

# NEPA NEWS

The Voice of New England Prisoners' Association  
Prisoners, Ex-Prisoners & Supporters

Edward Mc Zeal  
Box 100  
Somers, Conn 06071

## Connecticut Prison Conference

Pages 12 & 13



from left to right Joyce Francis, June Smith, and Pat Wells - women from Niantic Prison housed at New Haven YWCA

## Warning: Operation Threshold

by Rus Carmichael

A new gimmick is climbing the ladder to reach the correctional rainbow and the Law Enforcement Assistance Administration's (LEAA) pot of gold. It goes by the name "Threshold" and is now in operation in 22 jails and prisons across the country--in Pa., N.Y., N. J., La., Conn and Mass. Threshold is described by its inventor, Milton E. Burglass, M.D., M.P.H., M. S., Ex-con., as a "Community Based Intervention in Correctional Therapeutics." Doc Burglass is one of our brothers who has supposedly solved the problems of the convicted class. He has, through study, found that we go to prison, not because we come from economically deprived areas or because we were unable to control our emotions or because of any number of thousands of reasons; rather, we go to prison because we are unable to make right decisions. This is the thrust of Doc Burglass' educational/therapeutic program. He infers this explanation from his definition of a criminal, found in his training manual for counselors: A manifestation of a function deficit in decision-making

ability and problem solving skills which both reinforces and reflects an image of the self as victim. Doc Burglass' definition presumes that the prisoner had avenues other than crime open to him and that he did not take into consideration where the outcome of his crimes might lead, i.e., to jail or death. In short, Doc Burglass begins from the assumption that the prisoner is the one to blame for his being in prison. I would suggest that Doc Burglass read William Ryan's Blaming the Victim. Professor Ryan states that: The generic process of blaming the victim is applied to almost every American problem. The miserable health care of the poor is explained away on grounds that the victim has poor motivation and lacks health information. The problems of slum housing are traced to the characteristics of tenants who are labeled as "southern rural migrants" not yet "accultured" to the life in the big city. The "multiproblem" poor, it is claimed, suffer the psychological effects of impoverishment, the culture of poverty, and the deviant value system of the lower cla-

sses; consequently, though unwittingly, they cause their own troubles. From such a viewpoint, the obvious fact that poverty is primarily an absence of money is easily overlooked or set aside.

I contend that Doc Burglass is one of these victim-blamers who has overlooked the real causes of why men and women find themselves in prison. He talks of a program for county institutions where the "pre-trial detention periods can range from overnight for some men in some institutions to the six months or more commonly reported in such jails as Orleans Parish in New Orleans, etc." Does Doc Burglass believe people awaiting trial are in need of his treatment program? If in fact he does, I feel he has a problem with decisions himself because of the fact that pre-trial people are supposed to be innocent of crime until proven otherwise by a court of law. If he doesn't think they are guilty, why even mention them as an example? I personally believe that Doc Burglass thinks that if you are in jail you are guilty. At least that way there are no confusing circumstances to foul up his therapeutic program.

cont. on p. 20

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# Thanks

We at NEPA NEWS have been trying to improve the quality of our paper with each issue, both the content and the layout.

We feel the layout of this issue is a great improvement. The primary reason for this improvement is the assistance given us by the NEW HAMPSHIRE TIMES, who devoted hours of their time to a layout workshop which taught us many things.

To the people at the N.H. TIMES, thank you very much.

# Classifieds

We would like to run a Classified Ad section as a service to the brothers and sisters in the joints and their families. If you want or need something, or if you have something to offer, let us know. However, we will not be able to act as the exchanger or transporter. We ask those on the outside who can give to please find a way to get the items to the recipients.

# Christmas Subs

If you would like to have a friend or relative receive NEPA NEWS as a Christmas gift, or a New Years gift (what better way is there to start the new year?) clip one or more of the gift sub blanks and mail them to us.

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# Letter

To the Editor:

I deplore the barriers erected against communication between prisoners and those on the other side of the bars. An example: On the 25th anniversary of Hiroshima Day (Aug. 6, 1972) eleven inmates at the Federal Corrections Institute, Danbury, Conn. went on a hunger strike in protest against the U.S. war in Indochina. Somehow this act surfaced in the news media. Seeking to encourage the Danbury Eleven I wrote each a letter of support.

I learned later that the prisoners had been transferred to a midwestern prison. I question the legality of a postal service which refuses to deliver or forward mail. I wonder whose rights are being violated - Those of the writer, the recipient, or both?

Very truly yours,  
George Margolis, M.D.  
Hanover, N. H.

# Bonding

A Federal Bonding program, run by the Department of Labor, is now in effect for ex-captives who need bonding in order to obtain a job. Men and women who want a bond cannot get one because commercial bonding firms will not ordinarily grant bonds to ex-captives.

Bonds are available in \$500. units for up to \$10,000. per month. At the end of one year the employer will be asked to assimilate the ex-captive into his regular bonding arrangements or drop the requirement for bonding, provided this does not jeopardize the individual's job. If necessary, coverage will continue past the initial year.

If you are an ex-captive or for some other reason cannot obtain a commercial bond required by an employer (whatever the employer's reason), contact your state employment service, as they are the group that administers these federally guaranteed bonds.

photo: Richard Kahn



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We wish, first of all, to thank the many people who sent us subscriptions and donations. The money we received enabled us to expand to 24 pages without dipping into our meager savings. However, unless we continue to receive subscriptions and donations we will rapidly run into financial difficulty. To print 5000 copies a month of a 24 page paper and mail it out will cost us about \$5000 for a year. No one on the paper staff receives any money; it all goes to unavoidable costs such as layout, printing, mailing, etc. We also remind you that if you received a free copy in the mail we will only continue to send it free if you are a prisoner. We receive mailing lists and send two issues free in the hope that you will like the paper and send us a subscription. So please send what you can.

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- 603/823-5266  \$10.00, one year for you and three cons
- \$25.00, one year as a sustaining member of NEPA NEWS
- Any and all contributions are gratefully accepted.  I am a prisoner. Please send me free copies.

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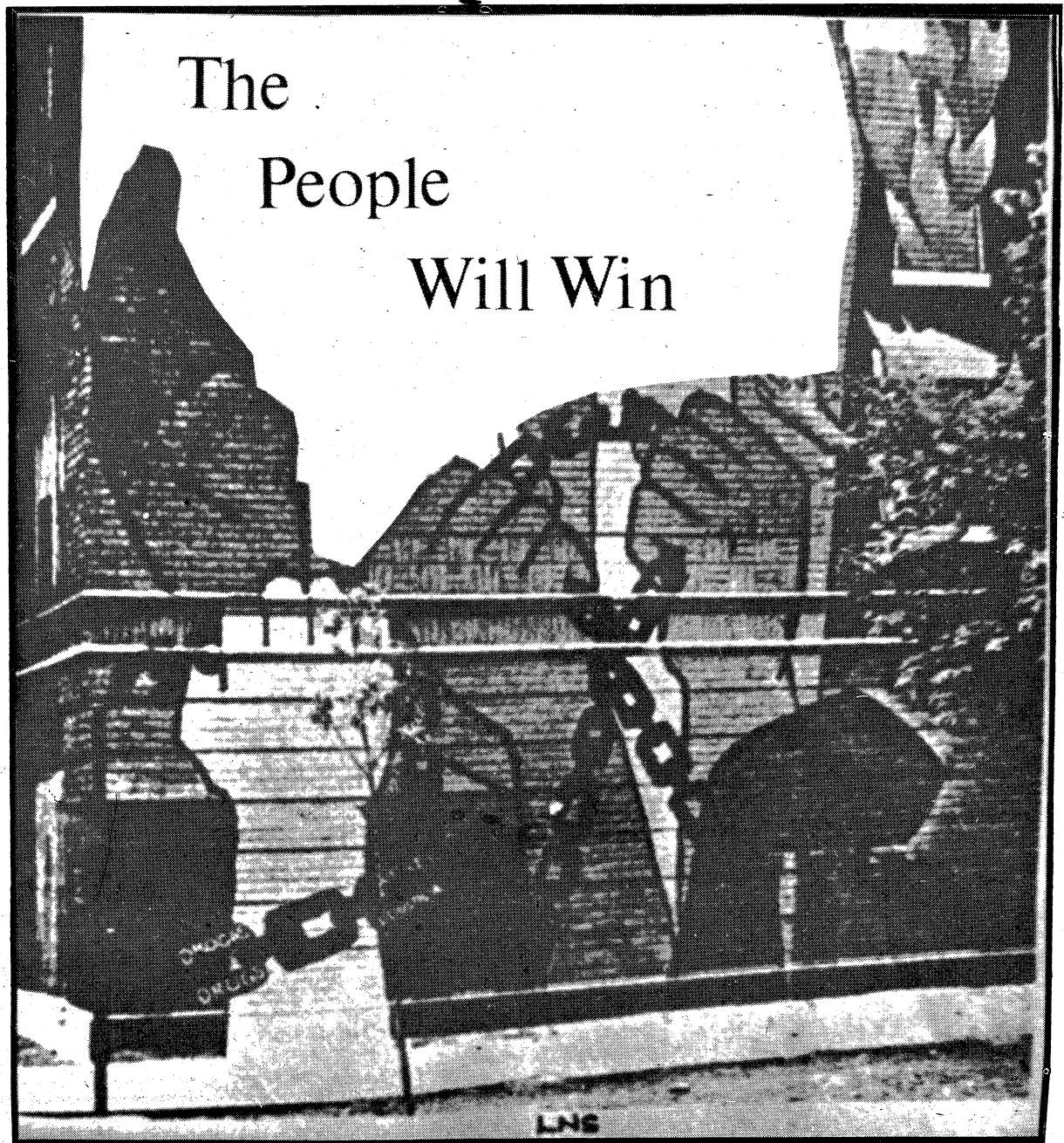
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# Windsor Prison Update

Extensive investigations are underway at Windsor State Maximum Security Prison, Windsor, Vermont. The Vermont Correctional Department, under the direction of Commissioner Stoneman, is currently investigating Windsor's security procedures. Vermont State Attorney, Paul F. Hudson, is also conducting an investigation of the security problems at Windsor. These actions were prompted by a strike, held October, 1973, by the residents of C Block, Windsor Prison, who are now members of the newly formed Vermont Prisoners' Solidarity Committee.

Windsor Prison is now feeling the drastic effects of this strike, originating with allegations by the residents of C Block of a guard operated narcotics ring. Windsor's current staff shortage is phenomenal due to the rash of resignations given to Windsor's Warden Julius Moeykens, shortly after the allegations were made public in October, 1973. One source reported, "as many as twenty-one correctional officers" have since left their jobs due to the breaking up of the narcotics ring. Security is an on-going problem at Windsor Prison.

The men who worked most and the officers of the VPSC, to make this narcotics ring public information, are now held in Windsor's Special Adjustment Unit (segregation, the "hole", isolation). They have appealed this action of the prison officials to Commissioner Stoneman and the Federal District Court. These four men, J.W. Clothey, Frederick LeBlanc, Dennis Allen, and Bernard Woodmansie, are considered dangerous by the prison admin-



istration, for obvious reasons, but each and every citizen of Vermont, is indebted to these men for making the truth about Windsor Prison public knowledge.

Many issues are still being negotiated at Windsor Prison. In ad-

dition to the appeal of the four men previously mentioned, attempts are being made to obtain a Citizen Observer program at Windsor. As yet, these efforts have been stopped by Governor Salmon.

As these issues become settled the results will be publicized. However, now is the time for all concerned to take action to help influence the upcoming changes expected at Windsor Prison.

Write to Governor Salmon, Commissioner Stoneman and to your local State Representatives. Urge them to support a Citizen Observer program and urge them to take drastic steps to end the inhuman treatment prevalent at Windsor, treatment the Vermont Prisoners' Solidarity Committee is fighting.



## VPSC Statement

The Vermont Prisoners' Solidarity Committee is opposed to the establishment of a Tri-State Penal Facility. We are in opposition because we feel that its true purpose has been disguised from the public. The real intent of such a facility is to gather all the political leaders of the three states into one massive behavior modification unit; in order to silence them, and bring a halt to their impact on the penal system. The employment of chemotherapy and sensory deprivation has been discussed as the method of control inherent in such an institution. The two are part of a national conspiracy to neutralize effective prisoner leadership. The money and energy could be better spent solving real

problems. The fascist nature of Sen. Albert Westphal(Vt.) and Governor Meldrim Thompson of New Hampshire, supporters of the Tri-State Prison, points to the sickness of the premise, which it is based on. If the states of Vermont and New Hampshire are unable to deal with their own penal problems, is it rational to believe that they can solve them by joining forces and doubling the problem? The cure is not "security". The "hardcore" criminals alluded to are so often, in reality, mostly composed of political activists and inmates demanding that they have a voice in life-affecting situations.

Federal law protects the right of prisoners to organize, (N.P.R.A. vs.

Sharkey, U.S. District Ct., R.I., 1972), yet when an attempt was made to do so at Windsor, the State labeled the V.P.S.C. as hardcore, and its leaders were placed in a Special Adjustment Unit. They were held incommunicado for four days, then an "after the fact" hearing was held. Their visiting rights were severely curtailed, they are refused the monthly telephone calls afforded other residents, and their mail has often been delayed. Why?

In many cases "hardcores" on one day may very well be "trustees" the next, or vice-versa. The current problems at Windsor are now being investigated by the Department of Corrections. The fox has been sent to guard the chicken coop.

Thomas H. Vinzant, Superintendent  
MCI Walpole

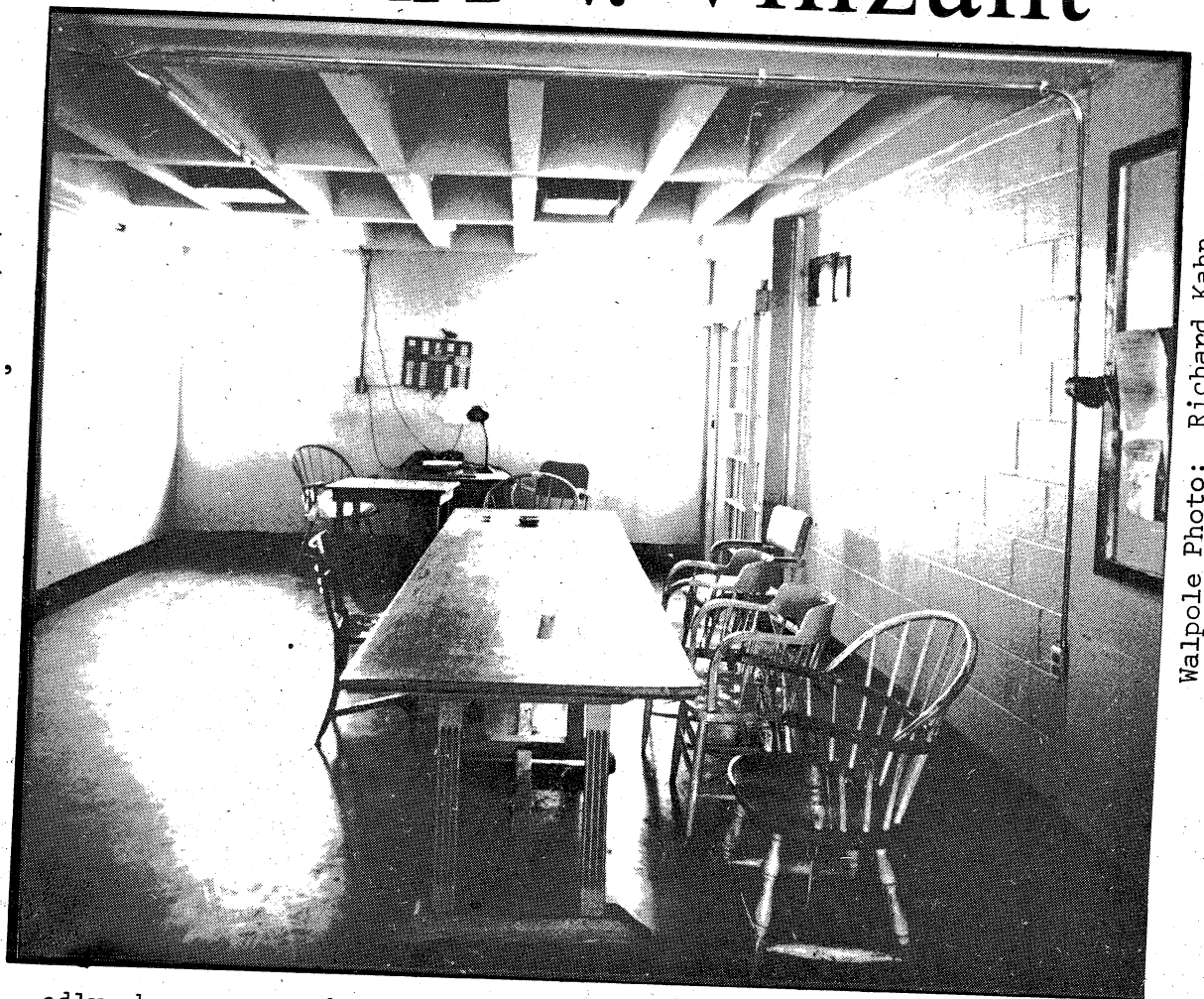
# NPRA v. Vinzant

Dear Mr. Vinzant:

On October 31, 1973, there was a general meeting of the inmate body in the main dining room. The NPRA did its best at the meeting to allay the fears and suspicions of the general population regarding your record and attitude and failures to appropriately recognize the NPRA as the negotiating representative of the inmate body.

On November 6, 1973, by popular demand, there was another general meeting of the inmate body at which approximately ninety percent of the population attended. That meeting was called on the premise of your poor administration of inner problems, especially those concerning sanitation, feeding, providing of sheets, blankets and other necessities; also on the continuous growing harassment of visitors and by the on-again, off-again "mickey mouse" rules that have no place in an adult setting. All these shortcomings on your part, plus your failure and refusal to institute any industrial programs and any programs that would take Walpole out of its "Jungle status" (which any Board of Health would condemn), the inmate body does not intend to tolerate much longer.

The NPRA is extremely desirous of avoiding any measures that could be counter-productive. The NPRA Board of Directors and its every Block representative has worked hard to break the mold of the old system, but it has failed to receive your support. You have failed in your share of responsibility to make every effort to maintain an operational program for the inner-part of this institution that the NPRA could work on in continuity. Your promises have misled the NPRA into misleading the inmate population repeat-



Walpole Photo: Richard Kahn

edly, because you have failed to meet your promises.

The NPRA accordingly feels constrained to request a joint meeting with you, the Commissioner of Corrections, William F. Lincoln (American Arbitration Association), and a representative of the Lt. Governor or Governor on or before November 12, 1973 to resolve these and numerous grievances of the inmate body through

proper negotiations. Until such a meeting is arranged, there seems to be no good reason for any further sessions with you at the table. That is the unanimous vote of the 21-man NPRA Board of Directors.

Respectfully,  
John Kerrigan,  
President

c.c. Commissioner of Corrections

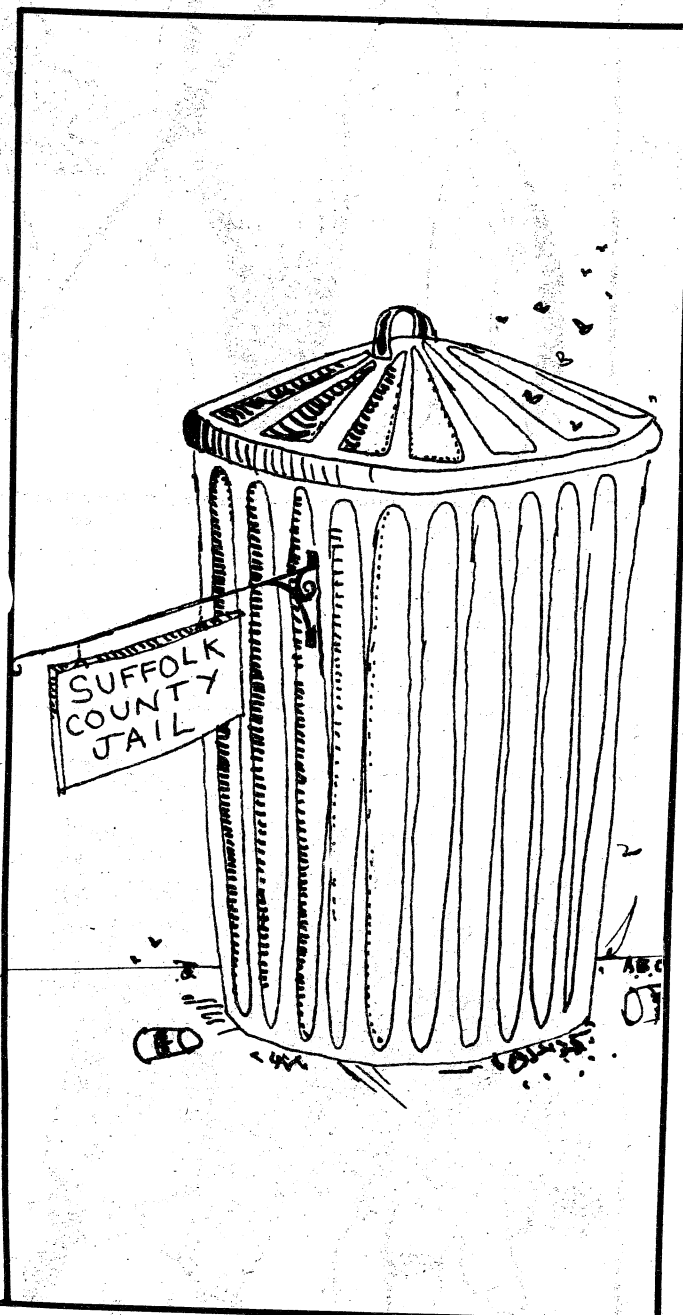
## NPRA Update

by Donna Parker

Since the above letter was written, Commissioner Frank Hall finally did consent to meet with the NPRA. He did in fact attempt to get into Walpole, but found himself locked out of the prison by Supt. Vinzant and the guards. Asked what was going on, Hall found that Supt. Vinzant felt that he was working not for Commissioner Hall but for Governor Sargeant. Supt. Vinzant assured the Commissioner that he could take care of the problems which he had thus far ignored and sent the Commissioner on his way.

President of the NPRA, John Kerrigan, said, "The last meeting the NPRA had with Supt. Vinzant was not productive. The meeting was on Nov. 16th and it was the first one in a month. We had to ask the mediator to confer with both sides and get the negotiations back on the track... This has been done and I had expected to meet with the Supt. this morning (Nov. 27), but the 'shakedown' put a crimp in that. I may wait now, I'm not sure, to hear from the Supt. as to the date of the next negotiation session."

As an additional means of avoiding negotiations, the Walpole administration has recently charged John Kerrigan with assaulting four corrections officers with a cup of tea. He is now confined to his cell awaiting a disciplinary hearing. If convicted, John will be thrown in the hole for fifteen days. It seems strange that these charges appeared at the time when John was scheduled to meet with members of the state legislature concerning the "Jungle status" that exists at Walpole, and which is being promoted by Supt. Vinzant.



## Women Out of Charles Street

U.S. District Judge W. Arthur Garrity, Jr. ordered that no women prisoners be housed at the Charles Street Jail after November 26. He directed Suffolk Sheriff Thomas S. Eisenstadt to transfer the 23 women now at the jail. Garrity is attempting to reduce the jail population to one prisoner per cell by Dec. 1. He has ruled that the conditions in the ancient jail are unconstitutional and has ordered it closed by June 30, 1976.

In the next issue of NEPA NEWS we hope to provide a close examination of what is happening now to the prisoners, and the projected plan for the replacement of the jail itself. We would appreciate hearing from any of the brothers and sisters at Charles St.

# Furloughs for Lifers

On June 21st on the same day that Gov. Francis W. Sargent fired John O. Boone, Attorney General Robert Quinn issued a ruling that suspended furloughs for first degree lifers. Attorney General Quinn's ruling came as the result of a request by the Colo Commission, a legislative investigating committee, on the legality of a furlough granted to Joseph Suboloski, who escaped while on furlough. Suboloski was a first degree lifer and because first degree lifers have no parole eligibility date, the A.G. ruled the furlough to Suboloski for the reason of reintegrating him to the community was illegal because he would never go back into the community.

The first degree lifers, under the aegis of the Norfolk Lifers Group, banned together and brought suit against the Department of Corrections to reinstate their furloughs.

The case was argued by a coalition of experienced civil rights attorneys before the Massachusetts Supreme Judicial Court where the matter was taken into consideration and where it now rests. No decision has yet been handed down by the Court.

The Norfolk Lifers Executive Committee stands fully behind the first degree lifers in their attempt to have their furloughs reinstated. NEPA joins them in that stand.

First degree lifers have proven themselves as exemplary persons who should indeed have the same opportunities as everyone else in the prison system has to better their lives.

Of the first degree lifers here at Norfolk, 35 have successfully completed 126 furloughs. Not one first degree lifer has escaped from Norfolk; nor has one even returned late or intoxicated.

First degree lifers do get paroled. It is part of the modern school of criminology and penal philosophy that we do not allow men to die in prison. Seven of the 44 first degree lifers now have commutation papers in. Some first degree lifers have as much as 25 and 30 years in prison. Really, do we want much more than that without stopping their furloughs too?

First degree lifers have gone

## Behavior Mod

Those high-minded and benevolent people at Harvard again got the loot (\$149,000) for a project that will recruit 60 "volunteers" who are eligible for parole in Massachusetts prisons. They plan to test on these "volunteers" the effectiveness of Naltreone Hydrochloride, a newly developed heroin-blocking agent. Chet Atkins, State Senator, poses the key question as to whether or not "informed or uncoerced consent from inmates can in fact be obtained." The original patient consent form read: "I also understand that should I drop out of the study and refuse all further treatment...then my parole officer would be so informed." After review it was modified to say that "no special promises" were made as inducements to enter the study, but that "I understand

on to use their furloughs in much the same manner in which they conduct their lives here at Norfolk. Less than 1% have disciplinary infractions. Furloughs by these men have been used for public speaking engagements, to give testimony before the legislature, to counsel youngsters in difficulty, through the Project Youth team, and to begin after years of imprisonment to reestablish themselves in the community as law-abiding citizens. Lifers in general, including the first and second degree, have the lowest rate of recidivism, as a group, 10% according to statistics of the Massachusetts Department of Corrections. There has been only one lifer in Massachusetts history since records began being kept in 1935 that was ever convicted of murder again and he was a second degree lifer.

Also standing with the first degree lifers are a full range of groups and public officials, from Lt. Governor Donald Dwight to Commissioners of

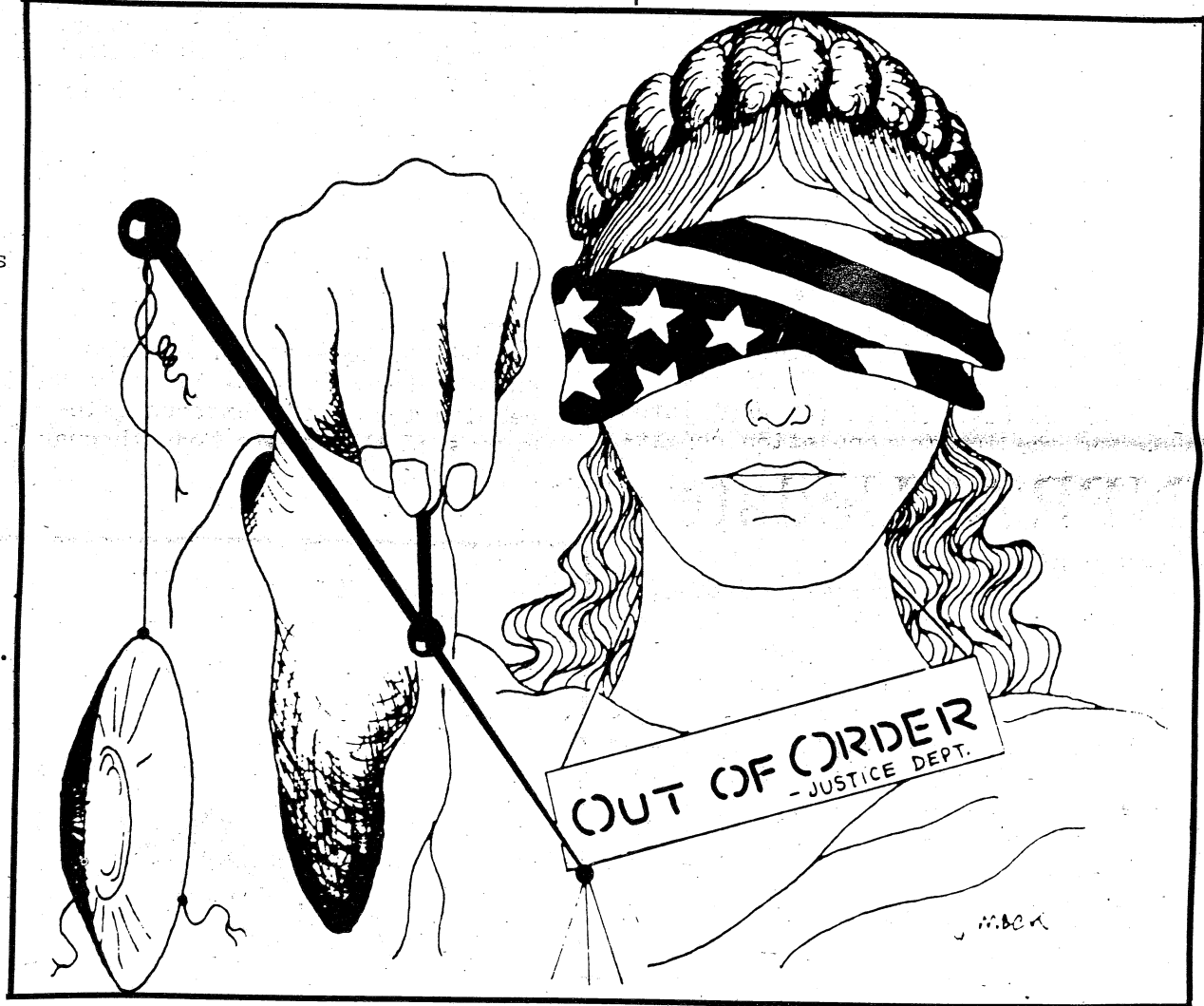
Correction, to the President of the Norfolk Officers Union to the regular in line officers, to community people. When the ruling to suspend furloughs for first degree lifers was announced, Acting Commissioner of Corrections Joseph Higgins said that telling men who had tried as hard as the first degree lifers had that they couldn't go out on furlough was one of the hardest jobs he has had to do in his long career in Corrections.

The Norfolk Lifers Group Executive Committee and NEPA asks you to support these men in their efforts to be responsible and to be treated fairly.

If you would like to attend a Norfolk Lifers Group meeting and meet these men first hand, write:

Mel Simpson,  
Chairman, Norfolk Lifers Group  
Box 43  
Norfolk, Massachusetts 02056

Support First Degree Lifers' efforts to get their furloughs reinstated by writing to Gov. Francis Sargent, State Capital, Boston, Mass. from Question Mark, Norfolk



that the parole board will be informed about my decision to enter this drug treatment program." A question that must be in the minds of many Deer Island prisoners is, "WHAT'S NEXT?" Will the parole bo-



ard be so informed if he does not succumb or drops out of the program.

As was well defined inside Walpole this Spring, the people on the inside know what's best for themselves. Professor Patch of Harvard may believe in fighting drugs with drugs, but I'd like to know why he expects it to work on the inside if it didn't work on the outside? People had to get high on the outside because the sick and devastating oppression wrecked all semblances of real pleasure. Now the Professor Patches of the world want those same people to be hooked, but not get high, on a new invention of this same society. Remember that heroin was introduced into this country as a treatment for morphine addiction. Let's get together on this and all get high on the fact that we do exist as individuals and we do pose a threat; otherwise they would not set up these special programs.

# Thomson v. People

Again N. H.'s Governor, Mel Thomson, has refused to allow N. H. parolee, Russell Nelson, the chance to

visit his aging parents in R. I. Rus Nelson did his time--almost 15 years and two-thirds of that in iso-

lation. He was sentenced to hang in 1959, but survived through 13 stays of execution. Rus has always maintained his innocence and while in prison went on two hunger strikes of 38 and 47 days each to bring his plight to the public's attention.

Now that he has finally made parole, he is required to report to his parole officer, Robert Johnson, twice each day. For a time state police stood parked in front of his residence watching his every move.

Rus was convicted with Frederic Martineau, who also made parole; but has since been returned to prison through the conspiratorial efforts led by Gov. Thomson (See NEPA NEWS, Oct., 1973). It appears that Thomson will stop at nothing. Rus' aging father has a disabling disease and is unable to drive to N. H. anymore to visit Rus, as he and Rus' mother did every week for 15 years.

NEPA considers Thomson's actions in refusing Rus the opportunity to visit his parents one of the most cruel policies of Thomson's short stay in the governor's mansion. Join us in writing letters of support to Rus and his family and letters to protest Gov. Thomson's cruelty. It seems that one Christmas together in 15 years is not asking too much. Letters of support should be sent to Rus Nelson, YMCA, Concord, N. H. 03301. Letters of protest should be sent to Gov. Meldrim Thomson, State Capital, Concord, N. H. 03301.

You understand that failure to answer all questions correctly will mean denial of your visit to the inmate?"

Future plans call for an information gathering system on all visitors to NHSP, especially visitors to prisoners. Photographs of each visitor to the prison may have to be submitted at least three days before the visitor is allowed permission to enter the prison gate, according to one proposal being considered. Another proposal being considered was revealed by Col. Walt Domina. He is NHSP's new Officers' Training Coordinator and ex-commandant of the Portsmouth Naval Prison, Kittery, Maine. "You see," Col Domina stated, "we must have security first and foremost, then we can begin rehabilitation of the inmates." "Of course, the guards must have a new uniform--a uniform that carries good military bearing, a uniform that looks good," said Col. Domina as he outlined plans for changing NHSP. "We must have a training academy where the officers can have not only 'in-service training' or 'on-the-job training', but can have 'pre-service training,' too." Col. Domina felt that the guards should spend at least "five days and nights for each week of a three-week training period." A Trustee asked sympathetically, "Where would the money come from if we wanted to start a training academy?" "From the Crime Commission. We already have had consultation..." Domina confirmed. "We would like to get something in the region of \$300,000 for the training academy," Domina continued, "so as to get started in the first phase." "We need a Department of Corrections in New Hampshire," declared Domina. Heads nodded in agreement with him.



## Trustees Meet

by Monty Griffith-Mair

The monthly N. H. State Prison Board of Trustees meeting was held on Nov. 14. Only two members of the public were present: Tom Herron, a N. H. reporter, and myself.

The four-hour meeting exposed many disturbing factors relating to Vitek's administration of the State Prison.

Just as disturbing was the revelation that Gov. Meldrim Thomson's Press Secretary, Jay McDuffee, is screening all applications for work release made by prisoners at NHSP. McDuffee, formerly a guard at Merrimack County Jail, refused to be interviewed by NEPA NEWS. Vitek, under questioning from Martin Gross, a Board member, admitted that Thomson had "phoned in June or July with an order to submit all future applications for work release to the Governor's office." Gross asked, "Is the Governor personally reviewing these applications for you?" Vitek said, "Possibly, yes." Gross continued to press for more information. He asked, "Who is qualified in the Governor's office to decide whether or not an inmate should be allowed on the work release program?" Vitek answered, "Jay McDuffee, the Governor's press secretary."

Chairman of the Board of Trustees, Morris Silver, was visibly annoyed at

Thomson and McDuffee's tampering with the Trustees' authority, and said, "I'll call a special session with him /Thomson/ to explain the Trustees' viewpoint." Then Vitek revealed that "eight applications, made by inmates, have been sent to the Governor's office, directly to Jay McDuffee." Asked if any applications had been held up by Thomson, Vitek stated, "Four applications are being held up right now; one has been in since August, and we don't know when it will come through, to be frank."

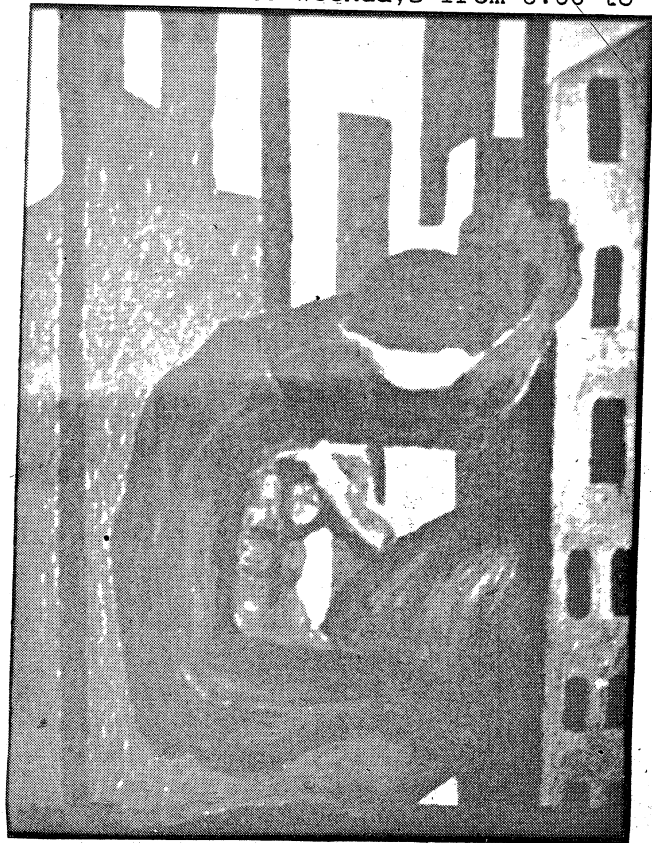
Turning to another issue, Vitek handed the Trustees copies of the "new visiting and correspondence regulations for inmates at the Prison." (See page 4.). The only hint given that the new rules were far from Vitek's claim of being more liberal was when Bernard Streeter said, "Frankly, I think these new rules, Joe, are a step backward." Vitek steered the trustees away from divulging, in public, the full facts of the rules at NHSP. NEPA NEWS has learned that each person wanting to visit a prisoner may need to answer questions that are unconstitutional: "Are you a divorcee? What is your religion? You must be aware that we can (and shall) check with the state police to verify your background."

# N.H. Jails

One of NEPA's projects this month has been to set up some sort of contact with the men and women imprisoned in N. H.'s county jails.

Having dealt with bogus regulations at N. H.'s state prison, I was ready to try any available means to get into the county jails, knowing from past experiences in the NHSP visiting room and waiting room, that even any available means might not be enough.

First, I had to deal with the visiting hours. The state prison allows two hour visits weekdays from 8:00 to



11:30 AM, and 1:00 to 4:30 PM, or one hour on weekends, 8:00 to 10:30 AM Saturday or 1:00 to 4:30 Sunday. At our county jails, where many men and women are only awaiting trial, and where those sentenced are usually doing short sentences on assorted "petty crimes", the visiting hours are incredibly restrictive. People awaiting trial are held in the "county jail"; people sentenced are held in the county "house of correction". Visiting hours are:  
Belknap County Jail--Sunday 1:00 to 2:00 PM or Wednesday 6:00 to 7:00 PM.

Belknap House of Correction--Sunday 2:00 to 3:00 PM or Wednesday 7:00 to 8:00 PM

Carroll County Jail--Sunday 2:00 to 3:00 PM

Carroll House of Correction--Sunday 1:00 to 2:00 PM

Cheshire County Jail--Sunday 1:00 to 3:00 PM for ½ hr. or Wednesday 1:00 to 3:00 PM for ½ hr.

Cheshire House of Correction--Sunday 1:00 to 3:00 PM for ½ hr.

Coos County Jail--Sunday 2:00 to 4:00 PM

Grafton County Jail--Sunday 8:30 to 10:30 AM or 1:30 to 4:30 PM for ½ hr.

Hillsborough Jail--Men: Saturday 1:00 to 3:30 PM or Sunday 11:00 to 1:30 PM. Women: Thursday 1:00 to 3:00 PM.

Hillsborough County House of Corrections--Sunday 12:30 to 2:30 PM or Wednesday 6:30 to 7:30 PM (relatives only)

Merrimack County Jail--Saturday 1:00 to 4:30 PM

Rockingham County Jail--Any reasonable time, for any reasonable length of time

Stratford County Jail--Sentenced men:

Saturday 1:00 to 3:00 PM for ½ hr

or Sunday 1:00 to 3:00 PM for ½ hr.

Men waiting trial: Saturday 6:30 to 8:30 PM for ½ hr. or Sunday 6:30 to 8:30 PM for ½ hr.

Sullivan County Jail--Saturday 1:00 to 3:00 PM or Wednesday 1:00 to 3:00 PM

Sullivan House of Correction--Sunday 2:00 to 4:00 PM or 6:00 to 8:00 PM

## Making Contact

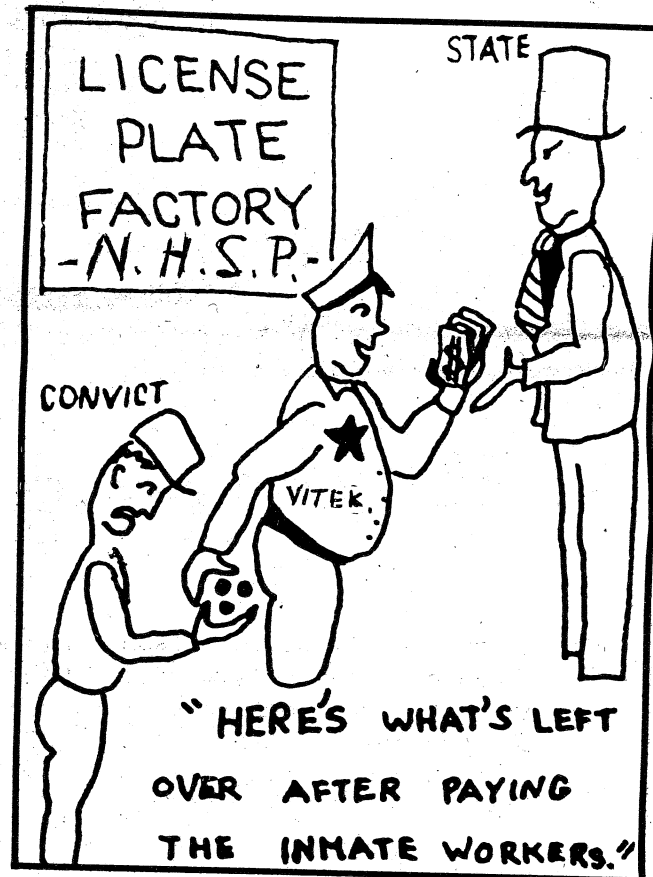
I was allowed one visit in the Grafton County Jail for a ½ hour (with the guard right on top of us) only after I told him I'd travelled up from out of state. (He actually went to see whether the license plate on my car was out of state) I told the guard at Rockingham (Brentwood) that I worked for a paper. He talked with me for 10 minutes explaining, "We're all working for prison reform out here. Our visiting policy has been changed from one day a week

to anytime, any day, a week."

When I phoned a guard at Hillsborough, I asked him why men were allowed 4 hours a week and from which their visitors may choose their half-hour, while women are allowed only 2 hours on a weekday during prime working hours. The guard replied, "I answered your question about visiting hours," and hung up.

Two guards sat at a table in Ossipee when I walked in, but both were "too busy" (doing nothing) to allow me an off-hours visit. Sometimes denying a prisoner even the very smallest bit of pleasure, is the only way these guards can feel like men, and big men at that.

I suggest you take time to visit one of your county farms. Even getting turned away is an experience. But don't settle for being turned away; ask them, "Why can't I go in?" "What law stops me?" Ask a question of every answer they give you. Our brothers and sisters on the inside must know the only thing stopping our hand from touching theirs is, allowing the guards to get away with making their own laws and regulations. If we try, the guards won't stand in our way much longer.



# Letter to Loeb

I have requested a retraction from Mr. Loeb of the Manchester Union Leader regarding articles his paper has written about me. As of the date of this letter no retraction has been made. I would like to know if you would print this article in the New England Prisoners' Association paper. The letter to Loeb is as follows:

In the past few days numerous articles have appeared in your paper concerning my escape and surrounding investigations. This of course is understandable since it was an item of news. What has started to develop from these articles though, is a picture of political manipulation. In other words, numerous prison and state officials are using my situation as a political football. Furthermore in your paper of Wednesday, September 5, on page two, you ran an article entitled "Tunnel Stated in Prison", which had clear allegations that I was responsible for the assault on

inmate Larry Flynn. You stated, and I quote "In pinpointing Martel as the alleged attacker, Vitek said "indications were that inmate Martel was the one who attacked and knifed Flynn."

This statement is completely unfounded and in fact false, and it seems to me that your primary purpose in making it was to prejudice me and my escape case.

What happened was that I escaped from N.H. State Prison, and was captured the next day. All the rest of your insinuations and attempts to make this some type of political issue, to discredit the Prison, Prisoners, and other concerned people who are trying to bring about some desperately needed changes, are simply low handed manipulations aimed at the public.

Respectfully,  
Joseph Martel  
Box 14  
Concord, N.H. 03301

## Double Shift for Workers

Many states are still relying on prison slave labor to produce the license plates of the state. But this system of slave labor is developing a new twist in New Hampshire where Warden Joe Vitek has told state officials he may have to put the 30 prisoners working in the plate shop on double shifts to meet the deadline. If Warden Vitek wants to work double shifts in the plate shop, he should feel free to do so; but for him to attempt to put the prisoners on a double shift compounds into insanity the already gross exploitation of prisoners' labor. Right now they make 75¢ a day.

All brothers and sisters should send letters of protest to: Bernard A. Streeter, Executive Councilor, State House, Concord, New Hampshire 03301

Anthony P. Travisono, state director of corrections in R. I. said recently that R. I. should be headed toward a prison system incorporating a small central facility with a string of minimum security facilities and halfway houses around the state.

Speaking in Barrington, R. I., Mr. Travisono said a state study now being conducted to see how 7.5 million dollars in new prison construction money should be spent "might very well" reflect his ideas of the correctional system of the future. This money was raised in a bond issue voted on in November, 1972.

Predicting that the plan of local prisons and halfway houses will make it "highly controversial," Travisono said the study will be ready for the governor in December, 1973.

He said he favors a plan to construct two minimum-security facilities in separate communities, a series of halfway houses throughout the state for inmates approaching parole and a small central prison complex with separate buildings for maximum-security prisoners and persons awaiting trial.

As small boosts to the idea of a liberal corrections system, R. I. Junior College and the Warwick School Committee have agreed to unusual educational programs for prisoners of ACI.

Beginning perhaps next semester, RIJC will accept up to 30 prisoners for accredited courses. In Warwick, classes in vocational subjects such as baking, electrical work, carpentry and auto mechanics will now be open to 30 ACI prisoners.

Only 20 persons attended the Barrington forum on prison reform, a point emphasized by Larry Schwartz, a representative of the National Prisoners Reform Association.

# New R.I. Prison System?



LNS

Mr. Schwartz, a member of the discussion panel, maintained that the main problem with keeping prison reform an active movement is public apathy. "We're not turning people away tonight," he noted.

Mr. Schwartz agreed that breaking central prison complexes up and deve-

loping community facilities wherever possible is a necessary step for reform, as did the third panel member, Deputy ACI warden Francis J. Foley.

Foley added that separating prisoners awaiting trial from maximum security prisoners should be the highest priority given in any new construction plan.

(This article is an edited version of one appearing in the Providence Bulletin.)

It appears that the idea of a special behavior modification prison for all New England states has the open support of the Director of Corrections in R. I., Anthony P. Travisono, and the Director of the New England Corrections Coordinating Council, William Morro. NECCC is an LEAA-funded group in Boston that fronts for the wardens and other corrections officials in New England. Travisono said recently that between 20 and 30 prisoners from the ACI would be classified as "special offenders and placed in the regional facility if it were built". Bill Morro said he would like to see a federal facility in Buttner, N. C., used as a model for a New England Prison for special offenders. Morro wants the prison to include adults and juveniles, males and females.

NEPA NEWS is preparing a lengthy series of articles on this new prison for so-called special offenders, a treatment-oriented euphemism for prisoners organizing for self-determination. At its Board of Directors meeting December 8, 1973, NEPA voted to oppose the construction of any new prisons, and specifically to organize regionally against this latest foolish effort to redo the minds of prisoners.

## Prison Legislation

Warden James W. Mullen and The Joint Legislation Committee at the ACI in R. I. have prepared eight bills to be submitted to the next R. I. legislative session which convenes in January, 1974. A summary of these bills is provided below:

1. Furlough Bill--H. 6375. A bill to permit the Director of Corrections to authorize furloughs to committed persons under prescribed conditions for a period of time not to exceed fourteen days, for the following reasons:

- to visit seriously ill relatives.
- to obtain special medical services, otherwise not available at the ACI.
- to seek employment at the appropriate preparatory stage.
- to secure a residence upon parole or discharge.
- to visit the immediate family in the interest of psychological rehabilitation and adjustment.
- to participate in informational activities, relative to the welfare of the R. I. criminal justice system.

2. Work Release for "Lifers" H. 6294 or H. 6377. A bill which authorizes persons serving life sentences to participate on the Penal

Work Release Program after serving eight years, or within 24 months of parole eligibility date. This opportunity and status would be investigated by and come under the jurisdiction of the seven member Penal Classification Board, subject to confirmation and final approval by the Director of Corrections.

3. Good Time to Count Towards Parole Eligibility. H. 6376. A bill which authorized the amount of good and industrial earned time to be credited towards a person's sentence, for the purpose of computing his parole eligibility date.

4. Majority Vote for Work Release Consideration. A bill which requests that the Work Release Law entitled 13-2-35, be modified to allow for a 5 out of 7 necessary approval vote for Work Release Candidates, in lieu of the present unanimous 7 member vote of the Penal Classification Board.

5. Meritorious Good Service Time. A bill which would authorize the Warden of ACI and the Director of Corrections, under specified conditions, to grant additional good time for special heroic acts affecting the lives and welfare of the institutional personnel as a special incentive for any extre-

mely useful voluntary work by a resident, which saves the institution substantial labor costs in the fiscal budget; or as a special incentive for high-quality participation and completion of Career Educational Programs, whether they be academic or vocationally oriented.

6. Parole Time to Count, as It is Being Served and Honored in the Community. H. 6353. This bill, entitled Arrest and Revocation of Parole, under R. I. General Law 13-8-19, provides that if a man is faithfully fulfilling the obligations and conditions of his parole permit, that he should be given day-for-day credit by contractual agreement. If later he is violated for any infraction, and is subsequently returned to the ACI, then the time he has spent faithfully fulfilling his parole permit should not be forfeited.

7. Minimum Wage Law. A bill which allows the Warden of ACI to pay prisoners a minimum wage for successfully and diligently performing a full work week, either in special assigned work which benefits the state of R. I., or in connection with special supervised projects in conjunction with external subcontracting of private industry. It is to be clearly understood that these prisoners would be subject to all federal and state tax laws. In accordance with the R. I. General Law, 25 per cent of their earned pay would be placed in their frozen accounts and disbursed upon their final release



# Art Program at A.C.I.

by Shelly Killen

For most prisoners at R.I. Adult Correctional Institution (ACI) at Cranston, prison is a ghetto made malignant by the lack of the opposite sex and by the withdrawal of emotions which result from this lack. Maximum Security is loneliness, depression, fear, hostility, and boredom; each striking in successive waves. Prison is the hell respectable members of society create for their fellow creatures. The University of Rhode Island (URI) mural project was a modest but decisive attempt to make this hell less grim. After four months of concerted efforts to arrange a meeting with a member of the Department of Corrections, I succeeded in November of 1972 in persuading the former Warden at the ACI, Francis Howard, to allow URI art students to work with men in maximum security on wall paintings. Twice a week for six months, students, occasional faculty members, and residents of the North State wing worked together painting walls, exchanging thoughts, and creating a personal, bright environment that helps to negate the monstrous anonymity and monotony that permeates the ACI air.

For many men who lived on the North State wing the URI art project was an opportunity to see beyond their present plight, find some hope for the future, and discover a new, non-violent way of expressing pent-up emotions. The dreary, mechanized, impersonal routines of prison life (reflected in the physical environment) are so innately opposed to the human or-

ganism that the saintliest of creatures can become a cauldron of boiling rage or an autistic robot when confined for any period of time within the walls.

The first cooperative mural done in the ACI was called Orchard Street Dashiki, named after an African fabric I purchased on Orchard Street in New York's Lower East Side. Another mural was done in response to the need of a man who practiced Yoga, and depicted a seated Buddha meditating upon a lotus throne. An exceptionally gifted young artist from URI, George Knowlton, executed a number of the murals with three prisoners and others undertook murals on their own.

Some of the most remarkable paintings were environmental images done in the cells by men who caught the art bug and transformed their pea-green 5 x 8 confinement areas into snowy nightscapes, forest scenes, and bright animated abstractions. For those men who had reservations and doubts about their ability to paint we employed spray paint and tape - an easy way to make handsome patterns without any particular skill or training. In a sense many of the images we created together could be called urban folk art. They are all fresh, direct, and authentic.

In April of 1973 there were riots at the ACI. The North State Wing did not participate in the mayhem, and I tend to think the art project reduced tension to the point that men did not need to release frustration through violence. The Dept. of Corrections thought otherwise and terminated our program. We initiated a new similar project

in the Minimum Security Division and that too was terminated by the new Warden, James Mullen who has greater faith in artillery than art. The Dept. of Corrections believes that security rests in more guards, more guns, more dehumanization, and higher salaries for administrators. We discovered that security comes from candor, concern, spontaneity, and positive expressive activity. I am still stunned by the kind of devotion students gave to this program (which was on a volunteer basis) - George Knowlton who broke his right hand during the time we were painting in maximum learned to paint and draw with his left hand so we wouldn't miss a day of contact. The famous hardened criminals in the ACI sent him "get-well" cards. They also continue to paint and write and develop as men despite the daily indignities and injustices they endure as part of being labelled "criminals". The program was a success in terms of generating activity and consciousness for both prisoners and students. A similar program should be initiated tomorrow.

Art programs are one of the most fruitful, viable, and inexpensive ways of aiding men in discovering a sense of self. The basic structure of the present system in the ACI is founded on the belief that men are numbers or types who are not worthy of the most minimal consideration by their fellow men. The majority of the men incarcerated within the ACI will come out of prison, more bitter, more frustrated, and more enraged against those of us who allow them to be dehumanized through our own indifference and ignorance. Either we begin concerning ourselves with conditions within ACI now, or we will suffer the fruits of our apathy with increased muggings, increased burglaries, increased murders, and increased numbers of men who hate and distrust each other.

We at NEPA NEWS have many questions about the art program and its effects. Some of them are: To what extent can an art program be effective in prison? Do prison administrators only approve art programs when it pacifies the population? According to the article, the prisoners in the North State Wing did not participate in the struggle last April at ACI. Is this because of the art program? Or were there other reasons? Can we hear from the brothers in ACI, as we would like to print your views.



Mural painted by boys from the ACI Training School.

ART FROM WITHIN--An Exhibition of the art of Men, Women and young boys from the Rhode Island Adult Correctional Institute. South County Art Association, 1319 Kingstown Road--January 3-17, 1974.

## Legislation (cont.)

from ACI. However, arrangements would be made to send the remaining funds to either the families of the men who requested this service, or to an external bank or Credit Union, such that their earnings could draw appropriate interest within their savings account.

8. Contracting Private Industry. A bill to permit private industry to establish subcontracts within ACI, in which qualified and trained prisoners would produce products or assemblies, and be in turn compensated a Minimum Hourly Wage for their labor

and services. This program would come under the jurisdiction of the Warden of the ACI, who in conjunction with the Director of Corrections would establish appropriate guidelines. The actual labor sub-contracts, however, would be supervised by foremen and personnel of the actual external company. In accordance with state law, it is to be further stipulated that no prisoner shall displace a free community employee by his labor, or otherwise interfere with established labor unions.

In accordance with NEPA's policy of self-determination of prisoners, we support the above bills and encourage you to do so. Prisoners at ACI

participated in putting this legislative package together. In their work they were aided by the fact that their elected representatives, the Board of Directors of the National Prisoners Association, has an outside telephone in their office, a telephone supplied by the prison administration and paid for by the federal government. Having such a link to the outside is a real victory and works to the benefit of prisoners in a wide range of struggles. R.I. supporters of prisoners should contact their state representatives and senators to urge that they support the above bills in the coming legislative session.

# Letter from Gus Heald

The present, as well as past, prison administration has consistently and arbitrarily violated and distorted the United States District Court's ruling in *INMATES V. ROBBINS*, CIVIL NO. 11-137, by substituting parts thereof with vague, discretionary administrative controls contrary to the Consent Judgement in that case.

Moreover, the prison administration (including the Bureau of Corrections) have stubbornly and illegally resisted every reasonable and constructive attempt by attorneys, residents, SCAR members both internal and external to effectively and fairly implement the provisions of the above referred to case. In fact, Warden Mullaney's response to such attempts by residents to implement the provisions has been, "Take it to court." Such an attitude is indicative of a disregard for the rights of the prisoners.

The so-called Media Review Committee is a literature screening committee (censorship committee.) This committee is supposed to be responsible for reasonably implementing the Consent Judgement in *INMATES V. ROBBINS*. However, they are responsible for the arbitrary denial of a "considerable" amount of perfectly legitimate books, papers, essays, periodicals, literature and other relevant reading material to the residents. Such unreasonable and arbitrary censorship by the so-called Media Review Committee is contrary to both the spirit and the letter of the above Consent Judgement. Many of the books and periodicals have been paid for by the residents and sent through the mail directly from the publishers.

A considerable amount of the pu-

## SCAR Fights

In response to Warden Mullaney's charge that SCAR had not fulfilled the requirements he set forth for the establishment of inside organizations SCAR's chairman on the inside, Gus Heald, sent the following letter to Warden Mullaney.

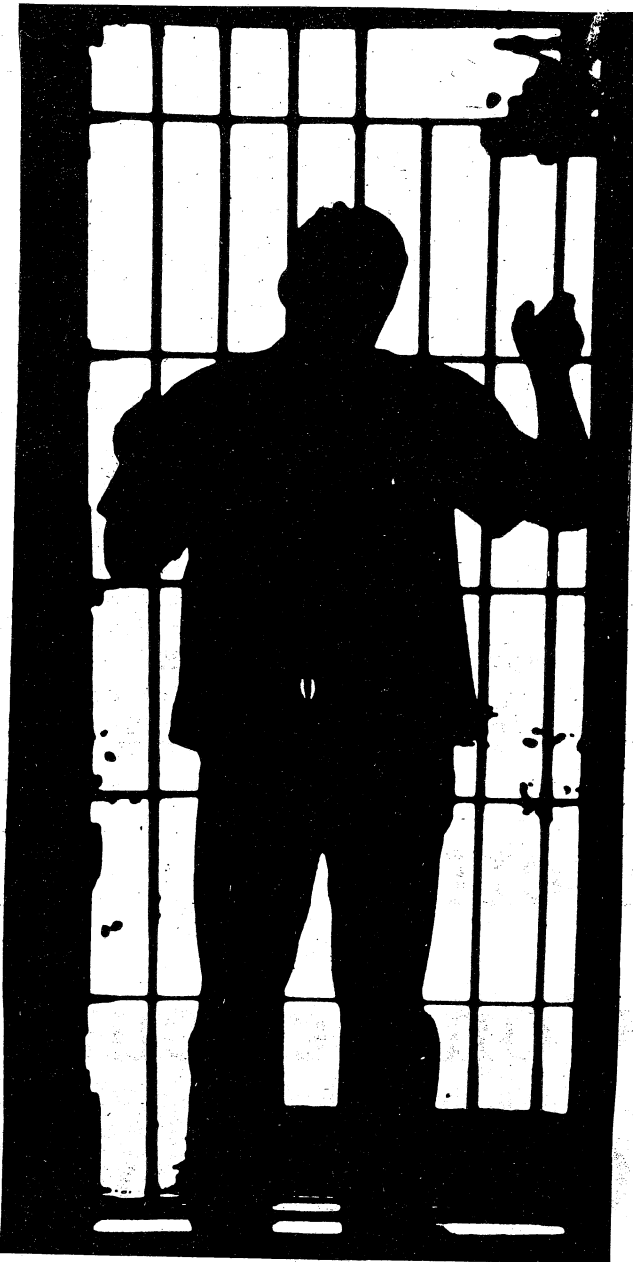
A month later, Mullaney has not yet replied, despite the fact that SCAR sent copies of the letter to the Chief Justice of the District Court, the Commissioner of Institutions, Governor Curtis and the Director of Corrections. We print excerpts from the letter as follows:

Dear Mr. Mullaney:

As SCAR's provisional Chairman for Internal Affairs, and thus representative of its members, I am submitting a formal request for recognition under Ward E. Murphy's policy governing organizations within institutions effective October 30, 1973. In submitting this request for recognition internal SCAR does not intend to waive any of its objections to the appropriateness or constitutionality of Miss Murphy's policy.

We certainly feel that SCAR is a valid organization representing the "legitimate" interests of prisoners both inside institutions and those who are commonly called ex-offenders.

blications rejected by the committee is "extremely vital" to the residents, since the material contains news and information regarding other prisoners and legal procedures which prisoners may use in obtaining their rights. Some of the rejected ma-



We also understand that you have received a copy of SCAR's constitution and by-laws from Thomas B. Benjamin, Esquire, of Pine Tree Legal Assistance, Inc., SCAR's Attorney. As you realize, SCAR has been active both within and outside Maine institutions. /What followed was a description of SCAR's many activities for prisoners and their families, both in the legislature and on the streets. Past and future issues of NEPA NEWS will contain articles about SCAR's efforts./)

SCAR intends to accomplish all its purposes by peaceful and lawful means. Its purposes are stated in its constitution.

I sincerely hope you will let us know as soon as possible whether or not you approve of the SCAR organization at the prison. I also hope you will let us know whether or not you will approve of internal SCAR meeting with its outside members within the Maine state prison.

Very truly yours,  
Augustus F. Heald, Provisional Chairman, SCAR--Director, SCAR Corp.

Gus Heald, now being held prisoner at Thomaston, Maine, has just been given and additional 10-30 years under the "Habitual Offender" Act. More on this next issue.

terial consists of the following: SCAR'd Times, a prisoners reform paper; *The Midnight Special*, a Lawyers Guild publication; *Fortune Society News*, a prisoners news letter; *The Outlaw*, a prisoner union newspaper. There is also a long list of books, magazines, papers, literature and periodicals that has been arbitrarily and capriciously rejected by the Media Review Committee, including two legal cases: *Gagnon v. Scarpelli* and *Morrissey v. Brewer*.

Actually, the prison authorities have completely distorted and purposely misconstrued the principles elucidated in the Consent Judgement by misapplying the term Clear and Present Danger to deprive residents of any and all reading material that does not meet their personal standards. Consequently, the official's interpretation of the term has been used to deny residents the right to read contemporary material of their choice.

The Consent Judgement in pertinent part states: "It is expected that such guidelines will not be interpreted so strictly that as a result large amounts of literature will be rejected. The availability of wide amounts of literature in this age requires that guidelines be applied in a flexible manner."

It has always been the policy of the prison to deny prisoners access to outside groups such as SCAR. SCAR members are not permitted to meet collectively or individually with members of SCAR inside the prison. The inside SCAR members have been denied, illegally, the right to meet with the outside SCAR Group for approximately nine months.

Both internal and external SCAR members along with their attorney have persistently and patiently attempted to negotiate with prison officials, namely through Miss Ward E. Murphy and Warden Garrell S. Mullaney, a reasonable agreement permitting access of outside SCAR to meet with inside SCAR inside the wall.

Outside members of SCAR have never been given a clear, honest or substantial reason why SCAR has been denied access to the state prison. The only response received from Warden Mullaney is, "Take it to court."

Ward Murphy's response has been a policy statement governing organizations within institutions effective October 30, 1973. This so-called policy statement is patently absurd. It was carefully tailored and designed as an arbitrary, discriminatory and discretionary tool of stark repression. This policy will permit suppressive actions against any group or organization which disagrees with the correctional people. Moreover, it will permit the Bureau of Corrections to assume partial control over the objectives of such groups simply because under the new policy RESIDENTS ARE AUTHORIZED TO PARTICIPATE ONLY IN THOSE ORGANIZATIONS WHICH ARE APPROVED BY THE INSTITUTION HEAD. Put simply, the very existence of any organization within Maine institutions depends solely on the head of the institution.

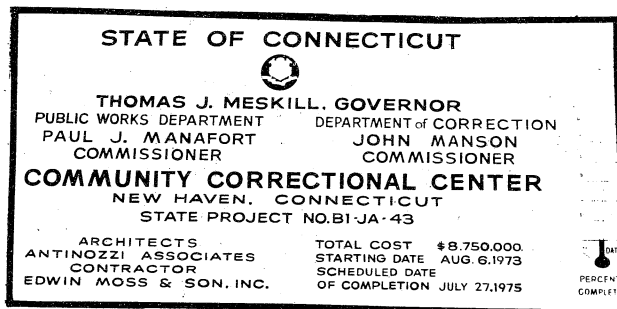
This press release was signed by seven prisoner members of SCAR and submitted to the public by the outside part of SCAR.

# No More Jails

The New Haven Community Correctional Center, more commonly called the New Haven Jail, located on Whalley Avenue in New Haven, Connecticut, was built well before the turn of the century. It is one of our oldest and, physically, one of our poorest. Conditions make the utilization of the entire building an impossibility; there are no toilet facilities and no running water.

One section of the jail was once a part of Sing Sing Prison. Condemned as unfit for human habitation over 100 years ago by the State of New York, Connecticut, in the 1860's, had the cell block floated by barge down the Hudson River to become a part of the New Haven Jail as it stands today.

In August of this year, the plans for construction of a new jail got underway. This new jail will cost an estimated \$8,750,000 and is being built directly behind the existing facility. Contained within it will be a mixed population of pre-sentenced detainees, work and educational release prisoners, and some sentenced misde-



meanants. The new three story structure will have 266 beds, 112 less than the capacity of the old jail. Upon completion, the state expects to move all prisoners and administrative offices into the new jail. However, the question arises, will the old building be torn down because of its expected non-function or will it continue to be used to provide extra space?

Actually, neither facility need exist. True, conditions in the New Haven Jail demonstrate the need for improvement, but that is no reason to build a modern version of the old dungeon. The New Haven Jail should be razed, period.

The Connecticut Prison Association in their study, Alternati-

ves to Incarceration, claims that there are presently enough beds in other institutions to permit the housing elsewhere of prisoners currently held in New Haven. This holds also for the Correctional Center in Hartford, where conditions are equally deplorable. Every effort should be made to redirect pre-trial detainees, and those eligible for work or educational release should be released into the community rather than be incarcerated.

During the next two years, the Connecticut Department of Corrections plans to construct three new jails, including a multi-service treatment complex for youth and adult misdemeanants. The construction costs are estimated at around \$53,870,000 total.

We may not, at this point, be able to halt construction of the New Haven Jail, but we must force ourselves to consider what is actually being done and how it ultimately affects us all. We must direct energy toward stopping the construction of new jails.

Commissioner of Correction, John R. Manson  
340 Capital Avenue  
Hartford, Ct. 06106  
and  
Warden Carl Robinson  
Correctional Institution, Somers  
P.O. Box 100  
Somers, Ct. 06071

I have been corresponding with William Mellor, a prisoner at the Connecticut Correctional Institution, Somers, for approximately three months. We have established contact with one another through our letters and as he expressed the desire to have my name included on his list of approved visitors, I filled out and returned the necessary forms. After about three weeks I received a letter from the C.C.I.S. Correctional Treatment Officer which read as follows:

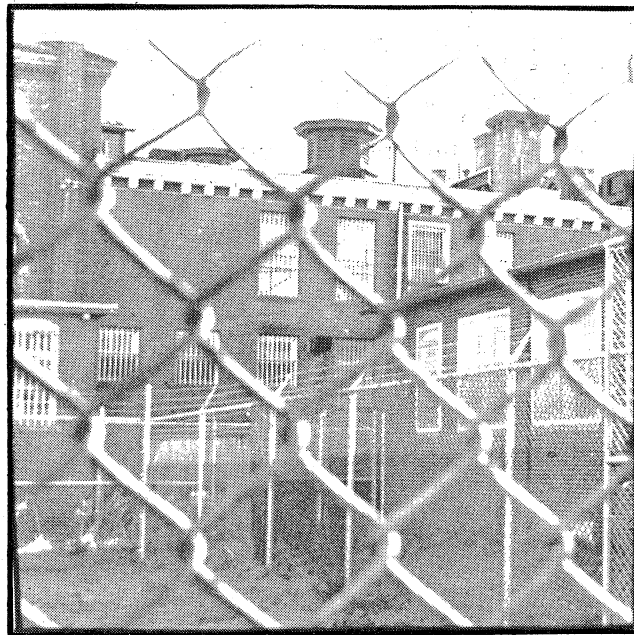
"We have considered your request for visiting privileges with the above-named individual. After evaluating this request we regret to inform you that, at the present time, your request has been denied. \*NOTE: Not an established relationship."

I see this as totally unreasonable and a violation of both William Mellor's and my own Constitutional Rights - the Eighth and Fourteenth Amendments which guard against cruel and unusual punishment and allow for equal protection under the law.

The excuse that we haven't an established relationship is false. Though I am not a blood relative or a friend of many years, we have in fact established an important relationship.

I went to both Somers and Enfield Prisons to inquire about rules concerning visitation, which should be considered a right and not, as it is regarded by the Corrections Department, a privilege. At the medium security Enfield prison I was informed that the criterion u-

## Letter to Connecticut Corrections



photos by Kora Berger

sed for visitation was simply that the prisoner request that I be put on his list. I understood that I would be approved immediately if I had no criminal record and was over 18 years of age.

At Somers maximum security prison they require that a form be filled out; then I would be reviewed and either accepted or rejected on the basis of my interest in the prisoner I wished to visit. Why is not the same evaluation process applied to both prisons? Why should it be easier for prisoners at Enfield to receive visitors than prisoners at Somers? Also, why are

some prisoners within the single institution allowed visits and others denied them? The Constitutional safeguards which protect against discriminatory treatment of one class of prisoner as opposed to another apparently do not seem to be offered any consideration.

Your own Department of Corrections manual of Administrative Directives states, "Visiting privileges can be an important part of any realistic treatment program and, as such, inmates should be encouraged to maintain constructive contacts."

I am familiar with a similar case of two other prisoners, Richard McAllister and Henry Renzi, who are serving life sentences at Somers. Both have established contact with two young women who, through correspondence, have expressed a desire to be added to the prisoners' visiting lists. Both women have been flatly denied the right to visit with these men.

Here is but another example of the repressive policy which has been arbitrarily formulated by Assistant Warden James Singer. I feel that both these two women and I can offer a tremendous service to prisoners and society through our friendship with the prisoners.

If my appeal to you is not sufficient to bring about a change, I will not hesitate to take whatever legal actions are necessary to force a change in this discriminatory policy.

Very truly yours,  
Debby Study

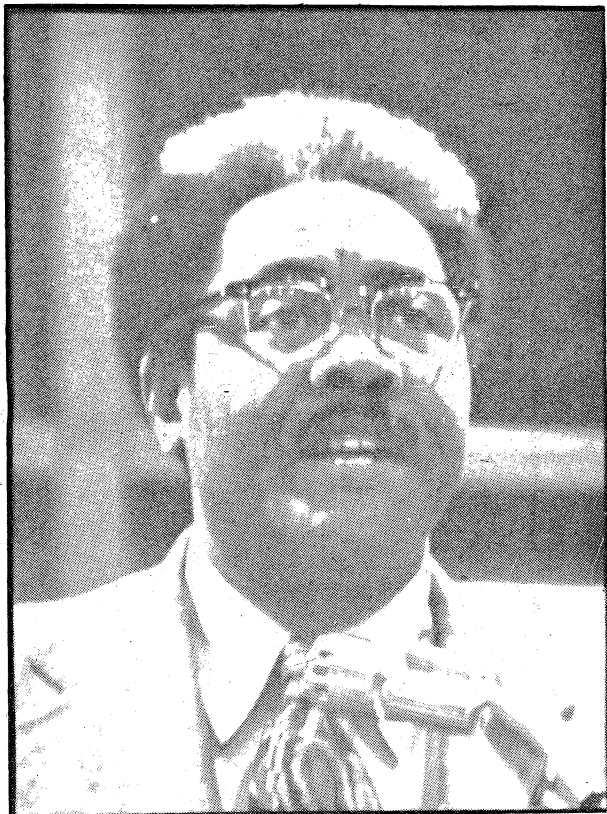
The Somers Prisoners' Union and the New England Prisoners' Association appeal to all concerned citizens to register a protest to the Commissioner of Corrections and/or Warden Carl Robinson, at the above addresses. Your help may force a change in the discriminatory "Singer Policy."

# Connecticut Pr

by Debby Study

The Connecticut Conference on the Prison Problem opened at 7:30 PM, Friday, November 30, in the auditorium of the University of New Haven (UNH). The conference, sponsored by Citizens for Better Correctional Institutions and the Criminal Justice Division of UNH was successful in bringing together various concerned organizations and individuals to discuss the problems today's prisons present.

John Boone, former Commissioner of Corrections in Massachusetts, opened the conference by speaking on the response of citizens. Boone said we should not build any new prisons, for prisons are "crime cultivating concerns". The only people who belong in confinement are that small percentage of the present population that is dangerous to themselves or others. Instead of prisons, most people "should get the Agnew treatment."

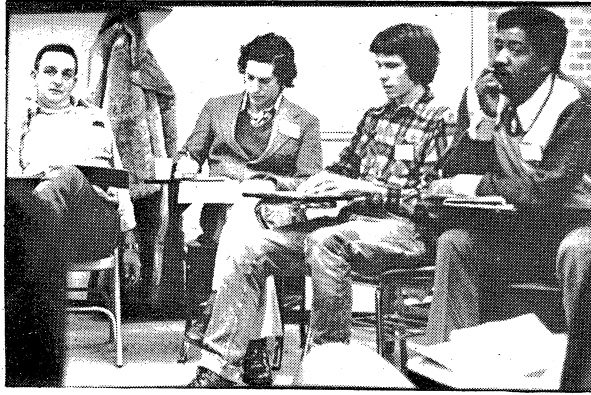


John Boone

The first of eight workshops got underway the next morning. At the "Public Information and Education" workshop, the question arose, what do we know of the public's feelings about correction programs and about prisoners and ex-prisoners? Discussion centered around how the public can be better informed about the prison problem and a broader base of educated concern developed. Subscribing to NEPA NEWS and using the resources such as church and civic groups to make public presentations were suggested as possible means to achieve this end.

The workshop on "Pre-Trial Intervention" had for its principal speaker, Dennis Guay, of the Re-direction Center of the New Haven Jail. He explained the function of the Center and its positive results in reducing the population of pre-trial detainees. Later, discussion was focused on the short-comings of Connecticut's Bail Commission System, and most agreed that it should be revamped. However, no alternative was proposed.

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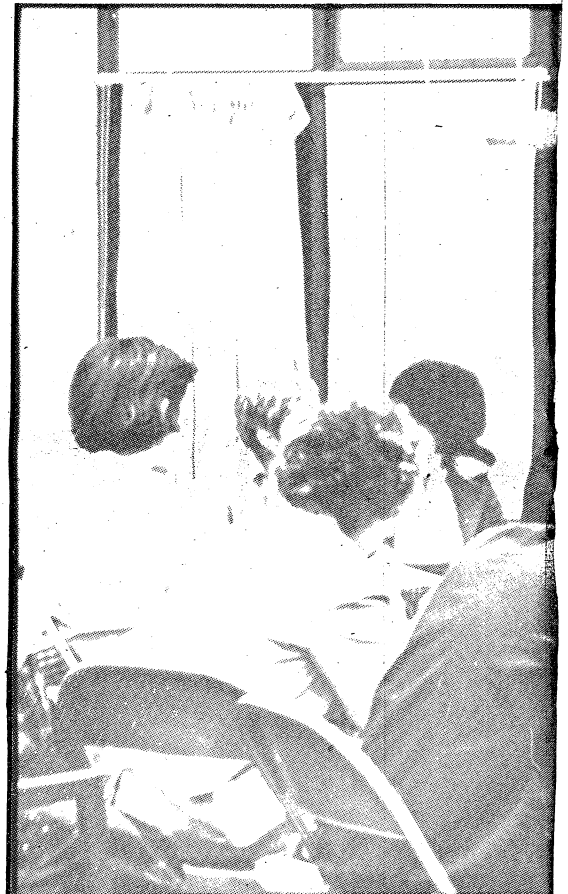
Representatives from various community service agencies gave reports of their activities at the "Community Services" workshop. It was pointed out that, although there are many programs in Connecticut to help prisoners and ex-prisoners, they don't know much about one another and serve only a few people. One group suggested that a campaign be launched to abolish the questions on job applications pertaining to arrests and convictions. The need was expressed for a regional or state-wide Task Force on Employment for Prisoners and Ex-prisoners. Such a task force would work with the Conn. Dept. of Labor, individual employers, private agencies, and labor unions to help prisoners secure meaningful employment.

Some key points were made at the "Abolition of Prisons" workshop: Prisons are failures, recidivism is high, treatment hasn't worked, and prisons don't deter. It was generally agreed that individuals should be kept in the community if at all feasible. Constitutional rights should be returned to all prisoners and they should be participants in decisions in their program. A number of alternatives were discussed, some of which were-- letting non-dangerous persons out, redefining crime, abolishing cash bail, shortening terms, separating treatment from punishment, increasing the role of community and peer groups, instituting restitution to the victims of a given crime, eliminating indeterminate sentencing, and minimizing the discretionary powers of policy, judges, prosecutors and probation and parole officers. The participants strongly advocated the concept of self-determination among prisoners; yet



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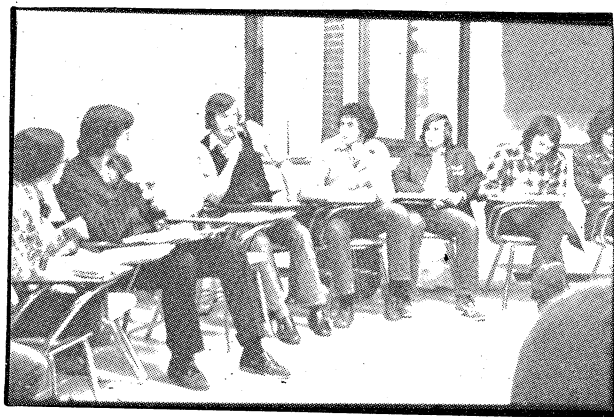


# Prison Conference



greatest weakness of the conference--prisoners were not critically planning and only a small attendance.

The force was four from the Social Development Council at the Niantic Prison for the "Prisoners' Rights Conference" was invaluable. It was noted that women in



prison are treated like children, resulting in an extreme feeling of powerlessness among prisoners. Admittance procedures are dehumanizing, stripping prisoners of any positive identity. The group decided that future steps to be taken should be: (1) to act on the need for outside support in the community, (2) to better communication between existing and potential support groups and prisoners, (3) to organize public or pooled transportation for visitors to Niantic, and (4) to work towards establishing more community-based correctional facilities.

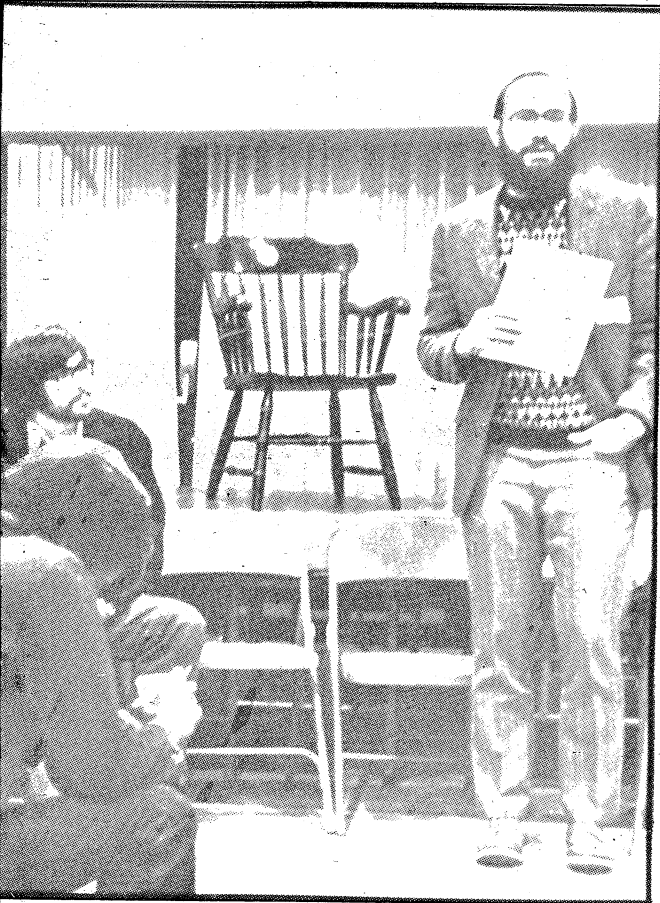
At the "Prisoners' Rights" workshop, plea-bargaining, access to courts, post-conviction remedies, and the rights of prisoners within the confines of the corrections system were discussed. Principal issues were the application of due process in placing prisoners in punitive sections of the prison, the right to form prisoner unions and bargain collectively, censorship of mail, and the right to redress of grievances.

The workshop on "Community Corrections" concerned itself with the basic importance of releasing the prisoner from the institutions as soon as possible. The benefits cited were: (1) less isolation from families and friends, (2) access to night schools and community colleges, (3) access to employment, and (4) access to quality medical and other professional services. The general feeling among those present was that halfway houses and group homes should be given independence from the Department of Corrections, otherwise they remain "mini-prisons".

The "Medical and Mental Health Care" workshop began by outlining

the findings of an AMA study on medical care in prisons, which boiled down to the fact that such care is inadequate. An interesting description of medical care in New York was presented. There medical care is performed by people not connected to the Corrections Dept., but in conjunction with private hospitals and medical schools. Medical care has vastly improved as a result of taking responsibility out of the hands of the Department of Corrections.

On Saturday evening a workshop summary session was held to inform one another of the resolutions of each forum. NEPA members proposed to the delegates a resolution stating that "prisons should be abolished." It passed unanimously. Follow-



Merold Westphal

ing this, informal discussion groups were formed in which those with common interests were able to get together and discuss the areas where cooperative efforts might be useful in Connecticut. Plans were laid for calling these groups together at a later date.

From our point of view the high point of the conference occurred Saturday afternoon when we were able to explain to the sisters of Niantic what NEPA is all about, and how we try to work for all prisoners in New England. Then we listened to them--to some beautiful and strong sisters in the struggle. We hope to work closely with one another in developing NEPA in Connecticut. Believe me, it's needed.

photos by Kora Berger



# Reply to Boosting Poverty

Brothers and Sisters,

I generally applaud your newspaper effort and the struggle to organize, in the New England area, the prisoners, ex-cons and all of their families to combat the oppression of prisons. Yet I would like to criticize Ellen Wheeler's article on shoplifting in the November issue.

In her discovery that there are several kinds of theft that occur, and that most people do it, the author fails to point out the theft that is profit. Profit comes not from the sky but from the labor of people and represents labor stolen and unpaid for, since it ends up in the pockets of the own-

ght the easiest and dealt with most harshly, while the middle-class people and their youth are let off and/or given a reprimand. All, except the poor, have lawyers and access to the court, while the poor are victimized again.

The Wheeler article says nothing about how thievery in the store ultimately hurts the most powerless. If 10 cans of tuna out of 100 cans are stolen from the store, the merchant does not absorb the loss, he raises the price on the 90 that are sold so as to offset the loss from thievery. In effect, the thief does not rip off the merchant, but rips off the pe-

ber that we do not like this behavior, that he/she is continuing to further exploit the poor and working people and that such acts are not consistent with building a world in which exploitation will end.

Still, we must not fall into the trap of placing the complete blame on the so-called criminal. We must understand and know that the man or woman in jail is there as a victim and was placed there by a system that is rotten to its very core. We must place the criminal in his/her place socially and politically. When we do this--not remove the crime and the criminal from the social setting, and understand the societal cesspool that encourages and nurtures crime--then the love and compassion that is needed for a comrade in distress will emerge.

Finally, I would never support or advocate the rapping-on of the shoplifter; that accomplishes nothing. Furthermore, the "letting-slide" in effect furthers the system of exploitation and allows the exploited to exploit the exploited. The proper place of action is to struggle with the people, so we all know and learn for ourselves the meaning and effect of our actions, so we all get organized to become more self-reliant through food co-ops and other people's organizations.

By seizing the opportunity, people could become better educated about the roots of their oppression, become better organized to improve their conditions, and gain strength to take control of their lives.

Yours in the struggle,  
Dick Turpin,  
at-large-struggling

## WARNING SHOPLIFTERS



ers.

The Mr. Casey of the article is simply another of the many thieves in the Capitalist system--- maybe a tiny one in comparison with the giant chain stores and industries, and maybe he is stolen from more than he steals; still, he is a link in the chain of thievery called profiteering.

Furthermore, the article gives the impression that it is the poor, the hungry and the powerless that do the shoplifting, when in fact it is mostly middle-class people, youth and college students who are the main perpetrators of this thievery. Of course poor people do steal, but it is the poor especially, and the young, who are cau-

ople who bought the other ninety cans who pay the inflated price to cover the loss and insure the owner's profit. The thief then becomes an agent of the oppressor, unwittingly and unknowingly.

By not understanding that thievery places an even greater burden on the masses of the people, that the thief in effect is only mimicking in a petty way the ruling class who are the greatest thieves, a perpetuation of the system is the result. Often many in the prisoners' movement are involved for the wrong reason, the glorification of crime. We are too shy at saying to a drug pusher, a thief or an armed rob-

## Dear John...

by Teri O'Meara

The superintendent's role is difficult to describe. Especially when it comes to "his women". His attitude toward us is that of a "great white father" who smiles and pats us on the head when we are good, and if we are defiant he becomes the "angry father" who sends us to our room until we behave.... As for the administration as a whole, I feel through their dealings with me that I am a misfit of society and they will not let me out until I show them that I act like I'm supposed to. (I still don't know exactly how that is.)

I was in here on a prostitution and drug rap. When I went up for parole last month, I was denied. I wasn't told why except that I was dressed "inappropriately" for the situation and I did not have my hair fixed, and I didn't present myself in a "lady-like fashion". I guess they figured I was still a hooker.... They did do something for me, though; they gave me a work-release assignment to prepare me for the



photo by Kora Berger

outside. This sounded good until I found out that my job would be scrubbing toilets at the local motel, and that I would only be paid 75 cents per hour, out of which I would have to pay room

and board at the institution (which was \$25.00 a week). The whole idea was supposed to get me to accept responsibility and learn to manage money.... After paying room and board I was left with \$10.00, which I had to partly use to buy personal things, snacks, etc. With four months left on my sentence it was impossible to save very much. I found myself becoming more and more resentful of my shit job. I hated going every day and didn't see how it was helping me do anything. After one month I escaped while on the job; when they caught me I went back to court and was told that they were going to "give me a break". I hadn't "learned anything" or tried to do anything for myself. They gave me an additional nine months time because they "couldn't do me the injustice of turning me out to become a prostitute again". This system doesn't know how to help me. I hate being a whore, but its for damn sure I'll do that before I'll scrub any fucking toilets..... Tricking is where the bread is, and that's what survival is all about.....

Reprinted from Women Magazine  
Photo by Kora Berger

# Reply to Dick Turpin

Dear Dick Turpin,

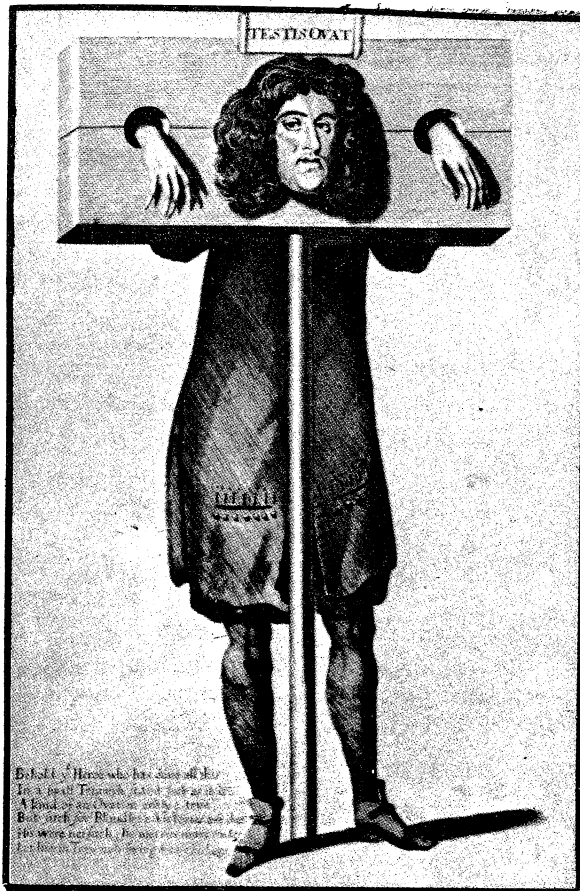
I'm afraid, Dick, that you forget yourself. You've chosen a namesake that fits our movement but ill becomes your argument. Let me explain.

The real Dick Turpin was born in the poverty of the Essex marshes a few miles downstream from London. As a butcher's apprentice in the 1720's the future for him, as for all small dealers, was bleak. The growing market in London, the increased division of labor in the livestock trade, and its engrossment by the bigwig merchants and farmers meant that hundreds of small market folk and petty higglers lost their livelihood. Economists call this process "increasing concentration," a familiar process to capitalism where the great squeeze out the small. Dick Turpin, with scores of other squeezed-out small-timers and petty butchers, took to the road in order, as they said then, "to raise contributions on the Publick." He became a highwayman and stole the wallets of gold carried by the profiteering middlemen and graziers in his former trade.

In song and legend, in his country and ours, the exploits of Dick Turpin provided encouragement to the little people in their struggle against the great. Dick Turpin was the name chosen by Frank and Jesse James in their letters to the Kansas City Star. Jesse and Frank robbed the banks and railways that were running the Missouri farmers into debt and off their lands. So, Dick, there's a long, honorable history to your name which perhaps you've forgotten.

Make no mistake about it: Dick Turpin was an outlaw, a thief and a bandit. The James brothers pioneered in the bank and train

robbing fields. They robbed the rich and the great. But you say that the bankers and the rich, the profit makers, are the thieves. But is this right or is it play-



ing with words? What law do they break? Where is the court that can try them? Where is the prison that incarcerates them? They're not thieves: they make the laws that safeguard their profits. Attack profit, attack exploitation, and you break the law. Dick Turpin learned that, the James brothers did, and so have countless thousands before and since them.

Because you mix up the idea of "thievery," perhaps this leads you to another confusion. You say "most middle class people...are the main perpetrators of this thieving." What type of thieving?

Are they exploiters or boosters? And if it's boosting that you're talking about you should give us evidence to prove what you're saying. About 2% of the value of all general merchandise sales is lost each year by theft, or "shrinkage" as the companies call it. That's about five billion big bills a year. Sears and Roebuck loses about 3% a year. What makes you think that college students and middle class youth can rip all that off?

You say, Dick, that the thief becomes an agent of the oppressor because the thief inflates prices. You should make it clear to us that this is not the cause of inflation which in the last year has been higher than 10%. If we accepted your argument we'd have to say that all struggles of working people contribute to inflation because it costs the boss money to defeat those struggles which are passed on to you and me. Surely, Dick, you don't tell workers to work harder to prevent the capitalist from paying the labor relations expert? You don't tell workers to obey every order to prevent the capitalist from paying the foreman and the straw-boss? Yet their salaries inflate prices.

But Dick Turpin swung from the gallows tree and the James brothers had a similar, sad, end. Their struggle was individualistic: they struck out alone and were defeated. That is the limitation of individual struggle. For victory we must organize individual struggles and generalize them. To end exploitation, to change the law, we must work together and fight together, not separately where we are picked off one by one. We agree on that.

Yours in struggle,  
Peter Linebaugh

## People to People

by Gene L. Mason

NEPA has underway a small project of encouraging people on the streets to correspond regularly with someone in jail or prison. This project is being coordinated by Karl E. Grunert. There are many prisoners who receive no mail and no visits. Most of these brothers and sisters are young, lonely, trouble-ridden, and frequently depressed. Even one letter from anyone at all would be a source of comfort and hope. It makes all the difference in the world to people in this situation to find that someone, a perfect stranger to them, has the compassion to write them a letter. NEPA is coordinating this PEOPLE-TO-PEOPLE project to help insure that our growing list of prisoners will all get some letters and that none will be forgotten.

Concerned people on the streets and prisoners should write to Karl if they would like to participate in PEOPLE-TO-PEOPLE. To help insure that outside letters get inside, prisoners should explain in their letter to Karl the censorship



photo by D. Goldblatt  
NEPA NEWS

problems of their prison, if there is a restricted mailing list, how a new person gets on that list, etc., so Karl can put this information in the hands of concerned people on the streets.

Naturally some prison administrators are still foolish enough to continue to attempt to censor mail. Some letters never get past the wastebasket, others end up in a special file on the person they are addressed to. For these reasons outside people should send their letters by registered mail, return receipt requested, marked deliver-to-addressee-only, and retain a copy of the letter. If the prisoner correspondent does not respond to outside letters, outside people will know the prisoner is not receiving the letters. Then the carbon copy and the post office receipt can be used in a lawsuit to force the prison in question to comply with the law and allow the prisoner to receive outside mail.

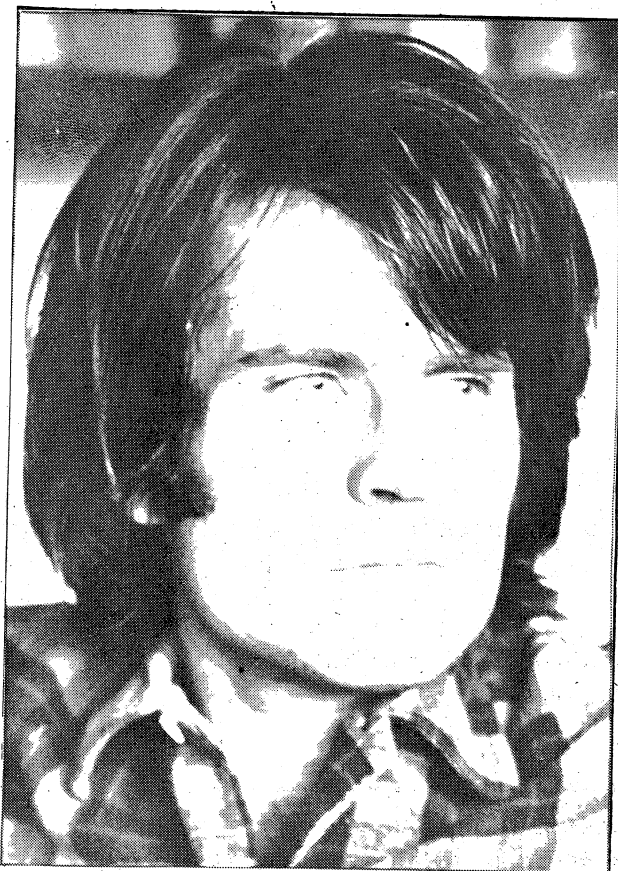
If you would like to participate in this program, write today to:  
Karl E. Grunert  
PEOPLE-TO-PEOPLE Coordinator  
321 Wallis Road, RFD 1  
Rye, N.H. 03870

# Carrot on a Stick

by Nancy Rosenberg

The following article is the first half of a two-part series based on an interview with Randy Kehler, currently teaching in a free school and living in Deerfield, Mass.

"I was in for the draft. Sentenced to two years. Did almost all of it for 'bad behavior' and spent most of the time in West Texas just outside of El Paso in medium custody, what they call a federal correctional institution. It's just a prison. Walls, barbed wire fences, steel doors, cells, the whole bit. But I did my first 6 months in a prison camp, a work camp out in Arizona called Safford, which had 300 prisoners mostly doing short sentences or ending their sentences. This is where I did my actual teaching.



On my second day the warden comes up to me and says, 'How would you like to start an education program?' My first reaction was, far-out; that's a great thing; I can do something that's worthwhile for myself and my fellow prisoners. Then I thought, wait a minute; let's think about this thing again. They're going to try and make a prison administrator out of me. They're going to put me in charge of their program; I'll be like an employee; this will set up a whole barrier between me and the prisoners; and I'll be suspect in their eyes. And then I thought, what kind of education program is this going to be in the first place? Could their educational goals and mine conceivably coincide in any way?

Finally, I decided to teach, under two conditions. I told the warden that nobody could be forced to go to any of the courses that I was involved in and that I would only involve myself in things that were educationally meaningful to me. He was a young liberal warden, really fancied himself a good Joe and a friend of all the prisoners, so he said, 'fine'.

Next, I did an informal survey of the prisoners to find out what they

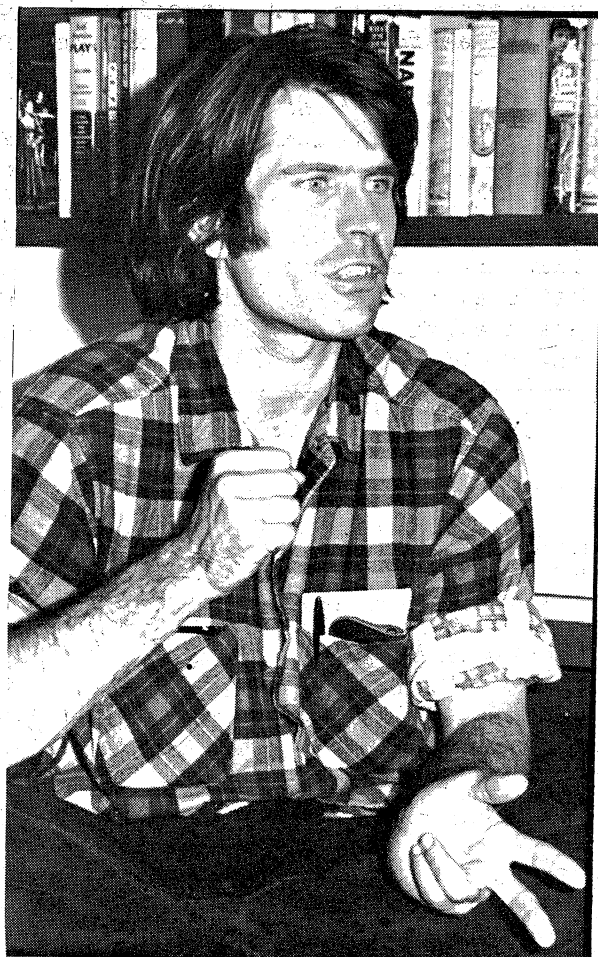
wanted to learn. It turned out there were a bunch of prisoners that wanted to get their High School diplomas (GED). Mexican men, one half the population, were not supposed to be part of the program at all. There was a whole discrimination policy against Mexicans for being Mexicans. They wanted to learn English more than anything. They also wanted to learn to read and write in their own language. There were also prisoners who wanted to pursue independent studies.

So I brought this all back to the warden and I said 'Either I teach Mexicans and Anglos or I don't teach'. He finally said it was alright. I taught five mornings of H.S. equivalency. Another guy taught literacy in Spanish in the afternoons. I taught English to the Mexicans at night.

Once I tried to order the Autobiography of Malcolm X--they wouldn't have it. The caseworker said, 'Now if you want to order Martin Luther King, O.K.--but you can't have The Autobiography of Malcolm X. Every time we would have one of these run-ins our relationship would deteriorate.

"Sonny," one of the guys in the GED course, said, 'By the way, I don't know how to read or write'. So, I found another guy, Art, who wanted to tutor Sonny. I went to see the caseworker, who was in charge of the education program at the time. He said, 'No, absolutely not. We can't spare Sonny from the work crew'. Sonny was building stone walls in the middle of the desert; stone walls that literally didn't lead to anything, or come from anywhere or separate anything. They couldn't spare Sonny. Plus, they couldn't spare Art from the survey team where he used to spend half his time reading the newspaper and half his time taking hikes.

We spent most of our class time in these wild discussions about ev-



erything from prison reform to prison abolition to homosexuality to racism. The administration knew I was doing all this but they were waiting to see if somehow the men passed their Exams. In the end, 7 of the 8 men passed the GED, which was unusually high. Furthermore, they did it after an eight week course. Normally the course lasts anywhere from 6 months to a year. The administration got a \$500 bonus from Washington for their great education program.

I did turn out to be a prison administrator. It wasn't until the very end that I found out that half the men in the course had been forced to take it. I was really pissed off. The warden had lied to me.

The prisoners related to me as a quasi-guard less and less because we got really close. In fact, at least five of the guys I had in the class became five of the best friends I had in prison. But at first, as far as they were concerned, this was another prison program, I was in charge of it, and they knew I had the power to report them. So they related to me on that basis.

That was really hard because what I wanted more than anything was to get to know prisoners and to find out what it was like to be treated like a prisoner and not be treated as something different. I was seldom treated like a prisoner. The warden and the caseworker were 'liberals'. They told me, 'Well you know you're not really an ordinary prisoner, and this whole war thing is such a shame. We know you're really several notches above the rest of these awful people you're in here with'.

But, the administration began to realize that, largely because of the classes, I now had an in with the Blacks and the Mexicans. My patterns of friendships were threatening. They finally threw me out when I refused to work at another job after being fired from the Education program. I only did this teaching, by the way, for eight weeks. The warden told a visitor that the reason he took so long to throw me out was because he was afraid my friends would go on strike. He was also afraid because he knew if he didn't kick me out then there would definitely be a strike, because I would organize one.

The last thing I did that got me thrown out was to organize a sympathy fast to support the strike at Leavenworth, where 2000 men had walked off work to demand minimum wage. We had one meeting and put up signs, and I was out the next day. As I was going out the door, the warden said, snickering, 'By the way, Randy, the men at Leavenworth have gone back to work.'

Safford was considered a privileged place to be. If you fucked up there they just sent you back to the can, the big institution. I was sent to La Tuna outside of El Paso, Texas; a medium custody prison.

(Randy's feelings and ideas on Education in prison will be shared in next month's issue.)

photos by Bill Morey



# Attica Legal Defense

Since the Attica Rebellion on September 9-13, 1971, some 60 Attica survivors have been delivered 40 indictments with over 1,300 alleged crimes, the total penalties for which exceed 40,000 years. Their survival now rests on your support.

The Attica rebellion arose from the struggle of the captives at Attica, N.Y. to secure basic human rights and to eliminate the inhuman treatment of the past. Rather than negotiate for the benefit of all concerned, Governor Rockefeller ordered the prison to be retaken by force and violence.

Thirty-nine persons died by gunfire on September 13, 1971. The prisoners at Attica had no firearms. All firearms were held by state officials. Yet there have been no indictments against these officials. Instead, 60 of the 1200 men who stood in the yard at Attica have been singled out to be victims of the State's second Attica massacre, one they plan to take place in the courts.

Why did the State wait two years to bring these cases to trial? Why did they beat, isolate, and hold the accused in segregation units? Why did they deny a speedy trial? Why is the Grand Jury still sitting? Why did the State intimidate witnesses and allow them to disappear as they were "transferred" to other prisons, procedures made only too familiar to us by Watergate. The answers we all know. The State is trying to save face through more death and destruction.

The Attica uprising pried away the bars of secrecy and revealed the dehumanizing conditions of prison life. It also revealed the savage domination of the State. The prisoners demanded their basic human rights: the State has responded only with revenge, costing \$3 million so far.

Attica is the major slave revolt against cruel and unusual punishment in the American prisons of the 20th century. Must it be silenced because only the wealthy can get adequate representation in the courts of this land?

Your help is desperately needed. To mount the kind of defense that is required will take hundreds of thousands of dollars. The Attica Brothers maintain two full-time offices, one in Buffalo and one in N. Y. Thirty of the Brothers are out on bail working to build support to fight the State's attack on them. They are struggling on several fronts: they have an educational and propaganda unit; they have the assistance of a battery of lawyers and law students; they have organized a project to study what kind of people to get on the jury; and they have a national network of support groups. To support this defense they badly need funds. Please write the largest check that you can.

Partial list of sponsors:

Phil Berrigan	Herman Badillo
Bella Abzug	Ramsey Clark
Daniel Ellsberg	Patricia Ellsberg
Herman Schwartz	NEPA NEWS

Send checks to Attica Legal Defense  
Box 178  
Attica, N. Y. 14011

Join us and we hope thousands of brothers and sisters in prison and out who are boycotting the traditional Christmas dinner as a show of support for the Attica Brothers.

# Students Support Attica Defense

We high school students feel that, with so many social injustices afflicting America, it is time for us to stop being not seen and not heard.

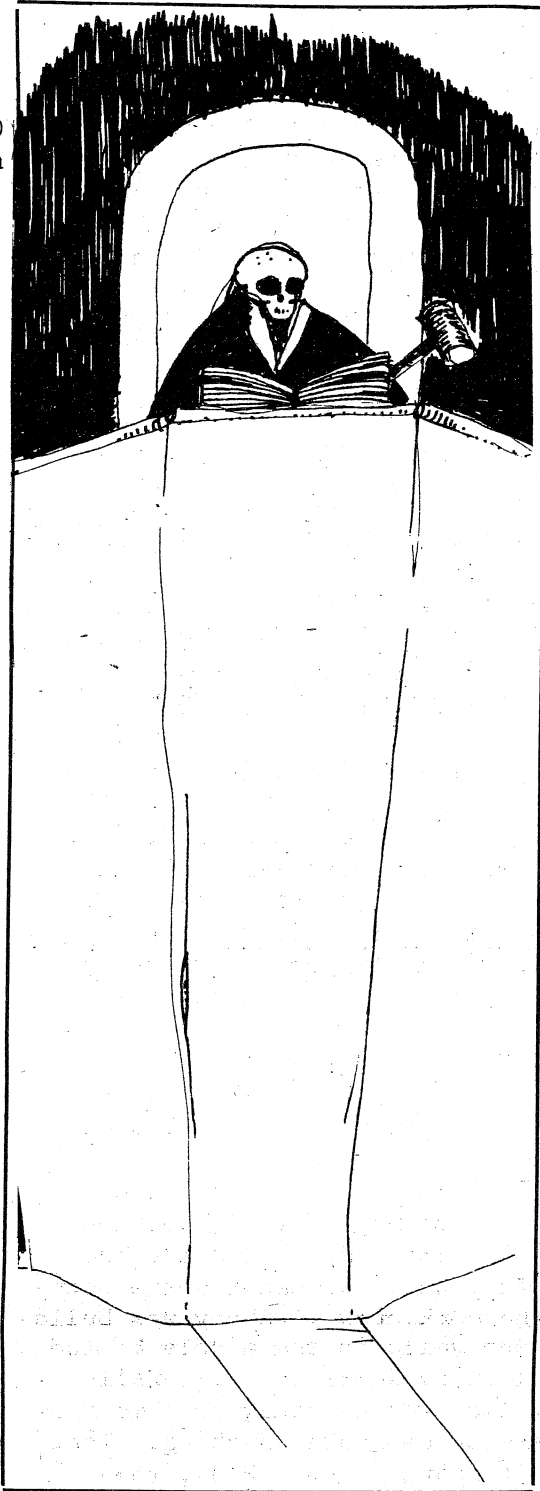
We urge students to read the Christmas message issued by the Committee for Prisoners Against Poverty, Racism and War. The prisoners are fasting for Christmas--to protest against injustices in America, focusing on Attica and all the systematic injustices that "Attica" represents.

Too many times the American people have been deceived by official government versions of events--only too much later to find out the truth. And it is so important to all of us, to our civil and constitutional rights, to support the Attica defendants in their struggle for fair trials that are not deliberately closed to the public- and to the truth about "Attica".

We students from several high schools are pledging solidarity with these fasting prisoners in this form of peaceful dissent. We hope that you will join us.

We call on all students to fast for one lunch-period during the last school week of December, and to donate the 35¢ lunch money to the Attica Brothers Defense Fund.

From each to all: thank you.  
--High School Students Against Poverty, Racism & Injustice  
c/o Girls Latin High School  
(room 34)  
380 Talbot Ave.  
Dorchester, Mass.  
(For further information, telephone 617/436-4497)



## Letter

Dear People,

Thanks very much for sending your paper to me. I appreciate it. I am for you one thousand percent.

Eighty per cent of crime is caused by the rotten, vicious economic system which is capitalism. We, the people, suffer the discrimination, the many criminal laws that are made against us, the vocational restraints, the prejudices against us by the politicians, the courts, and the flunkies and

monkeys that run the cages that we are put into in the name of rehabilitation. Prisons are the political footballs of the politicians that master us and give us hell on earth because of the bribes they receive from the dirty, rotten capitalistic establishment. The Congress of the U.S. is a hotbed of payoffs on a Monday morning. The Waterdoors are committed day in and day out. There just ain't no end to the graft in Congress.

Mrs. E. Bishop, Sr.  
Dorchester, Mass.

ATTICA LEGAL DEFENSE  
P.O. BOX # 178  
Attica, New York 14011

I enclose a check for

\$1000     \$500     \$250     \$100  
 \$50     \$25     \$10     \$

Please make checks payable to ATTICA LEGAL DEFENSE.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_



# Prisons: A Marxist Position

In our last issue we promised to print material to encourage debate and discussion on the crucial issues of the prison movement. For this reason we re-print the following article, which appeared originally in *Monthly Review*, November, 1973.

by Terry L. Huston, San Quentin

A person can only be at odds with society for one of two reasons: either that society is sick (which ours most certainly is) or the individual is. Today, so-called modern penology is based on the false premise that it is solely the behavior of the offender that must be corrected, as the cause for crime lies totally within the realm of the offender's psyche.

In combating this fallacy we must first bring to people's attention the realization that as long as we maintain our capitalist society we are going to have those who refuse, or are unable, to participate in this society gone mad, and many of these people are going to end up in prison. In replacing this insane capitalist society with a sane socialist structure, we must also provide an alternative to our present-day prison—an alternative that recognizes that the majority of its captives are those who were strong enough to resist participation in a mad-dog society, and the remainder are those in need of psychological help because they have been driven to a psychotic state by a psychotic society.

The modern-day American prison grew out of an earlier institution, the penitentiary. This earlier institution was an invention of the puritanical American "settlers." They believed that one committed a crime because of a lack of belief or faith in the Christian God. Therefore they placed the offender in a penitentiary, where he remained totally isolated. In most cases the prisoner was not allowed to speak at any time, while remaining locked in a dungeon-like cell with nothing but a bed made of straw and a Bible (many times he would be taken from the cell only after a black hood had been placed over his head to insure his total isolation from all stimuli except that of reading the Bible). The offender was usually left in this state until those responsible for his release (usually the hierarchy of the church) felt that he had shown penitence (hence the word, penitentiary).

The main body of prisons in America today are not so different from the above as one might think. With the factitious proclamation of the separation of church and state, the penitentiary changed accordingly, but in theory only. Thus penitentiaries became prisons.\* Prisons were established for the purpose of punishing the offender with a lengthy term in an isolated, austere environment. This concept of punishing the offender stems from the obsolete (yet still widely practiced) classical school of criminology, which was founded by Cesare Beccaria (1735-1794). Beccaria was author of the book *On Crimes and Punishments*, which is still hailed by some as a milestone in the history of criminology. The main thrust of Beccaria's thought is that the offender is willfully motivated by his own depravity. Thus he should be apprehended as soon as possible and severely punished with a long term in prison, which will allegedly serve the additional purpose of acting as a deterrent to other potential criminals. Beccaria likewise stated that "some sort of effort" should be made to "reclaim" the offender, but this was strictly secondary to the effort at punishment.

\* Here we see that policemen and prison guards are in fact no more than armed clergymen.

The main tenet that bears focusing on here is the concept that the crime is committed under the "free will" of the offender: he has freely chosen a life of crime, and if he were so inclined he could easily revert to more acceptable behavior. Outside factors, i.e., economic, sociological, environmental, etc., play a minimal role in Beccarian thought.

It is this concept of "free will" that the American judicial and prison systems are based on today. While politicians and prison administrators mouth grandiose speeches about "rehabili-

tion," in reality they structure prisons and formulate the criteria for release upon Beccarian principles. In California, as in most states, this is accomplished by the indeterminate sentence. Under this system a convicted person is given a sentence of, say, one year to 10, or perhaps 5 years to life. He (or she) then appears on a periodic basis in front of a parole board (made up in this case of ex-FBI agents, ex-police agents, etc.) who decide if the inmate is rehabilitated enough for release on parole.

Behind this facade of rehabilitation and objectivity is the 200-year-old Beccarian foundation. Proof of this can be found in the words of R. K. Procnier, Director of the California Department of Corrections:\*

\* It should be noted that California maintains one of the largest prison systems in the world—exceeded only by those of Russia and South Vietnam.

We feel that the public's number one requirement of us is security. To keep the people sent us by the courts locked up; that's the real name of the game. Afterward, and as long as we have the offender on our hands, we do what we can to "improve" him, if possible, and within the limits of what we have to spend. This process . . . is known as rehabilitation.\*\*

\*\* Quoted in "State Prisons: A Human Deep-Freeze," by Robert Patterson, *San Francisco Examiner* (March 2, 1970).

Procnier's statement could easily be attributed to Beccaria himself. Despite the alleged deterrence and "rehabilitation" of this system, crime continues to be on the increase, prisons and jails continue to swell, and double-talking politicians and prison administrators continue to cloud the real issues with empty "law and order" rhetoric.

With the recent events at San Quentin, Attica, and prisons across the country, the American public finds itself faced with the consequences of the human garbage dumps that it has allowed to fester behind high grey walls for so long. With this attention has come support for politically conscious prisoners from those of the Left. While most radical organizations openly claim support for the prison struggle, few have gone much further. Other than a few brief remarks, little was said by Marx himself on the question of prisons. As a result, the question now arises as to what position is to be taken on prisons and prisoners that will be compatible with Marxism.

The first and most obvious answer is of course the elimination of the total institution, as will be accomplished with the seizure of state power. However, what position is to be taken until that great day? It is no secret that abominable conditions exist in the vast majority of prisons and jails throughout the country. The cry from the Left to institute more humane conditions has been met with charges of "liberal reformism" from some Marxists and others of the ultra-Left (including some prisoners themselves). It has been stated, and with a certain degree of logic, that it is incorrect to channel energy into changing the existing institution when our ultimate goal is its destruction (prisons are certainly not the only area where these issues have come into play, and the conclusions drawn here are not necessarily applicable to a broad spectrum of issues).

In searching for the correct answer, I would here draw an analogy to the struggle of the workers, via trade unions, for higher wages and better working conditions. It is of course the ultimate goal to eliminate the capitalist wage system. However, this ultimate goal does not preclude the workers from organizing into unions for the purpose of gaining higher wages, shorter hours, and better conditions. In addition to the revolutionizing effect this organization has on the worker's consciousness there is what Marx, in *Capital*, calls the "defensive economic struggle" against the tendency of capitalism to reduce wages, as opposed to the "offensive political-class struggle" to seize state power.\*

\* This point is also discussed with a great deal of clarity by Louis Althusser, in *Lenin and Philosophy* (Monthly Review Press, 1971), pp. 83-86.

From the above I believe we can give a correct answer to the immediate question. In effect, the ultimate goal is indeed the destruction of the institution of prison as it exists today, through the seizure of the state. However, this should not prevent Marxists from waging a struggle against inhumane conditions and wage exploitation in the prisons.

Prisons should be viewed as no more than the ruling class's last line of defense against the industrial reserve army. As the level of struggle rises, more and more revolutionaries are going to find themselves in prison.\* Once in prison, the worker is faced with blatant slave-type wage exploitation. He (or she) is literally forced (physically if need be) to work in a factory inside the prison walls, producing goods which are sold by prison administrators to other state agencies. The prison worker is paid (if at all) from one cent an hour to one dollar per day (an almost unheard of wage for a prisoner).\*\*

\* Likewise the institutions of bail and habeas corpus will be suspended, as has happened in Ireland. Once in prison, one is going to have to face the fact that one is there "for the duration."

\*\* In keeping with the tendencies of an unharnessed capitalist micro-economic system, the prisoner is forced to purchase all personal items (toiletries, stationery, etc.) from the prison store which exercises its power of monopoly to charge exorbitant prices for these necessities.

Many of the recently formed prisoners' unions are demanding the institution of the federal minimum wage for prison workers and the right to collective bargaining power, in addition to improvements in working and living conditions. Despite the fact that many of these demands (with a few exceptions) are being made in a reformist context, they are bound to help carry revolutionary implications for prisoners.

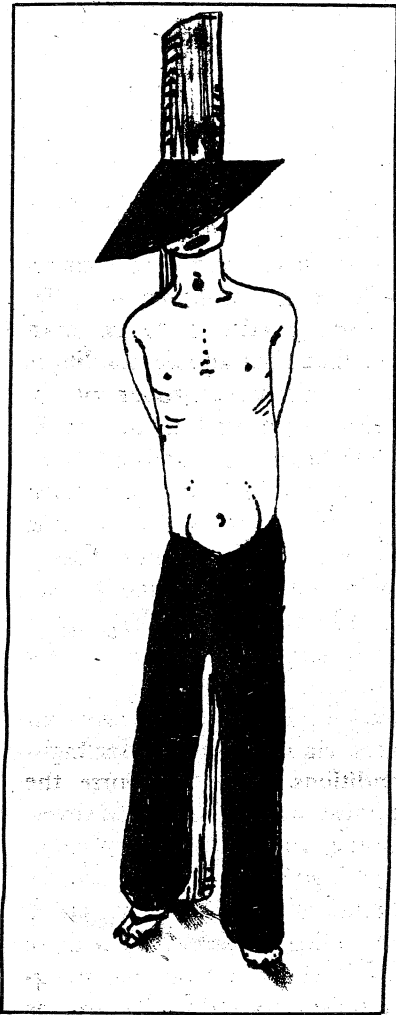
cont. on p. 19

# Caged by Saigon

by Fred Branfman

There are more political prisoners in South Vietnam today than in any nation in the world. Amnesty International estimates that there are 100,000. This is three times its 31,000 estimate for the Soviet Union, Brazil, Turkey, Spain, Ceylon, Portugal, Angola, Mozambique, Czechoslovakia, East Germany and South Africa combined.

The Thieu government has announced that it will release only 3,500 of those now in prison to the other side, holding tens of thousands of political prisoners for the indefinite future.



There are many reasons why Congress should act to see that these political prisoners are released. It is called for in the Paris agreement the United States signed. If they are not released there can be no political solution to the Vietnam conflict. New war will break out, bringing additional costs to the \$2 billion the United States is currently supplying to South Vietnam's military machine.

But there is a far deeper American interest in the release of Saigon's political prisoners. Official United States documents disclose that it is we who created South Vietnam's police system. It is we who decided that all Vietnamese 15 years old and older would be required to carry identification cards, we who linked these cards to a central computer containing 11.5 million bio-dossiers, and supplied the generators used for torture by electric shock.

The institution of a minimum wage and the rights set forth in the Wagner Act would pull prisoners into the mainstream of the workers' defensive economic struggle, which is necessary if prisoners are to organize and educate among themselves on any kind of discernible scale. Likewise, the demand for better living conditions—paralleling the struggle for the seizure of the state—

An American who visits Saigon today finds himself asking one basic question: What kind of mentality could produce this system of nation-wide surveillance, arbitrary arrest, interrogation by torture, sentencing without evidence, imprisonment without mercy?

The answer is clear. And unsettling. It is a mentality which regards human beings as objects to be watched, traced, controlled. It is a mentality which arrogates the right to remove anyone judged a threat from the general population. It is a mentality which uses the language of liberty even as it sets monthly kill quotas in private.

For years many Americans believed that lack of democracy in Vietnam did not threaten freedom at home. Today we see the mentality which planned the Phoenix assassinations in firm control of the highest executive agencies of this nation.

Available statistics prove but a faint reflection of the human crisis represented by Saigon's political prisoners.

How is one to measure the feelings of countless mothers who have had sons or daughters taken away, never to see them again? What numbers can convey the sentiments of tens of thousands of human beings caught up in an endless twilight world of beatings, electric shock, rape, shackling, tear-gassing, hunger, thirst and illness? Is there a scale to weigh the desperation felt by millions of other Vietnamese who do not dare speak openly or trust neighbors for fear of being hauled off to prison in the dead of night?

I do not know. I know only that one must grope back to the darkest memories of this century to recall a time of similar mass roundups of men, women and children, midnight arrests by uniformed police, brutalization of unarmed civilians for their beliefs.

Some time ago a call for the release of political prisoners came out of South Vietnam. Written by a courageous group of Vietnamese intellectuals and religious leaders, it included these words:

"Forty years ago did not great Western writers, religious leaders and jurists raise their voices to denounce Franco's treatment of Republican prisoners? Were not voices more recently raised to plead the cause of prisoners held by the authoritarian regimes of Greece and Brazil? When will a voice like that of Dom Helder Camarra rise up in the names of the students, peasants, monks, trade unionists, peace activists, journalists, professors and workers

axiomatically falls into what Marx has termed our offensive political-class struggle. Here one begins to envision the point where the prisoners' struggle and the workers' struggle will become inseparable.

However, until that day prisoners will no doubt continue to deserve separate attention and analysis (and firm support), as they could well become a cauldron of revolutionary inspiration to those in the "outside world."



indiscriminately imprisoned throughout South Vietnam?"

We have entered a climactic period in the age-old struggle for political freedom. Rulers have dreamed for centuries of finding the means to assert total political control over their populations. Today for the first time they have the technology to do so.

There are certain threats to humanity which transcend national frontiers, political ideologies, racial differences. The imprisonment of South Vietnamese is such a threat. The release of Saigon's political prisoners could mark a turning point in the history of Vietnam.

Fred Branfman is co-director of Indochina Resources Center. He recently testified before Congress after visiting South Vietnam. Reprinted from *The New York Times*, September 27, 1973



by Thomas Scott

# Operation Threshold

Continued from page 1

He also states that it is "imperative" for a therapeutic program, preferably his own, to be "delivered and received with maximum effectiveness within time frames dictated by varying and variable institutional needs." Why is the emphasis on the institutional needs and not the individual needs? Has Doc Burglass found a new con game to run on an unaware public and a professional bureaucracy in Washington obsessed with individual therapeutic solutions to crime? Doesn't he know that the really dangerous criminals are more likely to be found in the White House than in the Big House? He appears to have gotten away with it so far; but we plan to bring this game to a screeching halt.

Our brothers and sisters in prison are always being hurt by so-called treatment programs, most of which

economic class prisoners come. How many Agnews, Ehrlichmans, and Halde-mans are there in prison? As for prisoners getting recycled, what does one do when he is ostracized and excluded from the community into which he/she returns. Police stay in business by making sure that crime continues. And they can't catch anyone except those people who have been in prison and whose actions can be monitored more closely than others. Thus the police and the community make sure that a street criminal once caught, stays trapped into law-breaking activity. But Doc Burglass is unable to see that most people being held captive are victims of their socio-economic class; while criminals not in prison stay out because of their advantageous class. Cops don't catch white collar criminals. In fact, they don't even try to.



use coercion and force as their method of operation. But prisoners are no longer buying this game. On p. 16 of his manual Doc Burglass states: "Participation should probably be voluntary, consideration should be given to other mechanisms." The underlining is my own. What does he mean by probably? If the program is not voluntary it is forced, coercive treatment. Where is individual consent and collective self-determination in the Burglass scheme? For self-determination is the only way a prisoner can survive, and survive in spite of, not because of our criminal justice system.

To support his assumption that prisoners are losers Burglass states: People who go to jail for the crimes they commit are not successful criminals. That they continue to be rearrested and returned to jail is not surprising. Given what in most cases can aptly be described as a long varied history of failure, there is little reason to suppose that they should be any more successful or effective in criminal activities than they are or have been with non-criminal ones.

I think Doc Burglass should go back and study the type of offenses of which the majority of prisoners are convicted, and from what eco-

Burglass is completely unrealistic in his theory about prisoners. He states: That the frequent use of any skill will, in the absence of negative reinforcement, and because of the action of facilitation at the neuronal level, result in the more frequent use of that skill in a wider range of situations. Indeed the "practive effect" is a well-known phenomenon in human behavior. Forget that Burglass can't write plain English and consider how one can practice success in education or on the job when jobs and education are denied to him. In Massachusetts we have a 7 1/2 per cent unemployment rate, and it is going up. The national average for unemployment is about 6 per cent, and that is going up too. The convicted class makes up about 2 1/2 per cent of the population, and most prisoners come from the class of the unemployed. The last person a business will hire is an ex-prisoner. These facts should be considered when one such as Doc Burglass is talking about practicing job success.

I must at this point return to Professor Ryan's Blaming the Victim where he states: I have been listening to the victim-blammers

and pondering their thought process for a number of years. That process is so often very subtle. Victim-Blaming is cloaked in kindness and concern, and bears all the trappings and statistical furlblows of scient-ism: it is obscured by a perfumed haze of humanitarianism. Obviously Doc Burglass is a victim-blamer. This is expressed most vividly in his manual where he reminds his counselors, You are working with a con man. He knows how to tell you stories he thinks you want to hear. So watch out for lying. Ask again about things that sound strange or unbelievable. Refer back to see that dates jive with events. If he is lying to you, he is trying to create an illusion about himself. You can't help him until he gets rid of his illusions, until he is seeing himself realistically. So don't let him go if you think he is lying. (On the other hand, a second question should be enough. You are building a relationship in this session too--so you have to be the judge as to how far you can push.) Frankly I do not see how any meaningful relationship can be built when one party is looking at the other as a "con man" or liar.

I have grave doubt as to whether Doc Burglass has his brothers and sisters' interest at heart. My sense is that he never accepted the fact that he was and is a member of the convicted class. He has built up a defense system for his ego that will not allow him to see that he in fact is no different than those he pretends to cure. It is very obvious by his writing, by the way in which he consistently refers to prisoners as "they" or "them", as if we are something different from him. He believes that we are nitwits. Goals, he says, is an upper-middle class word that he /meaning a prisoner/ has likely never used or related to in his life. So a structured conversation is in order. The main thing he needs to hear from this conversation is that goals are merely 'what you want'--be it a piece of cake, drivers license, or a college education. I think anyone developing programs for prisoners should realize we are not nitwits. Maybe we do not have the best vocabulary in the world and maybe we have not had the benefit of a formal education, but we are learning that we have been ripped off in these areas and we are no longer going to stand for it. We are no longer going to stand by and let people such as the good Doc Burglass, our brother, run a rip-off on us.

In closing I must say the prison environment does evil things to men & women. It turns human beings into animals, turns man against man, woman against woman, husband against wife, and creates a situation where one survives at the cost of another. Prisons are exploitation. We as prisoners are learning this. Doc Burglass may be a fine human being, but prison has made him into a man who blames the victim. I do not believe that Doc Burglass' program is the product of a well-educated man, but rather a product of his incarcerated environment. And the development of this horrendous program was his method of survival.

# N.H.S.P. Censorship

by Richard and Sally Schofield

Prior to June 21, 1973 the NHSP employed a man full-time as a censor. His entire duty was to read each piece of mail going in and out of the prison, check all packages (until packages were banned on March 6, 1973) and write to inform certain people that they were not allowed to write to specific prisoners. This all depended on the discretion of the warden and the censor.

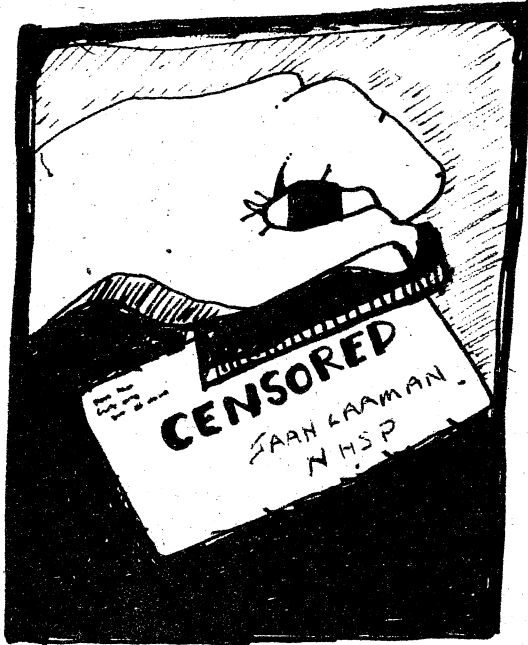
On June 21, 1973, after negotiations with the Prisoner Grievance Committee, Warden Vitek made a statement that all censoring would be abandoned, with the exception of a few prisoners he felt should be censored.

The policy then for uncensored mail was that it was to be opened in a central receiving room for mail, checked for contraband, and letters read randomly.

Even under these more favorable procedures, censorship still prevailed. As long as anyone's mail is censored, everyone's rights are in jeopardy.

Since June NEPA members have given testimony at the Spiro Committee (Chris Spiro heads the Select Committee on prisons in the legislature) about the difference between the censorship that was no longer supposed to exist, and the censorship which did in fact exist. At the same time the warden was drafting a new form at the prison.

This new form was entitled the "Correspondence and Visiting Questionnaire". It contained a note at the bottom stating that "Falsification of Questionnaire will result in disapproval of visiting and corresponding, and every question must be answered." The questions were so personal as to ask: If you are divorced, when, and where; if you have been arrested for anything other than a traffic violation, list each charge, date of charge and disposition; list your occupation, employer, length of time you've held the job. Details had to be so minute as for you to distinguish between whether you were



the prisoner's wife, or common-law wife. If you were under 18 your parents had to sign; if you were a woman and married you had to have your husband's signature of approval.

This fascist, bogus, illegal intrusion was immediately shot down by a combination of inside and outside forces, including the federal government. The correspondence rules were then changed to the following:

"Memorandum To All Concerned

Re: Correspondence Rules

Effective immediately, all existing approved mail lists are being discontinued. Men in the prison will be allowed to write to anyone of their choosing, provided that the correspondence does not contain information concerning the following matters:

1. Planning a Crime
2. Illegal Activities
3. Inciting to Riot
4. Escapes
5. Arranging or Planning for the Introduction of Contraband into the Institution, etc.
6. Violations of the Federal Mail Laws
7. Abusive, Threatening or Menacing Language.

Violation of the above can result in the limiting of correspondence for the particular individual who abuses these rules.

For some time there has been an effort to coordinate what were known as 'correspondence lists' and 'visitors lists'. The intent of this memorandum is to, as stated above, abolish the correspondence lists, thereby causing the visiting situation to be analyzed as a separate area.

Mail will continue to be processed in the same manner as it has been in the past regarding privileged correspondence and regular mail.

Joseph C. Vitek  
Warden

Wednesday

November 14, 1973"

The warden is now redrafting the "Correspondence and Visiting Questionnaire" so it will apply solely in the case of visiting privileges. This must be stopped. Prisoners should be allowed to visit with whomever they wish. No warden has the right to deny visits.

Our victory as far as mail censorship is concerned can be accredited to persistent, responsible complaints from prisoners inside NHSP, their court cases, and the efforts of outside support, such as the testimony of NEPA before the Spiro Committee. We need not leave the burden on this small number of people to also find victory against the oppressive visiting regulations now on the drawing board.

It is an invasion of our privacy, as members of this society, to submit to such unconstitutional questioning. It is our duty and responsibility to write our representatives and demand that no such visitation questionnaire be allowed. It is our responsibility to fight against it, if it is installed, until it is abolished. Write to your own N. H. representatives in your own areas. Write to Representative Chris Spiro, Select Committee on the Prison, Statehouse, Concord, N. H. 03301. Demand legal, constitutional regulations, if in fact regulations have to be written at all, and don't settle for anything less.

## Maximum Security

by Ted Siegel

Maximum Security; Letters from Prison

Edited by Eve Pell

E.P. Dutton & Co., Inc., 1972

250 pp.

Maximum Security: Letters from Prison is a book of letters with a staggering input from the captives of the California prison system. Voices from inside the walls of Chino, Folsom, San Quentin, Soledad and Tracy State Prisons reflect the horrors of prison life.

The writings of the captives in the holes, strip cells and maxi rows of California bring to the surface the limitless terror, intimidation and brutality of the indeterminate sentencing system, the role played by guards, and treatment staff promoting psycho-surgery and behavior modification; and the loneliness that has bred these intense feelings of hostility and resentment.

The captives write about their families, the wives and children  
December

whom they have been forced to leave behind, and about the endless years of sexual deprivation.

They write about the events that brought them to prison and, finally, the circumstances that brought them to the maxi rows.

Eve Pell, the editor, is a freelance journalist based in California. She has done a splendid job organizing this collection.

In the wake of violence, people search for solutions. One has only to go as far as the pages of this book to understand the conditions in society which have drawn the blood of Attica, George Jackson and all those who go through systematic oppression in the streets and institutions of America.

The words of brother Roosevelt Williams, a captive at Soledad prison and a contributor to this collection, say better than I society's apathy towards captives and prisons: "To those of you who doubt that any or all of these events are true, I can only say sleep, innocent child, sleep. To awake is to become mad."



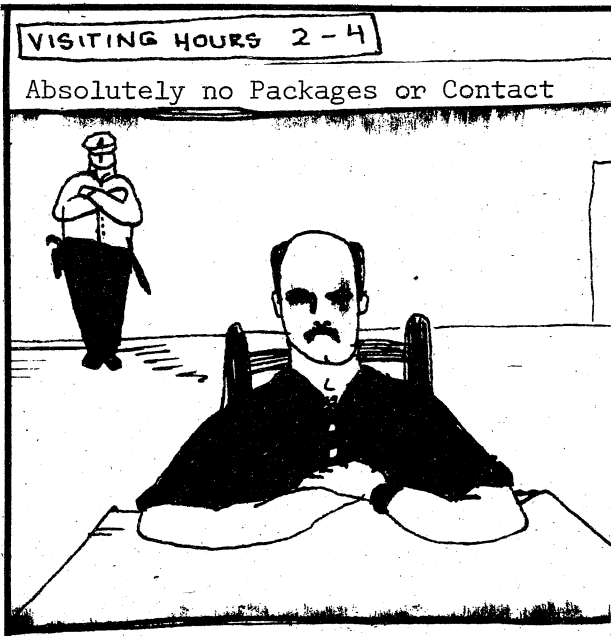
## Community Center

NEPA is opening a "Prisoner and Family Service Center" in Concord, N. H. We can't afford an office so we are starting with an answering service. If you need help, please call and we will do our best. Jobs. Housing. Transportation. This service is available 24 hours a day, 7 days a week. Call 224-3396, Concord Answering Service will take your message and we will contact you. For more urgent needs, immediate referral service and experienced counseling is available 24 hours a day, 7 days a week. For prisoners, write to Paul Gunter, NEPA, Box 641, Concord, N. H. 03301. This service is free.

# Visiting Rights

During John Boone's tenure as Commissioner of Corrections, it was deemed necessary to redevelop existing rules and regulations in Massachusetts prisons. Through a grant from the LEAA and the Council for Law-Related Studies, Sheldon Krantz and others from the Boston University Criminal Justice Center developed the Model Rules and Regulations on Prisoners' Rights and Responsibilities.

The Model Rules on visitation eliminates the heavy-handed authority of the prison administration and will allow prisoners greater contact with the outside.



Rule IC-6 Regulations for Visitation

a. Each institution shall make available a visiting room for inmates. This room shall be informal in style, furnished comfortably, and large enough, so that several groups of inmates and visitor might meet simultaneously, yet maintain some degree of privacy.

b. A visiting room officer shall be present during all visiting hours. His duties shall be administrative-maintenance of order and security. He shall not interfere with the actions of inmates and visitors unless they are harmful to other inmates or visitors, or create a risk to the security or order of the institution.

c. Each inmate shall submit a visitors list, which may include his immediate family, friends, relatives, and attorneys. Lists may be changed or amended at any time, including the time of the initial visit if the inmate expresses willingness to see a visitor who has come to the institution.

d. No group of persons such as parolees or former offenders may be excluded from visiting inmates by reason of their status as such. Individuals may be excluded upon proof of violation of institution visitation rules or state or federal statutes while visiting in the institution.

e. Visiting hours may be varied to fit the schedules of individual institutions, but must meet the following minimum requirements at least five days per week, of which

- (1) Normal visiting hours shall be at least three hours per day;
- (2) Two of the five days shall be Saturday and Sunday;
- (3) On two weekdays extra hours shall be provided from 6:00 to 9:00 P.M.

g. No more than four visitors may visit a particular inmate at one time. Exceptions to the rule may be granted when an inmate's spouse comes to visit with more than three children, or when a family of more than four travels a great distance to visit an inmate.

h. Each visitor shall, upon entry, register his name, address, relation to the inmate, and felony record. He shall be subject to search at this time. Packages and handbags must be checked with the visiting room officer.

i. Institutions may make legitimate dress regulations for visitors only for the purpose of preventing problems of identification between inmates and visitors. Such regulations may prohibit visitors from wearing clothes similar to that of the inmates, but may not arbitrarily regulate visitors' clothing in any other way.

j. Attorneys may visit inmate clients at any reasonable time and as often as necessary.

## Commentary

The Federal Prison Visiting Regulations, published July 1, 1949, made the following recommendations: "Ideally, all visits should be permitted without the use of mechanical barriers and the degree of supervision extended should be in keeping with the trustworthiness of the inmate and his family. The conventional prison visiting table is not usually an appropriate furnishing. Small tables and chairs, settees, and other less formal furniture arrangements are preferable and should be used whenever possible."

Although this regulation was written over twenty years ago, and is not directly applicable to any state correctional system, it is surprising that most state institutions' visiting facilities, even today, are archaic by 1949 standards. Revisions in this area obviously depend on funds and facilities being available. The Department of Correction should make such changes as are necessary to approach the "ideal" standard above.

Subsections c and f deal with regulations concerning visits themselves. It is in this area that immediate revision of regulations should be expected. Visits from friends and relatives are an inmate's most important contact with the outside world, and every effort should be made to allow each inmate to make maximum use of this privilege. Essentially, these proposal do no more than create a reasonable, viable visiting schedule. They require hours to be such that working persons may visit during evening hours or on weekends.

The hours proposed here are similar to those required by the court in Jones v. Wittenberg, 330 F.Supp 707, 717 (N.D. Ohio 1971)

They impose some restrictions on numbers of visitors to sustain administrative efficiency, while being flexible enough to allow for the differences in an inmate's family situations. This proposal provides

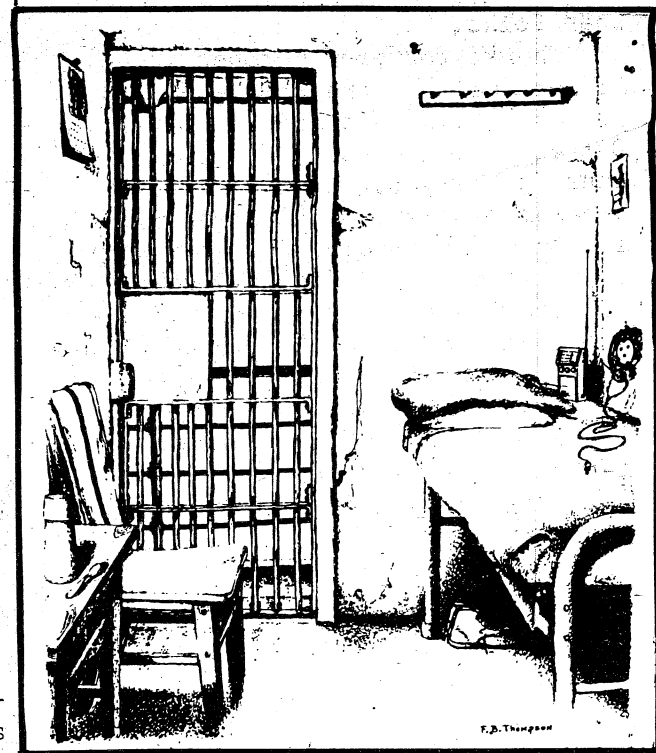
the greatest benefits to both inmates and administrators, for it greatly improves the visitation arrangements but requires little extra effort on the part of administrators. It should be noted that visits from family, especially children of inmates, are encouraged under these proposals. This is a departure from a number of present regulations, particularly those of Deer Island. It is felt that preservation of family contacts is one of the primary purposes of visitation rules and that the prohibition of children's visits is contrary to this purpose.

Subsections g and h provide adequate security measures to insure that the foregoing proposal may be implemented smoothly with no threat to the order of the institution. Searches are a small price to pay for the benefits derived from informal, natural visits, and both inmates and visitors would undoubtedly prefer such a system. There is no constitutional right to visitation and visitation privileges may be denied if visitors are caught smuggling contraband.

Rowland v. Wolff, 336 F.Supp 257 (D.Neb.1971)

The restrictions in subsection g on clothing worn by visitors is limited to clothing which would hamper identification. There remains no prohibition against women visitors wearing shorts.

Reviewed by Fred Findling



## Apology

NEPA NEWS regrets the error made in the November issue concerning the publication, Model Rules and Regulations on Prisoners' Rights and Responsibilities. NEPA NEWS stated that funding for the research of this publication amounted to \$750,000 which came from Massachusetts Taxpayers. We have since learned that it was funded for less than \$100,000 which came from the LEAA. Our apologies go to Sheldon Krantz and his associates at the Boston University Criminal Justice Center for any unfavorable light cast upon them or the book.

Fred Findling

# Legal Research

by Tony Pisa

from The Question Mark, Norfolk

To a man serving a prison sentence interested in researching the law and marshalling arguments to determine whether he has been fairly treated and fairly convicted and has been afforded his constitutional rights, a lot of his time will necessarily be committed to research. Research to ascertain the facts and even more research into the law. He will have to seek three basic kinds of information:

1. What is the law?
2. How do I interpret the law relative to my particular circumstance?
3. What do I do about it, how do I proceed?

If there is such a thing as a modern methodical approach to these everyday problems faced by men in prison, who work on their cases, it seems reasonable to suppose that such an approach could easily make vital contributions to his success or failure. However anyone may measure or define it, successful legal research requires no magic - only common sense and a little background knowledge.

At the outset, one has to start with learning what different numbers and letters after the case

actually mean. In short, these numbers and letters tell the reader the name of the court that decided the case; what volume it appears in; and what page the opinion starts on. For example, one of the better known cases in criminal law:

Miranda v. Arizona, 384 U.S. 436, 86 S. CT. 1602 (1966). The Miranda case can be found in the United States Reports, volume 384, starting at page 436. This is the official citation of the case; however, Miranda can also be found



in Vol. 86 of the Supreme Court Reporter starting at page 1602. The latter citation is unofficial yet it sets forth the entire case.

Most of the Federal Court of Appeals and District Court opinions are published by West Publishing Company.

There are 11 Federal judicial circuits in the United States. When one sees 398 F.2d 785 (2nd Cir.1968), it refers to a 2nd Circuit Court of Appeals opinion found in the Federal Report 2nd series, Vol. 398 at page 785. The citation 272 F.Supp 965 (N.D.W. Va.1967) refers to a Federal District Court opinion found in the Federal Supplement, Vol. 272 at page 965.

Each state also has their own official reports which are published by the state. Such reports are designated, for example, 352 Mass. 117; 456 Okla. Crim. 126; 273 Va. 354; etc. These are usually the official reports (opinions) of the particular state's highest court. However, West Publishing Company also publishes these opinions but the state opinions remain the official citations.

"Law...is but the declarative will of conquerors, how they will have their subjects to be ruled."

Gerrard Winstanley, Fire in the Bush (1650)

## Letter..

Dear Folks,

Thanks for your October issue. On the whole it presents a realistic picture of the bad side of prison. But your remark about Vallance Wickens "picking his nose" was very poor journalism. Such a remark seems to be an insult, but in reality is ambiguous and certainly shows a double standard. Will your stories about the "good guys" tell us when they pick their noses?

I have been in enough prisons to be certain that Jaan Laaman's letter which you printed was not from the "men of N.H. State Prison" as it claims to be. It is interesting and useful to print such expressions of opinion, but it is also useful to point out where he goes off the deep end. Laaman says prisoners are "oppressed people who also yearn for the things this life could give, but that the rulers hold only for themselves." Actually, prisoners are oppressed not just by the rulers but by society as a whole and especially those who have the "things that this life could give." As soon as the people get those things, they elect rulers to suppress anyone who might disturb the general security, using prisons, compulsory schools and mental institutions at home and military forces abroad.

So I think we need to dig deeper than merely criticizing the "rulers." The desire for material things beyond actual needs, and the willingness to take the life of another--these are some of the greater diseases to be recognized and analyzed.

Arthur Harvey  
South Acworth, N.H.

December

## ..and Reply

Dear Arthur Harvey,

You are entirely correct that the comment about Vallance Wickens is poor journalism. In fact, I pick my own nose at times.

According to an ex-con who served time with Jaan Laaman, the letter to the Brothers at Attica was supported by some 50 to 70 prisoners in Concord; not all, or even necessarily a majority, of the men, but certainly a significant number of them.



Your point about the political nature of "society as a whole" is indeed a very complex issue. One must be careful to distinguish between the ability of the ruling class to maintain its rule (with the approval of any classes that benefit from this rule) and the question of where true power lies. The state controls the prisons, schools, mental hospitals and military forces, and the state in turn is essentially controlled by the ruling class, which also controls the industry, communications and distribution of goods within the state. Elections, then, are merely a tool of the ruling classes to grant the illusion of power to the middle and lower classes by allowing these classes to choose which member or faction of the ruling class is to act as figurehead for that class. This does mean, however, that the middle and lower classes as a whole feel they benefit from the status quo sufficiently enough to not challenge the very rightness of the system.

Yes, we must dig deeper, for those of us who work for change must understand where the working classes (blue and white collar) diverge from the interests of the ruling elite to express their own rational needs as opposed to the irrational thirst for profit and power of the ruling class. And we must destroy the ability of the ruling class to convince the lower classes that the ruling class has the interests of

all the people in mind.

Thanks for your concern, support and donation. In struggle,  
Monty Neill

# New Prison Films



## With Intent to Harm

A Film by Stephen Ujlaki and Scott Siegler

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

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

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

## 3000 Years and Life

A Film by Randall Conrad and Stephen Ujlaki

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

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

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

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

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

## Vermont State Prison

A Film by the Vermont Coalition for Prisoner Support

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

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

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

WITH INTENT TO HARM, 3000 YEARS AND LIFE, and VERMONT STATE PRISON are available from:  
New England Prisoners' Association      New England Prisoners' Association  
Public Education Program                      Public Education Program  
Franconia College                                      or      116 School St.  
Franconia, N.H. 03580                                      Waltham, Mass., 02154  
603-823-5266    617-899-8827

### NEPA Public Education Program

In addition to this newspaper, and selected other publications, NEPA has developed a public education program suitable for schools, churches, civic clubs, and other gatherings of concerned people. Our membership extends to all the New England states and we can bring our program into your community. We can arrange for speakers, films, poetry readings, plays, weekend work-shops, and continuous seminars. We have three films for rent or sale and they are described above. If you are interested in life in jails and prisons, court procedures, crime, community-based corrections, prisoner rights, prisoner services, the role of volunteers, the abolition of prisons, and related questions, write or call us at either of the above addresses.

