

# Coalition For Prisoners' Rights Newsletter

Vol. 39-ss, No. 10

PO Box 1911, Santa Fe NM 87504

October 2014

## An Enormous Churning: Numbers About the Disparate U.S. Systems of Confinement

The disparate systems of confinement in this country hold more than 2.4 million people at any one time, in 1,719 state prisons, 102 federal prisons, 2,259 youth facilities, 3,283 local jails and 79 Indian Country jails, as well as in military prisons, immigration detention facilities, civil commitment centers and prisons the the U.S. territories.

In 2011, 688,384 people were released from state and federal prisons. In addition, almost 12 million people cycle through local jails each year. At any given moment, most of the 722,000 people in local jails have not been convicted and are in jail because they are either too poor to make bail and are being held before trial, or because they've just been arrested and will make bail shortly. The remainder of people in jail, almost 300,000, are doing sentences for convictions on minor offenses, generally misdemeanors with sentences of under a year.

How many people are locked up directly because of street-drug related convictions: 237,000 in state prisons,

95,000 in federal prisons and 5,000 in youth facilities. Plus, some unknowable portion of the population confined in military prisons, territorial prisons and local jails. These numbers are greatly influenced by reporting procedures. One example is that all cases are reported only under the offense which carries the longest sentence.

For youth, there are almost 12,000 young people locked up for "technical violations" of the requirements of their probation or parole, rather than for a new, specific charge. More than 3,000 youth are locked up for "status offenses," which do not involve convictions for what would be breaking laws if adults, but rather for running away, truancy, and "incurability."

More than 22,000 people are in federal prisons for criminal convictions of violating federal immigration laws. A separate 34,000 are detained by U.S. Immigration and Customs Enforcement (ICE) in the process of being deported.

*This is the world's highest incarceration rate.*

### THE POPE KNOWS IT

In front of a delegation from the International Association of Penal Law in Vatican City recently, Pope Francis called lifelong prison terms "a hidden death sentence" and said that it should be opposed as strongly as executions. He also called for improvements in the conditions of incarceration, to ensure that the human dignity of those deprived of their freedom is respected.

"In recent decades a belief has spread that through public punishment the most diverse social problems can be resolved, as if different diseases could all be cured by the same medicine."

He also criticized European countries which have helped the U.S. with "extraordinary rendition" of terror suspects to countries where they are tortured.

### Law Suit Settled Re Health Care

In October, a class action lawsuit alleging violation of Eighth Amendment prohibition against cruel and unusual punishment, on behalf of the 33,000 Arizona state prisoners in 10 state prisons (but not including the for-profit ones in the state), was settled just before the trial was to begin.

The settlement included money to pay the prisoners' lawyers to monitor whether the prisons are making the changes specified. All prisoners between 50 and 75 are to be offered colon cancer screenings. Prisons will have to devise treatment plans for treating prisoners with common chronic diseases, such as diabetes, high blood pressure, and HIV within 30 days of their being identified

## SOLICITING HOLIDAY CARD DESIGN

Imprisoned readers: please send us a black and white drawing for the coming year's holiday/ New Year/s card and calendar. All designs must be respectful of our diversity: We cannot use any with racist, sexist, or religious symbolism. The deadline is now November 30. Your submission of a drawing will serve as permission to use it, credited with your name and state. Prize: Books of interest.

### Tarde pero vale la pena

Los mexicanos celebran el 16 de septiembre como El Dia de la Independencia, la fecha cuando el pueblo nativo expulso la opresión española que ellos habían tolerado por 300 años.

La Independencia Mexicana fue un largo y desafiante proceso político y social lo cual termino con el reinado de España sobre "Nueva España (hoy México)". Durante ese periodo, México se esforzaba para llegar a ser libre de lo opresión y tiranía de los odiados "gachupines" (españoles nacidos en España y viviendo en México), quienes habían estado explotando la riqueza del pueblo Mexicano desde que los Españoles invadieron México en 1521.

Napoleón Bonaparte invadio España en 1808 de lo cual México tomo ventaja e inicio el movimiento de la Independencia para sacudirse el yugo Español ya que España estaba más involucrada en defender su propio territorio. El comandante militar Ignacio Allende invito a Don Miguel Hidalgo y Costilla, un sacerdote, para persuadir al pueblo levantarse en armas.

.....¡Y lo demas es historia!

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

Please continue to send us address changes and renewal requests, in order to be sent the yearly holiday card/new calendar each January.

Also, please note that the only address to use to be sure to reach us continues to be: PO Box 1911, Santa Fe NM 87504. Some resource lists, unfortunately, use an incorrect address. Remember: NONE OF US ARE LAWYERS OR LEGAL WORKERS. Please do not mark any envelopes as "legal mail."

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

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

## Anti-Recidivism Coalition Victory

At the end of September, the governor of California signed AB 1276 "Youth Offenders: Security Placement." Sponsors included the Los Angeles District Attorney. This legislation requires the California Department of Corrections and Rehabilitation to conduct committee-based, specialized review for people entering prison under the age of 22. This will allow for special consideration for them to be placed at a lower security level facility, with increased access to education, self-help, and supportive programs, hopefully leading to reducing recidivism and increasing success upon release.

In California, although many studies show that those who participate in education and supportive programs were 43% less likely to be hit with new charges, current practice routinely sends all new arrivals to maximum-security units ("Level IV yards"). An estimated 4,800 people in California under 22 are sent to prison every year.

## MARIJUANA QUESTION ON BALLOT

In Santa Fe and Bernalillo Counties (Albuquerque), in New Mexico, there is a non-binding resolution on the November ballot for the county commissioners to consider support of decriminalizing marijuana. The current penalty is a jail sentence of 90 days for possession of small quantities. Over 500 people in Bernalillo County and 100 in Santa Fe County went to jail for these convictions last year.

We look forward to RETROACTIVE changes in these laws throughout the country.

## It Shouldn't Be This Way

The first Central American refugees were released from Artesia NM Family Detention Center on bond August 19th. The dominant government use of detention and a no-bond policy, ostensibly to stem migration, conflicts with U.S. asylum law. To the extent that that policy continues, it conflicts with the intent of the law-- to provide entry to those fleeing persecution and in need of asylum. The mothers and children who have come here have no better option but to cross the U.S. border and request asylum. We need to establish a viable program that observes due process and humanitarian principles.

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### Public Service Announcement:

"Beware of doing business with: Will Repair Service, 5117 Farmlane Road, Dunkirk NY 14048."--from a WV prisoner. For details, contact through the CPR.