

Coalition For Prisoners' Rights Newsletter

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What is the meaning of this?

PATHS TO FEDERAL CUSTODY FOR YOUTH

Why is this of interest now? Because of the talk from at least two official sources of banning/reducing solitary confinement for federally sentenced youth. The president's op-ed got the most attention, but also the Sentencing Reform and Corrections Act (S.2123), now in the Senate, would essentially ban juvenile solitary confinement in the federal system.

One crucial question to ask at such times is: how many people will that affect? Well, guess what: as of February 4, 2016, there were a total of 195,722 federal prisoners (compared to 24,640 in 1980). And 26 people under the age of 18 in federal custody. Facilities are required to notify the feds when they put such young people in solitary, and in 2014-2015 they did so: 13 times. Both a small number and a very high percentage of the total.

The two ways that youth get into federal custody are to be convicted of a felony either on tribal lands, or in Washington DC. The feds don't run any of the facilities youth end up in themselves, but rather they are contracted out to local prisons and jails across the country. The DC jail is one with such a contract; nine youth are currently held there.

At the state level however, there are approximately 1,000 people under 18 now being held in adult prisons--in states where they have been tried for and convicted of serious violent crimes.

There are also supposed to be rule changes for the approximately 10,000 (about ten percent of the total) federal adult prisoners who are being held in solitary. Federal officials sent adults to solitary for nonviolent offenses 3,800 times in 2014-2015. The new solitary first term length is 60 days, rather than the current mas of 365 days.

SUPREME COURT : JLWOP RETROACTIVE

On January 25, the U.S. Supreme Court in the case *Montgomery v. Louisiana* ruled that its earlier case, *Miller v. Alabama* announced a substantive rule of constitutional law and therefore that states must apply it retroactively. This latest decision does not require that states re-sentence all of those who were sentenced to Life-Without automatically. It will be considered sufficient at this time that all be considered for parole.

Such procedures must be implemented in any state that has previously refused to treat the *Miller* decision as applying retroactively. In the three such states which together contain the largest population of JLWOP sentenced youth--Louisiana, Michigan, and Pennsylvania--more than 1,000 people will be affected.

The decision in *Montgomery* was 6 to 3, with justices Alito, Scalia and Thomas going against retroactivity. Their votes went against the majority belief that children are capable of change. The United States is the only country in the world that allows a LWOP sentence for children. Research has shown, no surprise, that there has been "significant racial disparities, extreme poverty, and poor legal counsel associated with the imposition of life sentences for juveniles."

Related to, although technically separate from, the above is the recent finding that the more young people are caught in the police, court and penal system, the greater their chances are of an early death. This involvement means arrest, detention, imprisonment and transfer to an adult court. The likelihood of death for system-ensnared youth was higher for African Americans than for "whites." The most common causes of death were homicide (48%), overdose (15%) and suicide (12%).

Resource:

The Sentencing Project, 1705 DeSales St NW, 8th floor, Washington DC 20036, 202-628-0871.

* * * BLACK LIVES MATTER * * *

Estados Unidos deporta a Angel Rosa, el guatemalteco indocumentado que desarrollo gangrena mientras estaba detenido

Fue deportado un hombre guatemalteco indocumentado que se estaba recuperando de una infección que le produjo gangrena mientras se encontraba bajo custodia de autoridades de inmigración. Angel Rosa, padre de cuatro hijos nacidos en Estados Unidos, afirma que estuvo recluido en una celda con un inodoro que se desbordaba, que se le impedía ducharse y que posteriormente fue puesto en régimen de aislamiento. Contrajo gangrena por una infección, lo que le provocó una inflamación que le obstruyó el recto. Rosa fue deportado el 4 de febrero, un día después de que abogados y defensores de su causa entablaron una demanda por negligencia médica, que actualmente estudia el Departamento de Seguridad Nacional.

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

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

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

NONE OF US ARE LAWYERS OR LEGAL WORKERS, so, for our protection, please do not mark any envelopes sent to us as "Legal Mail."

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

We depend on our readers' donations & thank you for your support! Mil gracias! *****

PEN FRIENDS AND SERVICES, INC.

Pen Friends and Services are back. The only major change is they no longer offer pen pal resources. Their new resource list includes: free books, free religious reading material and supplies, pro bono legal services, aftercare resources and places that will help trade and sell prison art and crafts. Over 220 resources in all. A majority are free, some ask for a SASE. Contact: Roy Dunlap, Pres./Pen Friends & Services PO Box 4076 Amarillo TX 79116

"ROADMAP TO REENTRY"

This is a 1,222 page guide to help people with criminal convictions navigate the reentry process in California. It can be downloaded or a hard copy requested.

Chapters on Parole & Probation, Housing Programs, Public Benefits, Employment, Court-Ordered Debt Programs, Family & Children, Education, Legal Aid Providers in California, Community Resource Guides in California, Guides to Food, Housing, Health, Family Support & Social Services and many other topics.

Contact: Root & Rebound
1730 Franklin St Suite 3000
Oakland CA 94612

KPFT 90.1 FM The Prison Show

The program airs Friday nights at 9 p.m. CET, 2 a.m. UTC. The call-in number is 713-526-5738. In Galveston it's at 89.5 FM, in Huntsville at 89.7 and on line at The Prison Show. The overall mission is to keep prisoners connected.

Federal Needle Exchange Ban Lifted

This partial repeal passed by Congress in late December will allow federally funded state needle exchange programs to pay for staff, vans, gas, rent-- everything but syringes, which themselves cost "almost nothing."

High Cost of Prisoner Calls Cut

On October 22, 2015, the Federal Communications Commission voted 3-2 to cap the rates and fees companies charge for prisoner phone calls. It could result in a 50% drop in prison call costs. State and federal prison phone rates will be capped at 11 cents a minute. Jail rates will be capped at anywhere from 14 to 22 cents per minute. Hidden fees will be eliminated and kickbacks to correctional facilities will be strongly discourage.

This was accomplished as a result of mounting pressure from across the country, especially from the Campaign for Prison Phone Justice composed of the Human Rights Defense Center, Center for Media Justice, and Nation Inside and, above all, by prisoners' family members. Call the toll-free storyline at 877-410-4863 with your reactions.

FYI: CCA OFFER TO STATES

In 2012, CCA sent a letter to prison officials in 48 states, offering to buy prisons in exchange for a 20 year management contract and a guaranteed occupancy of 90%....