

HO 2001 10/10/10



TO BE HUNG UP
BY THE NECK
FOR THE COMMON
GOOD



ALTERNATIVES

An Anarchist View of Prisons, Crime and Violence

I originally wrote this piece for the Political Discussion Bulletin *OFF OUR KNEES!*

After finishing it I realized that it should be put into a pamphlet form and distributed for even wider discussion.

In reading it keep in mind a couple of things. First it was written for a specific study group that Prisoners conduct through the mail and Raze The Walls facilitates. Secondly this is only one persons opinion and or vision. The appearance of this publication should not lend any more credibility to the ideas presented, but more to the ability of a Prisoner based project to pull it off with little or no money.

There are so many people I'd like to thank for either directly or indirectly making not only this pamphlet a reality, but all of the things we as an autonomous project accomplish. But I'd like to especially thank all my comrades who are caged in the Gulag. They manage to survive some of the most barbaric treatment and still find time to participate within a self-education process. Thanks guys for being there, you really help this poor tired soul make it through another day.

Michael Lee
12-7-94

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In picking up any newspaper, turning on the 6 o'clock news or even just glancing through the prime time TV listings, there seems to be one trend of thought running through everyone's mind. "Crime = Violence."

As an Anarchist who sees the abolition of Prisons (or at least limiting its use) as part of a utopian vision, I'm always challenged with the question "What do you do about crime?" "How about the socio-paths and violent ones?" Two excellent questions that as far as I know of have never been addressed by most Anarchists. In my attempt here to answer these two questions, the reader cannot divorce them from the context of the present social order. To arrive at any sort of conclusion that correctly reflects or presents options for dealing with this problem, we must revolve our inquiry around the central questions; What is the present solution; How was that solution developed and does that solution serve the greatest number of people.

HISTORY

"Prisons" or "Penitentiaries" originated over 202 years ago with the Quakers in Philadelphia who believed that sinners, or lawbreakers should spend their time alone to study the Bible to be penitent for their crimes so as to be released as a productive member of society. Rules of complete silence were strictly enforced. It didn't take long to realize that this approached wouldn't work as prisoner after prisoner suffered nervous breakdowns and displayed signs of mental illness due to their complete lack of human contact."¹

The Quakers realized that this solution was meaningless because it didn't address the underlying roots that lead to criminal activity. But it was to late as Society picked up on the idea and mutated it beyond recognition. Complete with tax subsidies and massive propaganda. The modern day penitentiary is nothing compared to what you see in the movies or on television. Today as in the 1800's isolation blocks make up the primary means of confinement and they are commonly called Control Units or what some have us have started to call RFKU (Really Fucking Knarly Units). The guards which work in these units are some of the most brutal and inhumane. The newer units have solid doors and the only contact that one confined behind it has is through a small window for counting purposes and a food slot. The debilitating effects of total, isolated confinement as the Quakers found out results in jepordizing a Prisoners well being. This inhumane and barbaric treatment

Michael Lee

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is meant to debase and degrade a prisoner's very soul, the purpose being they will cause no problems for the Prisoncrats in general population for fear of being sent back. You do not have to break a rule to be placed in one of these units. All one has to be, is have a screw think you are uncontrollable or a potential threat to the security of the institution. Thus those that populate the RFKU are overwhelmingly Political and or fight back prisoners; Jailhouse lawyers, or even a prisoner who tries to exercise their rights.

Contrary to what the Prisoncrats say people are continually assigned to these uncivilized circumstances indefinitely. Meaning its not unusual for someone to spend three or more years in one. Can you imagine being locked in a dark closet for that long with your only contact is a hostile, mean spirited bastard?

The very existence, let alone use of RFKU is in itself an indictment of the process of caging and is an indication of a system gone berserk.

THE NEW PLANTATION

According to the Seattle Post Intelligencer Newspaper, there are currently over one million people languishing in the Gulag. Figure 1 clearly exposes the fact that Prison populations have been

Total Population of United States Prisoners by Year

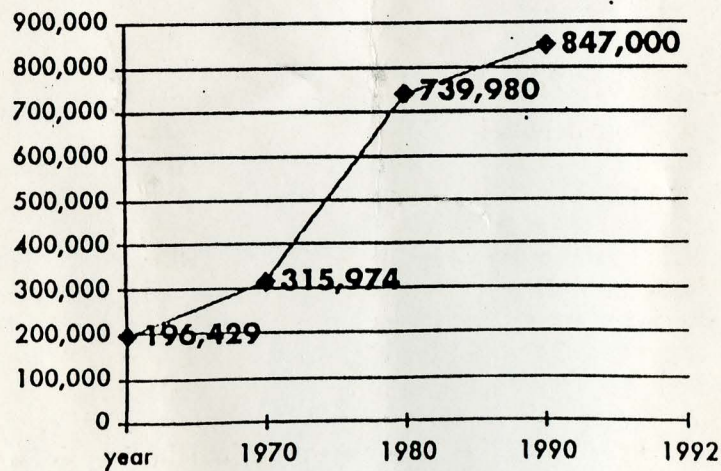


Figure 1

on the increase over the last 12 years and clearly the continued use of such an institution has clearly failed in its stated purpose of deterring crime.

We can point to two main factors of why this situation of increasing prison population is occurring:

- 1.) Greater awareness by the at large public due to corporate media, specifically TV programs like America's most wanted.
- 2.) The War on Drugs.

At the rock solid foundation of these two points is the personal interests of politicians to retain their positions. The worst thing for these so called representatives is to appear soft on crime. By appearing to take such a position is a guarantee that they will have to go out and get an honest job. Thus personal motivation and not a rise a crime is one reason for increasing crime level statistics.

If we have been lied to about increasing crime and its reason, have we been lied to in other aspects of the "crime" problem?

Many people are under the misconception that slavery was abolished by the passage of the 13th amendment. "The 13th Amendment reads: Neither slavery nor involuntary servitude except as punishment for crimes where of the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. The effect of the 13th amendment was not to abolish slavery but to limit it to those who had been convicted of a crime"².

Through out the years , prisons have always attempted to be self-sufficient and with the surplus production sold it for a profit. This situation 1930's when this countries capitalists were struggling against an economic depression. Labor Unions recognizing in such an environment they could not compete against prison labor helped to force passage of the Ashurst-Summers Act which prohibited interstate commerce in Prison made goods unless the prisoners were paid a minimum wage. Prison labor did not become a front page issue until 1986 when Supreme court Justice Warren Burger coined the term "Factories with Fences." In short he believed that prisons should go back to the good old day of "self-sufficiency and profit producing entities requiring minimal financial input from the state."³ As such Federal Prison Industries created by an Act of Congress in 1934 is now a half billion dollar industry manufacturing a whole slew of products including military components used against 3rd World countries.

One of the largest divisions of FPI is its contract furnishings division. In 1992 the average sales volume of the 25 largest private companies in this area was \$211 million. FPI sales rivaled any of these companies. Based on the fact their "employees" receive an average wage of .92 per hour; It can be reasonably concluded, that FPI's profit margin was greater than any of its private competitors. An example of prison industries profitability at the State level is that of Oregon. Projected sales of "Prison Blues" brand of clothing made by Oregon prisoners is projected at over \$1,2 million. While prisoners here are paid the princely sum of \$6-\$8 per hour, they have to pay back 80% for the fine accommodations they enjoy. Thus real wages are \$1.20-\$1.80 an hour. An interesting side note to this situation is that these prison made goods are marketed in Asia competing against the sweatshops there and of course prisoner made goods in China.

A more important reason than basic wage disparity for "employing" prison labor is that of a docile labor force. In 1977 the Supreme Court decided in *Jones V. North Carolina Prisoners Labor Union* that it would not offer any protection for prisoner union organizing. In many states especially the South labor is mandatory and resistance to participation in slave labor brings immediate and harsh disciplinary measures. In Federal Prisons refusing to work results in a 306 "shot" and forfeiting earned statutory good time up to 25% or up to 30 day whichever is less and or terminate or disallow extra good time.⁴ Repeat the same offense and the sanctions are even harsher.

We now start to realize that the explosion of the prison population is not motivated by the need to protect the social order but by profit. Prisons have become the New Plantation. Instead of the whip they use "Shot"s, Ad-Seg, etc. to enforce their control over the "slaves." Their slave catchers are the police, courts, corporate media and unconscious working class people who participate in programs like DARE or interactive TV cop shows.

THE LIE OF REHABILITATION

Many proponents of prison labor will justify it as "rehabilitative" or "vocational training." For a small percentage of those affected by this mentality there may exist an element of truth. In examining the larger context we see the overwhelming majority are engaged in menial labor, intensive work such as assembling electrical components for the Department of Defense or sewing clothes. How many people who survive a prison experience will

be able to walk out of the prison gates and find a straight job with this kind of "vocational training"? In looking around the "FreeWorld" we see clearly that clothing manufactures are relocating to El Salvador because of a cheap docile labor pool. Now with that thought in mind, let us for a moment be generous enough to concede that prison labor is indeed vocational training. The fact remains, you are training someone for jobs which don't even exist! What should also be pointed out is the fact that a prison work environment does not even come close to a mirror image of the "FreeWorld". Prisoners are not allowed to consider the idea of collective bargaining, Attempting to organize and or carry out such an effort is met by punitive actions. Prisoners are not allowed the "privilege" of acquiring the highest wage for their labor, neither are they extended so-called benefits such as a retirement plan or being able to acquire health care of their choice. "Wages" are stolen from them at the whim of the massers. Any social interaction which normally occurs in a "FreeWorld" work environment is severely frowned upon as being a threat to the institution.

Caging people has nothing at all to do with rehabilitation. Point in fact is that of education. Julio Wicks a fight back prisoner caged in Mississippi's infamous Parchman Plantation (MS official term for Parchman) write; "... 8000 Black slaves on this plantation! 6500 are functionally illiterate. They work in the fields approx.(imately) 12 hrs a day with a white man on a horse, a shotgun cradled in his arms."⁵ Another example is Books To Prisoners (B-2-P) - Seattle, WA. Time and time again requests come pouring in from prisoners for dictionaries and G.E.D. books. There are numerous prison where B-2-P can't send these in. Why?; Because they are used! On the floor could be a dozen G.E.D. books, but a prisoner at Walla Walla can't have one because of some bullshit new books only rule. I won't even bother to go into how this publication has been treated as the publication of a prisoner run study group aimed at self-education. Do education programs exist in the Gulag. Yes many have them. but remember they are considered a privilege which can be removed because a screw doesn't like you.

Those in a cage get an education. An education in how to rob banks, bust into stores, where you can sell stolen good etc. An education which encourages the use of violence to resolve conflict; Or that its normal behavior to employ intimidation and or manipulation to acquire an extra slice of the privileges pie. Its no wonder then if anti-social behavior is encouraged in this environment that its is carried over into the "FreeWorld".

ALTERNATIVES TO CAGING

One in every 260 Americans are presently caged in Federal or State Prisons at a cost of \$15 - \$20 billion. As the three strikes law continues to roll merrily along, it is guaranteed to exacerbate the situation. New York times syndicated columnist Alexander Cockburn writing on "The Highly Racial Nature of American Imprisonment" points out that "The crime bill will change everything for the worse and that it will not stop crime." He goes on to write that it will certainly multiply the prison population by increasing conviction rates, require those convicted to serve 85% of their sentences and incarcerate people for life under the three strikes law.

The conservative think tank Rand Corporation, Criminologists, Political Scientists, Wardens and Directors of correctional organizations all agree imprisonment does not prevent crime. Simple mathematics provide credibility to this point. Lets say you put 100,000 more police on the streets. During the course of a year each is responsible for arresting and causing one person to go to the cage. That's 100,000 additional prisoners which is almost equal to California's present prisoner population. Now that we've doubled California's population lets assume each one gets two calendar years. While that person is caged another year goes by with another 100,000, now you have 200,000. Then another year passes and you have 300,000 caged at some point in the second year. Take a moment to play with this formula. Use any numbers you like. For this next part lets stick with our original number of 100,000 and say it cost \$15,000 a year to cage someone. Yep better have your calculator hand in order to arrive at the total figure. This doesn't include new prison construction or any judicial costs. So we see that from an economic standpoint caging doesn't work. So what alternatives are there?

Lets tackle this question in two parts. That being crimes of property and those of person. Referring to Figure #2 on the next page we get some numerical grasp on the situation.

It can be clearly seen that only 28.5 % involve crimes which are considered violent.. Things like prostitution, drug possession and or use, car theft, burglary, etc., all can be dealt with through the use of fines and or community service. Other alternatives are halfway houses, third party custody and house arrest. Decriminalizing certain crimes would have an immediate effect of freeing scarce resources that could be used to explore more human and innovative strategies when we confront anti-social behavior.

1992 Offenses By Type

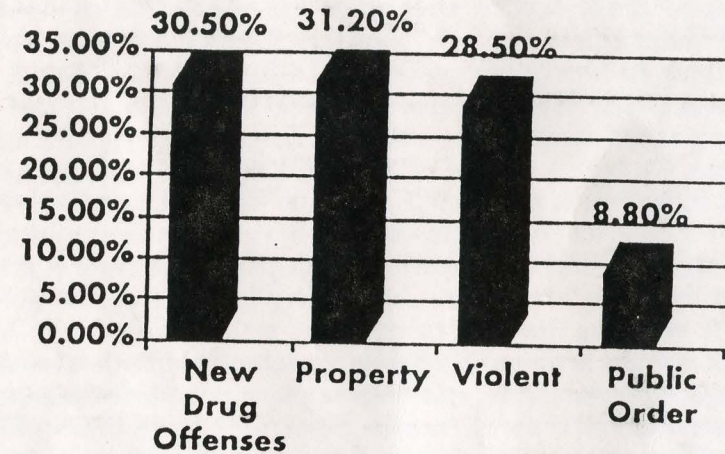


Figure 2

Turning now to the second part of our examination that of violent behavior lets examine an illustrative case which has just recently concluded.

Willard Jimerson Jr. was recently convicted of first degree murder He was 13 yrs old at the time of the incident. Despite early warning signs there was something terribly wrong in this young man's life he was presented with no options such as counseling and treatment programs.⁶ The State didn't want to deal with this ManChild from a positive standpoint. In fact it was only after the fact was he even acknowledged and then in a punitive fashion. Unlike most European countries this society doesn't even try to create a pretense of intervention by providing a comprehensive child welfare system. Youth are failed by the present system and this society should not be shocked at the rise in juvenile homicide arrests. The present punitive, reactive system is rotten to the core. IT MUST BE STOPPED and turned around 360 degrees.

On the flip side of the coin, adult substance abusers (in particular) are dealt with in the same fashion. Ignored until caught and then while in prison still not dealt with. Tim-Rosharon argues that a person chooses whether or not they return to prison. To a certain extent this a valid point but it overlooks the fact there is no oppor-

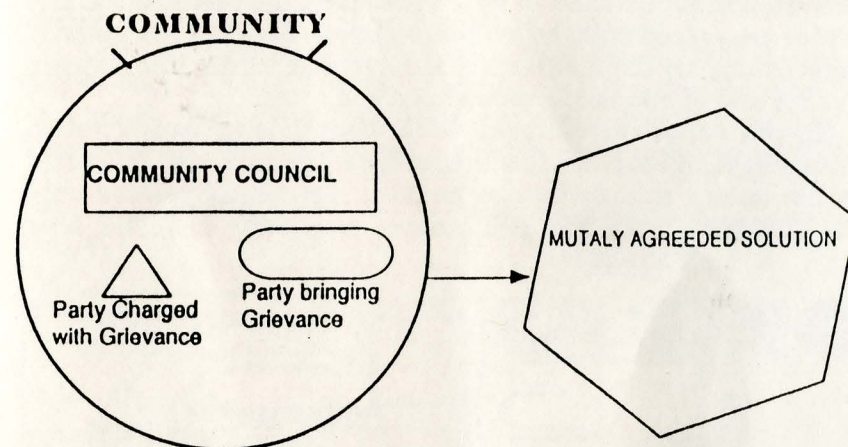
tunity to engage in a process of positive change. For remember, rehabilitation efforts are considered a privilege by the Prisoncrats and society at large.

Let us be quite frank and admit we live in a violent society. A society controlled by a few at the expense of the many. It is in the interests of those few to encourage the resolution of conflict through violent means and glorifies it in the media. For as long as we continue to bicker among ourselves for a crust of bread, our attention is diverted from those who steal the rest of the loaf. As such the present social is not based on fairness, justice, and equal protection. Oh No!; Its based on propagating the idea without government intervention people will sneak up and violate our space. If you have a conflict with some one you have to use their system of justice which should be properly called Just-Us because it serves only the interests of the few. Our society is based on the golden rule. "He who has the gold rules." Any method you use to hang onto that gold or acquire it is perfectly acceptable to the rich. The only reason they have all these laws in place is to make damn sure you understand steal from them and you will go to prison. They use us as concrete examples. S hit if you can get a five year bit for stealing from another poor slob, what do you think you will get stealing from Bill Clinton?

The question is: Can we start to build a system which represents our interests better, and does not empower the present Just-Us system and its shell game of violence?

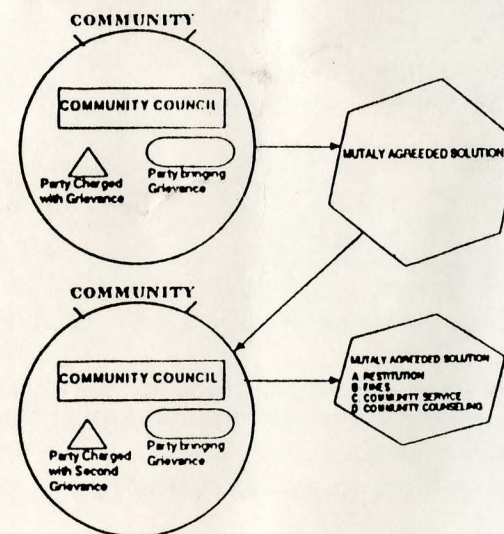
If we consider the present society presently makes it decisions from the top down with a few people sitting at the very top of a huge pyramid, it doesn't take a rocket scientist to figure out that the larger the pyramid the greater the distance from point to base. Obviously in human social relations, if those that sit at the top tower so far above the rest of us they will ever know what is going on at the base. In the Just-Us system this results in communities that are directly affected by anti-social behavior not having any influence on the penalty which is imposed. Thus you hear a lot of bitching and moaning from folks how unfair the system is. Additionally those that do decide the penalty don't live in the community that's affected in the first place, so what interest do they have in seeing any kind of justice done. None what so ever because it doesn't affect them directly! But are their alternatives to this type of organization?

The graphic on the next page deals with, oh lets use the example of a person who decided to go and steal a pair of jeans. The



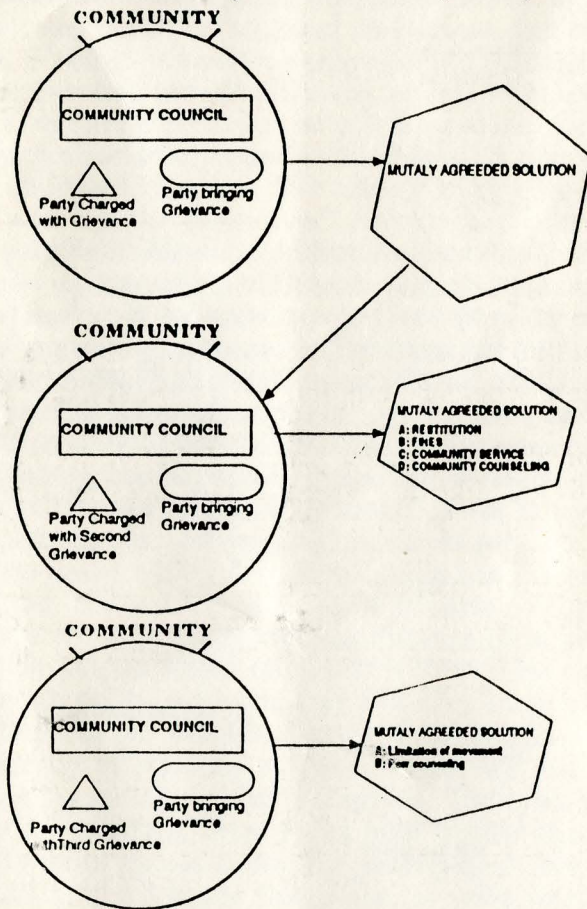
community that is directly affected by this action elects a community council to hear the grievance. The party who is bringing the grievance and the party charged appear before the council which is an open procedure observed by the community at large. The council merely facilitates the discussion between all parties involved. It does not act as judge, jury, prosecutor or defender. Again its whole job is to insure that a mutually agreed solution results.

Well, Well, what do we have here? Our friend got caught stealing another pair of jeans. This second graphic illustrators at the top the first step and also the second. Again the, same process that was



used for the first step applies to the second. But you see now the figure at the right is filled in with some possible penalties. These penalties are agreed upon by all parties involved. They are mutually agreed upon by the community at large, the person bringing the grievance and of course the person charged.

Oh shit is our friend again! Well damn lets go back through the steps again as we did the first couple of times but obviously there has to be a slightly harsher penalty. How about you can only travel in certain areas and you have to stay away from the blue

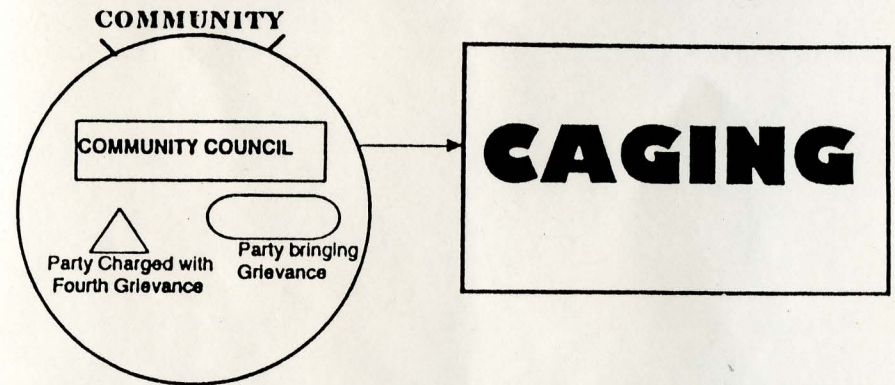


jean store? May be you should talk to somebody else who couldn't stop stealing and find out how they stopped. Fine everybody happy with that?

We now have three steps and still no jail, people feel safe.

More importantly they feel empowered because they helped to design a solution that was acceptable to everyone.

OH NO! Not Again! Well my friend you do understand that this is very serious. You seem to not care about us or respect us very much. We've tried to extend you every courtesy and still you keep stealing. We're sorry but you have to go to the cage. But our



friends experience in the cage would be in the most humane way possible. There would be ample opportunity for that person to clearly spend some time examining why they felt the need to steal and how to break that behavior pattern. This fourth step is a very last resort and again like the process that put our friend in the cage, the community would have full oversight of the confinement. The community would be encouraged to interact with the Prisoner, keeping that person a part of the community and not in isolation. It would be based on reclamation of a person's life and not retribution. As can be seen, this vision is far different than the present interpretation of confinement.

We now have a model of social organizing which deals with the problem of anti-social behavior in a direct, immediate fashion. One that is non-hierarchical and infinitely fairer than what we presently have: This model can be played with, components shifted and added. As long as two base points are used as the foundation. That being direct local community control and mutual agreement by all parties.

What ever proposed alternative to caging is put on the table for discussion should be examined from the standpoint that caging is the very last alternative and shunning (banishment) only used in the most extreme of circumstances.

ABOLITION

"Crime and anti-social behavior is a symptom of a much deeper problem and building more prisons won't lessen crime one bit. The deeper problem is a social economic and political system that survives by one group of people exploiting and oppressing another group.

As anarchists it is our interpretation that with abolishing a society based on property the crimes that can be classed as property crimes will no longer exist. We are not naive enough to believe that anti-social crime will not exist in any future society. The present solution of dealing with anti-social behavior clearly does not work. In a future society there will be employed a variety of solutions. The key though is to control and deal with crime at a community level by those who are directly affected by that behavior."⁷

Presently the dominant culture does not deal with violent behavior except in a way that encourages a cycle of perpetrators and victims. We need to change the way people are socialized to resolve conflict through non-violent means. It is imperative we search for ways which empower the individual and the local community at large.

We can immediately start to break our reliance on the dominant culture by strengthening our communities. Learning how we can rely on each other instead of Just-Us. The present system if left on its own will only continue to take away control of our lives. Control which rightfully belongs to us. The policy of caging serves only the interests of the few.

Today we must begin to propose, develop and implement solutions which serve our interests by confronting our own perceptions. Realizing a lot of what we hold true is merle a lie told to us over and over until we believe it. $2 + 2 = 4$.

¹ Voices Behind The Door - John Perotti OFF OUR KNEES Issue # 2 December 1994

² Prison Legal News May 1994 Vol. 5 #5 page 14.

³ Ibd.

⁴ How To Win Prison Disciplinary Hearings Allan Parmelee Fifth Revision September 17, 1994

⁵ From the flyer Slave's Life threatened Julio Wicks published and distributed by Raze The Walls.

⁶ This section is based on articles which appeared in the morning edi-

tion of the Seattle Post-Intelligencer 12-1-1994.

⁷From a brochure written by Twin Cities Anarchist Front.

NOTE: Its amazing some of the shit that is here in the library. I found all these nifty stats in a book entitled Statistical Abstract of The United States published by U.S. Department of Commerce and Statistics Administration - Bureau of the Census.

WRITE THESE PEOPLE

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Well just a final word. We would like to hear from y'all, get your feedback on this pamphlet. Maybe you want to know more about what we do or join the study group. Oh hell if you just want to chat a bit we're cool with that to. In fact a few of the people in the cage who are involved with this project have expressed an interest in writing folks. Don't worry we don't bite. FreeWorld people send a shoebox full of money or a few stamps if yah got em. Take care speak with you soon.

