state prisons, the average minimum wage for prisoners for non-industrial work is 93 cents per hour.

And some states, like Georgia and Texas, are completely upfront about their slave-labor camps. They pay absolutely nothing to prisoners.

Because the Reagan Revolution changed America’s value system, we stopped asking, “What’s the best way to deal with surplus workers?”

Instead, we started asking, “How can we make the most money off surplus workers?”

The logical answer was a return to slavery, and it has been embraced by capitalists with a vengeance.

And that is insane brutality.


END PRISONS NEWSLETTER #3

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