

Coalition For Prisoners' Rights Newsletter

Vol. 42-yy, No. 7

PO Box 1911, Santa Fe NM 87504

July 2017

POSITIVE CHANGE IS POSSIBLE

Reduction of Solitary Confinement

A June settlement ended the routine practice of 23-hour-a-day isolation of youth held at the Onondaga County juvenile jail in Syracuse, New York. Represented by the NYCLU and Legal Services of Central NY, the settlement is expected to last through October 2019 and is subject to court approval. Youth held there are now supposed to be confined to their cells only when there is an imminent safety threat that less restrictive measures cannot adequately resolve.

The lawsuit was brought on behalf of all the youth held in that jail in solitary, led by six Black and Latino plaintiffs, ages 16 and 17. The settlement included the Syracuse City School district and includes the access to educational instruction, special education services and an "incentive program." There are supposed to be plans that identify and accommodate special needs and include mental health counseling.

Between October of 2015 and September 2016, when the lawsuit was filed, the sheriff was responsible for placing at least 86 youth in solitary confinement more than 250 times. They routinely spent more than 100 days in solitary. While in solitary, they were not allowed to talk with others detainees, received essentially no education or mental health care, and were limited to one hour of "recreation" in filthy, small cages. The young women were watched by male adult guards when they showered.

Raised the Age

Also in New York, in April, the New York State Senate raised the age of "criminal responsibility" to 18, and it is now part of the NY State budget. By October 2019, New York will no longer automatically prosecute 16- and 17-year-olds as adults. The State Assembly approved the bill 81 to 40. New York was one of only two states (the other is North Carolina) to so treat 16- and 17-year olds. Nearly 28,000 such youth had been arrested there annually.

Before Sunrise Push Back

More than 65,000 undocumented immigrants have been arrested since the current president took office six months ago. This is a nearly 40% increase over same period last year. Immigration and Customs Enforcement (ICE) officers are now encouraged to arrest undocumented immigrants who are without serious criminal records, a change from the previous administration's practice of "mostly leaving those immigrants alone." Now agents also make more arrests of undocumented people they "come across" while looking for someone else.

In California, home to more than 2 million undocumented immigrants, local law enforcement authorities often will not turn over to ICE immigrants in their custody. In many places, ICE simply picks people up from jails. Instead, in California, agents make most of their arrests at homes, in workplaces and out on the street. Arrests in the Los Angeles region are up "only" 17% under the new president. Typically, officers manage to arrest about half the people they are looking for.

In the San Bernadino CA processing center, new detainees got a bag with a sandwich and an apple at noon. The ICE officers went out to eat at a *taqueria*.

Since Time Immemorial

In 1998, a New Mexico Supreme Court case stated: "we cannot ignore the fact, that since time immemorial, women's biology and ability to bear children have been used as a basis for discrimination against them." A 1999 New Mexico Act made it legal for women to breast-feed "in any location, public or private, where the mother is otherwise authorized to be present."

So, despite the argument the Department of Corrections (DOC) made that skin-to-skin breast-feeding could not be allowed, a state district court judge ruled at the end of June that mothers incarcerated in state prisons have a fundamental and protected right to breast-feed their infants under the state constitution.

CONOZCA SUS DERECHOS/ KNOW YOUR RIGHTS

Always take with you this information:

To Immigration or Other Officer

Right now I am choosing to exercise my legal rights.

* I will remain silent and I refuse to answer your questions.

* If I am detained, I have the right to contact an attorney **immediately**.

* I refuse to sign anything without advice from an attorney. --Thank you

Don't open the door.

Lleve consigo una tarjeta como la de abajo y enséñela si un oficial de inmigración lo detiene:

Al funcionario de inmigración u otro tipo de funcionario:

En este momento elijo ejercer mis derechos legales.

* Permaneceré en silencio, y me niego a responder a sus preguntas.

* Si me detienen, tendré el derecho de comunicarme con un abogado **inmediatamente**.

* Me niego a firmar nada sin haber consultado con un abogado. --Gracias

Don't open the door.

Para poder entrar en su hogar, ICE tiene que tener una orden judicial firmada por un juez. *No abra la puerta* a menos que el agente de ICE le enseñe la orden judicial. (Casi nunca tienen una.) Si un agente de ICD quiere mostrarle una orden judicial, lo puede hacer poniéndola contra una ventana o la puede pasar por debajo de la puerta. Para ser válida, la orden judicial tiene que tener su nombre correcto y su dirección. Si usted abre la puerta, es mucho más difícil no responder a sus preguntas.

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 mailing 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 sent 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!

To-Do list: The Numbers Tell Us

Who has the money:

> Globally, almost 18 million households control more than \$1 million in wealth.
> They are just one percent of the world's population

> They hold 45% of the world's \$166.5 trillion in wealth

> The share of income going to the top 1% in the U.S. has more than doubled in the last 35 years

> 63% of U.S. private wealth "belongs" to U.S. millionaires and billionaires

> In the last 40 years, CEO pay in the U.S. has risen by 937%

> Trump reports his world-wide real estate and hotel assets are worth at least \$1.4 billion

> As a candidate, Trump claimed he was worth more than \$10 billion

Who doesn't have their share:

> The average income for the richest 5% of households in the U.S. is now at least 10 times greater than the bottom 20% in every state

> The median wealth of "white" households is 13 times the median wealth of African American households.

> In New Mexico, the top 5% of households earn 19% of the state's income, an average of \$245,000; the bottom 20% averages \$17,064 per year

Who gets imprisoned:

> African Americans are 5 times more likely to be incarcerated than "whites."

> Young Black males are 21 times more likely to be killed by police than young "white" males

> The number of imprisoned men over the last 30 years has increased more than 3 fold

> The number of imprisoned women over the last 30 years has increased more than 7 fold over the last 30 years

> In 2014, the most recent year available, 113,000 women were being held in federal and state prisons

> In California, there are approximately 182 women sentenced to Life Without Parole

> In New Mexico, the state is predicting that 810 women will be imprisoned within the next fiscal year

> More than half of those released from state prisons are arrested again within 5 years

Children affected by this system:

> African American children are 7 times more likely than "white" children to have a parent in prison

> Latin@ children are twice as likely to have an imprisoned parent than "white" ones

> In 2004, 62% of women held in state prisons were mothers of minor children