

**JUNE 1st**  
**6PM - 8:30PM**

**Second Presbyterian  
Church, 1161 East Jersey  
Street in Elizabeth, N.J.  
(across from the Ritz  
Theater).**

**Please Join Us**

in an alternative worship  
service to honor  
returning brothers and  
sisters released from  
prison as well as  
families who have relatives  
and friends suffering in prison.

**featuring**

**The Mike Packer  
Blues Band**

Speakers will include Ojore  
Lutalo, who spent 28 years in  
prison, Bonnie Kerness the direc-  
tor of the American Friends Ser-  
vice Committee's Prison Watch  
Project, Pulitzer-prize winning  
author Chris Hedges and the  
Rev. Karen Hernandez-Granzen.

**FREE Entry!**

US Prison Conditions – A Human Rights Issue  
June 1, 2013 – Second Presbyterian Church,  
Elizabeth, NJ  
By Bonnie Kerness, MSW  
Coordinator, American Friends Service Committee  
Prison Watch Project

My early observations of oppression in this country began when I was 12 watching television and seeing children of African descent my age in the South being hosed by police and bitten by dogs for trying to go to school. I spent ten years in the civil rights movement in Tennessee, then moved north and began working with the American Friends Service Committee, the social action arm of the Religious Society of Friends, the Quakers, who have a 300-year history of commitment in dealing with human rights issues with prisoners. I serve as a human rights advocate on behalf of men, women and children in prison throughout the US, coordinating the Prison Watch Project for the AFSC in Newark. Many of the men, women and children that I take testimony from call their imprisonment “the war at home”. From arrest, to sentencing, to the conditions of confinement in prison, racial profiling is practiced. While well over half of these men and women have not physically harmed another person, just about all of these people have been harmed themselves.

In the criminal justice system, the politics of the police, the politics of the courts, the politics of the prison system and the politics of the death penalty are a manifestation of the racism, white supremacy and classism which governs the lives of all of us. Every part of the US criminal justice system falls most heavily on the poor and people of color, including the fact that slavery is mandated in prisons by the 13<sup>th</sup> Amendment of the US constitution. The 13<sup>th</sup> Amendment reads “Neither slavery nor involuntary servitude, except as punishment for crime whereof the party shall have been duly convicted, shall exist within the United States”. While most of us don’t give this amendment a second thought, it really is at the core how the labor of slaves was transformed into what people in prison call neo-slavery. The use of prison labor occurs throughout the country and is an integral part of what we have come to know as the “Prison Industrial Complex”. If you call the NJ Bureau of Tourism you are most likely talking to a prisoner at the Edna Mahon Correctional Institution for Women who is earning 23 cents an hour who has no ability to negotiate working hours or working conditions. Involuntary forced labor in prisons is every day real for the more than 2 million men and women.

African descended, Latino and Aboriginal young people tell us that the police feel like an occupation army in their poor communities. They speak about school systems being used to feed young people of color into youth detention, jails and prisons where those bodies are suddenly worth a fortune. People have said to me that the criminal justice system doesn’t work. I’ve come to believe exactly the opposite – that it works perfectly, just as slavery did, as a matter of economic and political policy. How is it that a 15 year old in Newark who the country labels worthless to the economy, who has no hope of getting a job or affording college – can suddenly generate 20 to 30 thousand dollars a

year once trapped in the criminal justice system? The expansion of prisons, parole, probation, the court and police systems has resulted in an enormous bureaucracy which has been a boon to everyone from architects, to food vendors – all with one thing in common – a pay check earned by keeping human beings in cages. The criminalization of poverty is a lucrative business and we have replaced the social safety net with a dragnet.

There is no contradiction that prisons are both hugely expensive and very profitable. Just like with military spending, the cost is public cost and the profits are private profits. Privatization in the Prison Industrial Complex includes companies which run prisons for profit while at the same time gleaning profits from forced labor. In the State of New Jersey, food and medical services are provided by corporations which have a profit motive. One recent explosion of private industry is the partnering of Corrections Corporation of America with the federal government to detain close to 1 million undocumented people. Using public monies to enrich private citizens is the history of capitalism at its most exploitive.

I want to share some of the voices that I hear, “I went in when I was 14. They have what they call an MCU there, and it’s like the “hole” in a regular prison. Kids that fight go in there. If you refuse they come and get you. You get a shower once a week and they bring the food to you. I was so cold. “

“I was 12 so they put me in isolation. I heard people scream. I saw boys get strung out on meds. They make you take sleeping stuff in needles. They used pepper spray on this girl who was fighting one time directly in her mouth and she couldn’t breathe. They kept hitting her. We told them that she had asthma, but they wouldn’t listen”.

The US spends less than any other industrialized nation on nurturing its children. In spite of dismal poverty rates, violent juvenile crime has been declining for years. Yet at least 43 states have passed laws making it easier for children to be tried as adults. We can’t escape the similarities with chattel slavery here as well. Not only are these mostly black and brown children taken from their families, they lose any chance for a future of their own choosing.

The voices of adult prisoners are haunting as well: a social worker at Utah State Prison wrote “John was directed to leave the strip cell and a urine soaked pillow case was placed over his head like a hood. He was walked, shackled and hooded to a different cell where he was placed in a device called “the chair”....he was kept in the chair for over 30 hours, being forced to urinate and defecate on his own hands which were tucked under him”.

Women who contact the AFSC describe conditions of confinement which include enduring sexual abuse by staff with one woman saying, “That was not part of my sentence to perform oral sex with officers”. Some of the most poignant letters I get are from prisoners writing on behalf of the mentally ill – like the man in California who



spread feces over his body. The guards' response to this was to put him in a bath so hot it boiled 30% of the skin off him.

These past years have been full of complaints from prisoners and their families, describing inhumane conditions including cold, filth, callous medical care, extended isolation often lasting years, use of devices of torture, harassment, brutality and racism. I have received vivid descriptions and drawings of four and five point restraints, restraint hoods, restraint belts, restraint beds, stun grenades, stun guns, stun belts, spit hoods, tethers, and waist and leg chains. Often the worst torment people testify to is the psychological assault of "no touch torture" which can include humiliation, sleep deprivation, sensory disorientation, extreme light or dark, extreme cold or heat, extended solitary confinement including other forms of intentional placement situations. A systematic attack on all human stimuli.

Prolonged solitary confinement in the form of control units, security threat group management units, special needs units and communications management units, etc. has been a long time concern for many prison activists, on both sides of the walls. Control units surfaced during the 60's and 70's when many in my generation genuinely believe we were free to dissent politically. It was during these tumultuous years of the civil rights era when large numbers of activists found themselves in US prisons. Sensory deprivation was used with imprisoned members of the Black Panther Party, Puerto Rican Independentistas, members of the American Indian Movement, white anti-imperialists, civil rights activists and members of the Black Liberation Army. No threat was more alarming to the government than the black liberation movement with its rejection of non-violent civil disobedience. In later years, we found jail house lawyers, Islamic militants and prisoner activists placed in extended isolation. New Jersey prisoner Ojore Lutalo, was held in the Management Control Unit in New Jersey State Prison for 22 years because of his political beliefs. The collages that Ojore created during his years of internment in isolation are hanging around us. *He will be available for dialogue later about the conditions of his imprisonment and re-entry issues.*

Current efforts to expand the solitary confinement population involve the alleged spread of gang problems in the US. In the 90's the AFSC began receiving letters from people in street organizations placed in units called Security Threat Group Management Units, complaining of extreme isolation, brutality and racial profiling. This is particularly egregious because it is the government which gets to define who a "security threat group" is as exemplified by the Minnesota and Oregon Departments of Corrections listing Asians as gangs, which Minnesota further compounds by adding Native Americans. The physical and chemical abuse in gang units is infamous to those of us who monitor the torment that these young people of color experience daily.

The progression of the use of isolation is most recently known as "Communications Management Units" in federal prisons, which are specifically designed to restrict the communications of imprisoned Muslims with their families, the media and the outside world. This treatment of Islamic prisoners is replicated in US secret prisons throughout the world where almost all of those kept in such places are people of color.

*In a system where 95% of prisoners return to our communities, the impact of these practices is felt far beyond prisons. Dealing with these issues of cruelty aren't just a matter of human decency. They involve, among other things, serious public health concerns with both immediate and long term implications. Public health issues concerning prisoners coming out abound with mental and physical issues, including Hepatitis C, Tuberculosis, HIV, mental illness and symptoms related to post traumatic stress disorder. Many leave prisons without any of the medication which formed the bedrock of their treatment, thereby risking diffusion of these diseases. For more than 25 years, I have provided counseling for people re-entering society from prisons, jails and youth detention facilities. The prognosis for staying out of prison is poor with over 60% of people returning. Prisons are often traumatizing places in the lack of feeling, concern and opportunities for self-improvement. Complex issues of reunification of families at the same time as learning how to build a life make re-entry an incredibly difficult period. How do you teach someone to rid themselves of degradation? How long does it take to teach people to feel safe, a sense of empowerment in a world where they often come home emotionally and physically damaged and unemployable? There are many reasons that ex-prisoners do not make it – paramount among them is that they are not supposed to succeed.*

*The conditions and practices that the imprisoned testify to are in violation of The UN International Covenant on Civil and Political Rights, the UN Convention Against Torture and the UN Convention on the Elimination of All Forms of Racial Discrimination – all international treaties which the US has signed. US prison practices also fit the United Nations definition of genocide, which with this country has a long history. Oppression is a condition common to all of us who are without the power to make the decisions that govern the political, economic and social life of this country. We are victims of an ideology of inhumanity and white supremacy on which this country was built. If we dig deeper into US criminal justice practices, the political function that they serve is inescapable. Police, the courts, the prison system and the death penalty all serve as social control mechanisms. The economic function they serve is equally chilling. Just as in the era of chattel slavery, there is a class of people dependent on the poor, and on bodies of color as a source for income. The Department of Corrections is more than a set of institutions. It is also a state of mind. That state of mind led to Abu Ghraib, Bagram and Guantanamo and what is going on in US prisons right this moment.*

The AFSC has always recognized the existence and continued expansion of the penal system as a profound spiritual crises, one that allows children to be demonized. It is a crisis which legitimizes torture, isolation and the abuse of power. It is a crisis which extends beyond prisons into school and judicial systems. I know each time we send a child to bed hungry that is violence. That wealth concentrated in the hands of a few at the expense of many is violence, that the denial of dignity based on race, class or sexual preference is violence. And that poverty and prisons are a form of state-manifested violence.

*I've been part of the struggle for civil and human rights for over 45 years. I have seen the horror that US government war like policies wreak at home and abroad. I have*



*never seen anything like what we are seeing now in US prisons. My soul is haunted by what I read in my daily mail. We need to alter the very core of every system that slavery, racism and poverty has given birth to, especially the criminal justice system. The US must stop violating the human rights of men, woman and children. We need to decriminalize poverty, mental illness and in many cases, homosexuality. We must alter the 13<sup>th</sup> Amendment and changes the racial and economic profiling of arrest and sentencing practices, and stop the use of “no touch”, physical and chemical torture.*

*Chris has asked me to draw parallels between the current practice of “mass incarceration” of people of color and what is called the “former legal Jim Crow systems”. For many of us, there are no former Jim Crow systems. The transition from slavery to Black Codes to convict leasing to the Jim Crow laws to the wars on poverty, veterans, youth and political activism in the 1960’s has been a seamless evolution of political and social incapacitation of poor people of color. The sophisticated fascism of the practices of stop and frisk, charging people in inner cities with “wandering”, driving and walking while black, zip code racism – these and many other de facto practices all serve to keep our prisons full. In a system where over 60% of those who are imprisoned are people of color; where students of color face harsher punishments in school than their white peers, where 58% of African youth are sent to adult prisons; where black and brown women are 69% more likely to be imprisoned and where people of color receive longer sentences, the concept of color blindness doesn’t exist. The racism around me is palpable in the testimonies that the AFSC receives every day.*

*The 1960’s, when the last of the Jim Crow laws were reversed, this whole new set of practices accepted by law enforcement were designed to continue to feed the money generating prison system, which has neo slavery at its core. This is graphically illustrated in Ojore’s collages featuring the chain gang women of Arizona today. One action of substance we can do together is to create oversight of both the prison and the entire re-entry process – both of which are shameful. We are responsible for understanding the politics of prisons and the economics of prisons. Whether we work to stop war, end white supremacy or oppose the oppressions of globalization and US imperialism, we need to see the connections in our work and the ways these issues connect to the punishment regime. Without that understanding, nothing can change. Until we deeply recognize that the system’s bottom line is social control and creating a business from bodies of color and the poor, nothing can change. An elder of my generation George Jackson said, “there is no turning back from awareness. If I were to alter my step now I would always hate myself. I would grow old feeling that I had failed in my obligatory duty that is ours once we become aware”.*