

# Coalition For Prisoners' Rights Newsletter

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August 2017

## Whose Needs Come First?

### The Bail Bond Industry - II.

It's a year later, and the bail bond related constitutional amendment passed big in last fall's election. New rules for pretrial detention and release were adopted as of July 1, 2017. But prosecutors, bail bondsmen and even public defenders are reported as describing the system as being in "upheaval". The new system is supposed to ensure that "people don't languish in jail only because they cannot pay money to ensure they appear at trial."

The Bail Bond Association of New Mexico and five state legislators unsuccessfully sued the New Mexico Supreme Court, challenging the new requirement that courts must release suspects before trial without having to pay any money if they are not a threat to public safety. There has been heavy lobbying from the bail industry. Nevertheless, the New Mexico Supreme Court stated that the suit "would invent a supposed constitutional right for bail bondsmen to sue judges for failing to require a criminal defendant to purchase a money bond from a private vendor." The federal district court for New Mexico will decide whether to dismiss the complaint and block a request for an injunction. Other similar bail bond reforms, including one from New Jersey, are also being challenged in federal courts.

### Incarceration Costs

Currently in New Mexico the average cost to incarcerate a man is \$45,250 per year. In contrast, by removing criminal penalties, Colorado is saving between \$12 and \$60 million when the reduced cost of prosecuting marijuana-associated activity is considered in addition to reduced prison costs.

Of course, the question remains: how many people continue to be imprisoned in jurisdictions where the activity they were convicted of and sentenced for is no longer illegal?

\* \* \* Black Lives Matter \* \* \*

### CONTINUE GREATLY UNDERREPRESENTED

Numbers shamefully tell us that African American and Hispano students are more underrepresented at "top" U.S. colleges and universities than 35 years ago. For example, the share of African American first year college students is virtually unchanged since 1980. African American students are 6% of first year classes, but 15% of that age in the U.S. For Hispanos, the gap in numbers between college students and the college age population has widened. Although African Americans have gained ground at less prestigious schools, this has not happened at the more "selective" ones.

African American students make up 9% of first year students at the 8 so-called Ivy League schools, but 15% of college age people as a whole. At the University of California (UC) at Berkeley, UC's most selective campus, African Americans and Hispanos are the least represented. On the other seven campuses, Hispanos are at least a quarter of the first year students, but their share of the college-age population is close to 50%.

In a number of states, African American students remain underrepresented at so-called "flagship" universities. In Mississippi, Louisiana, Georgia and South Carolina, African Americans make up less than 15% of the first year enrollment, but about a third or more of their state's college age population. In West Virginia and Nebraska, the numbers of African American and Hispano first year students are low, but they are on a par with the college-age population of those states.

At liberal arts colleges, African Americans and Hispanos have gained ground at a handful, among them Amherst and Pomona.

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"Study after study shows that a living wage, access to holistic health services and treatment, EDUCATIONAL OPPORTUNITY, and stable housing are far more successful in reducing crime than police or prisons."

--The Center for Popular Democracy  
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# La supremacía blanca

Hay al menos 1.500 estatuas, placas y monumentos conmemorativos de la Confederación no solo en el sur de estados unidos, sino en todo el país. El 27 de junio de 2015, en la mañana posterior a una misa en honor a los nueve afroestadunidenses asesinados, Bree Newsome, una joven activista y artista afroestadunidense trepó el mástil del edificio del gobierno estatal de Carolina del Sur y retiró la bandera confederada mientras gritaba: "Vienen a mí con odio, opresión y violencia; yo vengo en nombre de Dios. Esta bandera será retirada hoy.... Esto forma parte de una larga historia y de un patrón terrorista de la supremacía blanca en este país. No solo se trata de actos de violencia que intentan provocar terror, sino que son actos políticos. Es terrorismo.

Takiyah Thompson, una de las activistas presentes en Charlottesville dijo: "Todo lo que aliente a esas personas, todo lo que las haga sentirse orgullosas debe ser destruido, del mismo modo que quieren destruir a las personas negras y a los demás grupos a los que atacan. Debemos retirar todas las estatuas de soldados confederados y todo vestigio de la supremacía blanca."

Como dijo Frederick Douglass, un hero de la lucha de derechos humanos en el 1857: "El poder no concede nada sin que se le exija. Nunca lo hizo y nunca lo hará."

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To receive the CPR Newsletter by postal mail monthly, send us up to 12 self-addressed, stamped envelopes (with the CPR return address).

Keep sending us address changes and renewal requests in order for us to maintain the mailing list for the January holiday card/new calendar as accurately as we can.

Also, note that the *only* address to be sure to reach us is: PO Box 1911, Santa Fe NM 87504. Some resource address listings are incorrect in this regard.

And still: NONE OF US ARE LAWYERS OR LEGAL WORKERS; for our protection, please do not mark envelopes addressed to us as "Legal Mail."

Many, many thanks to the Real Cost of Prisons Project for making our Newsletter free on-line for downloading and distribution. It is at: <http://www.realcostofprisonsproject.org/html>--this is a GREAT site!

# HOT

The Philadelphia District Attorney's office has been ordered to turn over records and memos related to Mumia Abu-Jamal's original case. For Mumia and thousands of other capital crime convicted prisoners this decision could be of immense consequences, potentially overturning sentences and even convictions.

The opinion of the judge of the Pennsylvania Court of Common Pleas based his decision on the recent U.S. Supreme Court landmark decision (*Williams v. Pennsylvania*, 2016), which found it unconstitutional for judges to participate in appeals decisions on capital cases where they had been involved as prosecutors. A former chief justice of Pennsylvania's Supreme Court had played the role of both prosecutor and judge in multiple capital cases for over three decades.

# HOTTER

As we know, countless imprisoned people across the country are held in sweltering conditions. A recent civil suit in Texas revealed that 22 prisoners have died of heat exhaustion there since 1998. Even though judges from Mississippi to Wisconsin and states in between have ruled that housing prisoners in too hot or too cold conditions is inhumane and unconstitutional, still it continues. Recently, 40 people imprisoned in Arizona had a letter published in a New Mexico newspaper reporting that cell temperatures as high as 112 F. had been recorded. Requests from those imprisoned there for a daily bag of ice have been refused.

## Not the Sheriff of Nottingham

The infamous former sheriff of the Phoenix area has been pardoned by the current president of the U.S. According to the Associated Press, the pardon contradicts a key theme in the movement for tougher immigration enforcement--that all people, no matter who they are, aren't above the law. The judge who found him guilty cited comments the sheriff made about continuing racially profiling anti-immigrant patrols even though he knew he was not to do so.  
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"If there is one thing I have learned about the BOP during my time inside, it's that they don't like paper and forms. They like being required to talk to us even less. Use this as your weapon and beat them with their own system. And be realistic in your expectations." --a federal prisoner