

# Coalition For Prisoners' Rights Newsletter

Vol. 44-A, No. 9

PO Box 1911, Santa Fe NM 87504

September 2019

## HOW TO BE FREE(ER)

### NO JLWOP--Life Without--for KIDS

We live in a country where we celebrate a lower rate of a natural life sentence for children. There are now 22 states and the District of Columbia which ban the prison sentence of Juvenile Life Without Parole. And five more states have no one currently doing a JLWOP. The Oregon ban on JLWOP goes into effect in January 2020.

In 2012, the U.S. Supreme Court held, in *Miller v. Alabama*, that it is unconstitutional to sentence children to life without parole except in the rarest of cases. But the system as it is continues to find a way around. There are hundreds of youth across the country who were tried and sentenced as adults and were given more than life-long sentences without an meaningful opportunity for review and possible release. There are, however, 13 states which have legislated judicial review hearings or automatic parole eligibility after a set maximum term.

A negative example is New Mexico, where there are 86 people doing sentences of more than 10 years for crimes they were convicted of when they were under 18. There are 14 people who have already done more than 20 years on such convictions; some have done more than 30 years. There are people with sentences of 142 years and life plus 42 years.

In contrast, the states of Arkansas, Texas and West Virginia have abolished Life Without for juveniles and passed legislation establishing fixed parole eligibility for youth.

New Mexico has a newly active chapter of the *Coalition for the Fair Sentencing of Youth* which will meet at the ACLU office later this month: 1410 Coal Ave SW, Albuquerque NM 87104. New Mexico is also a state where children are still dying in pre-trial custody, with a second one in Santa Fe in less than six years. Only eight counties in New Mexico continue to operate a juvenile facility.

#### Resources:

*Campaign for the Fair Sentencing of Youth* & the *Incarcerated Children's Advocacy Network*, 1319 F Street NW - Suite 303, Washington DC 20004; 202-289-4677

### Truth and Reconciliation

"We have been silent about the legacy of slavery and lynching for too long" rightly observes Brian Stevenson, founder of the Equal Justice Initiative....Law enforcement has always been in the front line of enforcing the racial hierarchy... When you think about the lynching that went on for decades, it wasn't hidden. And nobody was ever held accountable....We have to talk about this history. You can't have restoration or reparation or redemption without first telling the truth, and we haven't done that. We haven't created places in America that compel people to think about the history of racial inequality and be prepared to say 'never again.'"

#### Resource:

*Equal Justice Initiative*, 122 Commerce Street, Montgomery AL 36104; 334-269-1803.

## CHALLENGING SOLITARY

*In federal court:* In 2016, six men in solitary filed a federal lawsuit challenging Illinois' use of solitary as a violation of the Eighth Amendment prohibition on cruel and unusual punishment and the 14th Amendment right to due process. In March 2017, a federal court ruled that the prison's response was a violation of due process. This month a motion will be filed to have the lawsuit certified as a class-action.

#### *By legislation:*

> In June 2019, New Jersey passed the *Isolated Confinement Restriction Act* limiting solitary to 20 consecutive days or 30 days total during a 60 day period. It also prevents certain "vulnerable populations" from being placed in isolation altogether. And not simply for violating prison rules--those in solitary must be determined to be threat to themselves or to others.

Although New York state currently has 2,540 people in SHUs alone, their bill limiting solitary, was severely limited to by compromise.

## **Prisiones con fines de lucro del ICE**

Legisladores del estado de California votaron el 11 de septiembre a favor de prohibir las prisiones privadas en todo el estado, en un duro golpe para la industria carcelaria con fines de lucro en Estados Unidos. La ley también ordena el cierre de cuatro cárceles del Servicio de Inmigración y Control de Aduanas (ICE, por su sigla en inglés), que pueden albergar a hasta 4.500 inmigrantes. El proyecto de ley deberá ser aprobado ahora por el gobernador, quien en su discurso inaugural, que tuvo lugar en enero, dijo que California debería "poner fin a la atrocidad de las prisiones privadas de una vez por todas."

## **México rehaza la prohibición de asilo**

El ministro de Relaciones Exteriores sostuvo el 12 de septiembre que su nación no cambiará sus políticas de inmigración, luego de que la Corte Suprema de Estados Unidos permitió la entrada en vigor de la prohibición impuesta por el Gobierno de Trump a la mayoría de los migrantes que buscan asilo en la frontera entre Estados Unidos y México.

El afirmó: "La posición del Gobierno mexicano ha sido que no vamos a aceptar eso. Y hemos consultado con el Senado mexicano, y ellos tampoco lo aceptarán."

## **Inmigrantes protestan frente a la sede de Servicio de Inmigración**

En Washington DC, numerosos manifestantes se movilizaron el 12 de septiembre frente a la sede del Servicio de Inmigración y Control de Aduanas (ICE, por su sigla en inglés) y denunciaron las políticas contrarias a los inmigrantes y a los refugiados del Gobierno de Trump.

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**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 have our *only* permanent mailing list-- the one for our January holiday/new calendar--be as accurate as possible.**

**NONE OF US ARE LAWYERS OR LEGAL WORKERS; to maintain our best possible access to our prison-based readers, *please* do NOT mark envelopes addressed to us as "Legal Mail."**

**Many, many thanks to the Real Cost of Prisons Project for posting our Newsletter on-line for free downloading and distribution. All issues since 2009 are at: [www.realcostofprisons.org](http://www.realcostofprisons.org)--this is a GREAT site! To all: Thank you for your support!**

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## **SEND US: HOLIDAY/CALENDAR CARD DESIGNS**

Imprisoned Readers: Please send us a black and white drawing for the 2020 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 *December 15*. Submission of a drawing serves as permission for use, and will be credited. Prize: If at all possible, book(s) by mail.

## **We Honor Toni Morrison, 1931-2019 (née Chloe Ardelia Wofford)**

**"I know the world is bruised and bleeding, and though it is important not to ignore its pain, it is also critical to refuse to succumb to its malevolence."**

## **FEWER FOR-PROFIT PRISONS?**

*California:* As recently at 2016, there were 7,000 people in for-profit California prisons--about 5% of the state's total prison population. As of June 2019, there were 2,222 in them. Four of the for-profit prisons in California are owned by GEO group. Their contracts with the state expire in 2023 and can only be renewed if there is a federal court order to reduce over-crowding. A bill passed on September 11 will probably also close down four large immigration detention facilities that can hold up to 4,500 people. In recent years, the for-profit company CoreCivic's contracts with California have amounted to 12% of its total revenue. For-profit prisons are to be fully phased out by 2028. Also, ICE has moved its immigrant detainees from county facilities in California which have canceled their contracts with ICE to facilities in Colorado and Hawaii.

*Illinois:* The state became the first to bar for-profit prison companies from contracting with local communities to detain immigrants under a law signed in June 2019. The goal of the legislation was to prevent the construction of a 1,300 capacity facility approximately 80 miles from Chicago. That facility would have nearly doubled ICE's capacity to detain immigrants in the area.

"Non-profit" Southwest Key Programs, based in Texas, including its founder (at \$3.6 million) and chief financial officer (at \$2.4 million) who made at least \$1 million in 2017. Four of them have now left the organization, which houses unaccompanied migrant children....

## **Martin Luther King said:**

"The ultimate logic of racism is genocide."