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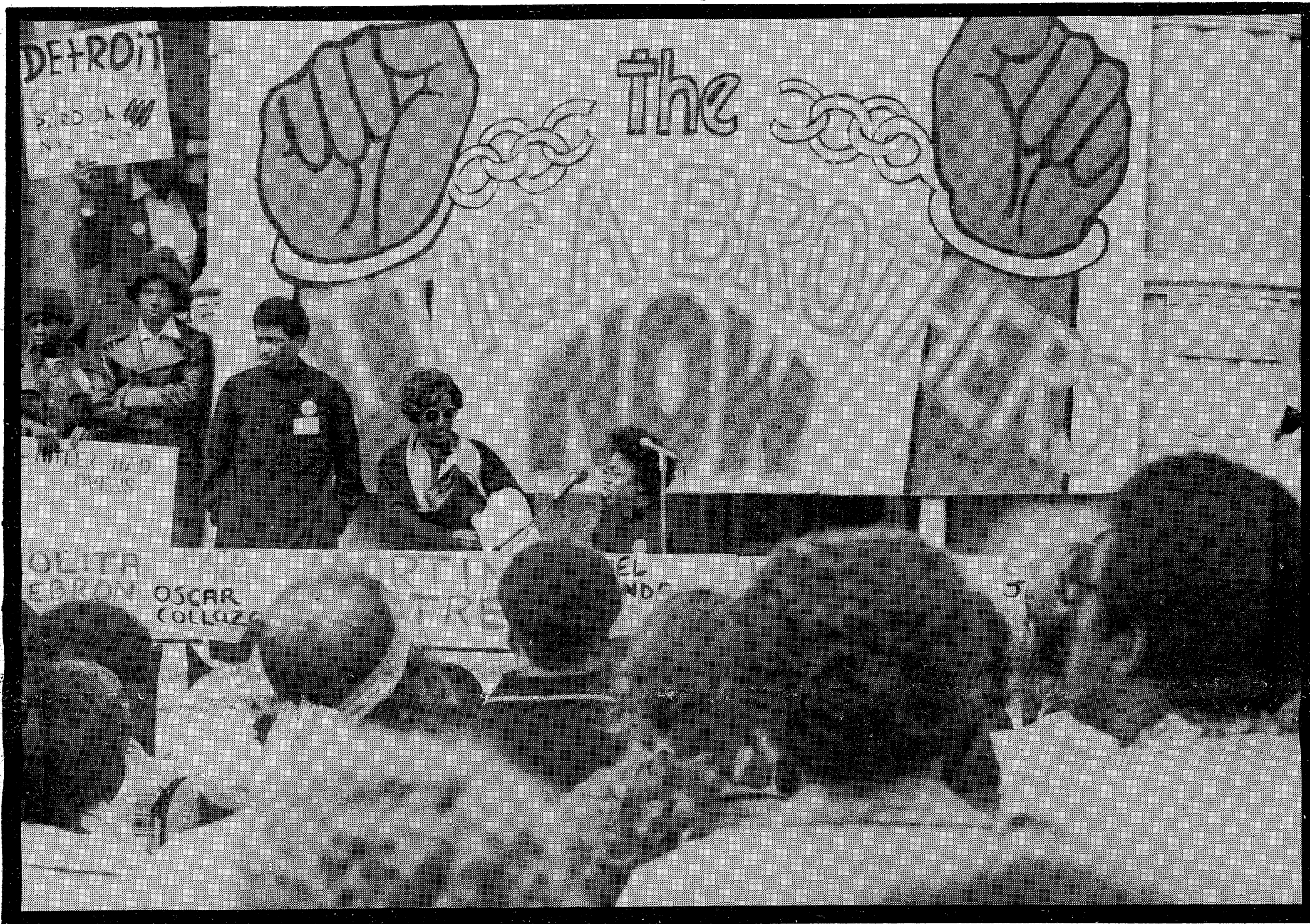
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# NEPA NEWS

The Voice of the New England Prisoners Association



## Attica Moratorium

by Jim Black

On September 14, 1974 the Attica Brothers Legal Defense held a moratorium in front of the Erie County Court House in Buffalo, New York. The moratorium was part of the continuing struggle of the 60 Attica Brothers to defend themselves against the legal assault of the state. The Brothers face a total of 60,000 years in prison arising from the seizure of the prison by inmates from Sept. 9 - 13, 1971.

Many persons spoke to the crowd of 7,000 people. There were too many speakers to detail in one article. All spoke very forcefully and with deep conviction. Generally the speeches defended the right of prisoners to rebel against the unfair conditions they are forced to live under, decried the social injustices forced upon the poor through economic oppression, and denounced the nomination of Nelson Rockefeller to the office of Vice President. Rockefeller, who was the Governor of N.Y. in 1971, ordered the assault on Attica Prison in which 43 guards and prisoners were killed.

The speakers emphasized that the public must understand not only why there was an Attica takeover and why these sixty men are unjustly on trial, but also why a

"A great deal of attention has been given to drugs in the past few years, but to the wrong aspects" Mr. Ingram

said. There have been heated arguments over the legalization of marijuana. However, marijuana is not a drug problem in terms of causing harm to society. Heroin and other such related drugs are, and this is the major subject that Mr. Ingram dealt with. He explained that for several years the general philosophy has been that the great percentage of street crimes has been due to the need of the addict to feed his habit. This is true to a certain point, but not to the extent that the general public is made to believe. The fact is that many addicts with a strong habit deal that particular drug on the great number of people in this country are in prison to begin with. In his speech of support to the Attica Brothers, Michael Haney, of the American Indian Movement stated that when a man is forced into a corner through economic and social means, he has no choice but to rebel.

### Michael Haney

"We Indians," said Haney, have been pushed, shoved, and stepped on for hundreds of years. Who of us has more of a complaint against the American government than the Native American?"

Two years ago a group of Indians from the American Indian Union, (A.I.U.) went to Washington, D.C. to talk to officials

to try to make the Indian living situation better. The first day, a man by the name of Erlichman was sent to them. On the second day, they were sent Haldeman. On the third day the president's attorney John Dean, and on the fourth day the Commissioner of Indian Affairs met with them. As a point of reference, Honey pointed out that the commissioner at that time was Spiro Agnew. These men were sent back to their people with nothing, as the case has always been. In two hundred years the promises have not changed, only the names of the men that give them.

Mr. Haney explained one of the most essential parts of the Indian philosophy, that of being in harmony with things around you. To live at peace with both nature and humanity; but like any other animal on the earth, there is a time when one must fight. When a person is backed into a corner, he will fight for life, family, land, and above all, the right to dignity, freedom, and justice as an equal human being. This is what the Indian movement is all about, and it is a very big part of what Attica is about. Whether a person is in prison or on an Indian reservation, he still has the right to act and be treated as a human being. When he isn't, he will fight to attain that right.

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# Phase out Bridgewater

by Bob Martin

"Based on the unsanitary conditions prevailing at the institution, and the inability of the authorities to provide adequate heat, I conclude that confinement in the Bx Unit of the Massachusetts Correctional Institution, Bridgewater, is unconstitutional in that it violates the Eighth Amendment ban against cruel and unusual punishment."

With those words on Sept. 17, 1974, Federal Magistrate Willie J. Davis signalled the beginning of the end for Massachusetts' oldest and largest state prison. The final blow to the 118-year-old institution is yet to come, since Davis' findings in *Bel vs. Hall* must be endorsed by Federal Judge Arthur Garrity before becoming law. In all probability, however, Garrity will agree with Davis and order MCI-Bridgewater's Bx Unit closed. (It was Judge Garrity who found Boston's Charles Street Jail to be "cruel and unusual" and ordered it closed by 1976.)

The 33-page report containing Davis' findings on Bridgewater is the best news Massachusetts prisoners have had for quite some time. Nevertheless, there are three major questions which must be answered before the extent of this victory is clear:

1) Will Judge Garrity order all of the old Bridgewater prison closed, or just the 140-man Bx Unit?

2) Will MCI-Bridgewater be rebuilt?

3) Where will the present prisoners and patients at Bridgewater be sent if no new facility is built?

**Question 1.** It is most likely that the entire old facility (holding more than 800 men) will be closed. Davis' decision is limited to the Bx Unit only because James Bel and his co-plaintiffs were all residents of the Bx unit (the prison section of Bridgewater). If Judge Garrity doesn't order the entire institution closed, it will take very little legal effort to prove that conditions elsewhere in Bridgewater are the same as in the Bx Unit. (Davis states this in his report.)

As a result we can look forward to seeing MCI-Bridgewater closed in the next several months. This alone will make a major difference in the lives of 800 men. It will also present prisoners with a major opportunity to put Massachusetts commitment to "community correctional centers" to the test.

**Question 2.** Whether MCI-Bridgewater is rebuilt depends directly on whether the state means business both about community corrections and community mental health programs. Reconstruction has begun, but it doesn't have to be finished.

In 1967, the Massachusetts legislature authorized a long-term reconstruction plan for MCI-Bridgewater. So far, \$15 million has been spent in construction for a new 450-unit State Hospital for the Criminally Insane, along with a new heating plant and water and sewerage systems. Ten million dollars more were appropriated this summer for construction of a new kitchen, warehouse, laundry, and other facilities. Money for 400 to 500 more cells has not been appropriated yet, though it may be requested next year.

The \$15 million already spent would be enough to guarantee the creation of a new prison if it weren't for one thing: the new State Hospital was completed a year ago, but it has not been occupied due to poor construction. It is rumored that Dept. of Corrections consultants think the building will collapse if it is occupied. Supt. Charles Gaughan testified in June that the new prison would be used in October, "come hell or high water." Apparently the high water has arrived (the new buildings have leaky basements). Now the D. of C. says the new buildings will be occupied in January, 1975. A final engineering report on the faulty construction is not yet complete.

On top of this, the architect who evaluated MCI-Bridgewater as a potential site for a "special offenders program" roundly criticized the design, saying that the new facilities "tend to perpetuate older

patterns into a new covering." The 450 new cells, among other things, include 30 cells without plumbing and with grates on the floor, which will be used as solitary confinement cells.

With the old Bridgewater about to be closed, and with scandal brewing around the new facility, there is a possibility that all further construction at MCI-Bridgewater can be stopped. But this will take a strong lobbying effort after the election, both to convince the new legislature and to reach the incoming governor.

**Question 3.** The strongest argument for abandoning the new construction at MCI-Bridgewater is that it just isn't needed. Most of MCI-Bridgewater's present patients and prisoners not only can go elsewhere, but should go elsewhere.

On Sept. 14, 1974, the Bridgewater population was 809, in the following categories:

State Hospital	363
Committed mental patients	242
Pre-trial detainees	121
Treatment Center for Sexually dangerous persons	120
Bx Unit	139
Alcoholic Unit	186
Drug Unit	1

With the old facility closing, more than half of these men should be transferred elsewhere. For example, the alcoholics at Bridgewater are not sentenced convicts, but persons voluntarily committed for periods of not less than 10 days. All other alcoholic centers in the state are controlled or supervised by the state Department of Mental Health. The alcoholics at Bridgewater should not even be in the hands of the Department of Corrections.

The Bx Unit prisoners can be transferred to other state prisons, or to community correction centers, or can be given early paroles if need be. The lone drug addict could certainly go elsewhere.

The pre-trial observation prisoners can and should be sent back to county

jails where they would otherwise be, or else to state hospitals. In any case there is no reason for them to be at Bridgewater in the first place. Though they are sent there to be examined for competence to stand trial, there is not a single psychiatrist on Bridgewater's staff. (There is only one licensed physician.)

Transfer of the above three groups (447 men) would leave MCI-Bridgewater with 362 men--242 criminally "insane" patients in the state hospital and 120 "sexually dangerous persons." If the new facility opens in January, there would be room for these men there. If it does not open, which is equally likely, then the 362 could be permanently re-located to other existing facilities around the state, especially Dept. of Mental Health facilities. (In fact, the Dept. of Mental Health has legal responsibility for the "sexually dangerous persons," and it also has responsibility for some of the state hospital patients, many of whom were transferred to Bridgewater from Mental Health facilities.)

**T**his rough blueprint for phasing out MCI-Bridgewater entirely shows that it can be done, even if a few months of hard work would be required to do it smoothly. While the task may not be as easy as it sounds here, it makes a lot more sense than spending millions more to rebuild an institution that has already been the cause of massive human suffering for a century.

Unfortunately, the struggle to close MCI-Bridgewater may not be decided on the basis of logic, or common sense or a commitment to community correction. This year's operational budget at Bridgewater is \$9 million, roughly \$7.5 million of which goes to the salaries of some 610 employees. In the end, Magistrate Davis' findings may be cancelled out by a claim from the guards that putting them out of work is also "cruel and unusual." If MCI-Bridgewater is rebuilt, it will be to save the jobs of the guards, not to benefit either the prisoners or the public.

## Letter to Frank Sargent

Dear NEPA,

I am sending you a copy of a letter that I have gotten out of MCI Walpole and it has been delivered to the State House for Governor Sargent.

I thought your paper may want to put it in your next edition for other inmates to see that they can get in the struggle without NPRA or NEPA doing all the work. I don't really expect any response from the State House but I feel that if they were to see a copy in NEPA NEWS it would help keep the pressure on him.

Sincerely,  
William D. Anderson  
MCI Walpole

Mr. Sargent,

I thought it should be brought to your attention how some of the inmates at MCI Walpole feel about the problems both past and present disturbances that are ever present behind the walls of MCI Walpole.

The inmates are of course not perfect, but due to the publicity and politics and cover up situations the Corrections Dept. makes it appear this way. The so called corrections officers and Corrections Dept. Staff do not, I repeat do not perform in the manner in which the department was founded.

The NPRA in MCI Walpole has repeatedly tried to bring it to the attention of the Corrections Dept. and the public the problems that exist in institutions.

These are just a few problems that exist:

1. The million dollars that is being spent in Walpole at this moment is for security. It is felt that this security

is unnecessary and an abuse of taxpayers money.

2. The behavior modification that exists in 10 block at Walpole is only another way of dehumanizing the inmates and is being used as a threat to other inmates that will not respond to the administration in a way that the administration dictates.

3. There are supposed to be work release programs and vocational rehabilitation programs for the inmates, there are of course, none at Walpole.

4. The continuous harassment both physically and mentally by corrections officers in the mail department and in the blocks and corridors are totally inhuman and unnecessary. All it accomplishes is tension and confusion among the inmates which eventually leads along with other environmental conditions to revolt and riots. Then the Corrections Dept. says the inmates are uncontrollable animals. Then the cycle starts all over again never ending.

You are probably very busy with your election campaign, but nonetheless I strongly urge you to show some interest in the conditions at the prison before it develops into a repeat performance of ATTICA PRISON. By the November elections you will find the situation to be much, much more difficult to handle or control.

If you do not choose to ignore the problems that do exist in the administration and prison, send your response to the prison to be posted on the bulletin board for the prison population to read.

....Dehumanized Inmates Struggling  
To Survive

# The Royal Screw

Bob Narkey, Prisoners' Rights Project

Being that the prison business is a dehumanizing system of "correction", a system devoid of dignity, identity and self-esteem, last fall I decided to devote my energies toward gaining rights for prisoners. To repeat, I am concerned about human dignity rather than prerogatives afforded prisoners under sentence.

The voting rights of prisoners was the issue I pursued. Through research I found that the great and liberal State of Massachusetts does not deny voting rights to people under sentence (excluding those incarcerated for election fraud). Indeed, one might say, here I have a State with a fat heart. Not true! I soon found that the right of absentee ballot is denied by law so that people under sentence cannot utilize their legal rights while behind locked doors. The law is so discriminatory that an inmate on furlough could register and vote in the town in which he had resided. Strange? This is only the beginning!

With the aid of lawyers and students from the Prisons Rights Project, Suffolk Law School and Cambridge-Goddard College, a class action suit is being filed this month in State Supreme Court for absentee ballot rights for inmates. However, a favorable court decision will remedy little since very few inmates are registered in their towns to utilize the absentee ballot vote. Thus far the sum total of events looks something like this: What good is the right to vote if absentee ballot is denied? What good is the absentee ballot if a handful of people are registered? In order to exercise the basic right to vote, we must find some way in which to register inmates.

Here is where it really gets exciting! According to the State Election Office, absentee registration does not exist. There is a law which prevents town/city Registrars from crossing town/city lines to register voters. That is, even if we requested local Town Registrars to go to state facilities for the purpose of registration of inmates from their respective towns (be-

fore incarceration), the law prohibits such registration.

Well then, how can inmates register to vote, so they can get absentee ballots, in order to finally exercise their legal right to vote? One way, of course, is for Corrections to grant special furloughs and/or special group excursions to the respective Town Registrars. Another avenue of possibility is to declare inmates as "residents" of the respective towns where the facilities are located. This declaration would permit the Town Registrar to visit the facility (by petition from 10 or more inmates) and register the people to vote by absentee. However, however, however, if inmates are declared residents they have the right to vote in local elections. Imagine how quickly the prisons would turn around then.

The above logic and format would seem utterly absurd if it were not for the interesting findings uncovered. Hold your breath! The State and respective towns where facilities are located have been counting inmates as residents for some time. As far back as 1970 (probably further) towns such as Walpole, Norfolk etc. have been listing individual inmates in their respective town census directory (suddenly stopping in 1971). The Town of Norfolk in 1970 and earlier includes in the Town Report a census figure which combines Norfolk inmates and local residents.

This information is drivel compared to the alarming discovery that towns, ie. Norfolk, Walpole etc. have been using the inmate population of the State Prison facility in their town census in order to (A) receive State/Federal monies and (B) reappportionment of state representative districts for voting purposes.

First the respective towns (Walpole, Norfolk, etc.) receive amongst other revenue, library grants and state lottery monies distributed to the towns and based on population size, a population size which includes the state prisons located in their towns. Shame, shame. THE INMATES ARE CONSIDERED "RESIDENTS" FOR THE PURPOSE OF OBTAINING MONIES, but they do not receive the benefits from the loot received by the Town. Secondly, in 1970 the State called for a special census to determine the apportionment of districts in the Commonwealth. The State issued instructions to the local towns to include prisoners in their census figures. That's right!!! You were counted as part of the population which helped set up the representative districts--even though you were denied the right of absentee ballot.

If this does not anger you then try this: The State of Massachusetts paid each town (Walpole, Norfolk etc.) 25¢ per head for each person counted. This means that the towns made a nice buck including your name in their census. Now you know why I called this paper THE ROYAL SCREW.

My intention is not to remind you of the injustice of the prison system--I am sure you know all too well about that--but rather to inform you of interesting data uncovered. I am certainly willing to continue working on the problem of voting rights but I need a response from the inside.  
(Prisoners Rights Project, 2 Park Square, Boston, Mass.)

They are attempting to close down DSU, so that when they leave, others will not take their place. Someone once said, of Nazi Germany, "When they came for the Communists, I did nothing because I was not a Communist. When they came for the Jews, I did nothing, because I was not a Jew. When they came for the Trade Unionists, I did nothing, because I was not a Trade Unionist. When they came for the Social Democrats, I did nothing, because I was not a Social Democrat. Then they came for me."

Angela Davis has said many times that if she had not struggled for the freedom of the Soledad Brothers, if she had not help set in motion that apparatus, the movement would not have fought and won her freedom.

Bobby Daigle put it this way, "Buttersworth and Waiveitch are attempting to undermine prisoner solidarity and strength with strategies of 'confuse' and 'divide.' They are very good at it. It is their trade. Its up to the men at Walpole to show them the word...UNITY...and its meaning. We will not turn back to silent ways. Those days are gone."



Demonstration at Walpole against DSU on October 5, 1974. photo by Cynthia Benjamins.

## Walpole Hunger Strike

by Donna Parker

(We print the following personal comment/observation by Donna as an editorial comment by her, not as a news article. Feedback on this editorial is, as with others, welcome.--ed.)

Three men are starving to death in Massachusetts's Walpole Prison. They have refused food since August 24th in their continuing struggle against the oppressive, behavior modifying apparatus of the Departmental Segregation Unit (DSU) in which they have been confined for 9 months to a year.

We could blame many people for the continued and unheeded suffering of Bobby Daigle, Arty Morrow and Jerry Sousa. We could blame Gov. Sargent for sacrificing the lives of these men to protect his pretentious political career. We could blame Commissioner Hall for his televised lies and accusations while he attempts to defend and promote the inhuman forces which make up the Massachusetts prison system. We could blame the iron fist of Security Chief Butterworth and his racist-facist policies that seemingly are successful in manipulating black/white racism to his own ends. We could blame Warden Waiveitch for his apparent inability to grasp what is going on at Walpole. We could blame the guards who, because of their intolerably sadistic behavior in population, have got themselves assigned to 10 Block in order to protect themselves from the general population. (The men in 10 Block are locked in their cells virtually all the time.)

They are our oppressors. Tell me why they should aid us in any struggle to overcome the decrepit system on which they thrive? Ten Block, DSU in particular, is a vital organ in this system.

DSU is where they bury a prisoner "when

he demonstrates an inordinate amount of disruptive behavior" or when he may be found to be participating in activities which "threaten to subvert" the safety of the institution. We all know what that means.

When a prisoner attempts to function with some dignity, when he refuses to accept the degrading realities that oppress him, and worse yet if he attempts to change those realities, he is hauled to DSU. Here he is expected to be worn down and 'tamed' into 'adjusting to prison life'. Left segregated in this hole for months on end, further oppressed by sadistic games and pre-decided trials, the keepers know he is ready to return to population when he grovels contentedly on command.

But for those prisoners who refuse to sell their dignity, for those prisoners who continue to struggle, not only for their own humanity and freedom, but for that of all prisoners, a death sentence becomes the next reality.

I ask again: Who is responsible for the slow execution of these men? All of you have let institutionalized racism dominate your lives. You who care more about the color of a brother's skin, the price of drugs, and the promises of that far off and elusive furlough, than either your own or your brothers' humanity. By failing to struggle and support your brothers, you have perpetuated your own enslavement.

Bobby, Arty, and Jerry all had likely shots not only to get out of 10 Block, but to get out of Walpole all together----IF THEY COOPERATED. Rather, instead of guaranteeing their own release from the hole, they spat in the administrations face. By refusing to eat, they are saying, "It doesn't work. We will not become your pets because you treat us like dogs."

# Close Somerset

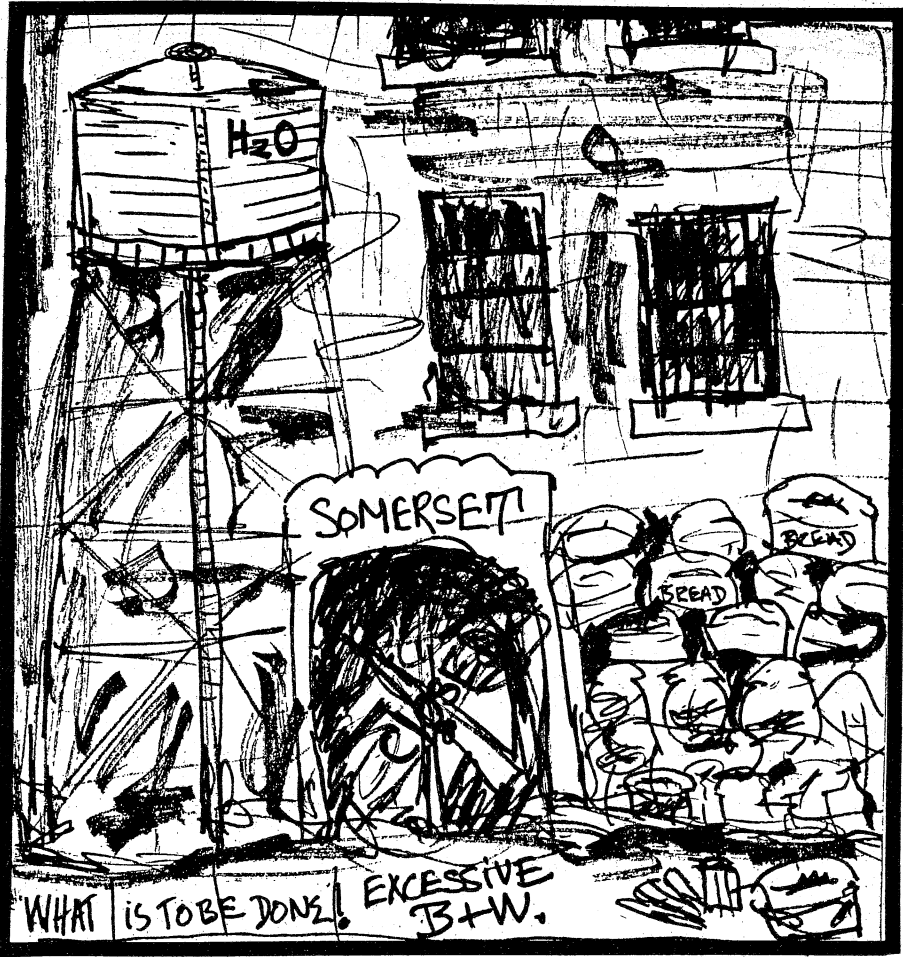
SCAR, along with Robert Stoodley, who is presently being held at the Somerset, Me. Jail, and two ex-Skowhegan captives have filed suit against Somerset County Sheriff Francis Henderson, his deputies and William Kearns, Commissioner of the Department of Mental Health & Corrections. They seek to close the jail.

The Somerset County Jail, like many in rural America dates back well before the turn of the century. The present structure was built in 1903. The second floor cells were moved to the jail from the original jail located in Norridgewock.

The jail contains 12 cells on the first floor for long-term prisoners, 5 on the second floor for pre-trial detainees, 1 "drunk-tank," and 1 cell for juvenile or women prisoners. Each cell contains a steel bed with mattresses optional at the discretion of the staff. The second floor cells must share a badly chipped, yellow encrusted toilet. Lighting and ventilation are totally inadequate.

No opportunity for exercise exists. Other than 10 books, a few magazines, and one daily newspaper, the only recreation is rapping to the other prisoners. TV's and radios are not permitted.

No written rules of conduct exist and violators of the unwritten rules are punished harshly without any due process requirements. After 9:00 PM the prisoners are locked up and the guard(s) on duty retreat to a separate room behind a steel door. No communication is possible in the event of an emergency. All mail except to and from attorneys is routinely read and often photocopied. Use of the phone is only allowed in exceptional situations and the call is then made by one of the officers on duty. Visiting hours are from 2-4 PM on Saturdays with no visits for those in segregation. No medical or dental service exists. The jailers have customarily disbursed work release wages without a hearing or court order in violation of state law.



In light of these conditions, SCAR and the other plaintiffs are seeking to have the jail closed. The conditions and practices of the jail are unconstitutional, to say nothing of being totally inhuman. The suit also asks for compensatory and punitive damages for plaintiffs totalling approximately \$18,000.

According to SCAR, both ex-prisoners and ex-guards from the Somerset Jail from as far back as 20 years are willing to testify on behalf of SCAR. All testimony should be highly revealing of the sickening conditions at this jail and will hopefully spur similar suits at other equally bad jails.

# New Maine D. of C. Policies

Last spring the Maine Governor's task force on corrections approved a series of recommendations for improving Maine's correctional system. The Statewide Correctional Alliance for Reform (SCAR), an organization of Maine prisoners and ex-prisoners and a coalition member of NEPA, worked on the task force and had a large impact on the policy recommendations.

The areas covered included "review of literature and related materials," "Institutional visits of attorneys and agents of attorneys," "access of news media," and "organizations within institutions." Over the course of the summer the Department of Corrections began to institute the recommendations, some of them almost word for word. The new department policies on "Organizations" and "news media" access are summarized and commented on below.

## Organizations

The new policy on organizations in prisons became effective on July 29, 1974. Part 1 states the reasons for the policies, "to exercise the constitutional guarantees of free expression and association to the same extent and subject to the same limitations as the public at large," that such are "necessary components of programs designed to re-integrate the offender into the community." This to be limited by the need for "preservation of institutional security and/or clear and imminent threat of danger or violence."

In order that the limitation clause is not abused by wardens, the clause is further defined to say that limitation of rights of assembly shall be "to the least degree possible," that any limitations imposed shall be lifted as soon as possible. The policy adds that the following factors are not justification for limiting assemblies or organizations: to protect the staff from criticism; to protect prisoners from "Improper ideas or political ideology" or from views deemed "not conducive to rehabilitation;" and administrative inconvenience or cost except where "unreason-

ization is cause for immediate cancellation of certification.

Part three deals with regulatory provisions. This section says that organizations must keep up-to-date membership lists and "are also encouraged to develop formal constitutions and by-laws." Organizations may request a particular employee to be a liaison between the organization and the administration. This same section adds: "where organizations do not wish a staff liaison person to attend all meetings, or where large numbers of people will be regularly participating in organizational activities, appropriate security arrangements will be provided by the administration." The warden "may require staff attendance at meetings" for security, but if this is done, reasons must be provided in writing.

A very important aspect of this section states that: "Inmates and collectives of inmates shall be permitted to have confidential meetings among themselves and with community members or groups." Under this policy SCAR has been holding meetings in the prisons with representatives of both inside and outside membership. The meetings in the State Prison at Thomaston have been every two weeks. However, the warden has only allowed 4 inside members and 4 outside members to meet together without a guard present. SCAR maintains that this is an unjustifiable limitation and the inside chapter is appealing this restriction.

## News Media

This policy was put into effect on June 24. The policy runs down a similar sort of reasoning as is in Part I of the policy on organizations. Here the emphasis is on freedom of press, "Constructive dissent" and "flow of information" between public and prisoners.

To implement the policy the following procedures are adopted. A news media representative shall contact a warden, identify "the news organization represented and the subject, activity or resident (s) to be covered." Coverage "shall occur during regular visiting hours or by appointment." Interviews with a prisoner are only with the written permission of the prisoner(s) involved.

Coverage should be approved and communicated on the day requested, if possible. Denial "shall be made only by the Director of the Bureau of Corrections and only on request of the head of an institution." The reasons for the request must be submitted to all parties concerned. Denial of access, again, only on the basis of "security and order and/or a clear and imminent threat of danger of violence." The policy then runs down the same safeguards on administrative abuse as is in Part I of the policy on organizations.

## Comments

It seems to us at NEPA NEWS and to SCAR that these policies, and the others mentioned at the start of the article, are clearly a progressive step. Both the policy on organizations and the policy on media access open up the prison a little more. It is now possible for prisoners and those on the outside to have a little more contact, which will help to end the overwhelming isolation of prisoners. Equally important, these policies were presented with the understanding that prisoners are human and are also citizens. To deny convicts their citizenship and/or their humanity does not help either prisoner or society.

Finally, the policies indicate that the DOC realizes that they cannot by order suppress criticism or unpopular ideas. All in all, these policies are small but very significant steps to drag prisons into the light of day. Once in the light, it will be easier for the community on the outside to see why prisons must be torn down.

able and disproportionate."

Part two sets up procedures and guidelines to implement part one. Among them are: organizations shall file membership lists and statements of purpose; the head of the institution shall then certify the organization; the warden retains discretionary right to prevent meetings of certified organizations from being held under the "security" guidelines. If the warden refuses to certify an organization, or if he/she prohibits meetings, the reasons must be presented in writing within five days and the affected organization has the right to appeal. A disturbance created by a certified organ-

# SCAR Farm Raided

On the night of the last day of September, the Maine State Police raided a farm that is occasionally used by the Statewide Correctional Alliance for Reform (SCAR). The following day, Oct. 1, SCAR released a press statement which is essentially self-explanatory.

Without getting into the specifics of the incident, of which we know no more than we can read in the paper, the facts are:

1) The farm in Bowdoin, Me. is and always has been privately owned by three individuals who have from time to time permitted SCAR to hold concerts there.

2) The use of the dwelling as a "rehabilitation center", though actively considered two years ago, was never set into motion. We have on two occasions some time ago allowed former prisoners to live there, but only on a temporary basis and as emergency housing.

3) We had planned to renovate the dwelling this fall, and in the meantime have pretty much neglected it. The house is well known and many different people have been allowed to stay there.

To refer to this dwelling as a SCAR rehabilitation center is ridiculous. The dwelling even now has no heat or plumbing and is deserted. We felt that whoever it was that released the press statement concerning this bust knew the facts about this dwelling, purposely misled the press and public, all as part of an ongoing attempt to discredit us.

We feel that this raid was politically motivated and retaliatory for these reasons, among others:

1) Our role in the recent Rural Crime Hearings, in which we stated that crime was rooted in social ills such as unemployment and underemployment, high prices, etc. We stated that all attempts to crush crime with more and more police and guns without trying to deal with the sources of crime would lead inevitable to

cut reason to believe our phone is tapped; and so on and so forth.

We would like some sort of public retraction from responsible parties for the mis-representations made. We would like to also see some publicity around the things that we are doing around finding jobs, creating bail funds, getting ex-convicts into colleges, etc.

As yet, days after the raid, no charges have been filed against anyone for the grass found on the farm, growing peacefully under the hostile weaponry of our police.

## Fishin'

by Ron Sturupp

I saw a press release the other day. It was from the office of Senator Birch Bayh of Indiana. Normally, when I have contact with any politician, no matter how remote, I suddenly get an uncontrollable urge to go fishing--alone, out in the middle of a big lake, all by myself. Since the weather was dark and forboding and storm clouds were thundering across the horizon, I decided to stay at home and fish among the prodigious promises and pronouncements of progress in the area of juvenile delinquency contained within the four pages of Senator Bayh's press release.

Senator Bayh, or his public relations director, informs me, that after three years of hard work, suffering and personal sacrifice, he has finally gotten Bill S-821 through the Senate and the House of Representatives. Bill S-821 has been christened the Juvenile Justice and Delinquency Prevention Act of 1974. According to the Bayh people in Washington, the implementation of the terms of Bill S-821 will cause justice to flow down upon the heads of our juveniles like the spring rains racing down the rugged slopes of the New Hampshire Mountains.

The Juvenile Justice and Delinquency Prevention Act, as explained by Bayh, is broken down into five pieces. He calls these "titles".

goes on to explain who will get a chance to spend some of this \$1,000,000,000, and under what terms and what the bureaucratic structure will be. This title then warns of what the consequences of skullduggery and rip-offs will be.

Mr. Bayh says that within the Justice Department, under the Law Enforcement Assistance Administration, there will be created an office of Juvenile Justice and Delinquency Prevention. It will be headed by an administrative assistant nominated by the President with the advice and consent of the Senate. This person shall exercise all necessary powers, subject to the direction of the Administrator of the Law Enforcement Assistance Administration. He will appoint and hire all the personnel he feels necessary for the administration of Justice to our juveniles.

This administrator shall implement overall policy and development objectives and priorities for all federal juvenile delinquency programs and activities relating to prevention of juvenile delinquency, diversion, training, treatment, and rehabilitation of juvenile delinquents as well as evaluation, research, and improvement of the Juvenile Justice System in the U.S. This administrator shall also advise the President, advise Congress, advise the Security Council, advise the Attorney General and advise the Juvenile Justice Advisory Committee from time to time as to the state of juvenile delinquency in America.

In addition, this administrator is authorized to make grants, or to enter into contracts with, any public or private agency, institution or individual to carry out the purposes of this act. J.J. and D.P.A. of 1974 was endorsed by 22 state and private agencies including the National Council of Juvenile Court Judges, the National Education Association, the YMCA, the Boys Clubs of America and the National Council on Crime and Delinquency. In fact, twelve such organizations collaborated in creating the terms of the J.J. and D.P.A. of 1974.

Also on this title are provisions for establishing facilities to provide community-based services to juvenile delinquents as an alternative to the traditional detention and correctional facilities. Any community people requesting funds from LEAA's Juvenile Justice and Delinquency Prevention Office must first have their application reviewed and approved by an appropriate state or regional planning agency. These members are appointed by the Governor of the state. Senator Bayh says the purpose here is to establish a centralized effort, to make the prevention of delinquency a national priority and to provide the necessary resources, leadership, and coordination. The Bayh people in Washington assured me, through their press release, that this will "save tens of thousands of young people from the ravages of a life of crime, while helping them, their families and society."

I would point out that the LEAA is a truly immense bureaucratic machine which pumps millions of dollars into such diverse things as military hardware for police and guards and behavior modification programs. While an occasional worthwhile program might get funded, by and large, the LEAA programs do absolutely nothing for rehabilitation. Based on past performance I wonder whether Bayh's bill will unleash a billion dollars for juvenile mind control.

Title III. There are, according to Senator Bayh's press release, an estimated 1,000,000 young people who run away from home annually. These youngsters, Mr. Bayh says, have little hope of coming under any supervision or receiving essential services. Consequently, they fall prey to drug pushers and street gangs and succumb to a life of crime. Senator Bayh is alarmed. Accordingly, the J.J. and D.P.A. of 1974 has created a Runaway Youth Act. \$10,000,000 annually has been set aside to finance this program. This program is to operate under HEW. The bureaucratic structure and ground rules are the same as the delinquency prevention programs under LEAA. The first press release does not indicate what the nature of the innovative approaches should be. It does say, however, that no grant under this section shall extend for more than one year.

Continued on page 8.



a police state. In taking that position we were the only opponents of increased police budgets.

2) Either directly or indirectly SCAR has been responsible for a number of suits being brought against both State and County law enforcement officials to force them to follow the law and to maintain jails at least fit for human habitation.

This is not an isolated incident as far as we are concerned. Last week we filed three complaints against the Portland Police Department. In recent weeks our members have been followed and harassed; in the past our funding sources have been approached by law enforcement officials; there is an alleged Police Death Squad in Portland supposedly designed to kill ex-convicts in this area; we have clear

Title I deals with the findings of a sub-committee which Senator Bayh chaired. These startling and alarming findings, the Senator concluded, were instrumental in bringing about the passage of the J.J. and D.P.A. of 1974. These findings revealed that the incidence of juvenile delinquency is rising rapidly, that the Juvenile Justice System is on the verge of collapse, and that children caught up in the Juvenile Justice System are being brutalized, psychologically immobilized and dehumanized far beyond the bounds of human imagination. I have heard this same thing shouted in the ghettos, hollows, swamps and tenant farms of America for the past twenty-five years.

Title II announces that \$1,000,000,000 has been appropriated for use over the next three years in administering justice to our juveniles. This title

# ACI Locked-up Again

by Roger Marquis

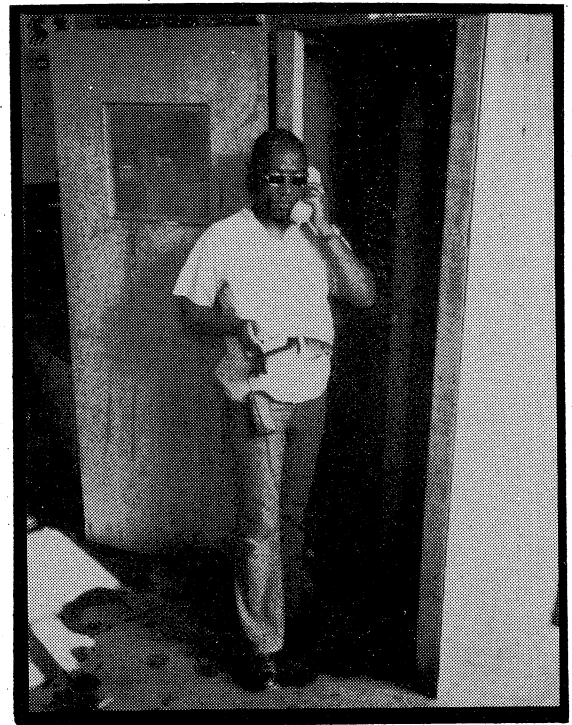
At the time of this writing, the ACI is once again under general lock up as Warden James Mullen perseveres in his policy of punishing all for the actions of a few. This latest lock up was prompted solely on basis of a series of unfounded rumors of a possible altercation between Whites and Blacks. Although the official press release referred to this incident as a general search, this term was only used as a ruse to cover up the fact that a lock up was totally unwarranted.

When Warden Mullen assumed his new position last year, he assured us that he did not approve of general lock up and would not resort to this measure unless there were no other alternatives; yet, we have been subjected to more lock ups since he took over, than in the previous several years combined.

It is a commonly accepted fact that the inmates who are primarily responsible for most of the trouble at the ACI comprise only approx. 5% of the total inmate population, whereas the other 95% are generally satisfied to do their time and mind their own business. The Warden seems to feel that these lock ups alleviate tension by giving this radical minority group a chance to "cool off". But in effect he is inadvertently playing right into their

hands by giving them just the excuse they need to entice others into joining their ranks. Most inmates usually try to avoid trouble for fear of lock ups or administrative repercussions, but many of them are now re-evaluating their position and saying "Why should I try and stay clean? If they're going to lock us up anyway, we may as well give them a reason to do so." So instead of alliviating tensions, these lock ups are actually feeding kindling to the fire. The Warden can keep us locked up for a few days, a few weeks, or a few months, but eventually he has to let us out, and when he does he will still be confronted with the original problems and the additional hostilities to contend with.

When is Mr. Mullen going to realize that the archaic philosophy of locking up prisoners and throwing away the key is no longer applicable or effective in this modern day and age? The obvious answer to improved prison reform lies in more progressive methods, such as new legislative bills, arbitrary negotiations with inmate organizations, better educational, vocational and recreational programs, exercising more discretion in selection of new officers and a more liberal attitude on the part of higher correctional officials and administrative personnel.



Dale Jackson, in charge of NPRA-ACI Phone

Let us hope that R.I. doesn't turn into another ATTICA before the proper people realize our needs.

## ACI Youth Commission

by Shelley Killen

*"I have no doubt that reformation is a much more painful process than punishment in its most aggravated and moral form - a fact which accounts for our entire failure as a community to reclaim that interesting phenomenon who is called the confirmed criminal..."*  
Oscar Wilde

There is no historical evidence that any group of intellectuals have ever resisted the popular beliefs of their time concerning penal institutions. Individual artists, writers, thinkers, and religious men or women who were actually incarcerated or identified deeply with those who had been imprisoned have spoken most lucidly on the stupidity and cruelty of all prisons and their deleterious effects on those within them. Only one who has been subjected to the base and degrading conditions that the prison offers can speak with authority on the total failure of these institutions to improve the quality of life.

One of the brightest signs of our own period are the many voices that are coming from within the prison to speak to those outside. It has become quite clear that our whole society is in peril unless we transform our penal system swiftly into community structures based on consensus and reciprocal relations.

The Youth Commission that has been recently formed at the ACI, Cranston, Rhode Island has as its goal the establishing of half way houses for juvenile offenders and the establishment of drug rehabilitation programs for young prisoners who have been incarcerated for "drug-related offenses". The President of the Youth Commission, Ronaldo Gautier, spent many years in the Boys Training School and is keenly aware of the need for young prisoners at the ACI to assist boys under 18 in receiving human treatment in a half-way house, rather than life-denying institutionalization.

Curiously enough, the first large scale reformatory was built by Pope Clement XI in 1703 and called St. Michael's Prison. The motto in the workshop of St. Michael's was: "It avails little to punish the wicked unless you reform them by discipline." It apparently did not occur to Clement that the establishment of black-hole cells, floggings, silence, hard labor, and bread and water diets was itself



Pressmen Manuel Baptista & Michael Roberts-ACI

far wickeder that any crime a young boy might commit. The youth incarcerated in St. Michael's were guilty of petty theft, "wayward behavior", and were often not wanted by their families. They were put to hard labor and served as slaves to the state, not unlike those imprisoned in correctional workhouses in 16th Century London, Amsterdam or Nuremberg. In each country the violent, rapacious state called its violence "law" and those who did not conform to these laws "criminals" or "madmen."

There is no such institution as a "good" prison or a "good" reformatory and there are no "good" rehabilitation programs coming from above. As soon as one group of men act as if they are arbitrarily right and others arbitrarily wrong, there is no possibility for human relations or growth of any kind. All arbitrary authority dehumanizes and alienates people.

The current label of "sick" or "mentally ill" for the person who has been incarcerated is as pernicious and deceptive as the label "witch" had been in earlier times. One is assumed to be something and then subjected to torturous treatment that assures that one will become so.

If there is to be any authentic reform within the penal institutions, it will come from those within who refuse to accept the stigma-label of criminal or sick and who assert their right and need to be a responsible-to-self individual. The fact remains that we are all troubled and some of us are more or less fortunate than others in living with our troubles. It is time to drop all labels - "offender", "addict", "alcoholic", "schizophrenic" - and begin thinking of ourselves as beings who inwardly crave liberty, love, and self-esteem.

The establishment of the Youth

## Are Cars Holy?

by Shelley Killen

"We can count on injustice in human affairs; on privilege, exploitation, and violence. Violence, which in its ability to turn a living man into a thing, inflicts the final unalterable injustice."

- Albert Camus

Boys Training School, R.I.

Wednesday, October 2, 1974.

One boy dead, four boys suffering critical second degree burns and two boys in fair condition, according to Providence Journal Report. The fire in the Maximum Security building raged for at least a half-hour before the fire department inadvertently found out about the blaze from the Cranston Police Department.

Blame has been placed on a "million-dollar fire alarm system that did not work. Blame had been assigned to the "deviant behavior" of the boys, who according to one official locked themselves in the recreation room, and started a fire as if to commit collective suicide. Blame will not bring the dead boy back to life, nor will it heal the burns of the other six youngsters.

Conscious acceptance of responsibility may possibly lead us to challenge the warped and cruel system that incarcerates boys in fire-traps and needlessly destroys life in order to protect the privileges of propertied people.

The boy who died had originally been confined in maximum security for car-theft. He was later returned to maximum security for a "parole violation." In our culture cars are holy. A poor youth who craved the same status symbol that the wealthy can afford became the ritual scapegoat for our sick, perverse religion of worshipping objects, fears, and locks.

The state of Rhode Island and all those who remain silent in the face of the hell holes and punitive camps that we have created for the more vulnerable members of our society are guilty of sanctioned homicide.

State police were sent to guard the youths now in the hospital. Who is there to guard the state against its own stupidity, indifference and oppression of life?

In the Middle-ages "witches" like Joan of Arc were burnt at the stake. In the 20th Century people who have been

Continued on page 8

Commission by young men who have been incarcerated in the ACI will hopefully not only benefit the younger members of the prison, but will stake out new ground for a revised view of our social order.

# Hex Revisted

Labor Day. There was a steady feeling of anticipation in the yard as prisoners sought each other to rap about the group which was to appear on that day.

The group was the same one that played here on the 4th of July. At that time the group was newly formed and as yet had no name. But nonetheless, the prison population shimmied and shaked as the music was put forth from the instruments and the talented fingers operating them.

Finally the moment came. The group arrived and after a half hour to set up, the music was again in the air. They played loud and hard and knew the prisoners were tuned in. With each number, the feeling of the sounds was intensified until it seemed that one could actually see the individual notes of the music as each chord on the guitars, each rattle of the drums, and each reedy strain of the harmonica combined with weird undertones of the small organ.

The group rested after an hour of solid playing, mingling with the prisoners, exchanging greetings as they discovered some friends who were unfortunate enough to have been busted and sent here. The guards made no attempt to stop the visiting.

After a time, nobody was quite sure how much time as they were still under the spell of music, the musicians once again resumed their serenade. The sound beat down upon the ears of the entranced audience, and once again all were equal; the group for making the music and the prisoners for listening and making the music great by their rapture. But all too soon the concert was at an end. The leader made a small speech about how they enjoyed play-

ing for the prison population and that they now had a name, HEX. A fitting name it seemed to me. Those especially thanked for making the concert possible was the DIE HARD MOTORCYCLE CLUB.

But the concert was over. Only the ghostly feeling of absence was left. HEX promised to play for us again sometime and we departed to our supper meal and return to our cells. As I lay on my bed, I relived the recently passed hours and think, HEX is really going to make it big someday. But what's past is past and they'll be here again. I rolled over and went to sleep.



## NEPA Proposes N.H. Legislation

The NEPA Chapter at the NHSP is working on proposed legislation for the next session of the State Legislature, which will convene in January, 1975. The proposed bills will cover, among other things, parole reform, furloughs, work and educational release. Different lawyers are helping the prisoners to put the legislation in finished form at this time.

### Parole Reform

A number of prisoners at NHSP who have in the past been on parole have formed a NHSP NEPA Parole Reform Committee (NPRC). In a letter to us they say,

*We realize that the basic reason for this prison having the greatest recidivism rate in the country is because of the tight noose of the present parole condition. The way the parole system is set up now, it is exactly that--a set up. The reality of parole in the state of New Hampshire is that an ex-prisoner faces a community as one branded, stripped of his citizenship. He is, in effect, the same as if he were still in prison.*

*What is parole for if not for the sake of giving a person a chance to live like an average citizen? Yet it has been proven in the past that if an ex-prisoner feels he is being watched continuously, his ability to adjust to the outside world is seriously impaired. But if the ex-prisoner were to be treated as everyone else is, the probability that he will remain on parole, not be a recidivist, is extremely high.*

*We have formed, then, for two essential reasons: 1) To change the old parole statutes, for we know the main reason for parole violation and high recidivism is the parole statutes that are in effect now. 2) To suggest what constitutes the reality of parole instead of the tokenism of third class citizenship or what is known in a cynical view as 'getting a break.'*

*What the NPRC has thus far attempted to do was to re-write some parole laws so as to make the parolee have equal footing with the citizenry. Yet one thing must be realized: without prison conditions being made more humane, then parole reform will not work.*



Menti Tsen/cpf

The NPRC has proposed changes in many areas of the laws governing parole. Stripped of the legal mumbo-jumbo in which they must be written, and somewhat simplified, the changes would provide for the following:

--a prisoner would be eligible for parole after one half of his/her minimum;

--failure to report while on parole would no longer be treated as an escape, but as a parole violation;

--if a prisoner is released on parole under the one-half law, he or she would remain on parole for the duration of the minimum, not the duration of the maximum sentence, and then be fully released.

--a parolee would have the full rights and privileges of a citizen of the state;

--further changes would reduce the arbitrary powers of the parole board.

### Furlough

Under the present penal system in N.H. a prisoner is allowed little or no opportunity to maintain his or her relationship with the family in particular and society in general. In many instances this lack of contact results in 1) an alienation from or outright loss of the family, 2) an outright loss of any sense of how to react with in society, and how to be self-supportive, 3) a combination of both.

Somehow, through all of this, society expects that these prisoners, upon release will have 'learned' to adapt to the society in which they live. Obviously, this is an illogical expectation because of the socially 'de-habilitative' quality of our present system.

As a first step toward a more real approach, we ask that prisoners be allowed mandatory furloughs whenever possible. We therefore propose an Act Related to Furloughs, one for prisoners at NHSP, another for prisoners in the county jails.

In both bills the prisoners would be eligible for two days of furlough time each month, cumulative. At NHSP, a prisoner would become eligible after a maximum of six months, would be able to take up to five days of their furloughs at one time, and would also earn two, three day holiday furloughs each year. Any furlough time not used within the year granted would be credited to statutory good-time.

Further, a furlough board would be set up to "study the cases of any men who for serious reasons might not be deemed eligible for a furlough in any given month." At least one prisoner must be on the furlough board.

In the County Jails, as all sentences are for less than one year, a prisoner would be immediately eligible for furlough unless it is shown that the pri-

soner poses a clear and present danger to the community." This particular bill pertaining to County Jail furloughs is modelled after the one in Maine.

### Fire Bonin

201 prisoners at the NHSP have signed a petition calling for the removal of guard lieutenant Donald Bonin. The petition, which was sent to various organizations, government and prison officials, and the news media, states several reasons for the requested firing. Among them are:

--"That the main purpose of said Donald Bonin is to harass, create trouble, and lie about the inmates..."

--That Bonin was hired through nepotism in that when he was hired he had two brothers-in-law who were lieutenants: David LaVallee, now a captain, and whom the John Yancey Defense Committee wants fired for his anti-prisoner attitudes, his racism, and his leading the assault against John Yancey; and Donald LaVallee, then the guards training officer.

--That he is incompetent. "...maggots, filth, dust, and filthy sewers and toilets, and complete chaos...under the direction of Lt. Bonin...who is in charge of the main halls and cell house."

--"...unconstitutional actions in re: to his lies in the disciplinary reports against the prisoners...many instances of this have been reported."

--That Bonin and the LaVallees are practicing nepotism and preventing "the advancement of decent officers and prison guards to higher ranks who are more qualified than their friends."

As we go to press the demand of the prisoners has not been met. No action has been taken on the charges made by the prisoners. 201 prisoners is 75-80% of the population.

### Yancy Petition

We, the undersigned, request:

1. That the charges against John Yancy be dropped. John was attacked and not the attacker.
2. That Capt. David LaValley be fired. He led attack, is known for telling racist jokes, and is responsible for past harrasments of John.
3. That public officials, news media, and taxpaying citizens be allowed to inspect the prison anytime day or night, thereby lessening chances of further assaults on prisoners.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Send petitions to the John Yancy Defense Committee c/o J. Anderson, Landing Apt. 112, Landing Rd., Hampton, NH 03842

# Luparar Wins

Prisoners in Vermont won an important victory recently in the long and hard struggle to publish a newspaper without crippling administrative censorship. The U.S. District Court for the district of Vermont held that the administration of Windsor prison acted illegally in refusing to allow distribution of the January, 1973 issue of the prisoner newspaper, The Luparar.

The case (Civil Action File No. 73-95) was brought by John Shuttle, Editor and Craig Murray, outside subscriber against then acting Warden Julius Moeykens and Commissioner of Corrections R. Kent Stone-man. Richard Kohn, ACLU attorney, was the legal counsel for the prisoner plaintiffs.

The Luparar was published monthly starting in December, 1971, but has not been published since January, 1973, when the prison administration attempted to seize all copies of that issue. (We understand they were only able to locate a few of the copies in their search of the institution; another first for "prison security".)

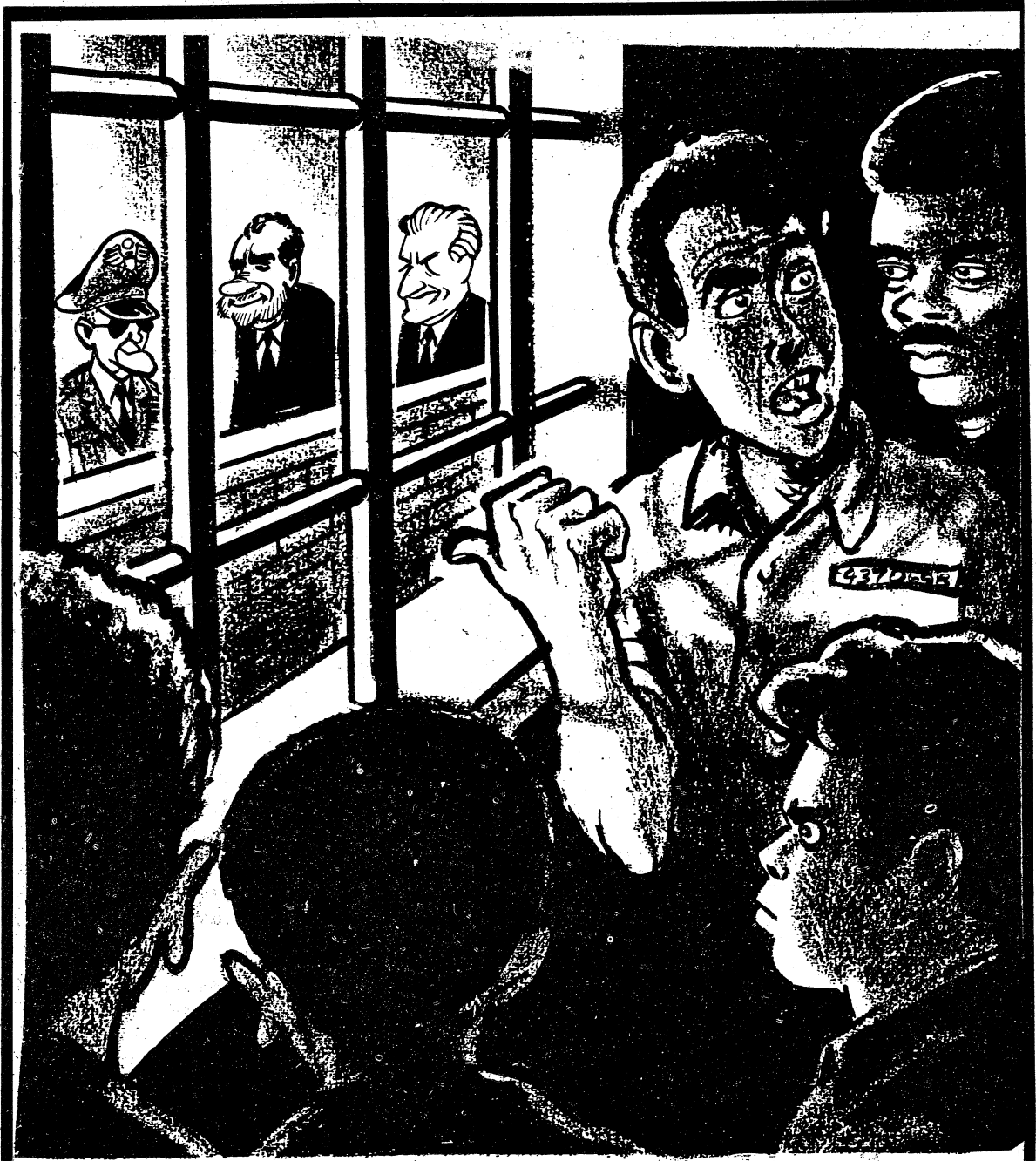
In the Fall of 1972 there was a change of staff on the newspaper. The administration contended that the new staff was not abiding by the guidelines agreed to by the former staff to attack issues, not personalities. It was perhaps inevitable that the administration would interpret articles in The Luparar as an attack on them since they were making the decisions on the issues explored by the newspaper.

The new staff refused to adhere to these guidelines and the prison officials refused to allow publication without the guidelines.

Judge Coffrin heard the case and rendered his decision against the prison administration on September 30, 1974. His decision requires that the Vermont corrections officials --

- (1) "cease suppression of the January, 1973 issue of The Luparar";
- (2) "return the copies of that issue that they seized to the editor and staff of The Luparar";
- (3) "permit that issue to be mailed to subscribers outside the prison";
- (4) "promulgate regulations dealing with the publication of the newspaper if there is continued interest in publishing it";
- (5) "provide a review procedure in those regulations in accordance with that described earlier in this opinion".

To be valid, the review procedure by the officials "must proscribe a definite brief time within which the review of submitted material will be completed." The prisoner "staff must be notified of the rejection of material submitted by it, the reasons for the rejection, and must be given a reasonable opportunity to protest that decision.



**"WHY ARE WE IN HERE WHEN THE REAL CRIMINALS ARE OUT THERE?"**

Complaints about the decision must be referred to a prison official who did not take part in the original determination of suitability for publication."

In addition, the court declared that if a paper has subscribers, interference with the paper becomes interference with the First Amendment rights of the subscribers. This decision represents a very strong blow against censorship.

## Truman on Wealth and Power

"Some of the country's greatest railroads have been deliberately looted by their financial agents...Speaking of Rock Island reminds me that the first railroad robbery was committed on the Rock Island in 1873 just east of Council Bluffs, Iowa. The man who committed that robbery used a gun and a horse, and he got up early in the morning. He and his gang took a chance of being killed, and eventually most of them were killed. The loot was \$3000. That railroad robber's name was Jesse James. The same Jesse James held up the Missouri Pacific in 1876 and took the paltry sum of \$17,000 from the express car.

"About thirty years after the Council Bluffs holdup, the Rock Island went through a looting by some gentlemen known as the 'Tin Plate Millionaires.'



They used no guns, but they ruined the railroad and got away with seventy million dollars or more. They did it by means of holding companies. Senators can see what 'pickers' Mr. James and his men were alongside of some real artists!"

--Harry Truman, June, 1937

"One of the difficulties as I see it is that we worship money instead of honor. A billionaire in our estimation is much greater in the eyes of the people than the public servant who works for the public interest.

"...It makes no difference if the billionaire rode to wealth on the sweat of little children and the blood of underpaid labor....No one ever considers the Carnegie libraries steeped in the blood of the Homestead steel workers, but they are. We do not remember that the Rockefeller Foundation is founded on the dead miners of the Colorado Fuel Company and a dozen other performances.

"...People can only stand so much, and one of these days there will be a settlement. We shall have one receivership too many, one unnecessary depression out of which we will not come with the power still in the same old hands."

--Harry Truman, December, 1937

Thus spoke Harry Truman while he was a senator. His actions as president turned out to be more of the same old reinforcement of big business. But, though Harry changed his mind, perhaps the words he spoke are still true.

## Holy Cars cont.

labelled "deviant" are murdered by the state. Society is grim. We can only struggle each day to make it less grim.

P.S.--Shelley added in a letter to us: Newspaper reports are not accurate. From talking to people I discovered that another boy was so badly burned he is nearly dead and no attempt was made to report the fire to the Cranston Dept. for 40 minutes.

## Fishing cont.

report is due in Congress not later than June 30, 1975.

TITLE IV authorizes youth development demonstrations. The press release indicates that grants will be given to any state (or political subdivision thereof), any agency thereof and any non-profit agency, institution or organization, upon approval of the HEW Secretary, so that they may develop innovative approaches to youth development and the prevention and treatment of delinquent behavior. The press release doesn't indicate what the nature of the innovative approaches would be. It does say, however, that no grant under this section shall extend for more than one year.

TITLE V, the last Title, deals with the rights, privileges and responsibilities of juvenile delinquents. Special attention is given to ground rules under which they can be locked up. It seems the old ground rules were thirty-five years old and Senator Bayh felt they needed overhauling. These apply only to those juvenile delinquents in federal custody.

If any reader wishes to know what these new ground rules are, write to NEPA NEWS and I'll mail you a copy of Sen. Bayh's press release. I've grown tired of fishing among Sen. Birch Bayh's prodigious promises and pronouncements of progress. In fact, I'm beginning to feel like I am the fish and the Bayh people in Washington are the fishermen.



# Vermont's Community Corrections

By Christopher St. John and Monty Neill  
(This article is based on research done by Christopher St. John and was written up in article form for the paper by Monty Neill. Mr. St. John was, until recently, a staff member at the Windsor, Vt. Prisoner Community Center -- ed)

## Introduction

For some time now, we at NEPA NEWS, and many other persons throughout the region, have felt that the Vermont Corrections system was unique for New England and perhaps even for the nation. Some examples should suffice to demonstrate the point:

--The state has a 280-bed maximum security prison at Windsor, yet has deliberately reduced the Windsor population down to about 80 at this time.

--The state has eliminated the county jail system, replacing it with four Community Corrections Centers. As a total, there are far more persons at the CCC's than at Windsor.

--It has a furlough program far beyond the scope of any other New England state.

--The average length of time spent behind bars on a felony conviction is far less than in the other N.E. states.

--The Corrections Dept. not only verbalizes the fact that extended confinement is detrimental to both society and the prisoner, but also acts on this fact.

These and other facts demonstrate that Vermont has probably the most progressive corrections system in the U.S. This is not to say that more improvement is not needed; nor is it to say that such common characteristics as arbitrariness, class justice, many poor services, etc. do not exist in Vermont. However, we should be clear on one fact: Vermont's Correctional System emerges as far better than the systems of the other N.E. states, and much of the credit for the improvements in Vermont should go to Commissioner Stoneman.

## Furlough System

Probably the most unique aspect of Vermont's system is the great use of passes and furloughs. In Vermont, the term furlough applies to any unsupervised leave, prior to parole or ultimate release, of any duration; statutory terms, "an extension of the place of confinement." Furloughs were intended to be an integral part of an emerging new system, developed in a series of laws in the mid-sixties. In 1968, after creating furloughs and work-release at Windsor, the state took over the county jails and converted four of them into Community Correctional Centers (CCC). The four locations are Burlington (pop. 40,000--the largest city in the state); Rutland (20,000); St. Johnsbury (pop. 8,500) and Woodstock (2600) which houses all women prisoners in the state as well as men prisoners.

While the new centers were supposed to be akin to dormitories, in fact they are more like minimum security cell blocks, though a few of the prisoners do live in dormitory-like residences. The population of the centers is comprised of pre-trial detainees (those not on bail or "release on recognizance"); persons with up to a 2 year minimum sentence, and prisoners transferred from Windsor who have a maximum of about six months left on their minimum sentence. (Not all such Windsor prisoners are transferred to a CCC.)

80% of all convicts are sent to the CCC's; the remainder go to Windsor, the Diagnostic Center at St. Albans, or the Residential Treatment Center for alcoholics at the former Windsor Prison Farm.

At the CCC a prisoner develops a program under the direction of a correctional counselor and in co-ordination with a parole officer. Typically, a prisoner moves through different sections of the cell block at the CCC: detentioners, newly-sentenced, and 'pre-release' or 'honor'. A classification committee is composed of the superintendent, the district supervisor, the "correctional counselor supervisor" or another CCC staffer, and representatives from the local mental health agency and state agencies of Vocational Rehabilitation and Alcohol Rehabilitation. This committee meets once a week to consider the plans for new prisoners and to review the progress of the old.

Generally, two weeks are spent before a recommendation to the commissioner is made.



All prisoners are sentenced to the custody of the commissioner, who must approve each classification. One member of the classification committee interviews the new inmate prior to the first committee meeting and explains the set-up of the Community Corrections system.

Furloughs (or "passes" as all temporary releases of less than 24 hours are called) originate from a prisoner's request which outlines furlough destination, a specific name and address, and the time of leave and of return. The classification committee may advise the prisoner as to what passes or furloughs are acceptable at a given point in the prisoner's stay. Finally, the superintendent, usually in consultation with staff, decides on the request.

While on furlough a prisoner may go only to the designated place, must obey all laws, not drink or take non-prescription drugs, not drive, and return at the designated time.

The releases are of two categories: "program" and "pleasure". Program releases include those to look for a job, to work, to study, to attend rehabilitation sessions, etc.; pleasure passes include visits to family or friends, to just go out in the town, to the movies or to recreation.

Furloughs, especially extended furloughs (re-newable 15-day leaves), are "goal-oriented", the goals being addressed to the reason the person got into jail in the first place. The primary reason for releases boils down to "the reduction of the probability that a released offender will be returned to the correctional system"; a corollary is "not to increase that probability." The department is beginning to realize that long-term incarceration "increases that probability", though judges giving long sentences do not help that situation.

For example, taking the case of a prisoner with a two year minimum, problems have occurred when such a prisoner starts getting extended furloughs after 4-6 months, but realizes he/she will remain imprisoned for another year or year and a half.

Before examining the actual data on furloughs, we must consider who gets to go on furlough.

Though in theory all prisoners at the CCC's are eligible, some categories never, or almost never, receive furloughs. Prisoners awaiting trial but not on release are not commonly granted passes. The reason seems to be that if a prisoner cannot make bail or release, then he/she should not be furloughed. One superintendent said (quote from para. P. 19).

Prisoners in "Sentenced-detention" status those serving a sentence and also awaiting trial on another charge, are treated as detentioners for the purpose of furlough. And prisoners with detainers from other states are likewise not usually granted furloughs.

A small number of prisoners are serving

"interrupted sentences"; they live at home and work during the week and are incarcerated only on weekends. Such persons do not receive furloughs as they are free some 5 of 7 days. Finally, those awaiting transfer to another institution are not granted furloughs.

## How it operates

Based on the data accumulated for the period July 1, 1973 to Dec. 31, 1973, the results indicate that, deducting all categories of "furlough ineligible" (those who fall into one of the above mentioned categories--they are not so categorized by the Department), 68% of all prisoners are eligible. This 68% served 88% of the total time served at the CCC's. All the following data and tables include only those "eligible" and hence the "eligible" time served.

Let us now consider the types and quantities of furloughs. We present a number of tables and will comment briefly on each of them. First the number of sentenced persons at the four CCC's for the 6 month period was 538, serving a total time of 23,920 days within the six month period. We note that a certain amount of overlap in the prisoners occurs; one may have been in two or even more of the CCC's within the 6 months and would be entered in the number of prisoners more than once.

Turn to the first table. There are three types of furlough: extended, overnight, and same day. The percentages of 'eligible' time spent on furlough in the period 7/1/73 to 12/31/73 was calculated from total furlough hours spent in the category divided by the total 'eligible' hours. The average 'eligible' prisoner spends over 35% of his/her sentenced stay on furlough. However, nearly one third of the prisoners spend less than 10% of their time on furlough.

Table II shows the number and percentage of total furlougees (those who received furloughs) who received furloughs of different types. By comparing the two tables we see that while 81% of all furlough eligibles were granted 'same day' furloughs, this only amounted to 8.74% of the total 'eligible' time spent on sentence. On the other hand, 46% of the "eligibles" were granted extended furloughs and this amounted to 24.38% of the total 'eligible' time. In other words far more prisoners received same-day furloughs, but the amount of time spent on extended furloughs was nearly three times as great as the amount of time on same-day furloughs. The 46% who got extended furloughs spent a lot more time on the street than those who only received 'same-day' passes.

Extended program furloughs took up 11.76% of the 'eligible' time (nearly one third of all the time actually spent on furlough) yet was utilized by only 15% of the 'eligible' prisoners. A larger group (20%) shared the

extended work release time (9.74% of eligible time, over 25% of total furlough time).

The remaining three tables compare the differences in furloughs at each center. Table III indicates the percentage of 'eligible' time spent on furloughs at the different CCC's. For example, 30.91% of the 'eligible' time at Burlington was spent on extended furloughs.

Table IV indicates the number and percentage of those who did receive furloughs broken down by type of furlough received. For example, 61 prisoners at Burlington received extended furloughs, which comes out to 67% of the 'eligible' population.

While this spread seems fairly large, some cons having it much better than others, Burlington, together with the women's section of Woodstock, definitely utilize the furlough programs more extensively, and spread the usage over more prisoners, than the other CCC's.

Table V indicates this. On this table we see, broken down by joint, the number of furloughs, the average length of stay during the period considered (last six months of '73), by average % of individual stay on furlough and median % of stay on furlough.

For those of you, who, like me, don't recall much math, an average is when a series of numbers is totalled, then divided by the number of numbers: add 3, 5, 8, 12, 28, divide by 5, average is 11 and one fifth. If these numbers were con's time on furlough, then three of the prisoners spent less than average time on furlough, one spent nearly the average, the other spent way above the average.

Taking these same numbers, arranged in order low to high, the median is the number which appears in the middle (in this case, 8). Two spent less time than the median on

on furlough, two spent more.

The closer the average is to the median, the more equitably the furloughs are distributed among the prisoners. Furloughs at Burlington, Rutland and Woodstock Women's are rather equally distributed, but at St. Johnsbury and Woodstock men's they seem unequally distributed. Using our hypothetical series of 3,5,8,12,28, the reason the average is higher than the mean (11 compared to 8) is that 3 and 5 are much closer to 8 than is 28. Thus at Woodstock Men's we see that while the average is 29.33%, the median was only 15.62%. This indicates that a few prisoners received a lot more furlough time than did most of the prisoners. At Burlington, on the other hand, the average is 43.42% and the median is 39.56%, indicating that while a few cons brought the average up, on the whole the furloughs seem rather equally distributed.

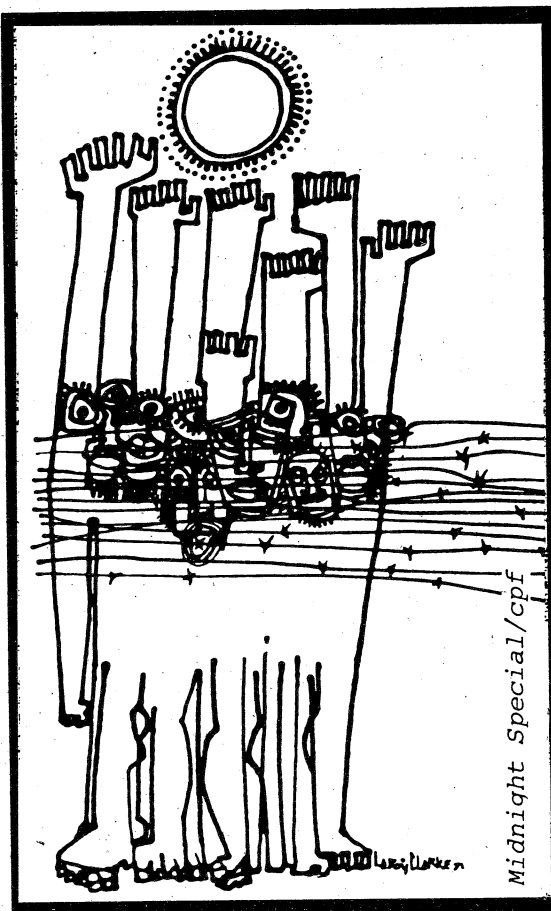
Another point that stands out in tables 3-5 is that different types of furloughs are used more or less extensively at the different joints.

## Effects of Furloughs

The different variations of furlough use could, in theory, be caused by one or a combination of three general factors: differences in prisoner population, differences in the surrounding communities, and differences in the centers' resources and policies. The amount of research so far conducted does not enable us to isolate particular reasons and thereby explain the differences. In addition, some of the possible factors seem to contradict each other. However, the balance of these contradictions does not seem to indicate that one group is more or less furloughable (after deducting the detainees, etc. who we are not counting as 'eligible'.)

The factors of type of surrounding community and availability of resources at the center do not indicate clear reasons why one center grants furloughs more readily, but they do shed some light on why a given center will use one type of furlough more than another. For example, St. Johnsbury has a poor job market, but many of its prisoners come from the Barre-Montpelier area forty miles away which has a much better job market. This could account for the high use of extended work furloughs at the St. J center. Burlington has virtually no space except for cell-space, so prisoners must leave the center for such things as alcohol rehabilitation. At St. J, however, there are far more internal programs, hence reducing the number of furloughs.

The remaining factor is the differing attitudes among the four superintendents and their staffs. Some seem more willing to grant furloughs than others. All in all, however, the research done does not lead one



to draw conclusions as to why different uses of furloughs exist in the different centers.

What are the effects of furloughs on such things as doing time, finishing time, "rehabilitation" and recidivism, and on the outside community?

Most prisoners seem to agree that furloughs make it easier to do time. Said one, "Any man has got to feel better...after a few hours of being with the people he wants to be with rather than the people he has to be with."

A second recognized effect is stronger discipline. Said a con, "You may get up tight and want to hit someone, but then you figure: 'If I do that I'm going to lose my passes--so I'm not going to do it;' it holds everybody in check." This 'carrot' aspect was reinforced by a center staffer who said, "If a man's not cooperating with our recommended program, then I'm not going to cooperate with his program of passes."

Concluded one of a minority of prisoners who saw the program as primarily negative, "I'm inclined to think that better control was the real reason the corrections department instituted furloughs." Added another, "If you have a normal, angry reaction for good reason, they still take away passes." And another, "I don't want an extended furlough, there are too many rules."

For the majority, the furlough program leads to shorter time served, as well as easier time. But for some the furlough system lengthens time. "Screwing up" by drinking or returning late causes a con not to receive furloughs, "and the parole board will want to know why you haven't had passes." And if a con succumbs to the temptation to walk away, he or she could be charged with escape and given up to five years more time.

The effects on "rehabilitation" and recidivism are difficult to measure. One staff member said some people really change, others just play the game. All the parole supervisors agreed that their concrete experience convinced them that those paroled from Windsor were more likely to come back than those paroled from a CCC. However, this could simply reflect the selection of "good risks" for the CCC's and "bad risks" for Windsor.

In effect, the observations of these parole officers do tend to fit in with many similar observations that the longer the time served, the more likely the eventual return. In fact, this idea is one of the underpinnings of the CCC philosophy. Unfortunately, with the countless research efforts done in the field of "Criminal Justice" across the U.S., no one seems to have viewed hard research to prove or disprove this idea as an important area of study.

Overall, there seems to have been little negative reaction from the community at large. The newspapers, as a whole, do not seem intent on attacking the program. More negative reaction seems to come from some judges who seem to feel that those whom they sentence ought to do more time. The Corrections Dept. has made efforts to

communicate with the judges and to encourage the use of zero minimums. But for the first six months of this year only 68.5% of the CCC admissions received zero minimums, as opposed to 80% in the same period last year. A continued process of judges imposing longer minimums could wreck the whole system.

Only in the couple of cases of a bad mistake has there been any community outrage, as when a furloughee got drunk, stole a car, and was involved in an accident leading to the death of another. Yet mingled with the anger was a community recognition that the person could have done the same thing had he "maxed out" and then hit the streets.

Overall, most administrators and prisoners see the programs as working, though all see different problems in the program. The supers sometimes feel overwhelmed just keeping up, and wish they had the ability to expand the programs in new directions. Prisoners, in addition to those who denounce the "carrot on a stick" aspects of the program, often feel that the process is too slow. One prisoner, having been incarcerated for three weeks, said, "I have not really even talked with anyone here officially about anything."

A lack of information, such as why a pass request was denied, was also cited as a problem faced by prisoners. Still others complained that companies view work releasees as cheap labor--and if the con complains, back to the joint he or she goes.

Some supervisors indicated that they wanted "more resources to do more things in the community. Not in the department--if we're going to work with them inside the institution all the time, we're going back the same old way." This idea has been carried further by Vermont's Atty. General, Kimberley Cheney, who says that "rehabilitative" programs should be expanded in the community, taken away from the corrections department and placed elsewhere, and made totally voluntary.

## Analysis

Viewed as a whole, the development of the CCC's in Vermont has created complex, and certainly important, changes in Vermont's correctional system. Many of these were noted in the opening section of this article. In essence, it boils down to the fact that the prisoners do less time overall and get to spend significant amounts of time on the streets during their period of incarceration. Viewed in the context of what is happening in the other New England states, these steps are praiseworthy. Yet deep-rooted problems of the entire concept of corrections remains in Vermont, as elsewhere.

Among the problems are the political/economic definition of crime; the removal of all sections of the criminal justice system from popular, local participation; the lack of meaningful participation of the prisoners in controlling their own lives; and, stemming from all of the above, the danger of surface reform creating a backlash which not only prohibits fundamental change, but even erases the gains made.

In Vermont, as elsewhere, poor persons, persons with little political power, rather than persons with wealth and influence, populate the prisons. This is more than simply a reflection of the fact that wealth and power provide safety from severe penalties or even from prosecution. It has, more fundamentally, to do with the fact that those with influence, influence based most often on wealth, define the very nature of criminal justice.

On the one hand, the rich, who seek to maintain the system that allowed them to gain and retain wealth and power, define the thrust of the law. A person who is in a position to embezzle or tax-cheat to the tune of many thousands of dollars faces easier penalties than a person who steals by breaking and entering. This is due to three factors: the laws are in the rich persons' favor; the system causes the police to investigate the B&E, not the tax-dodger; and the judge, middle or upper class himself, is more likely to forgive and forget a well-to-do criminal than a poor criminal.

This tendency is even more pronounced in the case of corporations. An auto maker who peddles unsafe cars to make more profits, cars that cause fatal accidents, is virtually immune from prosecution.

**Table 1**

Total furlough hours = Percent of "eli-  
Total "eligible" sen- gible time spent  
tenced hours on furloughs in  
each category dur-  
ing FY 1974, 1st 1/2

TYPE OF FURLOUGH	%
Extended	
Family visit	.95%
Program	11.76%
Recreation and	
Maintainance	.72%
School	1.21%
Work release	9.74%
Total Extended	24.38%
Overnight	
Family visit	2.56%
Program	.18%
Recreation and	
Maintainance	.45%
School	.04%
Work release	.26%
Other	.02%
Total overnight	3.52%
Same Day	
Family visit	1.23%
Program	.57%
Recreation and	
Maintainance	.93%
School	.22%
Work release	5.76%
Other	.02%
Total Same Day	8.74%
TOTAL % OF "ELIGIBLE" TIME	34.64%

**Table 2**

NUMBER AND PERCENT OF TOTAL FURLOUGHEES  
RECEIVING FURLOUGHS OF EACH TYPE  
(First half of FY 1974)

	Number	%
Extended		
Family visit	31	12%
Program	38	15%
Recreation and		
Maintainance	14	5%
School	4	2%
Work Release	52	20%
Total Extended	120	46%
Overnight		
Family Visit	77	30%
Program	22	8%
Recreation and		
Maintainance	39	15%
School	3	1%
Work Release	28	11%
Other	3	1%
Total Overnight	121	46%
Same Day		
Family Visit	124	47%
Program	127	48%
Recreation and		
Maintainance	147	56%
School	17	6%
Work Release	154	59%
Other	18	7%
Total Same Day	213	81%
TOTAL FURLOUGHEES	262	--

**Table 3**

PERCENT OF "ELIGIBLE" TIME SPENT OF FURLOUGHS DURING FY 1974, FIRST HALF  
Community Correctional Centers

	BCCC	RCCC	SJCCC	WCCC-m	WCCC-w	All CCC's
Extended						
Family Visit	2.20%	.36%	.18%	.16%	.65%	.95%
Program	15.77	1.50	6.71	17.96	19.04	11.76
Recreation & Main.	.67	1.11	.34	1.37	.14	.72
School	1.34	--	.09	--	8.60	1.21
Work Release	10.94	8.34	12.55	3.94	9.20	9.74
Total Extended	30.91%	11.31%	19.88%	23.43%	37.67%	24.38%
Overnight						
Family Visit	4.89%	.11%	2.00%	1.44%	1.31%	2.56%
Program	.06	.27	.21	.31	.18	.18
Recreation & Main.	.31	.15	.93	.26	.45	.45
School	.08	--	.05	--	--	.04
Work Release	.27	.33	.33	.03	.41	.26
Other	--	.05	.05	.06	--	.02
Total Overnight	5.62%	.81%	3.57%	2.10%	2.35%	3.52%
Same Day						
Family Visit	1.23%	3.18%	1.00%	.25%	.02%	1.23%
Program	.54	.87	.79	.13	.30	.57
Recreation & Main.	1.13	.13	1.96	.06	.02	.93
School	.06	--	.78	--	--	.22
Work Release	6.26	11.88	3.57	4.52	1.15	5.76
Other	--	.01	--	.09	.02	.02
Total Same Day	9.22%	16.07%	8.10%	5.04%	1.51%	8.74%
TOTAL % OF "ELIGIBLE" TIME	45.75%	28.18%	31.54%	30.58%	41.54%	36.64%

**Table 4**

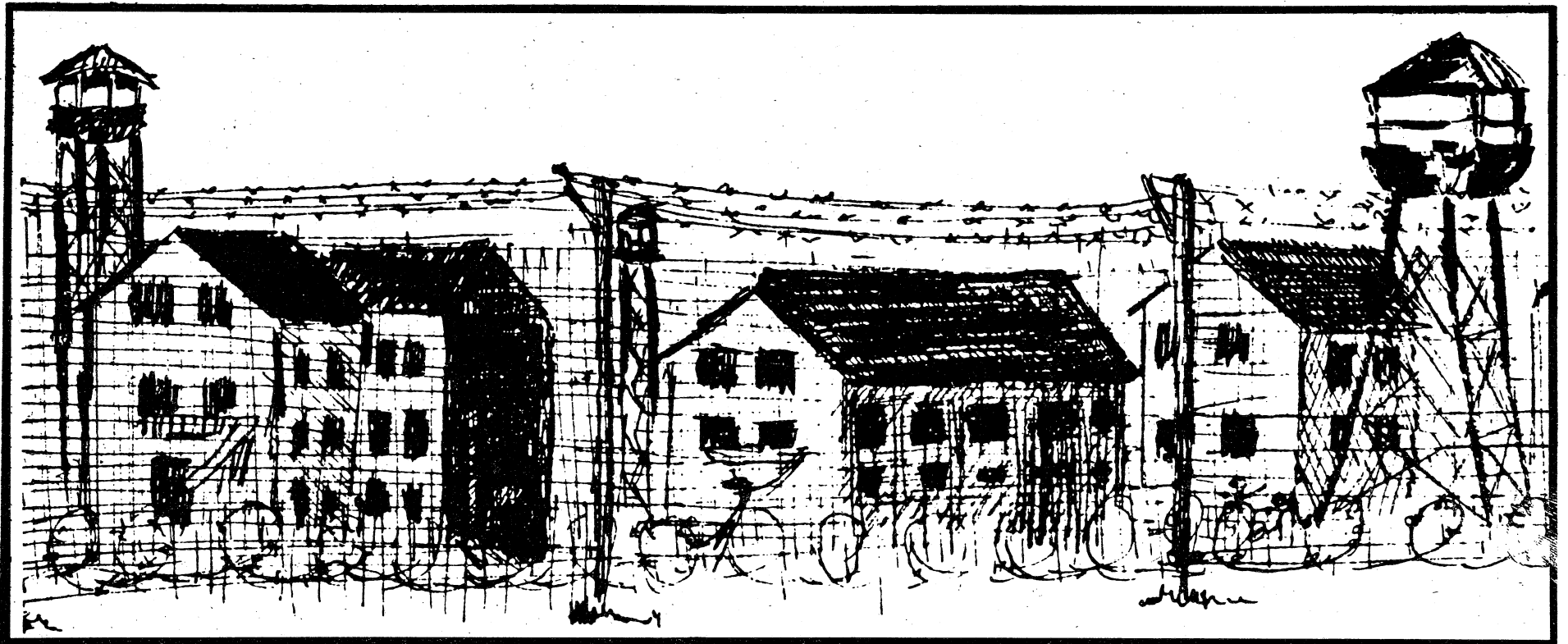
NUMBER AND PERCENT OF TOTAL FURLOUGHEES RECEIVING EACH TYPE OF FURLOUGH AT EACH CCC

	Burlington		Rutland		St. Johnsbury		Woodstock-m		Woodstock-w	
	#	%	#	%	#	%	#	%	#	%
Extended										
Family Visit	24	26	1	2	3	4	1	3	2	15
Program	13	14	1	2	9	13	9	23	4	31
Maintainance & Rec.	4	4	2	4	5	7	2	5	1	8
School	2	2	--	--	1	1	--	--	1	8
Work Release	22	24	4	9	17	24	5	13	4	31
Total Extended	61	67	7	15	31	43	13	33	4	62
Overnight										
Family Visit	43	47	3	7	16	22	8	20	7	54
Program	3	3	5	11	7	10	5	13	2	15
Maintainance & Rec.	10	11	2	4	22	31	4	10	1	8
School	2	2	--	--	1	1	--	--	--	--
Work Release	9	10	6	13	9	13	1	3	3	23
Other	--	--	--	--	1	1	2	5	--	--
Total Overnight	51	56	14	30	33	46	12	30	11	85
Same Day										
Family Visit	55	60	26	57	31	43	10	25	2	15
Program	37	41	21	46	49	68	12	30	8	62
Maintainance & Rec.	57	63	24	52	55	76	9	23	2	15
School	7	8	--	--	10	14	--	--	--	--
Work Release	40	44	39	85	46	64	23	58	6	46
Other	1	1	5	11	1	1	9	23	2	15
Total Same Day	68	75	45	98	62	86	29	73	9	69
TOTAL # of Furloughees	91	--	46	--	72	--	40	--	13	--

**Table 5**

AVERAGE AND MEDIAN % OF INDIVIDUAL FURLOUGHEES' STAYS SPENT ON FURLOUGH  
AT EACH CCC DURING FY 1974, FIRST HALF

CENTER	# Furloughees	Average length of stay within 1st 1/2, 1974 by Furloughees	Avg. % of In-ividual stays on Furlough	Median % of In-ividual stays on Furlough
Burlington	91	73 days	43.42%	39.56%
Rutland	46	71 "	22.89%	20.21%
St. Johnsbury	72	65 "	32.52%	21.88%
Woodstock-men	40	77 "	29.33%	15.62%
Woodstock--women	13	121 "	43.53%	39.35%
ALL CCC's	262	73 days	34.67%	26.42%



Both auto theft and murder are crimes. A corporation ignoring safety for its workers (or, through its pollution, the community) which leads to accidents and diseases, is beyond punishment. An assault, which may also cause injury, leads frequently to imprisonment.

As Eric Olin Wright convincingly demonstrated in his book The Politics of Punishment, "blue collar" crimes are direct and visible; "white collar" crimes are hidden from public view by accountants' books, by an overwhelming mass scale buttressed by the "need for profit" or by its indirect nature, such as ripping off the government. Further, poor people's crimes are most often directed against other poor people, not the wealthy, meaning that poor communities are hit hard by the "crime wave", thus often leading the citizens of such communities to support "law and order" campaigns, campaigns that, in the long run, only exacerbate the problem itself.



Windsor Prison photo: Maida St. John

In essence, what we have is a setup where the upper class writes and controls the enforcement of the laws, and does so in such a fashion that the most visible crimes are centered in and among the poorest persons, thus causing the poor to support vocally the very system that lies at the heart of the problem. The changes in Vermont have not been to punish those who steal and injure on a massive scale, the wealthy and their corporations, but to reduce the punishment of those who have always been the target of criminal prosecution--the poor.

This whole process, based in the power of money, causes the entire justice system to be beyond community participation and control. While the political and economic process as a whole operates behind closed doors, mountains of statistics and paperwork and complex systems of laws, the Corrections system itself is even more secretive.

The public is denied access to prisons (for institutional "security" or the prisoners "right of privacy") and prisoners denied access to the public. While Vermont's changes have helped prisoners have access to the public, and while visiting regulations in Vermont are comparatively loose, still the prison is an institution vastly removed from public participation.

It is ironic that the CCC's have far fewer visiting hours (for a week) than Windsor Prison and, until recently challenged, more restrictions on "approved" visitors. The supervisors profess allegiance to "community corrections" but are still anxious to decide what representatives of the community enter "their" institutions and on what terms. While the department operates out of the idea that long sentences are detrimental, they seem to still believe that they can "rehabilitate" by a sort of banishment, tempered by partial, controlled glimpses of the world outside.

If, in fact, the criminal justice system is a system which mostly affects the poor and working class, then it is those people who have the strongest need to participate in running the correctional and criminal justice systems. Yet these are the very people who have the least possibility of doing so.

While prisoners at Vermont's CCC's have more self-determination than most prisoners elsewhere, the range of self-determination is strongly limited, and is further controlled by the "carrot on a stick"

aspects of the programs. Sentences are still indeterminate, leaving vast power in the hands of judges, wardens, guards and parole boards. The "rehabilitation" programs are largely determined by the classification committees; and decisions on furloughs and paroles are still largely based on a prisoner's "performance" in the joint.

We question whether a system based on one or another person's subjective views of a given prisoner is a just system. If a society has the right to protect itself and to punish wrong-doers, then the wrong-doer should be punished for what he/she did, not for the "kind of person" he or she is in the minds of judges, wardens, etc. Punishment should also be evenhanded, and rich criminals must be punished as evenhandedly as poor criminals.

The thrust of Vermont's changes do not deal with this at all. Punishment and rehabilitation are still lumped together, and the individual prisoner dealt with

not just on the basis of what he/she did, but on the basis of who he/she is perceived to be.

As we have seen, Vermont has not changed the politics of its system. Rather, it has simply made the existing system less harsh, more rational. While most anyone in the prisoner movement would view this as an improvement, the lack of fundamental, structural change does have its built-in dangers.

For example, the Commissioner of Corrections is a political appointee who, in turn, appoints the superintendents. For this reason, the change in Vermont's system toward being less harsh and more open is dependant on the governor. A "law and order" governor could appoint a reactionary commissioner who, in turn, could ap-

point hard-line supers. And while the laws permitting furloughs would still remain on the books, their practice would sharply diminish. In such a political climate judges could start to hand out stiffer sentences. In essence, because the changes are surface changes, administrative changes, all the progress could be largely wiped out with a simple change of governor.

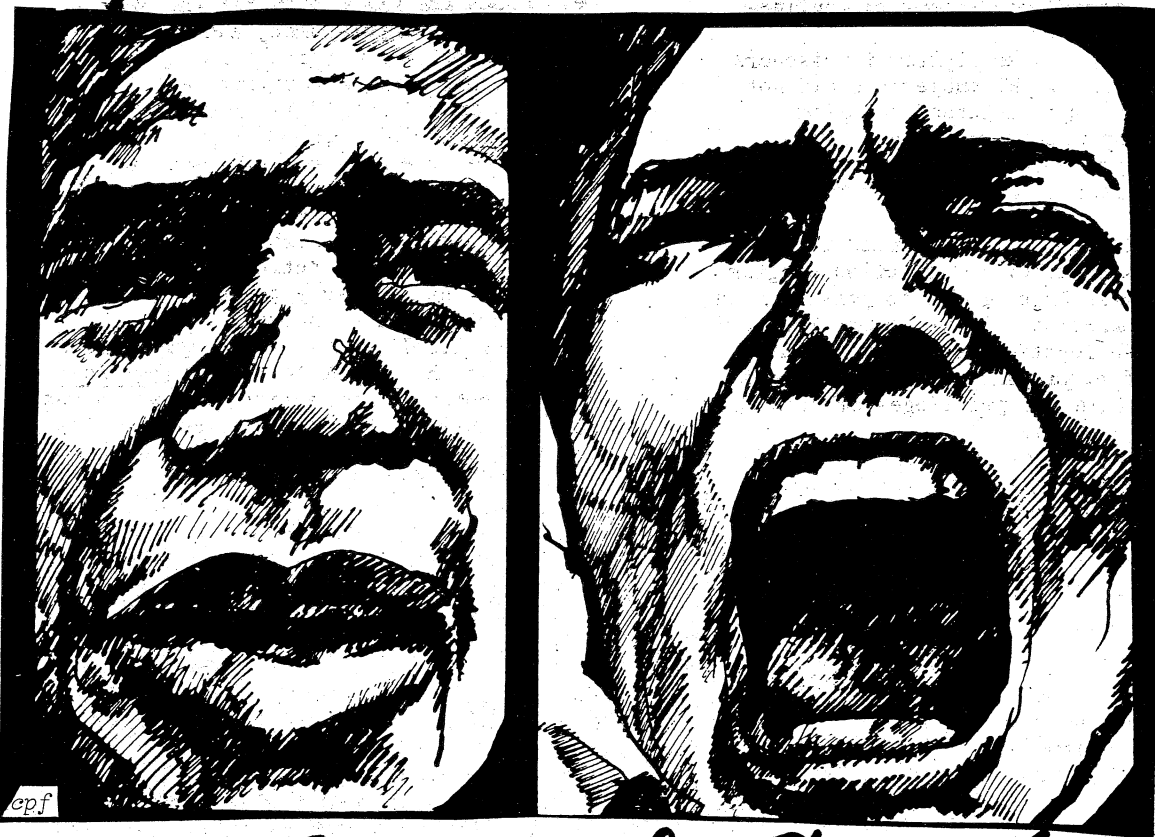
In several respects, however, the Department's current philosophy could have more lasting impact. If the Department were successful in persuading the legislature to accept its proposal (made by Commissioner Stoneman every year since he took office) to build a new maximum security prison of forty beds with the strict corollary of tearing Windsor down, it would guarantee at least for some time that no future administration could lock up very many people for very much more time. There simply would not be the space. Much as we are opposed in general to building any more of these useless institutions, we would accept as a good "deal" a proposal to trade 280 rotten cells for 40 modern "security rooms." As any con who has been transferred from Windsor to St. Albans can tell you, being locked-up anywhere is no good, but to be locked up in a modern facility can be definitely better.

In addition, the changes in Vermont's system have demonstrated to the public some important facts. Reducing the number of cons in the system, letting many of them out on furlough, has not caused the crime rate to soar. The little evidence that does exist indicates that the recidivism rate is declining. The expense to the taxpayer should also decline. In essence, the changes are a step in the right direction because they point to the abolition of prisons; what has been done so far in Vermont demonstrates that the abolition of prison is not a mad dream of crazies, but a serious step in resolving society's crime problem.

Therefore, with proper guidance, the changes in Vermont could move even further toward making Vermont a model of how to abolish prisons. The one direction which the changes do not indicate is the problem of the class definitions of crime, and the class bias of "justice". This is a problem whose solution does not lie simply in the field of corrections; it is a political question which lies at or near the heart of the entire social system.

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*Freedom*



*Is a Constant Struggle*

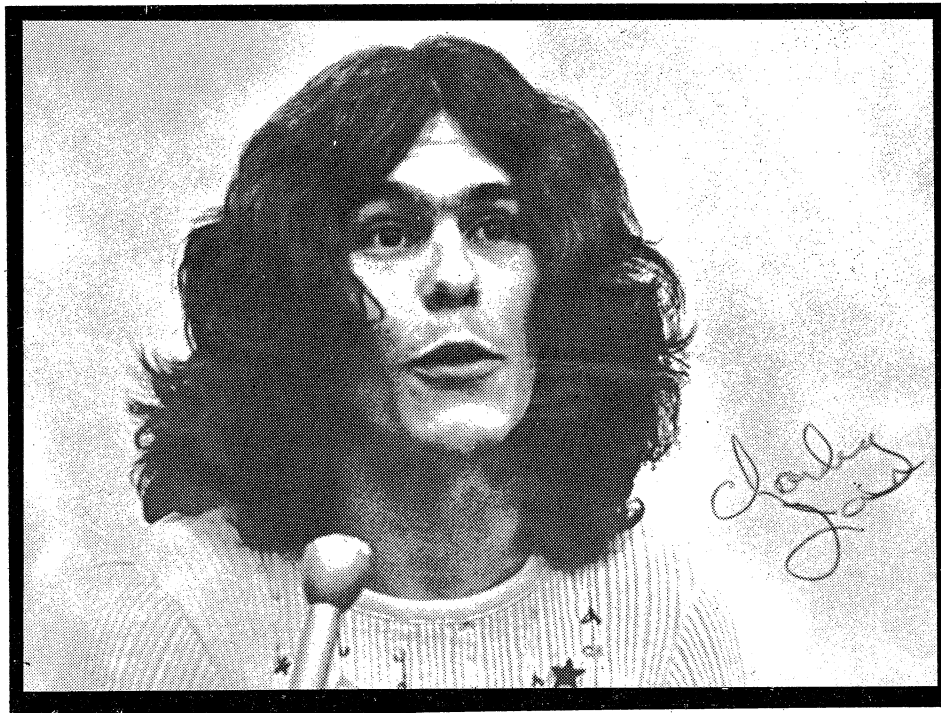
# Attica Trials Begin

On October 1, 1974 the first of the Attica Brothers trials began. Willie Smith, a black prisoner, is charged in Indictment #27 with sodomy and sexual abuse against James Schleich, a white prisoner. The jury is composed of 11 whites and one black (the two alternates are white), eight women and four men. Of the 11 peremptory challenges issued by the prosecution, ten were used against blacks.

It is noteworthy that when the Attica Brothers announced the results of their Fair Jury Project, they stated that they had discovered systematic under-representation of blacks, as well as youths, students and women. The court, in deciding in favor of the Brothers, cited only discrimination against women and students, and none against blacks and youth. It seems that the prosecution is making sure that the discrimination does exist.

That this trial is first is also no accident. All along the state has been trying to portray the Brothers as less-than-human, beginning with the lies that the Brothers had slit the throats of the guards held hostage. While it is now a proven fact that the hostages were killed by the State's bullets, still a recent survey indicated that nearly 25% of Erie County residents believe the hostages had their throats slit. It is in this context that the state brings a charge of sodomy and sexual assault as the first charge.

The alleged victim, Schleich, testified during a Wade hearing that his only means of identifying his attacker is that the attacker was black and answered to the name "Cocaine". 60% of the prisoners in D-Yard during the seizure were black, and several have the nickname of "Cocaine". The real method of selecting those to be prosecuted was that the prosecution selected photos of 200 of the 1500 prisoners at Attica, then went out to find charges against as many of them as it feasibly could. This fact was demonstrated in the first Wade hearing, and will be shown again in each Wade hearing. A Wade hearing is a hearing before a trial in which the defense can ask questions to determine the means by which the prosecution identified the defendant.



Say the Attica Brothers of this first trial, "Neither the charge against Willie Smith nor the attempt to treat him as an isolated criminal can obscure the fact that this is a political trial. The crimes of the state in building and using Attica prison, the legitimacy of the Brothers' seizure of the prison to expose the conditions inside, and their continuing resistance to the illegitimate control over their lives--these issues must be the focus of any Attica trial."

On November 11, nine defendants face Indictment #10, which charges 3 counts of 2nd degree kidnap, 3 counts of unlawful imprisonment, 3 counts of 1st degree coercion, and 5 counts of 2nd degree assault. One method the state used to increase the number of counts was to divide the same offense into different sections. A hypothetical example would be if a guard was taken hostage on the catwalk and taken to the yard (one offense), then later was taken to the other side of the yard (se-

cond offense).

On November 18, Dacawjeweih, a.k.a. John Hill, and Charley Joe Pernalice will begin trial on Indictment #1. Defended respectively by William Kunstler and Ramsay Clark (who is the Democratic nominee for U.S. Senate from N.Y.), the two Brothers are accused of murdering officer Quinn. Quinn was removed from the yard on the 9th of September as he had been injured in the takeover and later died in the hospital.

Many, many more trials are scheduled, stretching ahead possibly for years. The Attica Brothers need, and will continue to need, support and money. Donations can be sent to the Attica Brothers Legal Defense, 147 Franklin St., Buffalo, N.Y. 14202 (716/856-0302). The speakers bureau and literature is available from Gail Hill at the same address. Films may be rented from Tricontinental, 333 6th Ave. NYC, NY 10014 (212/989-3330).

ATTICA MEANS FIGHT BACK!

Although the START (Special Treatment and Rehabilitation Training) Program at the Federal Medical Center in Springfield, Mo. had been closed for a while, U.S. District Judge John W. Oliver issued a ruling declaring the program to be unconstitutional. The ruling found that transferring federal prisoners into the behavior modification program involved a major change in the prisoners' conditions of confinement because:

1) Contrary to the rights of prisoners in segregation, START subjects could not leave the program to attend religious services, especially Muslim prisoners.

2) START subjects were subject to continuous monitoring of all activities and speech.

3) START subjects were forced to participate in a behavior modification program to obtain privileges given to prisoners in general population. Oliver noted that prisoners in segregation could not lawfully be required to participate in programs in open population.

4) START prisoners were subjected to "procedures specifically designed and implemented to change a man's mind and therefore his behavior."

Taken together, the judge declared that these four points violated the First, Eighth and Ninth Amendments. Alvin J. Bronstein, Director of the ACLU's National Prison Project, said, "The decision pierces the Bureau of Prison's double-talk to Congress and the press when they deny that they will continue these programs in the future. The Bureau believes it has profited from the START experience and will use behavior modification techniques in the future whenever they deem it 'appropriate'."

## START Closed Down

Bronstein said the decision is of great value because it declares that an attempt to experimentally change a person's mind and behavior is a serious matter of constitutional importance. Judge Oliver himself cited the Fed's plan for the Butner, N.C. proposed super-joint, and warned the Feds to carefully consider procedures for transferring prisoners to Butner.

The Butner facility is designed to draw on the lessons learned not only in START, but also in programs at various state prisons and other Federal experiments. We can be sure that the Feds will also have picked up a few legal tricks along the way to justify their actions. A concerted fight will be necessary to stop Butner and all other similar programs.

Butner itself is not yet completed. An article in the August 14, Washington Post stated that the contracting firm which was building the \$11.5 million prison had defaulted on its contract. It was supposed to have been finished last April, but only 60% of the 14 building facility has been completed. So now a new company will be called in. While we hope they will be as incompetent as the first, we realize that building delays will not prevent it from opening. We are the ones who must do that.

Oddly, or perhaps not so oddly, no one in Butner wants to talk about the place. One of our staff members was down south this summer. As he was cruising through North Carolina he saw a sign saying "Butner", so he went to investigate. Everyone he asked in the small, rural town said they knew nothing about the place. Good

sign that this is one prison that will be easily accessible to inspection by the public.

One prisoner who led the fight against the START program, Edward Martin Sanchez, aka Rafiki, continues his struggle against the prison system and continues to be subjected to attacks by the system. We received a letter from the New Dawn Prison Collective which reads as follows:

September 21, 1974

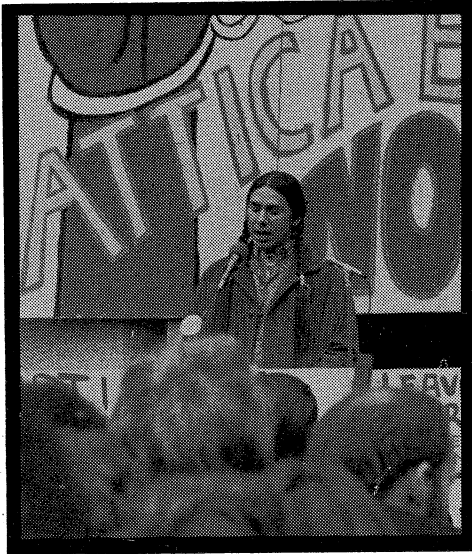
On July 25, 1974 the Kansas Grand Jury handed down a 5 count indictment against prisoner activist Eddie Sanchez. Counts 1-4 of the indictment charge 4 counts of assault with a dangerous weapon against 4 different prison guards. Count 5 charges one assault with intent to murder of a known police informer at the U.S. Penitentiary, Leavenworth, Kansas.

Prisoner activist Eddie Sanchez, a long-time fighter for prisoners rights and a leader of protests against behavior modification programs, a member of the New Dawn Prisoners Collective and of the VVAW/Winter Soldier Organization faces a maximum of four life sentences plus 20 years.

Brother Eddie Sanchez charges the administration with a political frame-up due to Bro. Eddie's political beliefs. The frame-up trials will begin shortly. Funds are desperately needed. The New Dawn Prisoners Collective, which also sponsors the California chapter of the Committee to Free Eddie Sanchez, asks that all readers send what they can to the California Committee to Free Eddie

Continued on page 19

# Attica Moratorium



Michael Haney

## Ingram

Mr. Ingram, a dynamic speaker and a reporter for a Detroit newspaper spoke next. As a member of the negotiating committee of outsiders called in by the Attica Brothers during the rebellion, Mr. Ingram spoke with great authority.

A great deal of attention has been given to drugs in the past few years, but in the wrong aspect. There have been heated arguments over the legalization of marijuana. But marijuana is not a problem in terms of causing harm to society, whereas heroin and other such drugs are. This was the major subject with which Mr. Ingram dealt. He explained that for several years the general idea has been that most street crimes are due to the need of the addict to feed his habit. While partially true, more important is the fact that many addicts with a strong habit deal that particular drug on the street and produce new addicts. But one must look past even this reality.

The criminals are not just the addicts and certainly are not the people of the ghetto; rather they are the rich people outside the ghetto. The crime he emphasized, with the organizations that feed the large quantities of narcotics into the city. It is committed by the large capitalist companies which through the raising of prices and the under payment of workers, backs people up against the wall. Probably the worst criminal of all is every person in this country who permits economic oppression to go on. Drugs are an escape from everyday reality, and the thought of life in the ghettos of America's large cities is a devastating reality. Who are the criminals that should be behind the bars of our prisons? Is it the man or woman who doesn't know where else to turn other than to drugs, or the capitalist system that puts them in this situation?

## Rev. Mozie Lee Stroble Smith

Ms. Smith is a minister from Detroit and the mother of Shango, an Attica Brother now being held in the Erie County Jail. Ms. Smith didn't come to Buffalo to appeal only for her son, but rather for all of her sons, daughters, brothers and sisters. The problem, she explained, comes back to the city where the majority of street crimes take place. When men or women either can't find a job, or are underpaid, they will steal to get money in order to feed their family. When a person is caught stealing in order to feed a family, he or she is sent to prison; but when a person is caught stealing \$300,000 from a large company, he or she simply gets a slap on the wrist.

The difference is that the first crime is a street crime and the second is white collar crime. The laws of this country may or may not be basically good, but there is certainly no justice in the administering of them. The common person in America doesn't have a chance against the system of unsafe housing, price-fixing, tax cuts and exploitation.

The people are going to fight and Rev. Smith believes they are going to win. They are going to tear down the Rockefeller dynasty and ITT and every other exploiter, in order to be free of economic

oppression. The people will win because they are right, and America will then be a land run by the people instead of a few, select rich men.

## Angela & Big Black

The last two speakers of the day were Angela Davis and Big Black, the National Director of the Attica Brothers Legal Defense. They dealt to great extent with the same subjects: Why Attica is so important and what the Brothers are up against.

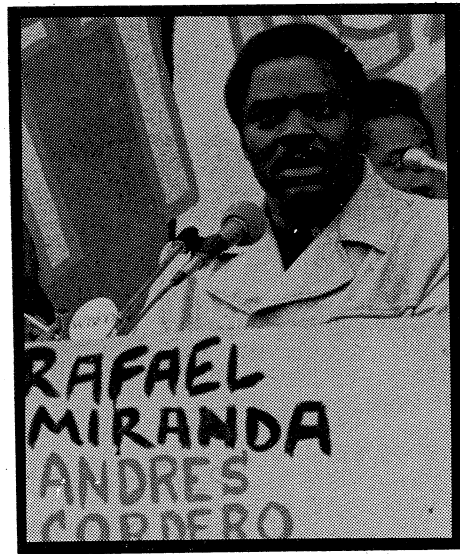
They both emphasized that this is the first real court test of the state against a group of prisoners, most of whom are still in prison. It means that either people in prison have rights as human be-



Angela Davis

ings, or they have no rights at all and the American society should stop fooling itself by thinking that prisons will help people. Formally, it is a court case begun by the state of New York against 60 "criminals". Actually, it is 60 men who have challenged the entire penal system and are now on trial to determine whether they are right or wrong in their demand for just treatment. They are the Indian, Puerto Rican, poor black, poor white who have been destined through a capitalist system of rich and poor to be labeled as outcasts and forced to rebel for their survival. These men are on trial for being human, for asking that at least the basic rights granted by law to any person in the U.S. be extended to them.

The state of New York has spent some \$6 million on the prosecution of these 60 men, whereas the defendants depend solely on the contributions of people around the country who believe in the cause for which the Brothers fight.



Big Black

Attica is more than a fight for 60 men who have been unjustly accused, it is a fight for every person who is forced into prison and treated worse than an animal in a zoo; it is a fight by all poor and oppressed persons for their democratic rights. Attica is all of us!

## 'Bind the Wounds'

Release Date: September 16, 1974  
Subject: Telegram from Reverend Jesse Jackson to Nelson Rockefeller - September 10, 1974

Dear Sir:

At a time when the Nation is emerging from an era of deep spiritual crisis, at a time when the leadership of the nation is seeking to restore confidence in the Governmental Processes, at a time when the true moral imperatives must be our first priorities for action, we must recognize our obligation to "Bind the Wounds" that have gone sorely unattended. Already, the new President has made direct commitments in this area. He has begun the discussions around amnesty for Draft Resisters. He has, rightly or wrongly, granted a pardon for former President. Amnesty has come to be one means of "Bringing Us Together".

With that same sensitivity to reconciliation, we must examine the effect of the upcoming Attica trials. The Prosecution of the 60 Attica Prisoners cannot remain excluded from the nations process of healing.

We ask therefore that you join with us in the re-examination of the Attica events, 1971 through 1974 and furthermore, we urgently request a meeting with you in the near future (at a time and place convenient to yourself) to discuss concretely the possibility for a final and just resolution to this tragic issue. We await your response.

Reverend Jesse Jackson, National President PUSH Organization and Reverend James Walker, Eastern Regional Vice President PUSH Organization, Box 21776, Philadelphia, Pa. Telephone: 215/763-9372.

All photos of Attica Moratorium by Jim Black



# Atmore: Alabama's Attica

by Ron Sturupp

At the State Prison Farm and Maximum Security Unit in Atmore, Alabama a group of prisoners who are being treated like animals are fighting hard to be men. In mid-October a court of law will decide whether they are indeed men or animals. Eleven prisoners, sympathetically known as the Atmore-Holman Brothers, all black and confined in the prison in Atmore, will face twelve of their "peers", all white, free and residents of Alabama. In Atmore, Alabama, a paradox almost as old as the plantation system itself will be resolved once and for all. Are prisoners men? Are black males human?

In the case of The People of Alabama vs the Atmore-Holman Brothers, the State will try to prove that it has a right to segregate most of its black prisoners into the prison in Atmore, a prison so horrible it can only be described by decent men as The Black Hole of Alabama. Dr. Julius Michaelson, an Alabama physician, visited Atmore for a health inspection tour. He said, "When I walked out of Atmore Prison, I was depressed. I wanted to shed my clothing and take a shower. As I got into my automobile, nausea welled up within me. I looked back and I cried."

The Attorney General of Alabama decided that he personally will present the State's case. He will tell the court that the State fulfilled its moral obligation to all its citizens when it appointed L.B. Sullivan as Prison Commissioner, the state official who has the destinies of these black prisoners in his hands. L. B. Sullivan is the man who, as Public Safety Director of Montgomery, Alabama in the sixties, ordered black demonstrators--men, women and children--beaten, hosed, attacked by dogs, trampled upon by horses, arrested, clubbed, maced, sexually assaulted while in jail and murdered. This is the same man who refused to let the wounded and dying

demonstrators go to hospitals in ambulances that had raced to the scene of carnage.

The State will point an accusing finger at the Atmore-Holman Brothers and say, "They violated the law, they are beasts. We have the right to treat them the way we wish." Or the State will point an accusing finger at the Atmore-Holman Brothers and say, "The Atmore-Holman Brothers are lying. We treat them with equality, respect and dignity." The State will then turn and accuse the Atmore-Holman Brothers of twenty-one charges ranging from riot to first degree murder. The State will then ask that the lives of the Atmore-Holman Brothers be forfeited in the electric chair.

The Atmore-Holman Brothers, through their attorney will rise before the court face their peers and tell of a paradox within a paradox. They will tell of the conditions under which they are expected to become rehabilitated. They will describe the overcrowded conditions in the prison, the lack of privacy, the absence of medical facilities and treatment, the roaches and maggots in food thrown to them through the bars of their cells, of hard labor for which they receive twenty-five cents a week. Out of this they are expected to buy writing paper, pencils, pens, stamps, razor blades, shaving cream, soap, tooth paste, underwear, linen, books, cigarettes and "extra" food. A bar of soap at Atmore costs 37 cents.

Some of the Brothers will show the court shoe and boot bruises in their faces, knife scars on their backs, missing teeth, fingers and limbs, ribs caved in. Drugs are prominent, inmate rape is common, murder occurs regularly twice a week in Atmore Prison.

Brother Oscar Lee Johnson will explain to his twelve, white, free peers that out of desperation they organized, went on work strike and demanded better conditions. For that they were locked in the segregation unit, tear gassed, stripped naked and beaten with pick-axe handles until some of them were unconscious and had to be hospitalized. The Warden personally shot one of them in the neck with a shotgun.

Johnny Harris will tell the tragic story of George Dobbins. On January 18, 1974 Dobbins was protesting the beating of his friend, Jesse Clancy by the guards. Dobbins was shot in the back. He was placed in an ambulance to be taken to the hospital. According to the local coroner he had nine stab wounds in his head and was dead on arrival. George Dobbins was top man on the guards "death" list. Most of the leaders and spokesmen of the prison demonstration are on the "death" list. Two others on the list have already been murdered.

Brother Mafundi was also on the "death" list. He was a powerful spokesman for the prisoners in the Black Hole of Alabama. Fortunately his sentence expired and he had to be released. He served thirteen years of a thirteen year sentence for stealing \$60 from a gas station at the age of 18. Mafundi is now working very hard trying to mobilize public support for The Atmore-Holman Brothers. Though Mafundi is constantly harrassed by local police, arrested and rearrested and his home is frequently broken into, Mr. Mafundi doesn't believe in paradoxes. To him the prisoners in the Black Hole of Alabama are men. Whether they are black, white, red, purple, blue or orange, he knows they are not animals and should not be treated as such.

Unfortunately, most people he attempts to involve believe differently. This raises a pathetically poignant paradox... people in the prisons of Alabama care more about humanity than people in the parlors of New England.

## WE NEED YOUR HELP

Everyone can help, each according to his ways and means. MONEY is always a central problem in a situation such as this. Send your CONTRIBUTIONS to:

The Atmore-Holman Bros.  
Atmore-Holman Bros. Defense Fund  
802 6th Street North  
Birmingham, Alabama 35204

If you can't afford to contribute money, write to L. B. Sullivan, Commissioner of the Alabama Board of Corrections, 101 South Union St. Montgomery, Alabama, and protest these trials and false charges.

## Police State?

ADDRESS BY THE HONORABLE WILLIAM B. SAXBE  
ATTORNEY GENERAL OF THE UNITED STATES OF  
AMERICA

*The options are very limited as we face the future. If we go on as we are, there is every possibility that crime will inundate us.*

*The nation would then be faced with the prospect of falling apart or devising a national police force in one final effort to restore domestic order.*

*We should never doubt for a moment that there are men and forces at work in this country eagerly awaiting an opportunity to devise such a program as the first step toward total control of our lives.*

*Already we hear many say the answer to crime rests solely with more police, tougher police, more judges, more prosecutors, more prisons. If such a build up should occur on a massive scale--beyond what may be reasonably needed--then we would see basic freedoms begin to dissipate. Some even suggest that we really should give up a portion of our freedoms so that more criminals can be jailed.*

*The trouble is that such a trend would be progressive. And if history teaches us anything, it is that freedoms willingly surrendered for any reason are never returned.*

*As other countries have learned, a police state can control common crime. But that is not our way. And it would be a dreadful mistake to slide inch-by-inch toward that chasm, centralizing the war on crime in the name of efficiency while meekly accepting a national constabulary.*

*National police can be used as an instrument of national repression--and they always wind up being run by somebody else.*

*Any nation can stop crime if it is willing to have an internal army of occupation. But there has never been a government which stopped crime by oppression that eventually did not live to regret it.*



# Letters to NEPA

September 23, 1974

## NEPA NEWS:

I was very disappointed in you and your paper, when I read the article "Norfolk 26" (Sept., Page 4--ed.)

You should stick to your policy of not printing material that isn't signed. I can't say why the council didn't reply to your letter. But this type of sensationalism on your part is unforgettable.

The person who wrote the article was returned to Norfolk, and is now in protective custody because he can't pay his bills.

To attack the whole council is a weak attempt to undermine a form of Government run by prisoners, for prisoners.

Im on the Norfolk Resident Council, and anyone who wants to try and say I work for the Administration can tell me in person, or at least sign his name, to the trash he wrote.

Earl R. Kennedy II

TO: News from New England and Around Mass.  
FROM: M.C.I. - Concord +++ Joseph Rizzo  
Subj: Answer to grievances submitted on mimeo sheets. Sept. issue NEPA, Vol. II, No. 8

This is a follow-up in regards to the bullshit we have been faced with at Massachusetts Correctional Institution - Concord.

Shortly after the mimeoed sheets were distributed the Administration agreed to meet with us. Superintendent Genokos agreed to meet with myself and several other inmates representing the inmate population along with other members of the Advisory Board.

After 4½ hours of discussion and negotiation the majority of the people present felt satisfied with the outcome. Out of ten major grievances submitted, nine were approved for immediate action. (Those that did not, concerned funds or individual meetings with medical staff).

Inmates agreed to return to work on Monday, September 16th. Mr. Genokos left on one week vacation Wednesday, September 18th.

Many of the minor problems have been resolved, but the major policy changes and orders of the Superintendent have been completely disregarded and disrespected by untrained correctional officers.

Many of our family and loved ones feel as though they're in jail after receiving unnecessary harassment, such as skin shakes, obscene and abusive language by officers and in general petty bullshit they have been getting away with.

It was also agreed by Mr. Genokos that no man would await action for Disciplinary Board hearings unless they were a threat to themselves or the institution. (Which according to the "Green Book" is the proper procedure for a man to be released.)

The officers are suddenly receiving threats of assault and violence which are not being heard by anyone but themselves (because they are not being made). Yet they continue to hold inmates on A.A. status.

We do not blame Genokos. We feel he is fair and doing his best. However we must have an end to the harassment caused by not all, but that percentage of undesirable pigs employed at our institutions. If they hate cons, they shouldn't be working here.

I remain your brother in struggle,

Joseph Rizzo



## MULLANEY'S JUSTICE

An inmate by the name of Richard Hamner came to the Segregation Unit on his own on July 25th because of his nerves and also to be alone for awhile.

There is a policy at this institution that if an inmate feels like he is going to lose his cool, all he has to do is ask to go to his cell or Seg. for awhile to straighten out his thoughts and when he wants to come out he can. This is exactly what Richard was asking. In this particular case it was approved for Richard to come up for a rest.

After a few days Richard felt that his head was together and his nerves were alright. When he asked to be released from Seg. to go back to work he was told he couldn't. He then asked for a reason why and was given no answer. Richard then got mad and hollered to have an answer and was written up for this.

The Disciplinary Board then gave him 5 days in Seg. He had served 1 day in Seg. when he was taken to Augusta General Hospital for brain surgery. This was what he was a little up tight about in the first place. Let us emphasize that Richard had already done 35 days in Seg. by this time. The King was so low-down and vile that he even sent the appeal form to Richard saying it had been denied and it was placed on his chest as he was coming out of the operating room.

Richard recovered nicely from the operation and was brought back to the prison after 10 days and the Warden "King" ordered him to Seg. as he still owed him 4 days on the old sentence of 5 days.

After his 5 days were up he asked to be released from Seg. but was refused for no given reason. He has now been in Seg. over 60 days for nothing.

That, my brothers and sisters is exactly how King Mullaney runs his prison. Just one classic case. It is a sad case that a man cannot get out of Seg. after doing over 60 days as of September 16th on a 5 day sentence. He came up here on his own not to be harassed by Mullaney and Hendrikson and such creatures, but for a rest.

In struggle,  
Reggie Berube and Don Melvin  
Thomaston, Maine

Dear NEPA,

At the present time there are 8 of us locked up in 9# block in dead-lock. We've all been up here awhile, but the dead lock, lock up started Thursday the 19th. Since then we have not left are cells or taken a shower. We have been constantly harassed by the screws and are just trying to feed us into making a physical attack on them. So far we have been able to restrain ourselves.

This all started when I threw some cold slop they had served us on the walls. The following morning the screws told me I wouldn't be able to come out of my cell for the 20 minutes exercise they give us or to take a shower until I cleaned the wall. So, that day everyone on our tier threw there food on the walls and now thats why no one can leave their cells.

They have given us all tickets for creating an environmental health hazard and the recommendation was that we lose our visiting privileges, exercise time and showers until we "quote" clean up the tier. And today 3 more of us got tickets for creating unsanitary conditions.

About a month ago while no one was up here the resident P.C.'s painted the walls and ceilings but not the rooms that we the convicts live in. Just to make it look good enough for the press or passing legislators to think that there has been improvement in 9# block.

We are being treated like we don't exist. Every meal the food is cold, we receive letters two weeks old. Our people don't receive our mail. These are just a few of the petty things our captors deprived us of. Well right now the screws walls as they call them are plastered with the garbage they feed us and human excrement we dispose.

We have unity and are together up here and if it means that the only way we will shower & get out of our cells is to yield to foolish screws then we will stay in our cells without showers & visits but we promise that these screws will feel our anger. We've lived in worse conditions but these screws can't understand that no matter what they do they can't take your manhood away. And the worse they treat us the stronger we get and the stronger we unite. Any support you people can give us will mean a lot. Thank you for listening.

Raymond LeBeau, Walpole

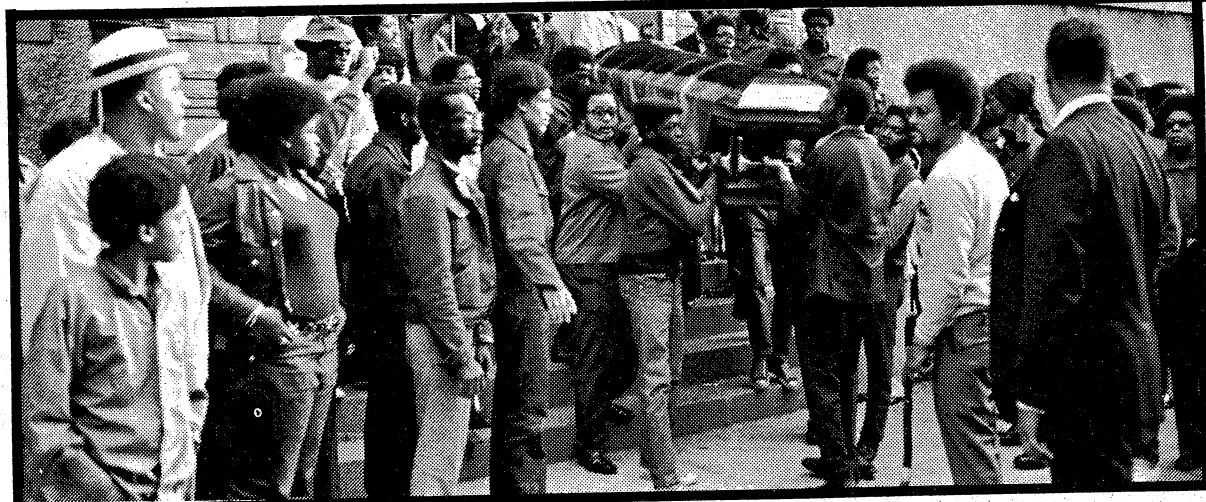
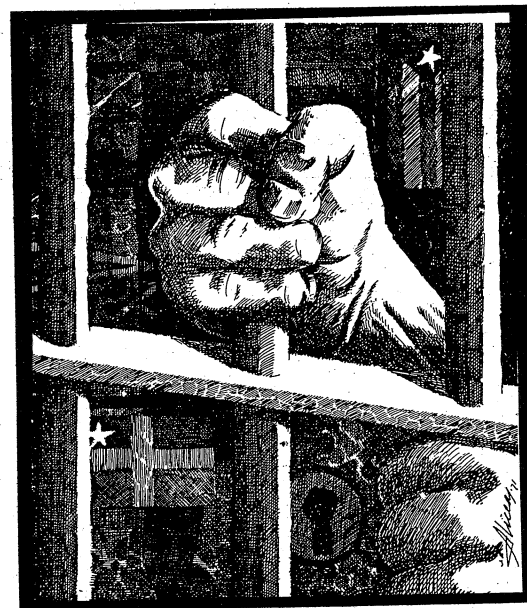


photo by Bill Whiting - Encor

## Charges Dropped

Release Date: September 19, 1974

Several charges against three of the Attica Brothers were dismissed today. The action was a result of a motion introduced by defense attorneys Leonard Klaif, Sean Hill and Frederick Hayes before New York State Supreme Court Justice Carmen Ball. The three charges which were dropped all involved alleged possession of a firearm (gas gun). The defense contention was that the gas guns are not defined as firearms under New York State Penal Law, and that consequently the charges were invalid. A weapon, in order to be considered a firearm must be of concealable size. The Attorney General did not contest the motion.



## WHAT THEY ARE TRYING TO DO

They're trying to keep us people of the third world paranoid, ignorant and unaware.

It is their goal to turn us against ourselves while they bust us, molest us, and kill more and more brothers and sisters with their drugs, and legalize murder.

Our strength is a lot more powerful than their's. After all, we have all the struggling and sacrificing it takes to deal with the reality of life that is so painful, to be railroaded through our courts system for something we did wrong according to the rules prescribed by them. To be locked up like livestock for as long as they judge. We are treated like lepers then released on their say so with a probation noose around our necks. Their behavior modification programs is one of their plans to make us paranoid, ignorant, and unaware.

You accept we have lost the battle which we never fought. We play with toys/ handballs, basketballs, footballs, movies which replace our identities. You accept the thought that your brother will mistake you for his enemy and stab you in the back.

We single out one person or one group. We think they are talking about us, they have our cards, they think they are better than we are, they have less time to do or some trivial bullshit that is just as unimportant. One thing is important. Brothers and sisters we know and understand who locked us up and why. We the (oppressed) are one side, they the (oppressors) are another.

Why should you hate a brother or sister cause they have locked you up. Why hate each other because they have denied you of your rights. We together should go to the power and stop them in (what they are trying to do).

A few of them are given unlimited power, 30 to 50 of us, minute by minute they tell us what to do and exactly which way to do it. They are so confident of their control over us they try to regulate how we think, act, and behave. They may even have you thinking that they like you cause they may do you a favor like mail out a special letter to your family, who you could talk to if you were not in jail.

All I can say brothers and sisters of the third world we must unite and stop this brainwashing and destruction of ourselves.

You shouldn't feel just because you are locked up the feeling should be lay back and let things happen to your brothers and sisters, sisters and brothers we are all one who are trying for change in our prisons. Open your eyes.

There are smiles that make us happy and there are smiles that make us sick.

Robert Reuschel  
Vermont State Correctional  
Facility

Dear NEPA:

Like we have vocational training programs here but, if a person is in for drugs or violent crimes he might as well blow it off because if you're in for these type crimes to get the vocational training is like wrestling with a 700 lb. grizzly bear.

We have a work release program also, but then again if you are in for drugs or being violent-forget it...These people here have practically no rehabilitative programs at all.

Like myself I applied for the study release program, but i was turned down they told me it was because of my time. But the funny thing about it is another dude here who had more time left than I did got to go. So you tell me what it was...Like there was another dude they talked to who one week they turned down, well the next week they came and got him and took him and they didn't even once come and talk to me. All I got was a slip of paper from somebody I didn't know telling me no.

Like I can't dig steel and bars and all that I live in a dorm and the dorm was condemned about ten years ago. It's a trip when you open the windows because the walls start to bow inward. And when the wind blows hard the whole building sways with it. Then the wind comes up through the floor.

Oh yeah in the messhall they were serving spoiled meat and the kitchen has been ruled a health hazard by the health dept.

So as you can see things are not too pretty here either. I thought you all might be interested in some of the fine points of the Lexington Regional Treatment Center, where I am presently staying at.

The state doesn't pay for anything in the way of medical. So if you ain't got the bread-forget it. Like there is no doctor here except some dude who has a chiropractor's license and even that is doubtful. If a person is sick or hurt he has to go in the dispensary-I guess that's what you call it and put your name on a waiting list for the doctor that evening. One comes in Monday - Friday for one hour. And if there's sixty people who want to see him that evening then the doctor spends about one minute with each man. Is that proper medical treatment? So if a person wants to get sick sometime during the day or hurt he has to get his name on the waiting list early in the morning. Is that right?

I thought you all might be interested in some of the highlights of where I am at. With what I have given you you may print them in your magazine if you want to. I know that I am not in an New England penitentiary, but it will show you that like them the same troubles exist in all penns. across the country.

Your brother in chains,  
Mike Mountford 86807  
Lexington, Oklahoma



The food in our chow hall at Maine State Prison is becoming inexcusable, but no one seems to care.

In the past four months the quality of the preparation, and care of food served to inmates, has dropped greatly.

Several times, I have seen rotten lettuce in the salad, and dirt on the celery. Is the State of Maine so poor that it cannot afford to serve inmates clean, well prepared food? Or is it that the kitchen officials, have been there so long that they have forgotten they are feeding human beings. I believe it is the fault of the kitchen officials.

When I worked in the kitchen, I noticed that the oatmeal and the cream of wheat was stored in the bathroom. The toilet was leaking and contaminating the food to be served to inmates.

Lately, when we have pancakes and french toast, the maple syrup has been diluted almost tasteless.

We inmates are being introduced to a new type of diet. It is called "Too much Soybean". Soybean meal was meant to help stretch meat, not replace it.

For the past two months, our meat has consisted of tremendous amounts of soymeal and little, very little meat.

Some people will say, that soybean is good for the diet. I agree some soybean is good for the diet. Too much is bad for the moral, and the moral will get bad. Anything can happen!

The last thing I want to comment about is the soup. Each day, the leftover soup from the proceeding day is dumped into a bucket, along with other leftovers and served to inmates. If an inmate has good eyes, he might find anything in his soup; a cigarette, cigar butts, an old shoe or God knows, what else.

All of these things are inexcusable, and all the blame should be placed where it belongs: direct mismanagement by the kitchen officials.

I have found my own remedy to this situation. I haven't eaten for ten days, and won't eat for twenty more.

Fasting for 30 days at Thomaston  
Maine State Prison

ED: This prisoner, who had fasted 26 days when we last heard from him, prefers that his name not be used for fear of retaliation by the administration.



Walpole photo: Richard Kahn

# News Shorts

## Justice for Miners

Another great example of justice crossed our desk this past month. IN Eastern Kentucky coal miners have been striking for months, struggling against massive Duke Power Company, to gain the right to be represented by the United Mine Workers (UMW). The strike has seen pickets, mass demonstrations and even shooting.

As has often happened in the past the miners have also had to fight a state apparatus controlled by the mine-owners. In this case, Judge Burd Hogg (really) has ordered injunctions, then tried strikers and supporters himself. In one case he dismissed the jury, then sentenced each defendant to six months and a \$500 fine. The reason for the extreme sentences and injunctions can perhaps be found in the fact that Hogg owns a mine himself.

However, despite Hogg, the miners won a stamping victory. Duke Power was forced to recognize the UMW as the bargaining agents for the Brookside Miners of Harlan County, Kentucky.

## AIM Trial

The trial of American Indian Movement leaders Russell Means and Dennis Banks ended, at least temporarily, in St. Paul, Minnesota. After hearing the entire trial, and sending out the jury to deliberate, the judge abruptly ended the trial because of still new evidence of blatantly illegal moves by the Justice Department. As far back as April Judge Fred Nichol began to threaten to dismiss the case because of actions by the F.B.I. The judge, however, denied a request by the defendants that he find them "not guilty" of the charges which grew out of the A.I.M. occupation and liberation of Wounded Knee, South Dakota.

## SCAR Lands Grant

The Statewide Correctional Alliance for Reform (SCAR) in Maine has landed a grant for \$35,000 from the Campaign for Human Development. The money is to be used for the following purposes: to run the SCAR Drop-in Center; to develop a business; to expand their newspaper, SCAR'd Times, and their speakers bureau; to buy a bus and run a bussing program for a year; to put a book or several booklets together; and to establish more bail funds like the Portland Community Bail Fund.

Congratulations to SCAR and thanks to the Campaign for Human Development. This should be a boost to what is already some very fine work by our brothers and sisters in Maine.

## Mass. Lawyers Guild

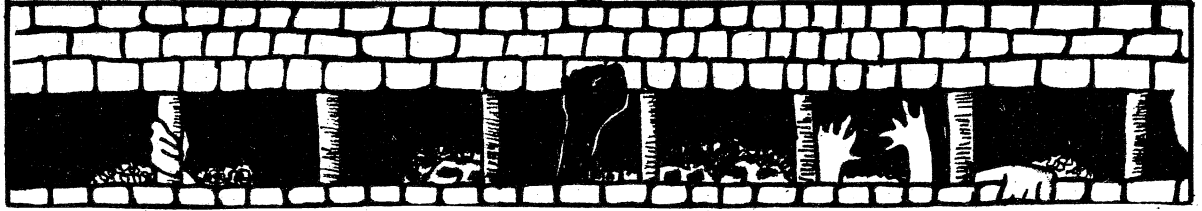
The Massachusetts Lawyers Guild has undertaken the task of re-structuring itself. One new group formed is an office group to help handle mail, answer prisoners letters, make legal referrals, and publish "Mass Dissent". Proposed new projects include a political-legal film and speaker series, legal workshops, community legal education, and production of legal pamphlets.

Anyone interested in offering help or acquiring more information should contact The Guild at 595 Massachusetts Avenue; Cambridge, 02139, 617-661-8898

## Leavenworth

The trial of the Leavenworth Brothers has reached a new stage. Four of the six remaining brothers (the seventh died in his cell, either suicide or murder) were convicted on September 24 of various charges of assault and inciting to riot. These four Brothers were all Black and were convicted by an all-white jury. Lawyers for Alfred Jasper, Alf Hill, Jr., Ode-1 Bennett and Jesse Lee Evans will file for a new trial on Oct. 7 and, if over-ruled, will appeal to the Tenth Circuit Court. We hope next month to have a longer article on this trial.

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## Employment

MASSACHUSETTS HALFWAY HOUSES, INC.

Counselors, Night Supervisor, House Manager; send resume to MHHI, Box 348, Boston 02117, c/o Personnel Coordinator and call (617) 261-1864 to see if position is still available. Counselor salaries start at \$7,500, House Manager at \$8,000, and Night Supervisor at \$22.50 weekly stipend.

MASSACHUSETTS PAROLE BOARD

Social Workers, Junior Parole Officers, and Special Service Officers; contact David Linde, Chief of Parole Services, 100 Cambridge Street, Boston, Mass. 02202 (617) 727 3275.

CONNECTICUT DEPARTMENT OF CHILD AND YOUTH SERVICES

Assistant Superintendent at Long Lane School. Salary range from \$14,667 to \$18,075. Send resumes or inquiries to; Dept of Children and Youth Services, 345 Main St., Hartford, Conn. 06115, Attn.: Dale Ursin (203) 566-2016.

UNIVERSITY OF MAINE

Coordinator, Criminal Justice Program with assistant or associate professor rank, administrative and teaching duties, position open January 1975. Send resumes, letters of recommendation and transcripts to Dr. Konnilyn G. Feig, Dean, College of Arts and Sciences, 113 Luther Bonney Hall, University of Maine at Portland/Gorham, 96 Falmouth Str., Portland, Maine. 04103. Applications close October 15.

## Art from Inside

The Prison Reform Task Force of the New York Society for Ethical Culture will this year sponsor its Third Annual Art Exhibit and Sale of inmate art.

The Exhibit will take place November 20-29, 1974 at the New York Society for Ethical Culture - 2 West 64 Street, New York, N. Y. 10023.

Submissions for the Exhibit and Sale will be accepted from November 1 to November 13, 1974 - and should be sent or brought to the Task Force office at the above address.

Unsold works received by mail will be returned by mail at the expense of the artist.

Each of the works submitted for Exhibit and Sale should be tagged by the artist; the tag to include the following information:

- 1) Name and institutional number of artist.
- 2) Address and institution of artist.
- 3) Price of work.
- 4) Name of work.
- 5) Media used.

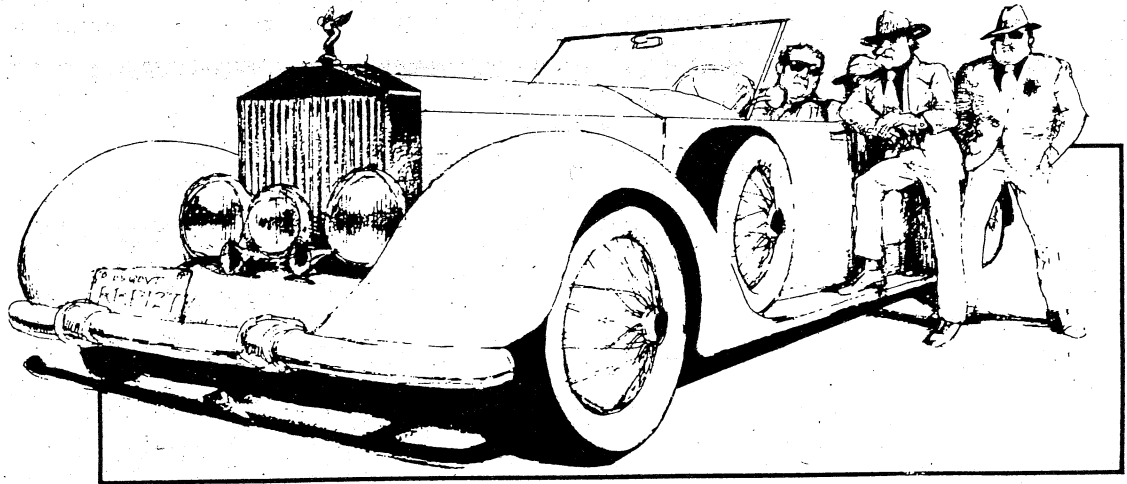
All monies realized by sale of art works will be sent to the participating artist during the first week of December, 1974.

Inmates submitting art works for exhibit may also submit biographical material which will be prominently displayed with the art submissions.

## Marijuana

Is the grass really greener in Vermont? It may turn out that way if the Vermont Bar Association has its way. At its annual meeting held in Bretton Woods last weekend, the bar association voted to support the legalization of marijuana in Vermont. The resolution passed by the association stated that marijuana should be sold through the state's liquor stores to any person over the age of 18 subject to regulations governing "purity, potency and price."

From the NEW HAMPSHIRE TIMES 9/18/74 p. 8



## New Address

The Prisoner Community Center at Windsor, Vt. has moved to a new address. It is now 87 Main St., Windsor, Vt. 05089. The phone remains the same at 802-674-2708.

## New Center

A new prisoner service center has opened in New York State. A letter from them says, "We are centered around the Auburn State maximum security prison and we provide all services of the visitors to Auburn Prison. We do lunches, babysitting, provide a lounge, counseling, organizing, and generally work to promote change in the Dept. of Corrections. We also arrange bussing from New York City in cooperation with NYC groups and are working to set up a similar program for the Buffalo/Rochester area.

They are the Auburn Hospitality Assoc., Inc., 162 State St., Auburn, N.Y. 13021. 315-253-0121.

## On Isolation

Does solitary confinement make a prisoner repent? If he's aggressive or antisocial, isolation only makes him more so, say Dr. Francis DeFuedis and other researchers at the Indiana University School of Medicine. Studying mice, they found that the animal's brain chemistry actually changed when they were placed in isolation--although they had ample food and water--and gradually eased back to normal when they rejoined their colonies. But they were violent and aggressive to their fellow mice. The researchers haven't yet experimented with humans, but they speculate that it doesn't make sense to punish aggressive prisoners by isolating them, because they come out "with even less ability to control their behavior."

From the Family Weekly New Hampshire Sunday News 5/6/73

### 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 psycho-surgery;
- 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.

NEPA NEWS ADVISORY BOARD: John Boone, Boston University Law School; Director, National Coalition for Correctional Change. Kathryn Watterson Burkhardt, author. Alvin Bronstein, Director, National Prison Project. Nat Hentoff, author. John Irwin, ex-prisoner, author, Sociology, San Francisco State College. Jessica Mitford, author. Tom Murton, Criminal Justice, U. Minnesota. William Ryan, Psychology, Boston College. Herman Schwartz, Law and Jurisprudence, SUNY, Buffalo, N.Y. Max Stern, attorney. Jonathan Weisbuch, Medical Director, Mass. Corrections.

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We are not responsible for unsolicited manuscripts, though we welcome the submission of any printable material. We appreciate it if manuscripts are double-spaced.

Articles in NEPA NEWS do not necessarily reflect the policies of NEPA. Because NEPA recognizes the need for debate and discussion of goals, strategies and tactics, material in NEPA NEWS may be printed for that purpose.

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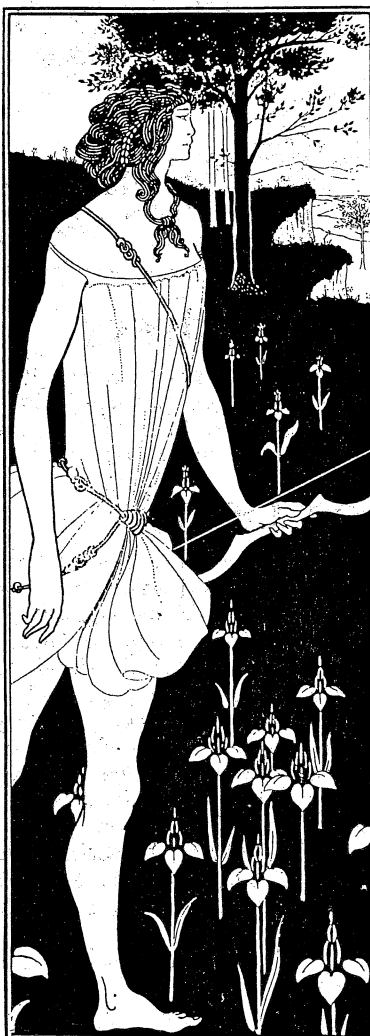
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I am a prisoner without funds. Please send me NEPA NEWS.

I am a prisoner. Here is my subscription in the amount of \$ \_\_\_\_\_

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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.

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

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

Mail to NEPA NEWS, Franconia, N.H. 03580



## New Phone

NEPA NEWS has a new phone number. Call us at 603-823-8501, ext. 5 or 0. Sorry to anyone who may have called us at our old number and got the wondrous voice of the recording.

## Deadline

The copy deadline for our next issue is October 29, 1974. Anything that will reach us in time should be in the mail by Friday the 25th. We would like to get more shorts from people--we got no where near as many as we did in previous months. Without your sending them, we can't print them.

## Hello and Goodbye

Due to people moving--to as close as Boston and as far away as England or Yugoslavia--many of our old staff have left, some of whom have been with us since our first issue. However, with the start of a new college year up here in the country, we also have many new staff members. To those leaving, thanks for much hard work and frequent dedication. And greetings to the new folk who have joined us.

## Another Year

This issue begins the second full year of the publication of NEPA NEWS. We have weathered some harassment by the opposition, low funds, few staff at times, and hard work. But we dig it. We wish to thank our subscribers, our donors, and most of all the prisoners who have helped our paper grow, put up with our errors and ignorance, encouraged us, sent us copy and innumerable letters, and generally made it all very worthwhile. And we are sure we will be around next October, too.

## START (cont.)

Sanchez, c/o Lawrence Kisinger, 217 Eddy St #312, San Francisco, Ca. 94102.

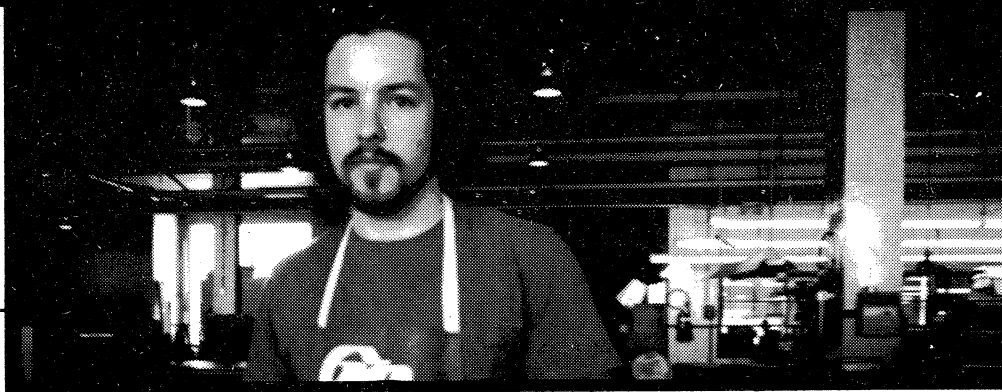
Brother Eddie states he will only be freed by the mass support of the people.

Letters urging the dismissal of charges and protesting such charges should be sent to the U.S. district court, Topeka, Kansas. Please make reference to indictment number 74-31-CR-5 as a fascist frame-up and demand the immediate dismissal of charges against Edward Sanchez.

# 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 a lot 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

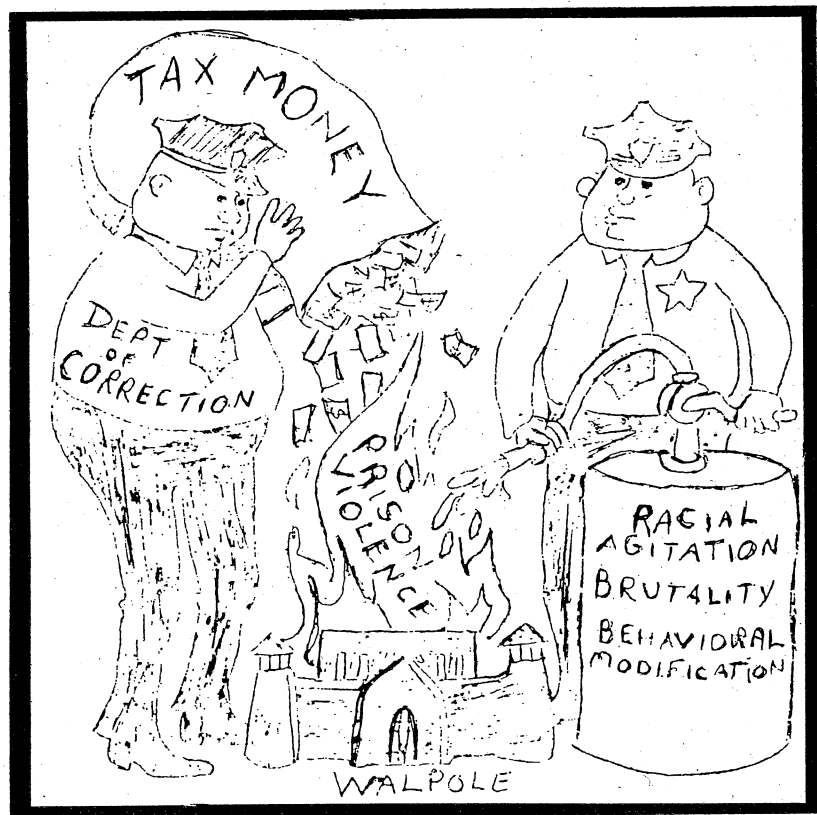
The Vermont State Prison was built in 1809, when Thomas Jefferson was president. This film, just completed, consists of discussions with prisoners at the prison. They describe their unsuccessful attempts to get any meaningful rehabilitation programs into the prison. The prison itself is as close to a 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  
or  
New England Prisoners' Association  
Public Education Program  
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

### NEW HAMPSHIRE

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

### MASSACHUSETTS

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

### VERMONT

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