

# NEPA NEWS

The Voice of the New England Prisoners Association

## Windsor Prison to Close



Vermont is about to become the only state in the U.S. to have no maximum security prison. Kent Stoneman, Vt. Commissioner of Correction, has announced that America's oldest prison will close at the end of June.

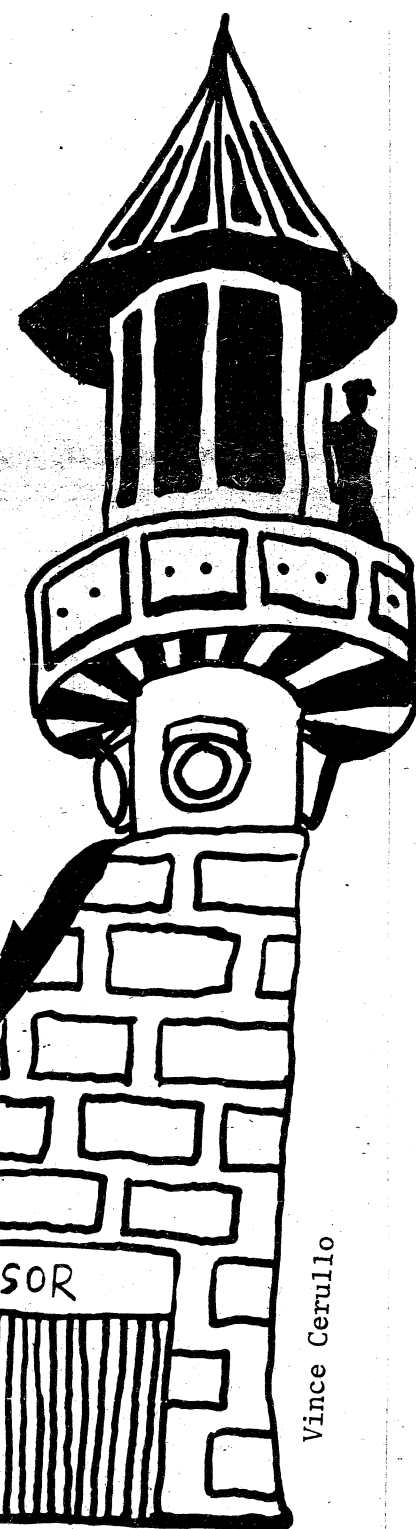
The immediate reason for the decision is simple--no money. Vermont, like all states, faces a severe crunch between rising costs and a citizenry which does not want higher taxes. Stoneman submitted a budget calling for a \$600,000 increase in DOC spending, but Governor Salmon decided on no increase for the DOC and, in essence, left it up to Stoneman to decide what to cut.

The Commissioner faced a decision: close Windsor or severely cut back the programs that have developed in Vermont over the last six years. Most of Vermont's prisoners are kept in four Community Correctional Centers, the State Hospital in Waterbury, and the Diagnostic Center at St. Albans. The core of the program is the furlough system, a system which allows the typical CCC prisoner to spend 25% of his or her time on furlough. (See NEPA NEWS, Vol. II, #9 for an extensive study of Vt.'s CCC's, also available as a pamphlet.)

So the decision was probably not very hard for the man who guided the development of the Community Correctional program.

Though the prison has a capacity for 280 prisoners, it has been housing about 80 for the past year. Most of the men will be transferred to the CCC's, though this has its complications, as the Windsor Prisoner Community Center pointed out:

*It seems likely that the Community Correctional Centers will become more crowded, even with the opening of the new Burlington and St. Albans facilities. They already are overcrowded. More people will have to be let out on furlough and work release, (if they can find work). For the*



Vince Cerullo

system to handle the move, changes in the court level should and might occur: fewer people being smacked with excessive bail, instead, being released on their own recognizance. With little space to hold detentions, judges might become more lenient in setting bail. On the other end of the jail term, it seems that more people will be paroled and placed on probation sooner than before the closing.

A few of the prisoners, however, will be transferred out of state. This is, as the Windsor PCC points out, *Another example of Vermont not really dealing with the problem.*

*If the philosophy of the DOC is really one of "Community Corrections", then solutions within the state for all prisoners should be explored and made available. A partial solution is already available in that, if the problem with those to be shipped out of state is security, the St. Albans facility has actually been tighter than the old Windsor prison.*

All in all, the closing of Windsor is a step forward. But it is a long way from the end of the struggle in Vermont. The WPCC has plans also. They hope to open another PCC in St. Albans, and Martha Ab-

bott, a PCC staff member, is now organizing support in the Burlington area. The Support Group in Woodstock will continue. So from the closing of one prison will come expansion and diversification across the state.

Finally, no one knows what will happen to the old dungeon itself. Over a million dollars in renovations has gone into the building in the last couple of years. Perhaps the town of Windsor can find a way to at last use the space for something constructive.

# Dukakis on Prisons

"One of the things that has caused most of the public confusion is the lack of definition of just what this thing called 'prison reform' means in tangible terms and what the time span would be," said new Massachusetts Governor Michael Dukakis to Flora Haas, prison activist and reporter for the Boston *Phoenix*. In an interview published in the *Phoenix* of Dec. 10, Dukakis called for a written master plan for prison reform, to be compiled by the Department of Correction.

He said he thought "everybody ought to be included" in debating a master plan, including prisoner and ex-prisoner groups such as NEPA. Dukakis opposes the death penalty and would support a bill which would reduce parole eligibility time from two-thirds of sentence to one-third of sentence. Excerpts from the interview follow.

*On Community Corrections:* "The whole question of community based facilities has a great deal to do with the quality of the facilities. We've gone through this in mental health for a while and discovered much to our dismay that it's great to talk about releasing people to the community, but not when you don't have facilities capable of treating them and housing them effectively and well... Any program for release to the communities is going to have to be planned and implemented very carefully."

*On behavior modification:* "I oppose the policy of drug experimentation, and I don't like the idea of behavior modification... There are all kinds of sources of intimidation that lend themselves to person's being--quote--volunteers--that's the crux of it."

*On segregation:* "Regrettably, you do have situations where certain inmates have to be segregated if they have acted outrageously, so the whole institution isn't disrupted... I'm not for putting them all up in a place like Portsmouth, N.H. and experimenting on them."

*On Bridgewater:* "I think the problem with Bridgewater is it's never been a decent facility... I hope we can open the new section one of these days."

*On treatment:* "I am becoming increasingly job and job-training oriented so far as the approach to rehabilitation is concerned. It's almost ridiculous to talk about an inmate's leaving the institution and staying out, if he comes out with no more job skills or ability to survive economically than he had when he went in."



*On de-population:* "I think it's likely we can move in that direction but that depends on a careful definition of standards: of where we do it and how, and the existence of community facilities adequate to deal with public security and the return of the offender."

*On state control of county jails:* "Over the next eight or ten years, I think it would make sense to have some reasonably unified correctional system in which the newer and good county institutions could be used for minimum security."

*On maximum security prisons:* "Now that doesn't mean I don't think we're going to need maximum security institutions in this

state. Regrettably, we are...I don't think we're going to be able to close down all the prisons."

## Nepa News Comments

We at NEPA NEWS are certainly glad to know that Gov. Dukakis does plan some reforms in the direction of smaller joints, more community correction, no behavior modification or drug experimentation. We also approve of the idea of planning ahead.

How far or fast Gov. DUKAKIS IS willing to go remains to be seen. We are certainly discouraged by his retention of Commissioner Hall. We have not yet seen whether the Correction Dept. Budget will call for more military hardware or more job training. We fear that, per usual, it will call for hardware and "security".

Governor Dukakis has clearly not come to understand that prisons do more to harm society than to help society. Until he comes to that understanding, it is all too likely that the "reforms" will be window dressing, will not get to the root of the real problem of prisons--their very existence.

Finally, we agree that a master plan could be productive. We are confident that prisoner and ex-prisoner groups would participate in the debate over such a plan. But we are aware that the state of Maine has a Task Force to accomplish much the same thing; and SCAR at first participated, then withdrew. The reason--the Task Force refused to examine the roots of the problems, and did not attempt to come up with bold and creative solutions to the very old problems.

If a master plan is to originate in the Department of Correction, the chances of it proposing anything really significant are, almost nil. We feel that the prisoner and ex-prisoner groups should get together their own task force, to plan the steady dismantling of prisons and a new solution to the problem of crime. With such a plan, prison reform/abolition groups can be prepared to deal, and can have something concrete to show the public in addition to or, if necessary, in opposition to what the DOC plans.

## Massachusetts Legislation

This year NEPA has submitted three bills to the new Massachusetts legislature that, if enacted, will greatly effect the live of Massachusetts prisoners.

The first bill (Senate#694, House #1263) proposes a guaranteed minimum wage for all work done by prisoners. This bill hopes to put an end to the disgrace of slave labor. It is now in the Human Services Committee of the Senate.

The second bill is also very important and would seem to anyone with reason and forethought to be, at the very least, no additional burden to the prison administrations in terms of security or the legislature in terms of money. This bill, which provides for unrestricted visits, could only help ease the tension that exists in all prisons. This piece of legislation would eliminate the petty regulations concerning the number of visits a prisoner can have and it will finally end the discrimination against ex-cons and other people who have traditionally been banned. The only people prohibited would be those awaiting trial for an offense committed in a prison, such as smuggling in contraband. This bill, Senate #697 and House #1328, is also before the Senate Human Services Committee.

Finally there is a bill which says, NO NEW PRISONS! This bill specifically outlines reasons for a necessary moratorium on the building of prisons in Massachusetts for fiscal '76 and '77. Senate #696 and House #1327, not yet in committee.

All these bills are important to all of us, whether we are in prison on the outside or in prison on the inside. As unresponsive as the legislature has appeared in the past year, it must be remembered that we now have a new legislature that is more apt to be by the knowledge of prison life. There is a need to know--so let them know what you and your families think about prison, and let them know of the importance of these pieces of legislation.--Donna Parker.

## Open Letter to Gov. Dukakis

To: Governor Michael Dukakis  
From: L.R. Bingham

Dear Sir:

In watching closely your campaign and appointments since election, I am pleased that you show an interest in the problem of corrections here in Massachusetts. But along with other concerned people, I wonder if again the weight of the real problems at MCI Walpole will be shifted from the real cause to the inmate population.

Your re-appointment of Commissioner Hall, although bewildering to me, could possibly turn out to be a good thing, if under your request he does try to formulate and implement community based centers of genuine rehabilitative programs, and quite necessarily and finally, abolishes antiquated inhuman institutions such as Walpole.

I wonder too, if your intentions are, as you say, to make the correctional system work for the inmate as well as the community, if it wouldn't be an extremely wise choice to speak to the only real experts on the present situation at MCI Walpole, those being the inmates themselves, as they not only have the time, but also a genuine desire to better the institution for all.

In your request for Commissioner Hall to find a more workable progressive system of corrections than Walpole, even if exceeding the present budget, I would like to point out to you that studies of this nature have been conducted and brought before the senate ways and means committee, only to be totally disregarded. These methods, were they implemented, would not only provide more community based centers, but also would cut the budget extensively. If you are at all interested in these studies and proposals, they can and will be re-submitted to your office.

Although you seem to be interested in doing some good things for the men in Walpole in the future, there is no better time than now to begin. This could be done by taking some time and serious con-

sideration into the 18 demands made by the nine men that took hostages on December 10, 1974, representing almost the entire population. Although I am sure you do not agree with the tactics used by these men, you must think long enough to realize that these men have been stripped of all bargaining power, dehumanized in the eyes of the public by one-sided accounts of incidents in the institution, and almost always unheard, no matter how loud and valid their shouts.

The situation at MCI Walpole is most intolerable, even by the strongest of men, and must be dealt with now. There is a highly explosive tension at the institution that, regardless of the new security measures being enforced by Superintendent Gunter, will explode if there is not some effort made to help the men, or at least the chance to help themselves is given.

I employ you not only as our governor and a lawmaker, but as a man and human being and more than that a "Servant of the People", to please take an active interest in the inhuman conditions at Walpole and their necessary change.

In closing this plea, I would like to offer any time and assistance in making you aware of all that is happening at the institution. Thank-you for your time. We will be available at your convenience to discuss any of this further with you.

s/L.R. Bingham





# Court Orders End to DSU

by Donna Parker

As most Massachusetts prisoners know, Bobby Daigle, Arty Morrow and Jerry Sousa have been struggling against their continued confinement in the Departmental Segregation Unit (DSU) for close to a year now. Their struggle has been waged through classification hearings, public hearings, petitions, a two-month hunger strike, and finally a federal court suit.

The Department of Correction (DOC) has long feigned deaf to these actions, much the way Richard Nixon pretended to be watching football games during mass demonstrations against the Vietnam War. But on December 20, Judge Walter J. Skinner handed down a decision (Civil Action No. 74-4783-S) which prohibits the DOC from ignoring the realities of 10-Block at Walpole.

This court order will not only affect the immediate release of Arty Morrow and Jerry Sousa to population, but also all prisoners now and hereafter involuntarily confined in segregation. The order will require the DOC to have strong proof about the need to keep a particular individual in DSU. The DOC is now trying to do just that, and circumvent the decision, in the case of Bobby Daigle (more later).

The DOC has long asserted that these prisoners were not being punished, but rather, treated. In this way the DOC justified the lack of due process for those transferred to DSU. However, Judge Skinner's decision specifically states:

*"I therefore hold that any classification which imposes a substantial adverse change in the conditions of confinement because of specific prior conduct is disciplinary and subject to the minimum standards of due process imposed by Wolff v. McDonald... If it is ever claimed that transfer of an inmate to Cell Block 10 is justifiable for any reason other than discipline, the defendants (DOC) will have the heavy burden of establishing such a proposition by some form of objective evidence."*

Further, and more importantly, the decision effectively rules out 'treatment' programs in 10 Block with the following order:

*"The defendants (DOC) shall not transfer the plaintiffs to the DSU for treatment without a hearing, not until they have made specific findings based on evidence adduced at such hearing that there is a treatment program available in such unit which is more appropriate for each*

*plaintiff's then condition than any treatment available to the general population at MCI Walpole."*

What this decision means is that the DOC will have to prove in every case that confinement in segregation for reasons other than punishment of a specific infraction will prove more "rehabilitative" than treatment in population. And as horrendous as Walpole is in itself, nothing can compare to the denegrating and dehumanizing life within the hole of 10-Block.

This decision has essentially ordered



Robert Daigle of Block 10.

10-Block closed. The Prisoners Rights Project, which brought the suit for the DSU captives, has stated they will intervene on behalf of all prisoners now held in involuntary administrative segregation. They are confident that under these new conditions, the DOC will no longer be able to hold prisoners in segregation for indeterminate periods.

The strength of the victory is already under test. The DOC is attempting to squash (or circumvent) the effect of the ruling. The DOC managed to get Bobby separated from the rest of Skinner's decision, and obtained an injunction holding him in DSU. One DSU hearing has been held, but Bobby remains in DSU. The Prisoners Rights Project has stated that it will confront the DOC every step of the

way until Bobby is released to population.

However, the decision itself is important and timely, and will affect those prisoners who, just as Bobby Daigle did last year, seized two guards and a hostage to call attention to the conditions in Walpole. In the past, rather than listen to the desperate pleas of the prisoners, the DOC has either locked them up in segregation indefinitely or shipped them out. This 'cure' will work no longer! As shown by this court order, and also by the order returning Norfolk prisoners shipped to Walpole back to Norfolk, the DOC must follow two procedures.

First, as outlined in the DSU decision, the DOC must adhere to the following guidelines which protect the rights of due process:

--1. Advance written notice of charges must be given to the prisoner, no less than 24 hours in advance of hearing before an impartial tribunal.

--2. There must be a written statement of evidence relied upon and the reasons for the disciplinary action.

--3. The inmate should be allowed to produce documentary evidence in his behalf, and to call witnesses if permitting him to do so will not jeopardize institutional safety and correctional goals.

--4. Where the inmate is illiterate, or where complexity of issues makes it unlikely that the inmate will be able to collect and present evidence necessary for an adequate comprehension of the case, he may seek the aid of a fellow inmate, or if that is forbidden, to have adequate substitute aid from staff or a competent inmate designated by the staff.

Second, the decision stipulates that if, after adhering to the above guidelines, a prisoner is found guilty, the DOC must "clearly identify disciplinary proceedings". This means that the DOC can isolate or segregate a prisoner for a specific and limited period of time.

Again, this is a major victory for prisoners, but we cannot expect the DOC to cooperate in any way. We can expect them to continue to weasel prisoners out of their rights, as we can expect prisoners to continue to fight for their rights.

If any prisoner feels that the DOC is violating their rights in this way, they should contact the Prisoners Rights Project at 2 Park Square, Boston, Ma.

## Merry Xmas

Last year, Commissioner Hall gave Norfolk prisoners Warden Larry Meachum for Christmas. Norfolk doesn't have the market cornered on Hall's Christmas spirit, however. This year for Christmas, Hall gave Walpole prisoners Warden Frank Gunter. Truly in the spirit of Christmas, the new warden proceeded to give the prisoners a lock-up and shake-down. It started with the cancellation of the BANTU Kwanza celebration. Sound familiar? Who can forget Porelle's lock-up of three years ago which began in the same way. Walpole prisoners were locked in their cells for 74 days without visits.

Apparently, this is not a first for the new warden. Before leaving North Carolina, Gunter kept 500 prisoners at a medium security prison in lock-up for 18 months. Prisoners at Walpole have already been in lock-up for a month, and few visits are allowed.

Warden Gunter must soon make an important decision concerning his deputy wardens. Although there are only two positions, there remain three deputy wardens. If Gestapo tactics are to cease in Walpole, it is Friendly Fred Butterworth who must be shipped out to a comfortable desk job in the downtown office. Former Commissioner John Boone recognized this fact. It was one of the first things he did in his vain attempt to reform the sham of Walpole.--Donna Parker.

you should keep up solid communication with the state's newspapers, radio and TV stations. We are no longer at a stalemate on prison reform--we are moving backwards.



## Donna says: Write for Nepa News

by Donna Parker

For the past year and a half I've talked to many cons in Massachusetts about writing for the paper. Unfortunately, there has been little response. Not only has it been impossible for me to cover everything that goes on inside and outside the joints here in Mass., but it is politically and educationally incorrect for an outsider to write for prisoners. Surely it is the prisoner who must educate the people about the prisons and not vice versa.

I will be glad to collaborate on articles and help get information that you may not have access to. If you feel uptight about your writing ability, I'll be glad to help out there too.

All this is particularly important in the wake of the (Nixon) Supreme Court

decision of last summer which did a heavy number to the freedom of the press in regards to access to prisons.

Commissioner Hall has not allowed any reporters to see any cons involved in any protest actions recently. Apparently he believes that if prisoners don't see the results of their crusaders' life in the media, they'll forget why they protested in the first place. In this way, Commissioner Hall successfully pits public opinion against cons. The only thing the public hears is the violence of the prisoners. They never hear about the violence of the prison which brought the action on.

What this means is that not only should you consider writing for what I hope you consider your paper, NEPA NEWS, but also

# Seventeen Thousand Big Ones



Meeting of NPRA Internal Board of Directors

by NPRA News

Seventeen thousand big ones is: \$17,000,000.00 or \$17 million, depending on where you are reading about it. The amount of money remains the same, but the number followed by all the seven zeros registers a much more impressive figure. Seventeen thousand big ones is the amount the Dept. of Corrections is asking to get Rhode Island's penal system in shape.

To be honest about an inmate's point of view, there aren't very many who would get upset about any expenditure of tax dollars, even if the money was being totally wasted—and I don't mean to imply that this is the case here—the inmate's only concern is how these things directly affect him.

We hear about the money request and the mention of new institutions and cannot help wondering if the intention is to erect more cages and human storage bins. Probably not, since everything negative that can be said about a place has been used to describe the main prison here in Cranston. It goes deeper than the mere ugliness of the place; there is something in the very air which gives you a creepy, uptight feeling. Perhaps it is that which causes visitors to remark upon entering our front gate that they get a "feeling of oppression". A sense of that feeling can perhaps be derived from the pictures. A CELL-BLOCK, men stacked like laboratory specimens..... STEEL .....the intermittent crash of doors ..... loudspeakers. Oppression seems almost to be an understatement. The near beaten-down manner of many of the inmates

reflects their weariness of "super-security". For most, two-thirds of their time is spent in a cell. Very few have jobs, with fewer that could be considered interesting or meaningful, and working hours are short.

This is an "INSTITUTION" and when we hear "new institutions" mentioned it is only natural to relate to the one we know best. I'm sure the plans for the new places will stress the fact that these new modern structures will be nothing like this place. The whole point in describing the atmosphere in the ACI is to show that it's not entirely the physical aspects that make an "institution" what it is. A golden cage is still a cage... and it can become much worse.

To be fair, I must mention that progress does seem to be creeping into Rhode Island's correctional system. The programs, such as the Jaycee Hobby Shop and the N.P.R.A. implant printing operation that were ALLOWED by the administration, seem to be headed in the right direction that may eventually prove to be the most effective method of instilling a sense of responsibility and direction in the here-to-fore unreachables. The idea of thrusting the word HONOR upon an inmate is right on... a new experience for most of them. This type of program turns out to be an "exercise in learning to live" and does away with the ridiculous idea of trying to "rehabilitate" a man while he is struggling to maintain his sanity coping with

Youth Commission. Letters are being drawn up and mailed to LEAA and other agencies requesting grant eligibility requirements. The Youth Commission itself is sponsoring a banquet for inmates and their guests, featuring a first, a Chinese menu, hoping to raise some of the much needed money.

We feel the Youth Commission is indeed a fresh, new and very much needed organization that deserves all the support it

the completely alien and unnatural environment of a prison.

Although there is hope on the horizon, to many of us here in the Zoo, it resembles the eternal carrot that drives us, which we may never reach. This "institution" is going to be around for a long time to come—in fact, they are still adding electrical security gates within its walls. It's the same old story—most will agree the prison is overcrowded, expensive to run, disgusting to look at, and for the most part, defeats anything constructive in the way of corrections, but nobody seriously suggests getting rid of it.

Crime, punishment and corrections are now very much in the public eye—it's the "in" thing. Comments contrived to produce maximum publicity range from U.S. Attorney General William Saxbe's "rehabilitation...is a myth" (give 'em life) to Federal Court Judge Frank M. Johnson's refusing to rule against "rehabilitation as a right". Do you hear any of the would-be statesmen come out with any positive, SPECIFIC ideas concerning the problem? Do the "happy hopefuls" suggest we experiment with wage incentives? Prison communities? Any specific progressive idea or plan? You hear, "I'm going to crack down on crime." MANDATORY PRISON TERMS... life sentences for losers... get tough on criminals. Irresponsible as election talk, with catchy phrases obscure in definition, what do they intend as specific action?

Latest figures report 2.5 million small ones—that is 2,500,000 HUMAN BEINGS enter the various corrections systems of this country EACH YEAR. Yet these political/financial wizards are going to lick inflation by cutting government spending in one breath, and lock more and more people in costly institutions in the next. Is this realistic? Should we be polite and say this is somewhat contradictory logic?

If the present trend continues many other Dept. of Corrections will be asking for "seventeen thousand big ones"—and more. "Lock 'em up forever" has been tried and rejected time after time throughout history. It's neither a solution nor an answer, but merely a stall—a failure to progress.

Use the millions of dollars, Rhode Island, if you must; but please not for more "institutions" like this one. Instead, let's seek to purchase self-respect and responsibility and hope to flavor it occasionally with trust. Cages, gas guns, clubs and de-humanization—these things are all re-runs that didn't work before. Sure, these things succeed in making and keeping "criminals" miserable. They punish. We really want to do more than that, don't we?

can gather. The search for recognition and assistance can be uphill, as it must seem, but the members are dedicated and sincere. We all would like to know that the young people here at the ACI, the Boys Training School, and even the Children's Center, are being counseled, told if you will, the way it is, by youth-oriented men in a system that has not realized the colossal waste of young lives for which it is responsible.

## Commission

(The Youth Commission at the ACI in Rhode Island was formed by prisoners to help both young prisoners at the ACI and juveniles at the Boys Training School—ed.)

From the NPRA News

The Youth Commission is unique in its conformation, but like all organizations existing in the ACI, it has been experiencing the inevitable "baptism by fire".

It has been several months since we have last heard from its rank and file. The Youth Commission has busied itself in organizing by drawing a charter, forming and reforming an internal and external board, recruiting volunteer help, and writing to corrections departments throughout the country reputed to have the best systems in handling youthful offenders, such as the Minnesota Department of Corrections. Hopefully the information received can be used in the implementation of a program the Youth Commission can establish here.

At the ACI the Youth Commission has been able to establish an information center for awaiting trial inmates, utilizing their members as volunteer counselors. There is also a Youth Commission phone for incoming inquiries to answer questions of friends and relatives on how to help their loved ones who are unfortunately incarcerated.

As with everything these days, funds are one of the main concerns facing the

## Death Penalty

by Shelly Killen

The death penalty was brought back to the State of Rhode Island last year after the slaying of a guard in the ACI. Rather than face the reality of prison life and the fact that the prison itself is a violation of the human condition and conducive to extremes of violence, the state chose to perpetuate the most hideous of crimes—capital punishment. Three men from the ACI are slated for the gas chamber, unless all of us who are concerned with the quality of life demand that this heinous law be repealed.

In most instances, the rationale for the death penalty is the claim that society merely wishes to forestall further crime. This is contrary to all of the facts, which indicate that the death penalty in no way decreases crime. The writer Albert Camus pointed to the truth that:

a punishment that penalizes without forestalling crime is indeed an expression of revenge. It is society's reply to whoever breaks its primordial law; it is the law of retaliation. Capital punishment is the most pre-meditated of murders, to which no individual's criminal deed, however calculated, can be compared.

Byron Esheleman, former Protestant chaplain at San Quentin Prison, who has worked intimately and at great length with men and women awaiting execution, wrote: "Increasingly, I have come to believe that the death penalty as a method of coping with its trouble is evidencing the same desperation, panic, and outrage as the individual, who in his instability killed a fellow human being. The striking paradox is that in embracing capital punishment as a method of destroying evil, we enshrine

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from North Country Star

Vermonters for Justice have announced their plans to submit petitions containing approximately two thousand signatures to the Board of Aldermen early this month. The petitions request a public hearing concerning possible police negligence in the shooting death of Luis Ponce Rodriguez last September. The group has issued the following statement:

"We are citizens who have come together seeking assurance that justice has or will be done. We further feel that only when full disclosure is made of all facts relevant to Rodriguez' death can the people of this community exercise their right to decide if there has been negligence or misconduct on the part of Detective Miles and the Burlington police department. The public has the right to know the answers to such questions as:

1. With four officers present, two with drawn revolvers, and Rodriguez pinned against the wall, why was he shot in the back of the head?
2. Were proper police procedures followed? Were spotlights used? Was the alley floodlight in operation? If not, why not?
3. Were Rodriguez' actions interpreted as a threat because of his language barrier?
4. Why wasn't a less violent means, such as clubbing or macing, used to subdue Ponce?
5. Can we expect the State's Attorney Office and other law enforcement agencies who normally work in mutual cooperation with the police, to conduct an impartial investigation of the police?
6. Was there negligence or misconduct on the part of the Burlington police department?

These are but a few of the questions that remain unanswered. Numerous contradictions also need clarification. Vermonters For Justice find the lack of cooperation by the police and the State's Attorney's office disheartening and feel it undermines faith in the law enforcement system. The accountability of all public servants, including police, is necessary to insure a single standard of justice for all citizens--not one for those in positions of power and another for ordinary people.

## Lawsuit

The Vermont American Civil Liberties Union (ACLU) has filed suit on behalf of the widow and son of Luis Ponce Rodriguez seeking \$1.35 million in damages from the City of Burlington, Vt. and four police officers. Following the filing of the suit in early January, the International Brotherhood of Police Officers asked that the American and Vermont Bar Associations

## Legal Aid at ACI

In March of 1974, the Law Enforcement Assistance Administration of the Department of Justice funded the Inmate Legal Assistance Program for the Rhode Island Adult Correctional Institutions. The funding provided for two full-time attorneys, Ronald E. Cook and David L. Chiras, and a stenographer appointed by and responsible to the Department of the Public Defender.

The program serves the legal needs of indigent inmates, be they convicted or awaiting trial, and encompasses civil matters, post conviction remedies, parole and administrative problems. Present conditions at the prison have resulted in a caseload of predominately administrative matters, more particularly allegations of brutality, groundless disciplinary charges, inadequate medical facilities, lack of rehabilitative treatment, illegal classification and various abridgements of prisoners' constitutional rights.

The Inmate Legal Assistance Program filed a consolidated class action (Ben David v. Trivisono) in July, 1974, alleging cruel and unusual punishment on the part of prison administration and specific guards on behalf of "Medium Security" inmates, a majority of whom are awaiting trial. A temporary restraining order was granted and in September-October an extensive hearing on preliminary injunction was heard



investigate the Vermont ACLU, maintaining that ACLU Director David Harrison has a conflict of interest as he is administrator of Ponce's estate. The IBPO has threatened a countersuit, and in mid-January a member of Vermont's legislature introduced a bill calling for an investigation of Vermont's ACLU. The bill is in committee.

Some Vermont legislator is also requesting an investigation because he thinks the Vt. CLU is "soft on criminals". What's new?

before Judge Raymond Pettine of the United States District Court for the District of Rhode Island. An extensive order dealing with the declaratory and injunctive relief requested, including the appointment of an ombudsman, is expected in late December.

Included within the action was a claim by several inmates for money damages resulting from alleged cruel and unusual punishment. A bifurcated jury trial on this issue was had and the six-person jury returned a verdict for the plaintiff prisoners on twelve of thirteen counts. Three prisoners were awarded nominal and punitive damages totalling over \$5,500 for the excessive and unwarranted use of gases.

It is the expressed intention of the I.L.A. Program to effect a transformation of present conditions at the Adult Correctional Institutions into more progressive, enlightened, and constitutionally mandated policies.

## ACI Demands

In view of a recent Federal Court decision against three prison officials and two prison guards in a brutality suit, we hereby demand the resignations of those ruled against. To allow them to remain within the Rhode Island Dept. of Corrections, in any capacity, would only serve to diminish the jurors' findings and be an

N.H.S.P., probably even more than other prisons in New England, has little if any in the way of meaningful programs which encourage or even allow men to learn skills or develop latent talents. With a few small exceptions, like the college courses that were offered here this past year (and which by the latest reports are headed for the chopping block), the rehabilitation programs of the administration are a standard joking matter for all cons--actually a pretty sad joke at that. Yet this does not mean that all people give up hope and just vegetate for X number of years, for even though it often involves a great amount of personal cost and perseverance many prisoners try to gain further knowledge and develop various skills on their own, and sometimes in spite of the numerous stumbling blocks that the prison officials too often throw up in their way.

One fine example of this personal striving and self-training helped to make Christmas Eve a more tolerable, maybe even enjoyable time behind the walls of N.H.S.P. this year. Instead of the routine schedule of weightlifting or card or pingpong playing, that usually occupies the evening recreation hours of many men here, a group of musically talented brothers put on a three hour show in the gym on Christmas Eve. The men, who recently named their band CLOUD, have put a lot of time, energy, and money into their musical efforts. Cloud consists of Steve Acorn playing a dynamite lead guitar, Ronnie Gelinis singing lead vocals and playing rhythm guitar, Lionel 'Lie' Poliquin with back up vocals and special percussions, Rene Vayens on rhythm guitar, Mike Mullens playing keyboards/organ and doing some piercing back up vocals, Robert 'Lefty' LeBlanc filling the bottom with his solid sounding bass playing, and last but certainly not least Paul Lemire pounding out some heavy sounds on his drums. Cloud plays basically hard rock, which had most of the men up on their feet and boogying like the good old times, although Ronnie can lay out some pretty mellow vocals in ballads as well.

What is significant about Cloud is that most of the members have never had any outside experience in playing in a group and some of the men have only started playing their instruments since being locked up. Added on this is the fact that until recently the group only had the ability to practice a few nights a week, although now an area has been set up where they can practice every day during yard time. Besides the long hours of practice the members have put up many thousands of dollars of their own money--a very difficult thing to do especially when you are earning 75¢ a day--to buy decent equipment, since the prison does not supply any instruments or music programs. In spite of all this, Cloud put on a really good show that was appreciated by all the men who attended. During the break, Carl Hoitt, on his steel guitar, along with Bernie Martin on guitar, played some country and western music.

The feelings of most men were probably best summed up when Lie stated that even though we are all in a bad situation we've got each other so let's have a good time, and merry christmas.

## Death Penalty (Cont.)

the very same evil in our own persons as agents of the state and society."

We ask all readers of NEPA News to write to Governor Noel and local senators and congressmen asking that the death penalty be abolished in Rhode Island. Also, contact Shelly Killen

College Community Art Projects

Al faculty Apts.

Kingston, R.I. 02881

for further information on Capital Punishment and opposition to capital punishment.

injustice to those truly dedicated to prison reform. We must not, and cannot condone such atrocious acts by allowing those guilty ones to remain among our ranks to "fester" our system.

# Somers Union Loses Suit

In a decision handed down on Nov. 22, 1974, Federal Judge J. Blumenfeld ruled that the Connecticut Department of Correction has the right to prohibit the formation of the Somers Prisoner Union. In essence, the court ruled that the state's right to security outweighs the prisoner's rights of assembly, petition and association as granted by the first amendment. The court further declared that though prison officials may not prevent prisoners from communicating with counsel on an individual basis about the right to form a union, this right does not include prisoner's receipt of stencils or multiple copies, such as one intended for distribution among the prisoners.

Put simply, the decision is a sharp set-back to the struggle of prisoners to organize themselves to gain a voice in the institutional practices which affect their lives. The right of one of the most repressive prison administrations in the U.S. (see "Project Divide", Nepa News, Vol. II, #6) to continue to totally control the prisoners has been upheld in Federal Court.

However, serious as this case is, it is not fatal. First, the decision directly affects only Connecticut, though administrators will, in the future, rely on this decision to bolster their cases. Second, the balancing factor remains security vs. 1st amendment rights. The decision affirmed that the question is one of balance. Hence administrators must prove (as the U.S. Supreme Court noted in *Pell v. Procunier*, 417 U.S. 817, 42 LW 4998) security precautions are large enough to override the prisoner's demands. A decision by a judge in any such case is likely to reflect the biases of the judge.

Prisoners will continue to organize, to struggle for the right to form unions. It is a question of time before such a case arises at the Supreme Court. At such time the court may establish some sort of guidelines for balancing security against constitutional rights. Unfortunately, the court is unlikely to decide that prisoners rights are the completely defining factor. The best we could hope for would be severe limitations on the use of security as a pretext for political repression.

Meanwhile, prisoners (and their supporters) should not allow this decision to dampen their determination to gain their rights, a struggle which includes the use of the courts.

## Decision

*The following is the substance of the decision as printed in The United States Law Week of 12-24-74.*

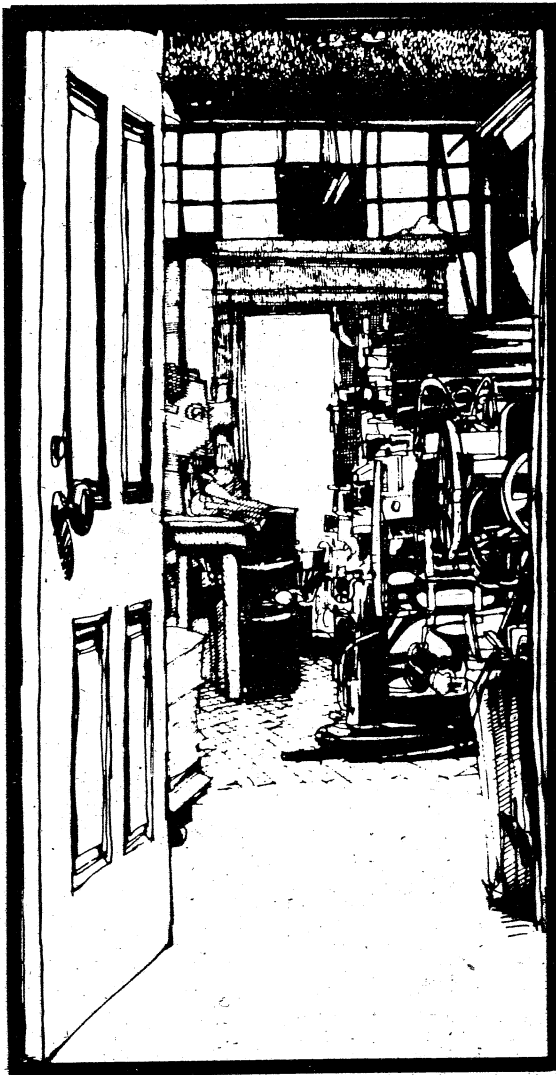
Alternative avenues of communication and legitimate interest in maintaining security and order warrant state prison officials' refusal to allow formation of prisoners' union.

A group of Connecticut inmates, all but one of whom are incarcerated at the correctional institution at Somers, brought this 42 U.S.C. 1983 class action for declaratory and injunctive relief against certain officials of the Corrections Department who attempted to discourage and prevent the formation of a prisoners' union. The union, according to the prisoners, would be vehicle for the discussion of grievances and for the proposal, by elected representatives, of suggestions and criticisms to the prison administration. The defendant's activities included segregation of inmates who were found in possession of stencils dealing with the union's formation, and the refusal to allow inmates to receive from lawyers multiple copies of information pertaining to the union.

Plaintiffs assert that the First Amendment rights of assembly and petition and the right of association guarantee them the right to form, join, and conduct a prisoners' union. They further contend that the state may curtail their efforts only upon demonstration of a compelling interest centering about prison security or a clear and present danger of a breach of security or substantial in-

terference with orderly prison administration. See *Goodwin v. Oswald*, 462 F.2d 1237, 1244. The question is of first impression in this circuit. As is noted in *Pell v. Procunier*, 417 U.S. 817, 42 LW 4998, First Amendment rights are not absolute; we therefore proceed on an interest-balancing approach, beginning with the prisoners' interest.

(Text) At stake here are the 'political' rights protected by the first amendment: the right to speak freely and to associate with others for the advancement of shared interests. There are two distinct aspects of the right of association criss-crossing each other that are involved in the union which the plaintiffs seek to organize. One is the interest in associating with others in a group, and the other is in taking group action. With respect to the first of these, the right to associate with whomever one chooses takes some coloration from the right to privacy. But, as Judge Friendly (formerly Chief Judge) pointed out in *Rosenberg v. Martin*, 478 F.2d 520, 524-525, "thus far only the most intimate phases of personal life have been held to be thus constitutionally protected." With respect to the second of these rights of association, it must be noted that even for free persons in society at large the right of association is not absolute. \*\*\*



In evaluating whether the seriousness of the deprivation of the first amendment rights suffered here invokes their nonabsolute constitutional protections, the Court must heed the teaching that *Pell* drew from *Kleindienst v. Mandel*; 408 U.S. 753, 765 (1972) 40 LW 5103; where restraints on rights of prisoners to communicate with each other are involved, a court must "regard the available 'alternative means of communication' \*\*\* as a relevant factor" in a case such as this \*\*\* (End Text)

In each one of Connecticut's correctional facilities, several avenues are open to prisoners for communicating their suggestions and complaints to prison officials at every level. Although the inmates have no right under the present system to send elected representatives to speak with officials we conclude that the existing methods of communication are adequate to give every prisoner a fair opportunity to present facts, opinions, and arguments on any matter relating to the conditions of his confinement.

Turning to the state's interests, we note that the parties presented conflicting views as the effect of the union on



internal security. The Warden was concerned that one of the named plaintiffs might attempt to provoke a racial incident, and there is factual support for the Warden's fears. And the Commissioner was of the opinion that any system of elected representatives would be distorted by the difference in objectives between long and short-term inmates. Further, he suggests that long-termers would resort to pressure, physical coercion, and intimidation against short-termers. These fears are not unfounded, and following *Pell* we must accord prison officials great latitude in their response to considerations of security.

(Text) Concededly the plaintiffs' associational and speech interests may be abridged by denial of the right to organize. On the other hand, this abridgement is slight and must be weighed against the interest of the state in the internal security of its prisons. The Court concludes that the state's interest predominates and that the Commission's refusal to permit the organization and operation of a prisoners' union within the prison at Somers does not unconstitutionally restrain any rights of the plaintiffs. (End Text)

*National Prisoners Reform Association v. Sharkey*, 347 F.Supp.1234 (USDC RI 1972), and *Butler v. Preiser*, 380 F.Supp. 612, are distinguishable on three grounds. Both cases (1) were decided before *Pell*, (2) were found to involve no threat to internal prison security, and (3) involved the retraction of rights previously extended rather than a refusal to extend further privileges.

Prison officials cannot, in view of right of access to courts guaranteed by Fourteenth Amendment, prevent inmates from communicating with counsel on individual basis about right to form union.

(Text) In *Goodwin* the court held that correspondence between counsel and inmates relating to the possible formation of a prisoners' union falls within the scope of legal questions concerning which they may communicate with each other. 462 F.2d at 1243. This Court is foreclosed from making a different assessment. (End Text)

The defendants maintain that allowing literature into prison which holds forth the prospect that the formation of unions will be permitted when such unions are not allowed will only lead to a strong psychological set-back to interested inmates, with adverse effects upon morale throughout the entire prison population. But the defendants make no claim that the materials in question endangered the physical security of the prison. According to the "compelling state interest" test recognized by the Second Circuit in *Goodwin*, the spirit of discontent which the defendants fear is clearly insufficient to justify the total ban. Thus the ban violated principally the plaintiffs' Fourteenth Amendment right of access to the courts.

However, stencils or multiple copies are obviously intended for distribution among inmates within the prison. This fact raises much more forcibly the risk of agitation and unrest that prison administrators may legitimately seek to combat. Therefore there were no constitutional violations in the prison's decision to confiscate the stencils and multiple copies of union materials.-- *Blumenfeld, J.--USDC Conn; Paka v. Manson*, 11/22/74.



# Attica

This past month has seen Vernon LaFranque acquitted, five indictments dropped for "insufficient evidence", Big Black win the right not to be strip-searched at the Erie County Jail, trials continue and three Brothers plead guilty to lesser charges.

On December 19, after 20 minutes of deliberation, the jury acquitted LaFranque of having and firing a tear gas gun during the Attica rebellion. The prosecution witnesses so contradicted each other that one juror said it was "like some junk they just got together."

On December 23, the prosecution dropped five indictments against eight brothers, six of whom face no further charges. The prosecutor's legal papers showed that the indictments, two years old, were based on no facts or evidence whatsoever. The words of one of LaFranque's jurors applies here: "The grand jury shouldn't have returned an indictment--the state was looking for scapegoats."

On December 20 a federal court ruled that officers at the Erie County Jail, which houses a number of Attica Brothers, could no longer demand that Big Black, the Brothers National Director, submit to a strip search before being allowed in to see Brothers. Shango, a Brother who faces murder charges along with Big Black and three others, has sued the state for \$15,000 for the month and a half Big Black was not allowed in to see him. Shango contends their meeting was crucial to their defense preparations.

In early December three Brothers pleaded guilty to minor charges and the prosecution dropped major charges. Most likely none of the three will serve more time than they already have to serve.

The trials continue to get more bizarre. In every case that comes up, the prosecution has had to admit destroying or "losing" evidence. During hearings on the murder trials of Dacajeweah (aka John Hill), and Charley Joe Pernalice, due to begin in January, police investigator Frank Demler testified that he had been ordered not to take notes when interviewing witnesses. This was to prevent the defense from getting information, and presumably to prevent the defense from documenting the changing stories of the prosecution witnesses.

So by fabricating some evidence, and destroying other, the prosecution continues. Pre-trial hearings and some trials were due to begin in January. Prisoners continue to be beaten with the protection of the judges. A grand jury still sits, leading some defense witnesses to fear reprisal in the form of indictments.

## The Solution is Unity



New York now has a new governor, Hugh Carey. He is not attached (at least directly) to the Rockefeller coat-tails, and presumably has no particular motive, such as self-defense, to keep the trials going. If there is any time the trials could be stopped short, now is the time. Two cases have come to trial--both were acquitted. Five indictments have been dropped for lack of evidence. Jurors are claiming the trials are a frame-up. The list of prosecution "irregularities" would fill a book. Clip the coupon and send it to Hugh Carey, Governor, Albany, New York.



Lawyer William Kunstler [right] with Native American Attica defendants John Hill [left] and Charles Pernalice [right] whom he defended in recent trials.

## Con Testifies to Torture, Deals

Buffalo--Charles "Flip" Crowley, a prosecution witness against five Attica Brothers accused of murder and kidnaping, testified today that he had given false testimony against the Brothers because he had been threatened, beaten, and tortured by New York State Police and prison guards.

Crowley, a black former prisoner, described the experience as "the most intense terror I have ever known". Crowley told a hushed courtroom that he was sodomized several times with a nightstick, was threatened repeatedly with knives and guns, was shown the bloody body of a black prisoner killed in the Attica massacre, and was "made to crawl around on the floor and shout 'White Power' and kiss their (the guards') feet".

Crowley said that during this torture, which took place during and after the Attica prison uprising of September 1971, prison guards and state troopers constantly demanded that he provide incriminating testimony against other prisoners whom the authorities believed had "led" the uprising.

As a result of the torture, Crowley said, he agreed to "back up" stories fed to him by state officials implicating four of the five men now on trial in connection with the deaths of two other prisoners. "I was ready to testify against my mama", Crowley said.

The five defendants, Big Black (Frank Smith), Champ (Roger Champen), Jomo Joka Omowale (Eric Thompson), Herbert X. Blyden, and Shango Bahati Kakawana (Bernard Stroble), were all among the men suspected by authorities as having "led" the uprising.

## Excerpts of Testimony

....When I arrived in the room in the hospital, I was visited by Officer Irving Wilson, Officer Don Jennings, Officer Tom Hurley, Officer Burdock, Peter Diminac, Sgt. Elmore, known as Col. Klink, and Lt. Steinbaugh...these officers proceeded to accompany me on my stretcher to the room and they proceeded to beat me and they beat me for at least a half an hour. During the course of the beating, I was made to crawl around on the floor and shout "White Power" and kiss their feet...On the night of the 13th, I was victimized four times with a stick. They called it a nigger stick. And, I was told I was going to die that afternoon. Prior to all this happening, they had thrown the body--thrown it up to my door. A body of a black brother. And, they threw it up the door and the blood stayed on the window pane. And Officer Irving Wilson said to me, he pulled out a pearl handled gun revolver, he said:

We demand that the Attica Brothers' trials stop now. We demand that the indictments be thrown out. We demand that no more money be spent on the trials. The trials are an outrage, a blight on justice, and should never have occurred. We ask you, as incoming governor of New York, that you show a concern for justice by stopping the trials of the Attica Brothers. We further request that you intervene to stop the persecution of Martin Sostre.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

"You're next nigger. You're going to die. You're going to die." And that night they proceeded to show me this was going to happen--this went on, don't forget--this was going on from the 11th to the 13th. And it went on...the first time I ever knew that Hess or Schwartz or anyone else was being--was murdered or whatever, a State Trooper came into my room and pulled my head back and said: "See this, nigger? This was the knife that we killed those other guys with". And put it to my neck. On another occasion, they bust open my room around two or three o'clock in the morning. And every time they came into my room, I was forced to hit the floor on my knees with my hand on my head. And, they put a gun, a shotgun or what appeared to be a shotgun in my face. And they shined this big floodlight in my face. It was a lantern light thing and they pulled the trigger. And they said: "Click". That's what they said. They said: "Click". And, I fall down. And, they said: "he ain't no fun. Come on. Let's go. He ain't no fun". At any rate, from that point on, it was beatings and harassment... I was in the state, as I said, where I was ready to talk to anyone. And, so, I called for the Fischer Committee (Attica Prosecution) and was interviewed. At that first interview with the representatives of the investigators, I asked them, I say, listen, all I want is to get away from what's happening to me, meaning the correctional tyranny, I want to get away from these beatings, etcetera and whatnot. They said: "All right, we'll see what we can do". One of the investigators went downstairs and came back and said, "Don't worry about it. If you cooperate with us, we will make sure, you understand, that you are transferred to an Institution or environment where you won't be bothered anymore". And, in truth, during the whole time that I was connected with the Fischer Committee, I became, you know, hands off as far as the officers were concerned. No one bothered me anymore, you see. Now, but at the same time, I knew that the things that I was saying were untrue, you see. I knew that I was lying, you know, and I felt as though like, you know, I had to have this thing out. I wanted to go before an open Court, I wanted to talk to the People and let them know what was happening to me...So, what happened was I got in touch with a few lawyers, an attorney, she came to see me and she said that's okay, when you go before the Grand Jury, call for me. Right. So I went before the Grand Jury, and when we walked into the room I asked for her. The--the attorneys that were there at the time turned and left, I guess to get some pictures for identification.

But anyhow, the two State Troopers that were there, one pulled a gun, a very large gun and looked at me, and looked at his partner and said: "Hey, did you see that nigger try to jump out the window? Who did you say you wanted to see?" I said: "Will you please bring in the Investigating Committee, I'm ready to go before the Grand Jury." And, from that point on I said that I would wait for this opportunity to say in open Court...the Attorney General, Mr. Simonetti said to me that you give a little, we give a little, you see. ...meaning that I was given parole by the Fischer Committee. You see, I went before the Parole Board and they informed me that at the time prior to my coming in, they were not disposed to rule favorably in my honor, in my way, but, however, I came "highly recommended...."

# News from New England

## Maine News

SCAR now has a bussing service to Thomaston and Windham prisons. The bus will take Portland area persons to Thomaston every other week and Windham alternate weeks. Bussing may be arranged to the womens' prison in Hallowell.

An attorney has been selected to work for the prisoners at Thomaston. The ACI in Rhode Island also has an attorney (see article). This is a progressive move that should be followed in other prisons.

Bad news also comes from Thomaston. Harassment and lock-ups continue, directed in large part to prisoner activists. A possibility now exists that one of the cases will be taken to the State Superior Court. A prisoner was "convicted" of a disciplinary infraction and his appeal was denied by the Warden. If the court will accept the case it would set an excellent precedent, as Maine courts have never seen fit to rule on internal prison disciplinary matters. Acceptance by the court might force the Thomaston administration to cool it, unless they want to continuously be brought to court.

The suit to close or reform the Somerset County Jail is still involved in negotiations between SCAR's lawyer and the Sheriff's lawyer. A series of proposed rules for the running of the jail is being discussed. In the near future either the Sheriff will accept the proposals or the issue will go to trial.

## Mass. News

The Charles St. Jail Bail Appeal Project may close shortly. The Project has existed for two years on a \$60,000 LEAA grant; but LEAA has decided not to refund.

In its two years of operation, the Project has secured the release of 900 people by getting bail reductions and by funding bail for persons. Rather than re-fund the Project, LEAA has allocated the money to train law-students to be prosecutors. The Mass. Defenders Committee may pick up the program for three months in hopes of getting full funding in that time. Both Commissioner Hall and Sheriff Eisenstadt are unhappy at the re-funding failure.

D.A. Burke will be continuing his frame-up attempt against Peter Wilson and Richie Devlin. Unfortunately, Carmen Gagliardi died in his cell at Walpole this month. Another life sacrificed to the great monument of prison. The retrial was scheduled to begin of Feb. 10 at the Dedham Courthouse. If you are planning to go and support these prisoners in their struggle against the bogus charge of the murder of Albert De Salvo, you should call the courthouse in case the trial date has been postponed because of Carmen's death.

Remember all the prisoners shipped out of Norfolk prison as a result of the fires there last November? Following action taken by the Prisoners Rights Project, these prisoners are back in Norfolk now. The DOC violated the prisoner's constitutional rights of due process when it neglected to inform them of the charges brought against them. What is particularly important here is that the Department's system of information based on a few sell-out rats is beginning to crumble. Because the DOC must inform prisoners of specific charges against them, the DOC will be less likely to frame-up any prisoner it doesn't like.

Bobby Delello, former head of the Walpole NPRA, who escaped over a year ago, is back in Massachusetts. He had been caught and charged with armed robbery in New Jersey, but NJ sent him back. Bobby was NPRA President during the time the prisoners ran Walpole. He is now in Norfolk, but is expected at Walpole soon.

## R.I. News

Prior to the election, R.I. Congressman Edward Beard promised he would return and actively take an interest in the ACI. Unlike most politicians, he did just that.

On his last visit, he met with representatives of the three inmate-sponsored organizations "over a plate of beans" and discussed the problems facing all of us here. Those meeting with him found quickly that he calls a "spade a spade". Undoubtedly, this refreshing honesty was the main ingredient in his winning the election. The citizens of R.I. are the benefactors, including the prisoners at the ACI.

Paul Orlando, Employment Consultant Specialist for the National Prisoners Reform Association (NPRA) was recently selected by Congressman Edward Beard to serve in the capacity of legislation researcher.

We of the NPRA wholeheartedly applaud Congressman Beard for this wise choice. All can be assured that Paul will pursue his new position with the refreshing vigor and expertise he so openly displayed while serving us. The standard of excellence he has established leaves us the demanding task of seeking a replacement. Our only consolation is in knowing that he shall remain in the services of the people of Rhode Island.

## Prisoners' Rights

The Rhode Island State Police were called in recently to investigate a possible homicide at the ACI. No one questions their right to investigate, but there are certainly questions as to their methods. It was these methods which caused representatives of the three inmate-sponsored organizations to call a general population meeting in the maximum dining hall.

The meeting produced many allegations of prisoners being removed from their cells for interrogation, not only for the present crime, but also for other crimes as well as questions regarding the associations of inmates. The questioning was done without benefit of counsel. For those prisoners not knowing their rights, the president of the ACI Jaycees outlined them.

--Inmates do not have to answer questions without benefit of counsel.

--Attorneys representing prisoners at time of sentencing remain their attorney of record until completion of sentence.

--Remember, you have a right to attorney before any questioning.

The repercussions of investigations conducted in this manner are clearly obvious. Again, these inequities may only be solved through a "class action" suit to gain one's rights.

Thanks to the NPRA NEWS for the information in these shorts.

## Ku Klux Klan

According to a report in the Guardian, the Eastern New York Correctional Facility in Napanoch is virtually run by the Ku Klux Klan. Earl Schoonmaker, the Grand Dragon of the KKK in NY, was suspended from a job as a teacher at the prison on Dec. 20. Reportedly, 15 to 20 other prison employees are KKK members.

About 400 of 700 prisoners at Napanoch are Black. Cells of Blacks have been firebombed. Nancy Looi, a prison worker who supports Blacks and their families, has been threatened.

As the economy collapses and the owners and government try to drop the weight on workers and poor folk, racism somehow seems to grow faster. The original KKK was organized by southern aristocracy and backed by northern financial interests in an effort to crush the ability of former slaves and poor whites to exercise democratic rights. The results kept most whites poor, created sharecropping, and made a few southerners and northerners rich. Divide and conquer.

## Death Penalty

The U.S. Supreme Court will once again hear the question of the death penalty, presumably in this session of the court. In 1972, the Court struck down the Georgia death penalty statutes because the death penalty was being used in an arbitrary fashion at the discretion of the judge. Since then, 29 states have re-introduced the death penalty, making it mandatory for various offenses.

On Dec. 10, the National Alliance Against Racist and Political Repression filed an "amicus curiae" brief before the Court, declaring that in North Carolina and throughout the U.S. the death penalty is used almost exclusively against poor, Black and Indian people. N.C. has 65 people on death row, 75% Black and Indian. The case before the court concerns Jesse Thurman Fowler, now on N.C.'s Death Row. The NAACP Legal Defense and Education Fund brought Fowler's appeal to the Supreme Court.

Aside from arguing that capital punishment is in itself cruel and unusual, the appeal will argue that the death penalty is still arbitrary and capricious, this time because the prosecutor (and police) can choose whether to bring a capital offense charge or a lesser charge against any given defendant.

## Federal Legislation

Massachusetts NEPA has been working with Mass. Congressman Father Drinan, seeking to push for legislation which would end slave labor nationally by guaranteeing a minimum wage for all prisoners. A recently developed committee to push this is made up of people who have consistently been working for prisoner's rights: Russ Carmichael (NEPA); Arnie Coles (NPRA); Dave Collins (AFSC & NEPA); Dr. Jim Nash (Mass. Council of Churches); John Flatchett (B.C. Law School); Bill Ryan (B.C. Sociologist); State Senator Bill Owens (D-Roxbury); Senator Jack Backman (D-Brookline).

Not only is this important legislation for all prisoners but it will also serve as a useful national action-oriented tool. --Donna Parker.



"Now that we've both got black lung disease, I guess we're truly brothers under the skin!"

## Kunstler

Elements of the N.Y. State Bar Association seek once again to get people's lawyer William Kunstler disbarred. The grounds are that the Bar's "Canon of Ethics" prohibits a lawyer from public speaking to organize mass support for a client. Kunstler noted that not only is this an abridgement of freedom of speech, but also that peoples' advocates cannot do their job properly without the support of the people when they face the weight of the whole judicial system. These same elements tried to disbar Kunstler after his work on the Chicago 8 defense. He is now defending Attica Brother Dacajewieah, among others.



# and Around

## Moving Chairs

The solutions so far proposed for the USA's economic woes are, as Sen. Henry Jackson has admitted, like shuffling the deck chairs on the Titanic. But, lest people think too much about their problems, we may get that most stupendous of thought diverters, that most calculated of unity creators--a war. It could be South-east Asia; but since that one got us into the mess in the first place, it will probably be the mid-East instead. Recent military training maneuvers took place in the desert against a mythical "Petrolania." And Kissinger is warming up the audience by saying, Yes, it could happen.

This could lead to an even bigger diversion, one that would not only solve the economic problems once and for all, but would also end the arms race and eliminate criticism of the government.

A better solution might be to re-arrange what this country is and stop trying to run the rest of the world for the profit of a few of us Americans. To do that, we will have to get it together for real--not to shuffle the deck chairs.

## Info Please

Anyone who has any information on U.S. Army or other defense department research in prisons (like the recently exposed malaria and typhoid testing in Maryland Houses of Correction), or any on university or drug-firm experimentation, please contact Flora Haas, 25 Marion Rd., Arlington, Mass. 02174.



## We're All Crooks

from Plain Truth

A recent survey of 1,600 randomly selected New Yorkers revealed that only one percent of them were innocent of a major felony that could land them in jail for a year or more. The average respondent was guilty of fifteen or more such crimes.

New York, of course, is noted for its crime rate, but the same type of survey was also taken in America's "Bible Belt". Respectable college students from middle class Texan families were found, in this survey, to be only slightly less guilty of serious felonies than were their less fortunate contemporaries who were serving time in the local reformatories or state penitentiaries.

The main difference between the "good" people and the "bad" criminals in each survey seemed to be that the college student in Texas and the man on the street in New York City had been clever enough to escape detection and punishment.

## Protest Murders

More than 500 angry Black people demonstrated in Milwaukee, Wisc. on Dec. 26 to protest the fatal shooting by police on Christmas Eve of Jerry Brookshire, a 16-year-old Black....A protest meeting has been called around the shooting death of 16-year-old Steve Russell, a Black, in Long Branch, N.J. Russell walked into a police ambush, allegedly set to catch a rapist, and was shot with dum-dum bullets at close range.

## Quote of the Month

"...not only does the capitalist system keep most of us poor, but because the masses of people do not actually want to be poor, or live in shacks, or receive miserable health care, there must always be violence, usually through the brutal police departments or other armed mercenaries, to suppress the people. Otherwise no one would remain poor or landless or unemployed for very long. They would simply take what the rich have, because it is a simple truth that if there is plenty, then no one should have to be hungry."--Imamu Amiri Baraka, Congress of African People, in Monthly Review, 1-75.

## San Quentin 6

Six San Quentin prisoners once again face frame-up murder charges. In August of 1971, prison guards set-up and killed George Jackson. During the ensuing turmoil, two other prisoners and three guards were also killed. Six prisoners were indicted, but a year ago Judge Stoll threw out the indictments because of discrimination against racial minorities, youth, poor, blue collar persons and convicts in the grand jury selection process. However, the State Court of Appeals over-ruled Stoll and decided to let the murder indictments stand. Now the defense will appeal to the California Supreme Court.

## Houston 12

After two previous indictments were thrown out, a third indictment against the five members of the Houston 12 again charges the five with "assault with intent to murder a police officer." This indictment, rushed through a grand jury, is due to come to trial on Feb. 3. Demonstrations in support of the Houston 12 have been held across the country. The charges against the 12 stem from a demonstration against the mid-East war on Oct. 28, 1973. Over 100 riot-equipped police attacked some 25 demonstrators, then arrested 12 of the demonstrators on various charges of assault.

## Mayday

In the first few days of May, 1971, some 500,000 persons arrived in Washington, DC to protest the continuation of the South-east Asian war. At least 12,000 of them were arrested, including 1200 who were assembled at the capitol listening to a speech by Rep. Ron Dellums. On January 16, 1975, a federal court awarded an average of \$10,000 to each person who was arrested in that particular round-up.

The class action suit was one of four brought by the ACLU, who contend that the arrests and detainment of the protesters that weekend was illegal, violating the first, eighth and fourteenth amendments at various times. The total damages amounted to \$12 million, believed to be the largest non-corporate civil damages suit in U.S. history. The government will appeal, which is expected to take about two years, and no one will collect till the appeals are over.

## Menominee Indians

On New Years Day, hundreds of Menominee warriors seized back some of their land, the Alexian Brothers Monastery, and demanded a hospital for their use. Under the direction of the First Wisconsin Bank, a federal court order in 1961 declared the Menominee are not a tribe, thereby ending the reservation's tax-free status. The bank then built resort homes on Indian land, with permission of a small minority of the Menominee, and got the whole area taxed as tourist property, resulting in tax-rates so high the Menominee are being driven out of the area.

The monastery was built on land taken from the Menominee by the millionaires of Nabisco. At the death of the major Nabisco heirs, the marble-floored building was given to the Alexian Brothers, who abandoned it in 1968. After years of trying to get use of the building for a hospital and service center, the Menominee simply took it back.

Now the area is surrounded by police, negotiations continue on and off, food is let through police lines occasionally, supporters (Native American and other) have marched on the state capital of Wisconsin, and the Menominee warriors have declared, "We will lay down our lives for our people if we must."

## Wounded Knee

Trials from an earlier land seizure, Wounded Knee, continue. A federal court in Lincoln, Nebraska has agreed to hear a suit filed by the Wounded Knee defendants which states that according to the Treaty of 1868, federal agents are prohibited from entering Indian reservations, and therefore the federal intervention and resulting indictments are illegal. If the defense wins this suit, presumably all federal charges would be dropped against the Wounded Knee defendants.

Meanwhile, the federal government has decided to appeal the dismissal of charges against Russell Means and Dennis Banks, two leaders of the Wounded Knee rebellion. Even jurors from the first Banks-Means trial denounce further prosecution.

And in New York state, the Mohawk nation of Ganienkeh continues to occupy its soil. Occupying land that has been theirs for centuries, the Mohawk have declared Ganienkeh to be a separate nation for any and all Native Americans. During New York's hunting season, people in the camp were continuously shot at. The NY police refused to do anything until the Indians shot back, wounding two U.S. citizens. They then demanded the right to come in and find the "culprits." The Indians state that under the Treaty of 1794, they are a separate nation; they will punish their law-breakers, the U.S. can deal with its own. It appears the police have backed down.

## Ruchell Magee

Ruchell Magee, still on trial for murder stemming from the California courthouse shootout led by Jonathan Jackson, continues to fight for his freedom. A demonstration has been called by five groups which support Magee, and the demands of the rally were written by Magee. They include that the state stop its obstruction of Ruchell's civil suits, and that cruel and inhumane treatment in the jails, including California's notorious indeterminate sentence, be abolished. Magee was originally given an indeterminate sentence in 1963 on conviction of stealing \$10 from a pimp.

## Angola Free

Portugal has been forced to release the last of its African Colonies. First the Portugese government agreed to grant full independence to the Cape Verde Islands on July 5, 1975. Then they announced formal freedom for Angola to take place by Oct. 31. The Cape Verde Islands will probably re-unite with Guinea-Bissau, recently declared free from Portugal; both struggles for freedom were led by the PAIGC. All you folks out there who had been boycotting Gulf Oil in support of the liberation struggles can now go back to a full range of choice of monopoly oil companies.

# McAlester Burns Twice

## History of Struggle

The first week of October, SCAR received a letter from brothers being held in McAlester prison's disciplinary isolation unit--the "Rock". It concluded by stating, "the situation...is an explosive one. Whatever occurs here will certainly effect the people of the communities, just as the rebellion of July 73 (McAlester) had its effect and just as the massacre of Attica prisoners is still having its, not only in New York, but all over the world. For this reason it is imperative that the people of lesser oppression heed our plea for a united struggle against fascist, racist repression. Apathy is no longer desirable and it certainly is not effective...does anyone hear what we say?"

On October 19th the "Rock" (dungeon of inhuman creation) was gutted by a \$1 million dollar blaze. This action was a direct protest against the brutality of the administration's policies. These policies have left five prisoners dead in the last three months, with others being brutally beaten, stabbed and gassed.

It is important to note that most of the 43 prisoners in the "Rock" had been sent there because of their participation in Indian, Black and other prison groups. Under particular attack by the administration has been the Organization of Black Culture and Unity (OBCU).

The October 19th rebellion has been called by Corrections Director Russell Lash an attempt to "seize control of the prison and embarrass the administration."

After disarming a guard and setting fire to mattresses, the brothers went outside where they were met by riot police who forced them to strip down on the wet ground where they were beaten. This attack was led by none other than Commissioner Russell Lash.

The prisoners were then marched to a 140-cell building where protests continued. The administration responded by separating the group of activist prisoners and attacking them with tear gas in their cells. The cell block area itself was previously condemned and evacuated by court order. 10 prisoners have been charged with causing the fire.

What is the "Rock"--subject of the brothers' rebellion? It has been the scene of numerous mysterious "accidental" deaths of prisoners. (Two of the inmate deaths were reported by guards as "suicides", but on September 28, three prisoners were charged with one of the killings and the other "suicide" is currently under investigation.) The brothers write that constitutional and human rights are being flagrantly violated. Max Seg prisoners are denied medical attention, proper diet (two meals a day consisting of two bologna sandwiches), insufficient exercise and showers. There is no access to the prison library or other legal assistance. The building is poorly ventilated and neither floor has an operable heating apparatus. The "Rock" was designed to inflict psychological and physical destruction upon its inhabitants.

The fact that it has been righteously destroyed will not prevent the administration from forcing the brothers to live under similar conditions in the new segregation unit.

While U.S. District Judge Luther Bohanon issued an order last May 30 to end what he called widespread violations of the constitutional rights of prisoners, he is "not satisfied the State of Oklahoma is in strict compliance with my orders." Earlier he threatened to take federal control if the State Corrections Department didn't comply.

On October 28th federal officials announced that a full scale investigation of the Oklahoma State Penitentiary had been authorized by the Justice Department. The inquiry stems primarily from the killing last May of prisoner Robert Forsythe, who was gassed to death in his cell in the "Rock". Other murders and brutality will also be looked into when a federal grand jury convenes in November, according to officials.

However, on November 12th, one of the brothers in Max Seg was called out from

his cell and questioned by FBI agents.... their first question was, "are you studying to be a communist and revolutionary?" Although the Justice Department has been authorized to investigate inmate deaths and inhuman treatment they are more interested in providing the basis for phony charges against the brothers who have been active for prisoners' rights and an end to punitive segregation.

Another Attica is happening at the Oklahoma State Penitentiary in McAlester. Inhuman treatment, routine brutality and racism are all part of the institutional

process at McAlester. But the brothers see it and are getting together. In recent protests, a marked solidarity has been displayed. UNITY is beginning to grow in McAlester.

However, outside support is desperately needed. Two groups have begun to form in Oklahoma to lend support to the McAlester brothers. If you wish to assist in this most important struggle, contact: Abullah Salah Rahman, 533 E. Zion, Tulsa, Okla. 74106, or Cornell Tahdoahnippah, P.O. Box 3028, Norman, Okla. 73069

## Letter from McAlester

The reason for the October 19 burning of the "Rock" (the super maximum security chamber of the McAlester prison) was clearly demonstrated yesterday when political prisoner Bennie Bell was attacked and brutally pistol whipped in the courtroom by three prison guards while being arraigned on charges of second degree arson.

The Rock was destroyed by the people because of the cruel and inhuman treatment which led to the murder of political prisoner Bobby Forsythe. Bobby was helplessly trapped behind the double-locked door of his 5'x8' sealed tomb tiger cage when the sadistic pigs of the execution squad poured tear gas into his unventilated cage until he could no longer breathe. He died in agony two days later while his brother convicts screamed for a doctor to no avail. The state medical examiner determined the cause of death to be from the inhalation of CS and CN gas but he listed it as "accidental".

The murder was so callous and the state Doctor's conclusion was so absurd that a federal grand jury is scheduled to meet January 6, 1975, to consider possible indictments against the pigs of the execution squad and the fascist prisonocrats who ordered the murder. We all know in advance that the mercenaries will not be prosecuted; we neither expect it nor want it, because the dispensing of justice is a privilege which rightfully belongs to the people.

The Rock had been the torture chamber of McAlester for more than a generation and had claimed many lives in this Koncentration Kamp for the poor. A study in contradictions; 8 months will have elapsed by the time Bobby's murder is investigated, while it took less than 2 months to arbitrarily select 10 prisoners to stand trial for the destruction of Bobby's illegal death chamber. It would seem that in Amerikka, the murder of a political prisoner is a lesser crime than the public service removal of the virulent cancer which furnished both the atmosphere of secrecy and the tradition of depravity which bred that murder. It's people vs. property, with the people coming out on the short end as usual!

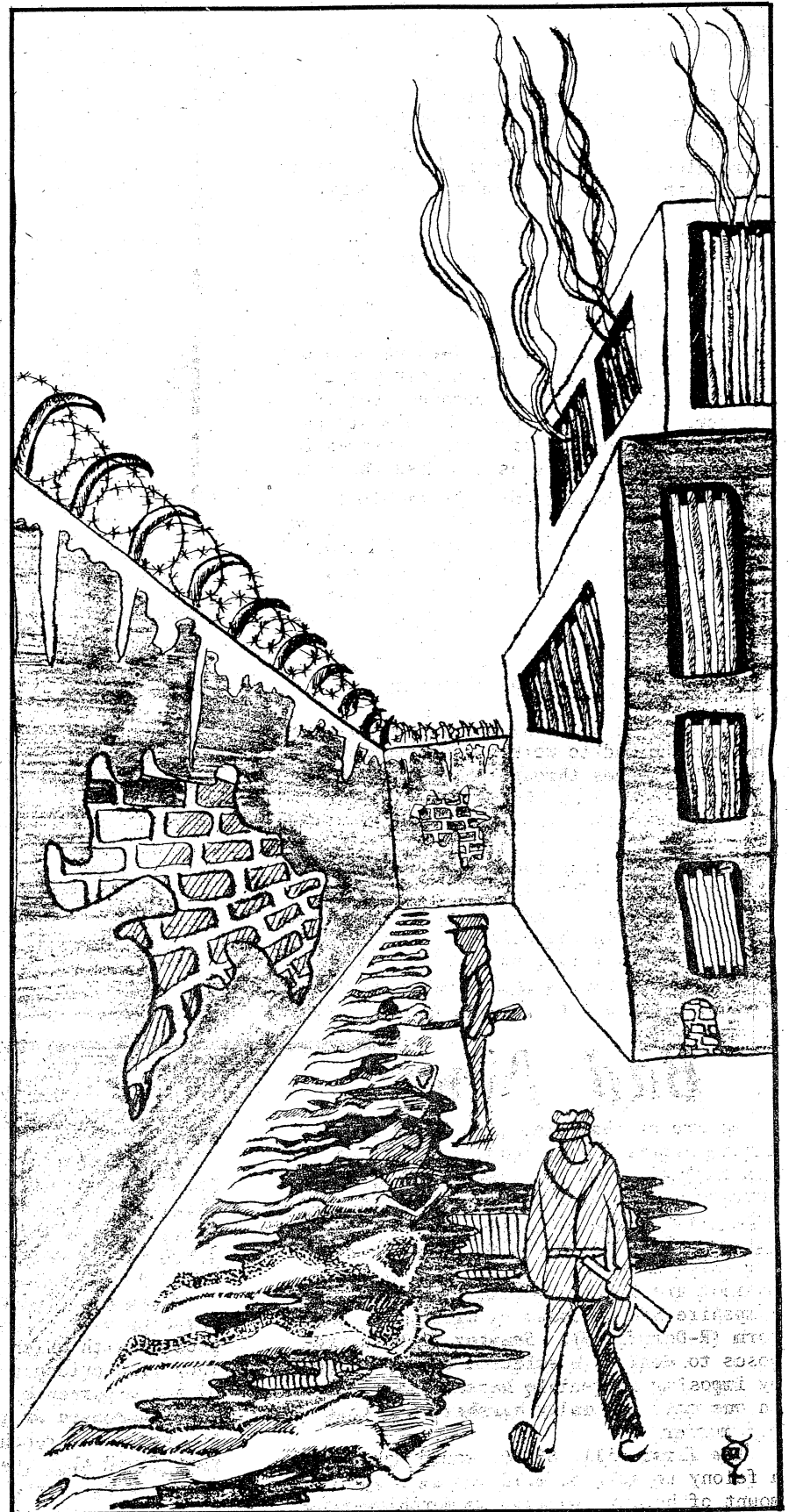
Comrade Bell, 26, was brought to the arraignment in much the same condition as were his forefathers when they were kidnapped and brought to Amerikka: encased in chains and with his mouth taped

shut. After the prosecutor ordered him pistol whipped, our brother stood at bar with blood pouring down his face while the fascist pig "judge" Brown entered a plea of innocent on his behalf. Why Brown didn't just go ahead and plead him guilty in his kangaroo court was not known to this reporter.

Pig Don Roberts, the prosecutor, said he plans to request the presence of additional armed prison guards and 8 to 10 highway patrolmen presumably to beat the prisoners at the January 24 preliminary hearing.

The trial should prove interesting and movement people and supporters are

Continued on Page 11





# National Campaign vs. Prisons

In December, 1974 John Boone, former Commissioner of Corrections in Massachusetts, announced the formation of a new organization--the National Campaign Against Prisons. At a meeting in Natick, Massachusetts, Mr. Boone discussed the purposes of the organization with a newly formed National Board of Directors. A number of representatives of prisoner and ex-prisoner organizations, including NEPA, were invited to discuss with the Board of Directors the priorities that should be established for the coming year.

It appears that the directions taken will depend partly on the ability of Mr. Boone, the Executive Director, to raise funds to execute the plans and purposes set forth at the meeting--and the fact is very important. An ability to provide staff members with a livelihood so that they can properly take care of their families has been the main obstruction to the progress NEPA organizers have tried to make in the year and a half since its formation.

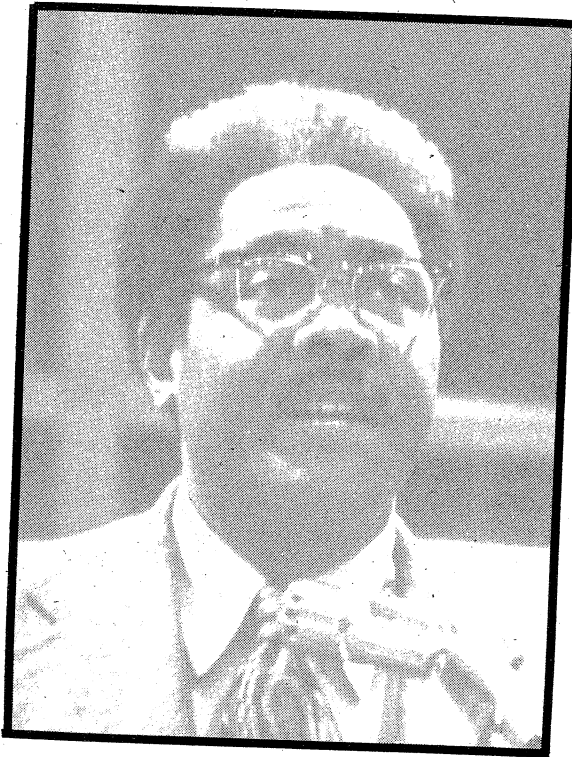
If this financial barrier can be overcome, the National Campaign Against Prisons could have a very important impact on the strangle-hold the criminal justice system has on the poor people of this country.

When John Boone says those "crime cultivating concerns" called prisons have to be replaced with meaningful alternatives he speaks from over twenty years of experience in the prison business. He began as a guard, because he thought he could help people in that position. Then he became a social worker so he could help people better. And finally he became a Commissioner, in charge of one of the most complicated and destructive penal systems in America, known to us as the Massachusetts Correctional Department. In simplest terms, I think what he learned as a guard and as a social worker was that one cannot come to the aid of another human being from a position of domination, and the very structure of life between guards and social workers, on the one hand, and prisoners on the other, is one of domination. One's motivation cannot change that fact.

So when he took the job of Commissioner he knew he had to work as he could to provide avenues through which the vast majority of men and women could be channeled out of the prisons. He had to provide programs with the necessary support to reduce the likelihood that prisoners would return and to increase the likelihood that poor people--those most subject to sanctions in the criminal justice system--could, somehow, survive in a dog-eat-dog world of racism and economic exploitation. That's a tough job, as evidenced

by how few prisoners were released to viable programs under his direction. Tough as it is, it is something the American people will accept if they are provided with the answers to hard questions: Why do prisons cultivate crime? Why will this alternative or that alternative reduce crime? Fear of crime is one of the most sensitive political issues in America today, and unless one can allay those fears alternatives to incarceration will backfire, just as they did in Massachusetts when Boone was fired, 17 months after he was appointed.

The basic reason why this effort to change the criminal justice system backfired is not because alternatives to incarceration don't work. They do--and it has been demonstrated in project after



John Boone

project all across the country as well as in Massachusetts. No, the reason for the backfire and Boone's ouster lies in his solution to the problem of what to do with that small number of prisoners whom everyone--most prisoners included--agrees are directly dangerous to themselves and others, whether they are on the streets or in prison. Boone knew that prisoners must gain more control over their own lives; that prisons must be managed in a new way; that prisoners must have an opportunity to participate in the management of prisons equal to that of guards and other staff members. Boone wanted alter-

natives to incarceration for the many, and equality (with guards and correctional administrators) for the few remaining. This is what beat him. Guards, through their union in Massachusetts, would not allow this to happen. Guards' unions are organizations whose mission includes domination. They, and no one else, will control the keys; because when you "keep" someone, as guards do prisoners, the best attitude you can have will never be equality.

Since about half the prisoners are non-white and the vast, vast majority of the guards are white, racism abounds in guards' unions. This is what happened at Walpole, and what has happened in every prison system where someone like Boone has attempted to provide alternatives to prison for the many and equality for the few who remain in cages. In fact Walpole was, for a time, a model maximum security prison in what the organization theorists call "participation management." The prisoners were together like they have been in no other prison, save perhaps Attica in 1971. For four months the prisoners showed, and this is the message of the NEPA film "3,000 Years And Life", that this system of equality, of participation management, would work, except for one fact: the racism and domination of the guard's union and their supporters in the corrections department and the legislature would not allow it to work. And, unfortunately, the guard's union had more legitimacy in the public's eye than did the prisoners' union, the National Prisoners Reform Association.

So Boone left public office, but he did not leave public life. Anybody who would form an organization called the "National Campaign Against Prisons" has got to be ready to answer certain questions. They are the same questions he faced as Commissioner: Why do prisons cultivate crime? And why will this alternative or that alternative reduce crime? And these answers must be reliable and convincing. One cannot simply tell an American public whose economy is constricting its life and who sees crime as adding injury to insult that prisons must go because they operate on racism and domination. The right story must be told in the right way and no one can do that job better than the increasingly large number of articulate ex-prisoners. Boone needs a paid staff of organizers in public re-education. He has some devoted aides now, but he will need more. The one place where the public sees the prisoner or ex-prisoner as legitimate is telling others about prisons--their costs, their consequences and the alternatives to them. Can John Boone convince those with fat purses--the foundations and the feds--that herein lies the key to the locks holding 1.2 million people captive on any given day? We hope so.

## Bad News

We are at that time when state legislative bodies are convening throughout New England. This is also the time we experience the need to conduct extensive public education campaigns for and against certain bills coming before these bodies. Two prime examples of what we must fight against are bills introduced into the New Hampshire State Senate by William E. Sanborn (R-Deerfield). Senator Sanborn proposes to deal with selected drug problems by imposing incredible harsh penalties; in one case a penalty harsher than that for murder.

The first bill, SB-10, would make it a felony to sell or hold for sale any amount of heroin, cocaine or morphine-type drugs, or to possess 2½ ounces or more of these drugs. The penalty for conviction of the first offense would be a mandatory ten-year prison term without the possibility of probation or parole. Upon a second conviction one would receive a 25 year no-release prison term.

If a person convicted of violating this proposed law was also a drug addict, he could be released after as little as 18 months in prison.

The second Sanborn bill defines a pusher as one who sells drugs for personal, financial or material gain, and who is 18 years or older. This bill, SB-11, would force a minimum of ten years in prison with no right of parole or probation, but not more than twenty years, with a fine

of not more than \$5,000.

The second offense penalty would be a minimum of twenty years plus a \$10,000 fine.

If a pusher was found to be drug-dependent, he could be committed to a hospital or rehabilitation center for treatment, but would have to serve out the balance of his mandatory sentence in prison after he was cured.

These measures evidence little understanding of the complexity of the social problem with which they purport to deal. They also evidence considerable ignorance of the experience of other states which have increased drug penalties in the last few years. A recent Ford Foundation Report found that the get-tough drug laws in New York simply do not work.

Judges just refuse to sentence youths to prison for such long periods of time, or those who are arrested on violations of this type are actually convicted of lesser crimes.

In either case, the get-tough drug laws are counter-productive and have no place on our statute books. Mr. Sanborn's cloak and dagger conception of drug distribution has no more relation to reality than "Reefer Madness", the film sponsored by the Federal Food and Drug Administration in the 1930's, which showed children turning colors, virtually choking to death, and then vomiting after one toke of grass.

Please keep a close eye on similar legislation in your states and report whatever you can learn about it to us so we

## McAlester (cont.)

urged to attend for the purpose of identifying the enemies of the people, or simply to offer us the protection of your presence. We desperately need lawyers, and a group willing to set up an offense/defense committee.

This will be an important trial and if you are interested in helping in any way, or if you desire more information concerning the McAlester struggle, you may write to the below address. **Hurry!** We need your help now!

Ahmed Asim Hashim

A.K.A.

Eugene James Teagle

#8239L

P.O. Box 97

McAlester, Oklahoma 74501

As we go to press the latest issue of the *Guardian* reports on another rebellion at McAlester:

The most recent rebellion on January 5 saw the dormitory wing of the prison burned down. Several days before the state had begun its prosecution of ten inmates--one white, two Native Americans and seven Blacks--charged in connection with the first rebellion...Spokesmen for the prisoners said the burning had taken place "to demonstrate that the people are not impotent or powerless in the face of oppression."

can give it maximum publicity and help develop opposition to it.

# Letters

We received two unsolicited letters from prisoners in Lincoln, Nebraska detailing the current situation.

Nepa News:

I find your paper to be one of the few dedicated to the rights of prisoners and the changing of the penal system today. I write this letter for two reasons, to enter a plea to all who would be interested in corresponding with a lonely prisoner who has no people on the outside, and receives no mail. Letters will help my stay in prison to be a little more tolerable. I will answer all. Second but most important, I would like to tell all concerned people of the kidnapping and set up of 11 prisoners.

My name is Michael Leek #29242. I am one of the men known to most as the Lincoln 11. On October 15, 1974, guards and prison staff rushed into our cells and without giving us a chance to wake up (2:30 A.M.) (or go along peacefully), started beating us with saps, tear gas, billys, feet and fist. We were shackled, handcuffed, gagged and then literally drug to the hole.

It was three weeks before we were taken to a so-called hearing. We were sentenced "before" we knew of the charges. How are these for sentences: 4 months-1 year; 6 months-1 year; 1-5 years; 3-11 years (in the hole). Some were given the rest of their time. Two weeks later came court to see if we were guilty or not. (The radio was on blasting a football game). We were all found guilty of various charges such as weapons, drugs, keys, etc. Please keep in mind that at this time we had no warden here. There was one charge that really made us laugh at the time. We were charged with being vicious leaders in a work stoppage that took place on 16, 17, 18 of October '74 (while we were here in the hole.).

The papers built us up as vicious stabbers and killers. They built the director of corrections here in Nebraska (Joe Vitek) up and he in turn built up Robert Parrat, who was acting warden. Vitek kept building up Robert Parrat and saying that he would make a good warden. They knew there was going to be people opposed to this man being warden. Well he was made warden and there were people in high places against it (city council men, etc). Vitek said he picked this man out of 15 other choices because he thought him to be the man for the job.

One of the arguments against Parrat being warden was that he had no high school education and did not try and better himself in his 19 years working for the Nebraska State Prison. Mr. Watson was made Deputy Warden--the same man who told certain men of the Lincoln 11 that (in his words) we would be killed and they would justify it because (in his words) we can justify anything we do. Everybody in turn got their little promotion. But we got the shaft. We did nothing wrong, we were used to get publicity to help a man of questionable character to gain a position that he and all involved knew would be questioned by the public. Pretty set up job, isn't it.

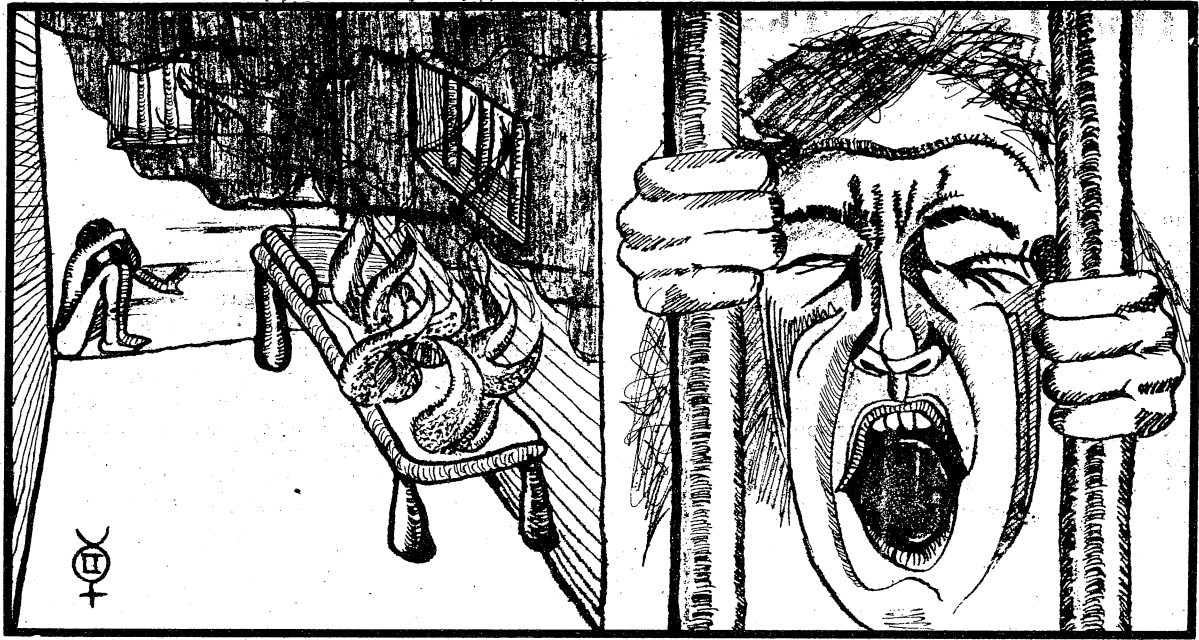
Unity,  
Michael Leek, #29242

12/29/74

Dear People,

I've received your December, 1974 issue. Though I'm only on page four I felt I should write you a letter and let you know a little of what its like here in the garden spot of Big Red country. The following appeared in the Omaha World Herald, December 23, 1974.

"Inmate, 28, Dies of Burns At Pen".  
Lincoln (AP) An inmate at the Nebraska Penal Complex died as a result of apparently self inflicted burns at the Penal Complex late Saturday night, authorities said. The inmate was identified by corrections director Joseph Vitek as Gary L. Young, 28 of Grand Island. Vitek said Young had been confined Saturday night in the Adjustment Center of the complex



after other inmates had harrassed and taunted him.

Young, who came to the complex in 1966 on a five to fifteen year sentence for a conviction of assault with intent to commit rape, had been treated at the Lincoln Regional Center four times, Vitek said.

Vitek said the fire was detected in Youngs' cell about 11:10 P.M. Saturday and within five minutes Lt. Hesser had obtained the key to the cell and pulled Young from it. Preliminary autopsy reports, Vitek said, indicated that Young died of burns to the esophagus and smoke inhalation."

I was lying in bed with headphones on listening to a radio program, "The National Lampoon Hour", as I do every Saturday night. At approximately 10:30 or 11:00, I did smell smoke and paid little attention to it until I noticed the light in my cell was shrouded in smoke. I looked out my door and the hallway was completely filled with smoke. I took off my headphones and there were prisoners calling for the guard, (it must be noted that at this time of the evening there is only one officer on duty and he is not allowed to open any cells nor is he allowed to proceed down the tier. He is restrained to the front area and the tunnel which runs along behind the cells; in the back of each is a small window encased in metal in which the casing contains small holes to speak through. The night officer can go into the tunnel to acknowledge a request but cannot open any cells nor go to the front of them without first calling on the phone the night officer on duty for the penitentiary and state to him the problem or situation and then he has to wait for assistance from other officers). I got out of my bed and went to look though the opening down the hallway. There are 18 cells, 4 are petitioned off, I'm in 5. I could not see the petitioning through the thickness of smoke.

Approximately 10 to 15 minutes passed before I saw two flashlight beams coming through the smoke; the back door had been opened as well as the windows, the smoke started to clear and there were two officers standing in front of cell 14. They hesitated from taking any action, called up the gallery after a few moments and instructed the night officer to open cell 14. After this was done no effort was made to enter the cell for approximately five minutes. When they did go in I watched as they dragged out what appeared to me because of faulty eyesight to be a large lump of coal. (At this time I should note Gary Young was white, however that don't make what happened to him right). He was left lying half in and half out of the cell.

The night officer was then instructed to call for an ambulance as well as assistance from the prison hospital approximately one block away. I layed back down until assistance arrived from the prison hospital. According to another prisoners watch it

took from the time they were summoned exactly 43 minutes to arrive. As they ran fown the gallery the oxygen tank was already hissing. It wasn't but a few minutes before the tank was empty. One person returned to the hospital and was back in a total of ten minutes with another tank. I felt I had seen enough and returned to bed. The next day an officer stated the prisoner had died at the hospital. Prisoners who watched as they rolled Gary Young out of the adjustment center stated that he was already dead.

Every one who knew Gary Young knew of his mental condition as well as his numerous trips to the state mental hospital, which is known to be just down the road. However, because it is unknown just exactly why it had been decided Gary Young should be taken to the state mental hospital I cannot elaborate, state or even estimate the number of electro-shock treatments which were administered to him during his stay, though the other day thru the mail I received what is said to be a list of Rules and Regulations pertaining to Prisoners in solitary confinement for disciplinary reasons.

The second paragraph of disciplinary procedures states as follows, "Before the adjustment committee places an inmate in disciplinary segregation they must review his medical psychiatric contradictions to such action". Paragraph four, "Any inmate in disciplinary isolation who manifests symptoms of emotional instability is to be promptly removed and referred to the physician for examination". The physician shall refer such inmates to a Psychiatrist when he rules such action appropriate. Rule #12, "Be referred to the Physician or dentist upon request or for medical emergencies".

Gary Young had requested medical attention for two days prior to his death.

In Solidarity  
Richard Lee Odom

Brothers and Sisters:

I'm a Comanche behind prison walls. A year ago, I killed a prison guard here at the prison. Since that time, I have been confined to isolation. I have no means of exercise, fresh air, or any privileges.

The Department of Rehabilitation and Corrections has informed me that they will never let me out of isolation. They said they want to transfer me to a prison out of state. They've been telling me this for months, but as of yet, no effort has been made to transfer me.

I was given a life sentence by the court for my wrongdoing. It is not the prison officials' job to go on punishing me by isolating me. They are only seeking revenge. Consequently, I am asking for your support to petition the Governor of Ohio asking that I be released from isolation. Please help me. The Governor's address is John Gilligan, State House, Columbus, Ohio 43215. Your help is appreciated. Thank you.

Wayne L. Raney 132-970  
Box 787  
Lucasville, Ohio 45648



# Open Letter To The Attica Brothers

HABARI GANI MY BLACK WARRIOR BROTHERS!!

The battle for our rights as human beings continues and the repression mounts.

Presently Walpole is in a general lockup for an indeterminate length of time. This is the third consecutive year that the prison administration has found it fit to shut the place down on the night of the "BANTU" (a prisoner group) KWANZA Festival Banquet. This is not by mistake for, as you all are well aware, the oppressor will try in every way to hinder and avert the truth from ever reaching the people.

We "communicate" with the people from the Community by throwing some sort of party to draw them up here. (Black people will go almost anywhere for a party). Now once they are here we can, hopefully, gain some of their support in certain legislative bills that will be coming up and need legislator votes--or in continuing to come to the meetings that are held every other Thursday (minus the party, of course). This is a viable link in our communication network... Keeping the Community in Corrections.

Prison is a "business", to say the least, and we the Black Third World people are the labor force that allows it to function. If we allow this "business" to continue to manufacture crime, corruption, and discord in our Communities (which is all that it does--caging a human being in an environment that instills and inbreeds nothing but hate, madness, and criminality) then we are as much to blame as the oppressor.

Here, at Walpole, we refuse to maintain the system and for this stance we are under a brutal assault from all fronts. The politicians who are ripping off the people in graft... stealing the funds that are appropriated for corrections and rehabilitation programs... the career screw (guard) who knows that he could do nothing else but turn a key--being non-professional and basically ignorant--is in fear of losing his job; they are unionized here, by the way, which makes our ultimate success all the more difficult to achieve... the D.A.'s, Judges, P.D.'s, Criminologists, Sociologists, and wardens (to name a few) that have adopted the air of demigods in society and who are in fear of losing their kingdoms and crowns... and prisoner Toms and Subversives.

Three weeks ago a repressive move was made by the prison administration in the form of holding still another unwarranted shakedown on the day of a prisoner banquet--having all of "our" people come up here to be turned away by gloating, grinning "pigs". I was removed from my cell that night to Segregation Block #10 for allegedly having contraband in my cell, probably being the first prisoner in Walpole history to ever go to a Segregation Unit for possession (alleged possession) of a knife. My Comrade Warrior Brothers, who happen to have the misfortune of living in this hell with me, in the A-3 cell block, decided that that was the straw that broke the camel's back and three hostages were taken while the vast majority of the so-called Brothers in the Block hid under their beds (I think they are still there) in fear... Brothers that are doing electric chair, Life 1st Degree, and Natural Life sentences mind you. After a few false promises were made the hostages were released, to the dismay of a few of us, and statements were made. The negotiations? A stall tactic to lull the public to sleep by a false display of Justice (Justus) and Fairplay... to put them asleep long enough to lower the boom on the "Rebellious Slaves."

Our lives have been threatened again (I say "again" because we have always been under the threat of death by the hands of our open enemy in the wilderness of North Amerik.k.k.a), but we take it in stride and make it known to them (the pigs) that we can kill too--guards, state police, national guard, whatever. We have no fear because we realize that when you have nothing to lose... nothing

from nothing leaves nothing.

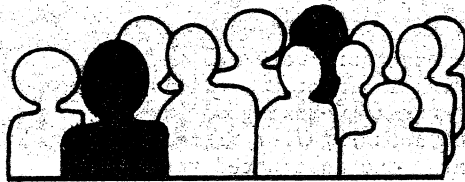
We have received varied reports on what happened at Attica and what continues to happen. We can relate to your struggle because ours and yours are both one in the same. The struggle in the streets of the ghetto, our communities, is one in the same! It is our duty and responsibility to educate the masses of our people to the many facades of repression and facism... the death dealing forces that are at work against us (as a people) in this country. Brothers, we are the vanguard of the revolution, of change, let there be no mistake about that. We are not only at the bottom of the heap, but also on the front line; so what we have to offer to the masses is of first hand nature. Follow the Revolutionary Struggles throughout history and in various countries, Amerik.k.k.a included, and you will see that the main initiative--the primal thrust and ideology--came from that country's prison



houses where men contemplated the ills of a sick society and rule. We must be successful!!! Our very existence as a race of people in this country depends upon our ultimate victory. The walls of these genocidal concentration camps must come down first; for if we allow these bastilles of human deprivation and suffering to stand, and permit behavioral modification, neuro-electro physiology experiments to be conducted on us then we are sanctioning the devil (oppressor) in cutting up our women and our Black babies at birth... we are assisting in our destruction. This is the testing ground... A vast network of laboratories for human behavior experimentation.

So in closing let me say from myself and my Comrade Brothers: Bro. Atiba Kamau (William Johnson), Bro. Dini Zulu Kamau (Efrid Brown), Bro Clink (John Clinkscales), Bro. James (McAlister), and Comrade Peter (Ladetto)... to stay strong and "keep the Black faith."

Yours forever in the Struggle,  
Comrade Bro. Malik Zir Hathim



## New Hampshire Women

A state-wide Womens Conference has been announced and scheduled for sometime this spring. A number of women having a variety of interests and backgrounds began making plans for the conference at the opening session of THE GRANITE STATE ALLIANCE. Since that time, additional plannary sessions have, and will continue to take place. The next session is scheduled for mid-February. Workshops at the conference will include the following areas: Women in Prison, Childcare, Health-care issues, and a number of other topics still under discussion. Input and resources from interested persons is strongly encouraged. For additional information contact: Steph Merfeld-Gfroerer, 80 Warren St., Concord, N.H., 225-2846.

Dear Sir,

It seems that we can't go through a single day without hearing or reading the term "disparity of justice" somewhere along the line.

Of course, when we hear this phrase reiterated time and again, we generally think in terms of the preferential treatment afforded to indicted politicians and other influential defendants. But all too often we tend to overlook the real victims of these injustices; namely, the common people who have neither the political influence nor the financial resources to bargain for their freedom.

We have a bonafide example of this right here in Rhode Island, in the case of Louis DiFria, who is presently incarcerated at the A.C.I. He was originally arrested in 1952 and charged with bank robbery. At that time, he was declared mentally incompetent to stand trial, and spent the ensuing 14 years being bounced back and forth like a rubber ball between the Medical Center and the ACI.

In 1966, he finally was declared competent, but instead of considering his 14 years of confinement or his state of mind at the time of his arrest, the state elected to prosecute. He was found guilty, sentenced to 25 years, and incredibly enough, was given no credit whatsoever for the time spent at the Medical Center between 1952 and 1966.

Subsequent appeals to the courts to reverse this decision proved futile, so his only recourse seemed to be to hope for parole. Yet despite his having been a model prisoner at the ACI, the Parole Board has repeatedly denied him his freedom, without so much as giving him a reason for their action.

So the disparity of justice in this case would seem to be equally prevalent on every level of justice ranging from the Attorney General's Office, to the courts, to the Parole Board. This man is now approaching 50 years of age and is on the verge of giving up hope.

Two questions immediately come to mind: 1. Would this man be in prison today if he were related to a high-ranking White House official? 2. Is this man any less deserving of a pardon than Richard M. Nixon, who virtually ripped-off the whole country?

Respectfully yours,  
Robert Marquis  
P.O. Box 8273  
Cranston, R.I. 02920

Dear Sir;

I am presently serving an eight and one-half to twenty year sentence at the Maine State Prison for armed assault. This sentence was imposed by Justice James Reid of the superior Court. Due to the fact that I was charged with pointing an unloaded gun at someone during an argument, there is no doubt that the sentence is extremely excessive.

I believe that Justice Reid took his personal misery and problems into the courtroom that day. Unfortunately I was there to be sentenced, and consequently a victim of frustrations involving his private life.

To my knowledge, Justice Reid has never been to this prison, and has only verbal knowledge of what it is like here; and apparently twenty years is his way of throwing a right hook when he gets up on the wrong side of the bed. If this is justice, it is too confusing for me to comprehend. No one was hurt, threatened, robbed, or even pushed in this incident, there was no injured victim; until Justice Reid sentenced a young man to twenty years in prison, a pregnant wife to many years of waiting for her husband, and an unborn child to start life without a father. If there was no victim in the beginning, there certainly is now, thanks to Justice Reid's personal misanthropy.

JUSTICE UNTEMPERED BY MERCY IS NOTHING BUT TYRANNY!

NOTE: THIS IS THE SAME JUDGE REID WHO RECENTLY SENTENCED THREE YOUTHS FOR MANSLAUGHTER IN WHICH THEY BEAT UP ANOTHER YOUTH, WHO DIED. THE THREE GOT SUSPENDED SENTENCES, AND WERE RELEASED ON PROBATION.

Edward Hudson  
Thomaston, Maine

# Should We Abolish Parole?

Recommendations and Review of the New York State Parole System by the Citizens' Inquiry on Parole and Criminal Justice

By Fred Findling

Parole is an idealistic concept. It seeks simultaneously to protect the public and to give the offender a "new chance." However, simply put, parole is a tragic failure. Frought with arbitrariness and working in collusion with other elements of the criminal justice system--unnecessary pre-trial detention, long sentences, oppressive prison conditions--it renders the parole system no more than a network of spies and fear, a web designed to pull the parolee back to prison.

The report of the New York Citizens' Inquiry is built around the following findings and conclusions:

1. Both elements of the parole system--the decision making function and the community supervision program--have failed and are beyond reform. But parole is a part of the indeterminate and reformatory sentencing structure and could be abolished only with simultaneous, extensive changes in that structure.

2. As parole is based on rehabilitation and treatment, cruelty and irrationality enters the picture as no agreement exists on the meaning of treatment or rehabilitation.

3. The unstructured and invisible discretion exercised by the parole board and officers places daily oppression on those subject to the system.

4. The real nature of the criminal justice system can often hide behind the facade of the parole system. Prosecutors and judges may call for long sentences in the name of "law 'n order," knowing that the deferred sentencing process of parole enhanced by the parole system's wide discretionary powers will mitigate their harshness.

Parole in New York hasn't changed basically since it was initiated at the Elmira Reformatory nearly 100 years ago. It has only evolved into a huge bureaucracy with a 12 member parole board, 617 professionals, several field offices, and a \$12 million budget.

Parole is a very basic and integral part of the criminal justice system. Prosecutors take it into account in charging defendants and plea bargaining. The sentencing powers of the judge have diminished as the parole boards jurisdiction of release has grown. Parole is a powerful weapon in the hands of prison authorities as a "carrot-on-a-stick." Parole is looked upon as a factor in the Attica uprising as the McKay Commission concluded: *Inmates' criticisms were echoed by many parole officers and corrections personnel, who agreed that the operation of the parole system was a primary source of tension and bitterness within the walls.*

## How Parole Works

The New York State Parole Board is an autonomous body within the corrections system. The 12 members of the board are full-time and are appointed to renewable 6-year terms by the governor. The majority are white males over 50 from outside New York City and are drawn from law enforcement and correctional fields.

The parole board has, at least on paper, much leeway in determining when a prisoner is "sufficiently rehabilitated" for release. However, the board has abrogated its stated objectives and uses a rule of thumb: one-third of maximum term or 3 years, whichever is less.

The process by which a prisoner is granted a parole mocks the idea of rational decision making. Each prison's parole officer has 241 prisoners. Parole interviews last 5 to 12 minutes. Only one of the three persons in the parole panel has read the prisoner's "jacket." The "jacket" is full of disciplinary reports and guard's comments. Political pressure and informing both have an impact on parole.

The gap between image and reality is also evident once a prisoner is released. The provisions for assisting a prisoner once he hits the streets are inadequate, often non-existent. Add these conditions to

all the legal and parole board sanctions and the outlook is rather bleak. Upon release a prisoner is given a suit, \$40, perhaps a bus ticket, and the address of his parole officer to whom he must report within 24 hours.

The parole service helped obtain 506 jobs for parolees in 1970; 16,000 people were on parole at some time during that year. In New York, parolees are ineligible for unemployment compensation or public housing. The numerous sanctions provided in "parole agreements" make it difficult to secure employment, housing, etc., because every movement must be approved by the parole officer. The parolees interviewed by the Citizens' Inquiry generally agreed that the myriad of restrictions and rules prevented their reintegration into society.

After release, a parolee's principal contact is his supervision officer. The parole officer has two hats to wear; one of a policeman, the other of a social worker. He is statutorily classified as a peace officer along with policemen and prison guards. As a peace officer he is armed and is authorized to search the parolee or his quar-



ters without prior notice and to place restrictions on him as he sees fit. As the parole officer's duty is to "protect the public," the law enforcement aspect of his job is most important. To many parolees the only hat that he wears is the one with the shield on it.

A parole officer has widely varying discretionary power to violate a parolee or to leave him or her in the community. Most parole officers seem to prize this power, and this power seems necessary to maintain the present system.

Finally, New York statutes do not provide for due process in revocation proceedings. Recent court decisions are beginning to offer some protection, but as it stands this is the last strand in the web that throws a prisoner on the street, then steadily pulls him or her back back to prison.

## Recommendations

The Citizens' Inquiry report concludes that parole is oppressive and arbitrary, cannot fulfill its stated goals, and is a corrupting influence in the penal system. It should therefore be abolished. An abolition of the parole system cannot, however, be done in a vacuum. It must be accompanied by sweeping changes in the post-conviction sector of the criminal justice system. The long-range recommendations are:

1. The "rehabilitation theory" has not worked and shouldn't be used to shape sentencing or release procedures. At present this society is not able to reduce recidivism by exposing the prisoner to "treatment" or "rehabilitation" programs inside or outside of the walls.

2. Sentences should be shorter and with less degree of indeterminacy. The sentencing procedure awaits further research, but sentencing and release based on the rehabilitation theory has no solid base.

3. The discretion in parole decision making has been abused. There is a need to reduce wide-scale discretion and to make

an effort to shorten the period of confinement for the largest number of prisoners.

4. Alternatives to incarceration must be developed and used.

5. The penal system in its entirety must be open to public scrutiny.

6. A wide range of programs should be offered to offenders. Such programs should be voluntary and be offered by those who provide similar programs for ordinary citizens.

7. Greater social services must be made available to ex-offenders. Cash subsidies and/or loans, employment in both private and public sectors, a referral office to help ex-offenders with financial matters, credit, housing, etc. are a few of the things needed to be provided.

The Citizens' Inquiry has also developed a set of transitional recommendations:

1. That a prisoner be entitled to all due process in any dealing with the parole authorities.

2. The burden of proof should be shifted to the parole board to show why a prisoner cannot be released.

3. Parole board hearings, records, and regular reports be public matter, except that the individual may request that such matter be kept private.

4. The maximum period of supervised parole should not exceed one year.

5. Parole rules should be reduced so as not to be coercive or invade one's privacy. A set of rules would be as follows:

--seek and hold job or demonstrate some means of livelihood

--abide by the law

--report to the parole service regularly

6. All law enforcement activities of parole officers should be abolished.

7. Parole should only be revoked when a parolee is convicted of a new crime of such magnitude that would ordinarily lead to incarceration.

8. Public agencies should be prohibited from discriminating against parolees.

9. Greater social services up to and including financial subsidy should be provided from time of release until a means of livelihood is established.

The New York Citizens Inquiry on Parole and Criminal Justice, Inc. has recommended that parole be abolished. This recommendation was made after a comprehensive, two-year study of the state's parole system. Prisons without Walls: Report on New York Parole (Praeger) explains both why they decided against parole and what they recommend as both long and short range alternatives.

The Citizens Inquiry also has a 50pp. handbook (About Parole) on the workings of the parole system, written mainly for prisoners and parolees. The first book is \$3.50, the second is \$2.00 but free to cons, ex-cons, parolees and parole officers. Both will be available in February from Citizens Inquiry, 84 Fifth Ave., Rm. 307, NY, NY 10011, 212-929-2955. Please enclose payment in advance.

The Inquiry also has a newsletter, Parole Newsletter, monthly, free to cons and parolees, \$1.00 to others.



**NEW ENGLAND PRISONERS ASSOCIATION STATEMENT OF PURPOSE, PHILOSOPHY, HISTORY AND OBJECTIVES**

On April 15, 1973, the New England Prisoners Association was formed as a result of the first annual New England Prisoners Conference held at Franconia College, Franconia, N.H. The New England Prisoners Association is a coalition of prisoner support and prison reform groups as well as a mass membership organization throughout the six New England states. These groups and persons, though diverse in resources and emphasis, are unified around discovering positive solutions to the problems that today's prisons present.

Prisons were originally conceived as a progressive response to inhumane treatment, but to date their hallmark has been one of failure and human destruction. This failure has been costly in terms of human waste and sacrifice, the loss of resources to society and at a great expense to the individual taxpayer.

We recognize the fact that prisons in our society are a by-product of and directly related to poverty, racism, unemployment and the other ills of our society. The programs of the New England Prisoners Association and its affiliates deal primarily with the injustices existing in the criminal justice system. We realize, however, that the problems of prisons cannot be resolved unless they are seen as part of a larger movement for massive social change.

Prisons must be phased out as they are not beneficial to an egalitarian society which recognizes the human and civil rights of all prisoners.

In line with this philosophy the New England Prisoners Association addresses itself to the following areas:

- 1) to work for the abolition of prisons and the prison system;
- 2) to promote and assist ex-prisoner organizations and to coordinate communications among these groups;
- 3) to support prisoners in their constitutional rights to organize collectively;
- 4) to develop educational programs about why prisons exist, how they work and what their actual results are through the NEPA NEWS, speakers bureau, workshops and literature;
- 5) to examine existing prison conditions to determine proper action necessary to alleviate injustices inflicted on prisoners, especially regarding transfers, censorship, visitation, and medical and educational facilities;
- 6) to attack the increasingly widespread use on prisoners of certain psychological and medical approaches including, but not limited to, behavior modification, chemo-therapy and psychosurgery;
- 7) to organize and assist the families and friends of prisoners;
- 8) to provide means of transportation and communication to families and friends of prisoners;
- 9) to develop quality legal assistance for prisoners;
- 10) to develop and promote legislation consistent with our philosophy;
- 11) to explore and develop existing and possible community alternatives to prison;
- 12) to develop financial assistance to NEPA and its various affiliates;
- 13) to issue news releases, hold press conferences and develop contacts with the press and media.

NEPA NEWS is published monthly by the New England Prisoners Association and the Center for Community Service at Franconia College, Franconia, N.H. Our address is NEPA NEWS, Franconia, N.H. 03580; phone 603-823-8501 ext. 5 or 0.

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*(The following statement is being circulated in the women's movement. It has been endorsed by women of the CITY STAR. If you want to sign it or get more copies to circulate, send your name and a note saying so to the CITY STAR, 149 Hester St., N.Y. 10002. Names of organizations will be listed after sisters' names for identification purposes only, but organizations of women and women's caucuses within mixed organizations are urged to endorse it collectively as well.)*

## Jane Alpert

CITY STAR Jan. 75

On November 14, 1974, Jane Alpert turned herself in to Federal authorities four and a half years after she jumped bail after pleading guilty to charges of conspiracy to bomb. She was immediately released on bail.

In a letter first published in May 1973, Jane Alpert divulged information about both women and men activists. The availability of this information to government agencies can harm many people.

We wish otherwise, but the fact of Jane Alpert's previously revealing information forces us to believe New York Times reports that she is "cooperating fully" with FBI investigators "in providing details of her years as a fugitive".

We are women who see the necessity to speak out against any disclosure of information about people in struggle. We believe that anyone who reveals such information acts in the same manner as an agent of the State.

Ms. Alpert now says she wants to involve herself in the feminist movement. But we women say: we cannot welcome her into our organizations, communities, and movement. How can anyone in the name of feminism willingly cooperate with a bunch of corrupt men in the Department of Justice? Informing on sisters and brothers is not part of a feminist movement.



Jane Alpert after surrender (Time)

**SUBSCRIPTIONS**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

- I am a prisoner without funds. Please send me NEPA NEWS.
- I am a prisoner. Here is my subscription in the amount of \$ \_\_\_\_\_
- \$3.00 regular subscription.
- Here is my donation in the amount of \$ \_\_\_\_\_ to support the continued publication of NEPA NEWS.
- ADDRESS CHANGE. I am moving to a new address. Please mail future copies of NEPA NEWS to me at the above address.
- \$10 Institutional Subscription

**MEMBERSHIP**

- I am a con. Enroll me as a member of the New England Prisoners Association.
- I am on the outside. Enroll me as a member of NEPA. I enclose \$4 for a subscription to NEPA NEWS and for a copy of the N.E. Prisoners Resource Manual.
- I am on the outside, have no funds, but please enroll me in NEPA.

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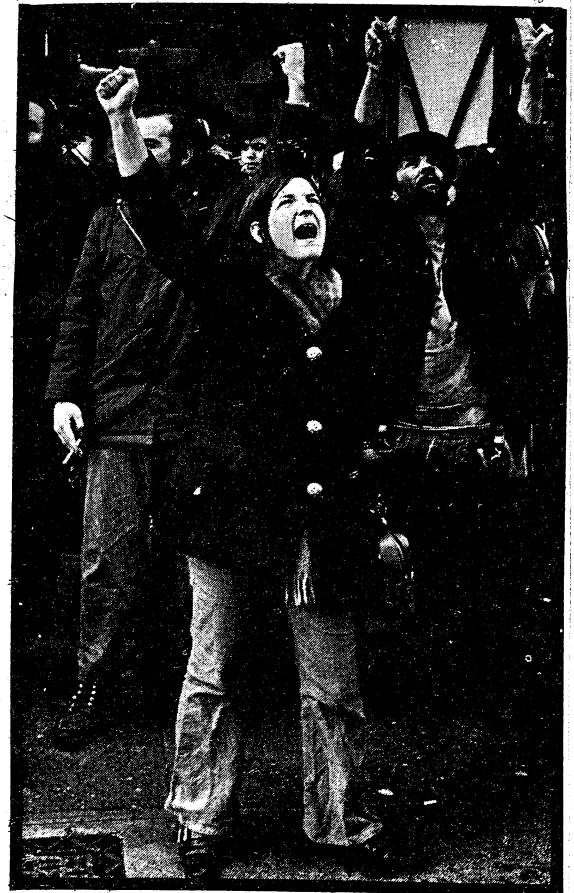
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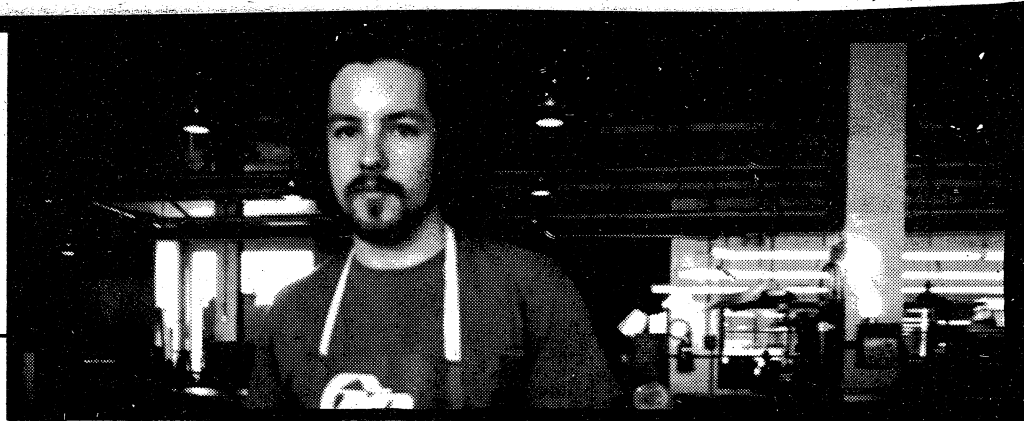
Alpert at New York demonstration, 1969 (Time)

We come from different arenas of struggle. But we all share a basic set of principles and a tradition of maintaining loyalties in the face of the State--for without this, no movement can survive. The issue is one of fundamental principle: all human-beings must make agonizing decisions during their lifetimes about the limits beyond which they cannot go in the name of self-preservation. In making this decision, we have the benefit of the examples of women all over the world; from the tiger cages of Saigon to the jails of Chile, Portugal, and Northern Ireland; to Rikers Island, Alderson, West Virginia, and Cook County Jail. And every day, in less dramatic ways, women make sacrifices to stick by friends, family, sisters. If we don't speak out against those who betray the confidences of friends and comrades, we dishonor those women who refuse to "cooperate" and we endanger our entire movement.

# New Prison Films

## With Intent to Harm

A Film by Stephen Ujlaki and Scott Siegler



WITH INTENT TO HARM is the first film to be shot inside Massachusetts prisons. It evokes a powerful sense of the life of men and women deprived of nearly all human and civil rights. The film details the progress of the prisoner's rights movement in Massachusetts, showing some of the reforms that have taken place since the Attica Rebellion.

"WITH INTENT TO HARM is first and foremost a consciousness raiser: it presents people with a convincing and human view "inside". The very fact that it emphasizes the men themselves as ordinary, credible human beings, making an effort to take control of their lives, says more than alot of horror shots of moldy shower stalls and leaking latrines." --American Friends Service Committee

WITH INTENT TO HARM- 28 minutes, 16mm color, rental/\$35, sale/\$350

## 3000 Years and Life

A Film by Randall Conrad and Stephen Ujlaki

3000 YEARS AND LIFE is the up to date story of the struggles being waged by the National Prisoner's Reform Association(NPRA) inside Walpole State Prison in Massachusetts. Walpole prisoners are perhaps the most unified in the country, and the NPRA is fighting continuously for recognition as a union. They face awesome forces, but they will not be conquered. In this film the prisoners themselves describe what happened at Walpole when the guards went on strike and the NPRA instituted self-government.

"This is the only documented account of what has been happening in Walpole. It is the most important film of this struggle to date."--David Collins, ex-prisoner, Ad Hoc Committee for Prison Reform, Boston

"This film goes a long way toward explaining how a prison can be run without guards on the inside."--Gene Mason, New England Prisoners' Association

"No one can see this film and think that Walpole prisoners are what most of the established media and State House politicians have been saying they are."-- Ann Hack, Citizens for Better Correctional Institutions, New Haven, Connecticut

3000 YEARS AND LIFE- 45 minutes, 16mm color, rental/\$50, sale/\$400

## Vermont State Prison

A Film by the Vermont Coalition for Prisoner Support

The Vermont State Prison was built in 1809, when Thomas Jefferson was president. This film, just completed, consists of discussions with prisoners at the prison. They describe their unsuccessful attempts to get any meaningful rehabilitation programs into the prison. The prison itself is as close to a medieval dungeon as any operating institution.

"How can we continue to operate institutions like Vermont's maximum security prison and pretend we are building a noble civilization is beyond me. This film gives ample reason why the prison should be closed immediately." --Windsor Prison Vigil Group

VERMONT STATE PRISON- 20minutes, 16mm black and white, rental/\$20, sale/\$125, sliding scale available.

WITH INTENT TO HARM, 3000 YEARS AND LIFE, and VERMONT STATE PRISON are available from:

New England Prisoners' Association  
Public Education Program  
Franconia College  
Franconia, N.H. 03580

New England Prisoners' Association  
Public Education Program  
or 116 School St.  
Waltham, Mass., 02154  
617-899-8827



## Community Centers

In New England we now have four Prisoner Community Centers, each of which has a different name, but all of which have the same function: to try to aid prisoners and their families with whatever problems are brought to them. Each of these centers attempts to enlist the assistance of volunteers to help. If you have some time to help, or if you need some help, or if you just want to talk, please get in touch.

### MAINE

SCAR Drop-in Center  
374 Fore Street  
Portland, ME 04111  
207-772-2303

### MASSACHUSETTS

Prison Information Center  
932 Main Street  
Worcester, MA 01610  
617-753-7167

### NEW HAMPSHIRE

Prisoner Family Center  
104 North Main  
Concord, NH 03301  
603-225-2910  
Mail: Box 604  
Concord, NH 03301

### VERMONT

Prisoner Community Center  
87 Main Street  
Windsor, VT 05089  
802-674-2708