

Coalition For Prisoners' Rights Newsletter

Vol. 45-B, No. 7

PO Box 1911, Santa Fe NM 87504

July 2020

OUR FAVORITE GAME: LET'S PRETEND

It goes: let's pretend that current conditions in every area of life in the U.S. have come out of nowhere. Let's pretend that "democracy" in this country by definition includes substantial equality of conditions, resources and opportunity for all of us who live here. Let's pretend that we have now, as a matter of course, a functioning health care system that provides good care to each of us, no matter our other individual circumstances. Let's pretend that we have a public educational system that meets the needs and abilities of all its varied students equally and well. And, above all, let's pretend that our police, court, and penal system serves and protects the interests and legitimate needs of all who live here fairly and constructively. With the result that society as a whole, as well as its individual members, are all safer and better off than without it.

Finished laughing yet?

The beliefs described above are the necessary pre-conditions for being able to be surprised at the horrendous disregard for the health, safety, and welfare of the approximately three million people currently incarcerated in U.S. prisons and other facilities. There is no questioning legitimately possible of what the conditions actually are. Nor of the suffering and deaths they are causing. Actual numbers are being concealed, and further distorted by the time lapses in their becoming available. However, there is no even remotely reasonable way for us not to be horrified and dismayed, but certainly not surprised, by them.

Were there political will on the part of those who have the power to improve conditions and outcomes for those presently incarcerated, the way to do so would be obvious, practical and attainable. Nevertheless, steps toward improving these disgraceful and totally unnecessary conditions are few, small and painful. Nevertheless, we are compelled to inform ourselves and struggle together to find effective ways to work toward achieving them. Our very lives depend upon it, for an unknown and quite likely lengthy period into the future.

Some painful examples:

> There are nearly 3 million people incarcerated in the U.S., counting prisons, jails, and immigrant detention centers. At least 50% of those 3 million people must be released for any hope of controlling the virus. COVID has starkly revealed how much prisons are a public health disaster.

Studies document that prisoners are 550% more likely to get infected by COVID, and 300% more likely to die, compared to the rest of the population.

> Demands from the incarcerated at California's San Quentin State Prison include: grant releases now, stop the transfers between California prisons (like the one from Chino that triggered such large numbers of COVID at San Quentin), provide COVID testing to 100% of the prison population, keep prison staff (over 67,000 in the state) working in only one part of the prison, expand credit-earning opportunities, provide free essential items (hygiene, p.p.e., sanitizer), provide free televising privileges, expand the availability of free phone calls.

> Resource: Re:Store Justice, 1370 N. St. Andrews Place, Los Angeles CA 90028, Adnan Khan, executive director.

> As of June 24, 426 of the 539 state prisoners held at the for-profit prison run by Management and Training Corporation's Otero County Prison Facility in southern New Mexico had tested positive. In a separate part of that facility, there were 275 positive cases among the people doing time on federal convictions. The layout is dormitory style housing. The employees, who may work in only one part of the facility," are reported to "socialize and congregate."

> Media in April identified two Ohio prisons as the "top two COVID-19 hot spots in the nation." Marion Correctional Institution (MCI), north of Columbus, has been the top-ranked, with Pickaway Correctional Institution, just south of Columbus, as second. Both have concentrations of older people with underlying health care conditions. Both have reported deaths among those held there.

¿QUE ES, PARA EL ESCLAVO, EL CUATRO DE JULIO?

—por Frederick Douglass, el 5 de julio de 1852

“¿Qué es, para el esclavo estadounidense, su Cuatro de Julio? Yo les respondo: es un día que le revela, más que el resto de los días del año, la grave injusticia y la crueldad de las cuales él es una víctima constante. Para él, su celebración es una farsa; su libertad jactanciosa, una licencia impía; su grandeza nacional, una vanidad hinchada; sus sonidos de regocijo son vacíos y despiadados; sus denuncias de tiranos, solo apariencias descaradas e insolentes; sus gritos de libertad e igualdad, burla hueca; sus oraciones e himnos, sus sermones y agradecimientos, con toda su solemnidad y pompa religiosa, son, para él, mera grandilocuencia, fraude, engañõ, impiedad e hipocresía, un velo delgado para encubrir crímenes que deshonrarían a una nació de salvajes. No hay una nación en la tierra culpable de prácticas tan escandalosas y sangrientas que el pueblo de los Estados Unidos en este momento.

“En tiempos como este, es necesaria la ironía abrasadora, en lugar de un argumento convincente. ¡Oh! Si you tuviera la habilidad y pudiera llegar al oído de la nación hoy, derramaría un torrente, una sarta ardiente de mordaces burlas, de terribles reproches, de sarcasmo fulminante y severas reprimendas. Pues no es luz lo que se requiere, sino fuego; no es la suave lluvia, sino truenos. Necesitamos la tormenta, el torbellino, el terremoto. Hay que reavivar el sentimiento de la nación; hay que despertar la conciencia de la nación; el decoro de la nación debe ser alterado; la hipocresía de la nación debe ser expuesta; y los crímenes contra Dios y el hombre, deben ser proclamados condenados.”

THE LEAST READ PART OF THE NEWSLETTER:

To receive the CPR Newsletter by postal mail monthly, send us a self-addressed, stamped envelope for every month’s issue, up to 12 at a time. Put the CPR return addressing the upper left-hand corner of each envelope.

Continue to send us address changes to help us keep our annual calendar mailing list as accurate as possible.

NONE OF US ARE LAWYERS OR LEGAL WOKERS. Letters marked *Legal Mail* can hurt us.

We do not have a web site because we are a small group volunteers and do not have the resources to maintain one.

Many, many thanks to the Real Cost of Prisons project which posts our Newsletter on-line monthly for free downloading and distribution. All issues since 2009 are at: www.realcostofprisons.org – A great site!

NEW MEXICO RESENTENCING PROJECT ON HOLD

In response to the COVID-19 crisis in the prisons, a group of New Mexico volunteer lawyers drafted a *pro se* (“do it yourself”) form motion that imprisoned people could use to apply for reconsideration of their sentence. This motion was based on a NM Supreme Court rule change that extended the time frame within which reconsideration of sentence must be requested. Many of these motions have been filed *pro se* and a few have been filed by privately retained attorneys. But, none of these motions have been granted.

Denial of the motion in a case where the person filing is elderly, has very serious health issues, and has a conviction for a non-violent crime is now being appealed. The *Resentencing Project* is going to wait for a ruling from the NM Supreme Court so the *pro se* form can be changed to make it better.

DO NOT REQUEST A COPY OF THE OLD FORM. Wait for news that the new form is ready and available. Using the old form will prevent you from filing again when the new form is ready. There is no doubt that the delay is frustrating and unfair. But, it is necessary in order to find a way to make a real difference and help people get out.

#####

AMISTAD LAW PROJECT (ALP)

P.O. Box 9148, Philadelphia PA 19139, 267-225-5884

A West Philadelphia-based public interest law center founded in 2014, its mission is to fight for the human rights of people in the community by providing a full range of free and low-cost legal services to Philadelphians and those incarcerated in Pennsylvania’s prisons. As prison abolitionists, they believe that good public education, affordable health care, healthy and affordable food, safe and affordable housing, and the ability to care for their families are human rights.

EDUCATION JUSTICE PROJECT (EJP)

University of Illinois, 1001 S. Wright St. Champaign IL 61820 217-300-5150

The mission of the Education Justice project is to build a model college-in-prison program that demonstrates the positive impacts of higher education upon incarcerated people, their families, the neighborhoods from which they come, the host institution, and society as a whole.

Their Reentry Guide Initiative has produced a COVID-19 Reentry Guide for imprisoned people throughout Illinois.