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“H.U.A.C. Redux” By: Joseph Dole

History is full of examples where people who were considered second-class citizens were arbitrarily discriminated against and demonized. From “witches” at the hands of religious zealots, to “undesirables” at the hands of Nazis, society has long justified uncivil policies towards certain categories of people. Most people today would not believe that committees like the House Un-American Activities committee (H.U.A.C.) could exist in our now more enlightened times. Unfortunately that’s far from the truth. Nowadays though it is kept out of the public’s eye and used as a prison administration policy.

The House Un-American Activities Committee is now acknowledged as being nothing more than a political witch-hunt. It was begun to investigate Nazi propaganda and German involvement in the Ku Klux Klan in 1938, but over its almost 40 year history it came to be a tool used by government officials to blacklist anyone from artists to politicians. Its methods were arbitrary and its stigma once associated with you was impossible to get out from under.

In his book, “The Warren Court And Pursuit Of Justice”, Morton J. Horowitz describes H.U.A.C. thus: “H.U.A.C.’s most important function was to hold hearings at which those who were willing to recant their Communist-sympathizing past were required to engage in public repentance... Sincere repentance was largely determined by witnesses’ willingness to “name names” of those who had participated with them in a suspect organization. For those whose consciences would not permit them to involve others, a very different ritual evolved. These unwilling witnesses typically pleaded the Fifth Amendment, claiming that their refusal to testify was based on the concern that they might incriminate themselves by offering testimony that could subsequently be used against them in a criminal trial. Senator McCarthy regularly denounced these witnesses as “Fifth Amendment Communists”, and many of them were fired from their jobs after invoking their constitutional rights. Those witnesses who stood on their consciences by refusing to name names were portrayed as completely uncooperative and contemptuous of congress.... In fact, while these witnesses might have been willing to testify about their own past activities, any cooperation might trap them into having to answer every question, which would inevitably involve others.”

The similarities between H.U.A.C. and the Illinois Department of Corrections’ (I.D.O.C.) Security Threat Group (STG) renunciation policy are astounding.

STG labeling is the latest fad in prison control tactics. Today, after decades of demonizing criminals (and years of fear-mongering about terrorism), gangs or STG’s have become an easy target for attack, and renunciation, an all-encompassing, extralegal tool for prison administrators. Label someone a gang member and society ceases to care about his or her fate. Prison administrators now have carte blanche to carry out any scheme they would like. This creates an environment where anyone who is so much as a nuisance is labeled as a gang member / STG so that administrators can have a free hand to isolate, censor, and retaliate against them.

Just as H.U.A.C. members used that process to harass individuals whose political opinions offended them, thus ruining their careers, so too do prison administrators falsely label prisoners who become a nuisance to them, thereby ruining their chances of transferring out of Tamms Supermax Prison, being granted parole, being denied job assignment, etc. Unfortunately a prisoner who files a lawsuit to protect his constitutional rights is often considered a nuisance by prison administrators, as is anyone who has a staff assault, often resulting in a STG label.

Once labeled as STG it is virtually impossible to get rid of that label. Renunciation hearings are arbitrary and mainly used as an intelligence gathering system for Internal Affairs. If a prisoner refuses to inform on other inmates' activities his renunciation will not be accepted. Also, just going to the hearing can often put his life in danger with his former gang members.

Many individuals in Illinois prisons who would like to renounce their gang affiliation at present, do not do so mainly because the mismanagement of the policy and hearings has created the belief that there is little chance of a successful result (especially those who are falsely labeled), and that those who have been approved have implicated other in crimes. This leads to the perception that little would be gained while simultaneously putting yourself at risk of being targeted for retaliation by both the administration for not telling them what they want to hear and by the gang because you're now labeled as a snitch.

Renunciation should be concerned only with the individual seeking to renounce. Instead the majority of the hearing consists of questions regarding others, and if an individual doesn't give them the information requested, they are said to be insincere and their renunciation is not accepted. Also, it is not what an individual knows or relates, but rather what the committee believes he should know, and what or who the committee chooses to believe. Thus, if one individual gives false information and the committee believes it, it can have a devastating trickle down effect where anyone else who fails to confirm this false information or contradicts it during their own renunciation hearing is denied as not being sincere.

Another major concern and impediment to successful renunciation is that of self-incrimination. Individuals are asked about numerous prior incidents. These renunciation proceedings are taped and preserved. If an individual pleads the Fifth his renunciation is not accepted as sincere. If he does answer he may have that evidence used against him later in a court of law.

At present, both the process of labeling gang members and administration of the renunciation programs are fraught with errors, mishandling, and abuse. Non-gang members and former gang members are frequently being falsely labeled as active gang members. Gang members who genuinely try to renounce are being told that their renunciation was not accepted. The unsaid reason being either: 1) they refused to implicate other gang members in crimes or gang activity; 2) the administration chose to believe another inmate's testimony and any inconsistency or contradiction is taken as proof of insincerity whether true or not; 3) out of retaliation by prison officials for prior staff assaults, filing civil lawsuits, or advocating for prison reform; or 4) even as a way to deny transfer out of Tamms Supermax Prison, thereby keeping both the inmate isolated, and the Tamms population at a sufficient level.

If H.U.A.C. is now recognized as nothing but an arbitrary political witch-hunt then why isn't the almost identical renunciation process? At the very least the renunciation policy needs to be overhauled with an objective review and appeal process.