

Coalition For Prisoners' Rights Newsletter

Vol. 40-v, No. 10

PO Box 1911, Santa Fe NM 87504

October 2015

Making Money from Catastrophe

This is a growing specialty of for-profit companies around the world. Halliburton is a leader in the field as we have seen. As are various for-profit companies which rake in the dough through locking up different groups of vulnerable people. These businesses not only work in war zones, but also build a variety of for profit detention facilities internationally. Other examples of such entities are Serco, Transfield Services and G4S.

Immigration is a key part of this disaster capitalism. Warehousing refugees is a huge profit-making business. Around the world, the same corporations are making a bundle and such businesses can be more powerful than mere governments.

One example is the "Guantanamo Bay of the Pacific." This is the Manus Island detention center, paid for by the Australian government, run by Australian Transfield Services, but located offshore on Papua New Guinea. The prisoners are asylum seekers, waiting indefinitely for refugee status determination. The U.N. has found that the conditions they are being held in amount to "inhuman, degrading treatment." Australia is also running a similar facility on Nauru, a Pacific island facility in which there is evidence of rape, torture and waterboarding. This unaccountable system is apparently wanted to be this was by Australia.

Several major party U.S. political candidates have taken massive amounts of money from the for-profit prison industry. Although legislation to ban government contracts with private prisons has also at least been introduced, Jeb Bush, Hillary Clinton and Marco Rubio are among those who have taken substantial amounts of money from the for-profit prison industry. Donald Trump's advocacy of "getting rid of" 11 million undocumented immigrants is seen as good news by the for-profit prison companies too.

And, as is common knowledge, existing U.S. government contracts with for-profit companies, especially CCA and GEO, guarantee that they will be paid for 34,000 refugees locked up by them daily.

DECREASING JUVENILE LIFE WITHOUT?

In 2012, the U.S. Supreme Court, in *Miller v. Alabama*, ruled that there could not be an automatic, mandatory Life Without the Possibility of Parole (JLWOP) sentence for those who were convicted of a killing that occurred when they were teenagers. This means that, at some point, those so sentenced must be eligible for parole consideration.

Since then, very little has been done to implement the *Miller* decision--a sentence that in all the world, *only* the United States dispenses. During the Supreme Court's current session, in the case of *Montgomery v. Louisiana*, the Court is expected to rule on whether the *Miller* case should be extended to apply retroactively. This will affect hundreds of people who were locked up under the now overruled mandatory/automatic JLWOP law.

To date, through legislative action or court rulings, 18 states have made some provision for eventual sentence reconsideration. Louisiana however, is among the seven states that have declined to apply the *Miller* decision retroactively. There are nine states which have abolished the sentence outright. This makes a total of 15 states that prohibit LWOP sentences for those under 18 at the time of the killing for which they were sentenced. There are seven states that currently do not have anyone under such sentences. The sentence remains under review in additional state courts and legislatures.

The named prisoner in this case is now 69 years old and has been locked up since 1963.

Ganar dinero con la miseria?

Quando se produce un desastre, quién se beneficia? Esa es la pregunta formulada en el libro, *Capitalismo del desastre*: haciendo una fortuna de la catástrofe. Empresas como G4S, Serco y Halliburton están ganando dinero con las calamidades por medio de construyendo centros privados de detención con fines de lucro, alojamiento para refugiados, prisioneros y gente que busca asilo. La ayuda internacional y las inversiones impactaron las comunidades en Haití y otros lugares.

CRIME OF THE MONTH

Halliburton: the gift that keeps on taking. Remember Halliburton vice president Dick Cheney's company that got rich on the peace dividend? Recently they pled guilty to a petty misdemeanor. They were fined all of \$200,000.

Halliburton, in a cheap and risky manner, had helped British Petroleum drill a well. On April 20, 2010, the oil rig exploded, with 11 deaths, and five million barrels of oil into the Gulf of Mexico, then the worst sea mammal and mass bird and fish killings in history. Thousands of sea creatures washed up on shore and were quickly bagged and buried at secret garbage dumps. Laws were passed forbidding photojournalists from taking pictures of the secret dumps, or of workers who became seriously ill. If caught doing so, they would be sentenced to several years in prison and charged a hefty fine. Those unjust laws were harshly enforced.

As a result of deregulation and the cozy relationship between the US government and the oil industry, crimes against nature and humanity can be committed by the oil executive with relative impunity. In short, the oil industry is above the law. The trivial price that Halliburton has had to pay for the 11 deaths that resulted from the worst offshore oil disaster in history, that, that left the entire Gulf of Mexico a dead zone, which fundamentally altered its economy of fishing and tourism. This fine sets a sickening precedent: kill people, pollute oceans, contaminate fresh water, rivers, and agricultural land--no problem--Big Oil merely gets a loving slap on the wrist.

To receive your 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 to get the yearly holiday card/ new calendar each January.

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

NONE OF US ARE LAWYERS OR LEGAL WORKERS so, for our protection, please do not mark your envelopes 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!

Changes in Incarceration Rates

Between October 30 and November 2, the federal Bureau of Prisons is to release approximately 6,000 imprisoned people to halfway houses and home confinement and then supervised release. About one-third of those who will be released are foreign nationals, who will be quickly deported. An additional 8,550 people are estimated to be eligible for release between November 1, 2015 and November 1, 2016. Under this sentencing modification, an average of about two years will be taken off of eligible people's sentences. In order to be considered for this sentence reduction and therefore for early release, prisoners must petition a judge who will then decide whether to grant the petition.

These actions are separate from the president's granting clemency to a few with street drug convictions which has resulted in the early release of 89 people.

Also, the federal Justice Department has instructed federal prosecutors not to charge "low-level, nonviolent street drug defendants who have no connection to gangs or large-scale drug organizations with offenses that carry severe mandatory sentences."

In 2014, the U.S. Sentencing Commission reduced the potential punishment for street drug related convictions and then made that change retroactive.

In related matters, lest we forget, the federal prison population has increased by about 800% since 1980. It turns out that determining incarceration rates accurately is no simple matter. Four quite different incarceration rates within recent years were reported within the same internet article: Since 2009, the number of people imprisoned in the U.S. has been reported variously as 745,000, 730 per 100,000, 698 per 100,000 and 716 per 100,000. Total U.S. incarceration is said to have peaked in 2008.

Within the police, court and penal system, specific populations have vastly different incarceration and growth rates. The most egregious example is the vast differences in the 2010 incarceration rates by ethnicity per 100,000 U.S. residents: For African American men - 4,347, for Hispanic men - 1,775, for "white" men - 678. It's called racism.

In the 25 years since the passage of the Anti-Drug Abuse Act, the U.S. penal population rose from around 300,000 to more than two million. The U.S. has the second-highest per capita incarceration rate. It is behind only the Seychelles Is. with a total population of 92,000 in 2014 and a total prison population of 735.

We have a way to go....