

1994



Alberto Rodriguez
Parole Committee

Assist Alberto Rodriguez in his upcoming parole hearing by participating in this ad-hoc committee of friends, family and supporters...



A Message From Alberto

I have been eligible for parole since February of 1993. Under US law, parole is a privilege given to a prisoner at the government's discretion. Therefore, while I may meet most, if not all of their requirements, I can still be denied parole. We have to keep this in mind because no one (as far as I know) has ever been released on parole whose case had any political implications. Nevertheless, I am going to give it a go and I am hoping to be able to count on your support on this matter.

I propose an ad-hoc committee comprised of family and friends that will help me in appearing before the parole board. The following are some ideas of things I believe this committee could do:

- Organize a letter writing campaign that will call for my release and be directed to the parole commission with copies sent to Clinton, Reno, the 3 Puerto Rican Congress People, members of the Senate committee which deals with Puerto Rico and any other interested party. This letter of support would not be some form letter that someone would simply sign. Those contacted would ultimately decide its contents, style, emphasis, etc. While such an approach would definitely reduce the amount of letters actually written, they would have much more meaning written with some personality in them. Also, such an approach could generate interesting letters since they would range from the political to the personal with the violation of human rights being the central theme.
- Make contact with and actually visit people in politics, religion, community work etc. and discuss with them my parole request. The more people who know about it the better.
- Raise money for postage, any legal costs, travel, printing, etc.
- Organize a small delegation to visit the Parole Commission's regional office in Maryland few weeks before I am scheduled to appear before the board.

This is only a preliminary list of things to do. I am sure that many other things could be done if a group of people on the outside are willing to work.

If you feel that you would like to be part of this effort for the next few months, between now and October of 1994, please contact :

Carmen Santana or Yazmin Rodriguez at 862-1890 or
Haydee Santana at 384-0442 or write to me directly.

Alberto Rodriguez 92150-024 B3
PO Box 10000
Lewisburg PA, 17867

Sample Letters

Edward J. Reily, Jr.
United States Parole Commission
Friendship Boulevard
Park Place Building
550 Friendship Blvd., Room 420
Chevy Chase, MD 20815

Re: Alberto Rodriguez, 92150-024
USP Lewisburg

Dear Commissioners:

I am writing to ask that you release Alberto Rodriguez. I followed the news when he was arrested and I heard him say something that just made so much sense to me: if the United States doesn't want people to resist its colonial domination of Puerto Rico, all it needs to do is decolonize. Then I learned that international law long ago made colonialism a crime, including the US control of Puerto Rico. Alberto, then is not a criminal, but he was fighting crime, the crime of colonialism. So, very simply, he should not be in prison. I was therefore appalled that he was given the extraordinary sentence of 35 years in prison.

As someone who follows the news, I have been hearing elected officials bemoan the fact that convicted felons serve only a small portion of their sentences, claiming that people convicted of homicide are released after serving in the neighborhood of 7 years. Once again I am appalled, this time that Alberto is still in prison after 10 very long years.

It should be clear from his history of work in the community and from his history of work in the prison that he is not only not a threat, but that his is an asset, and can and will make positive contributions to society.

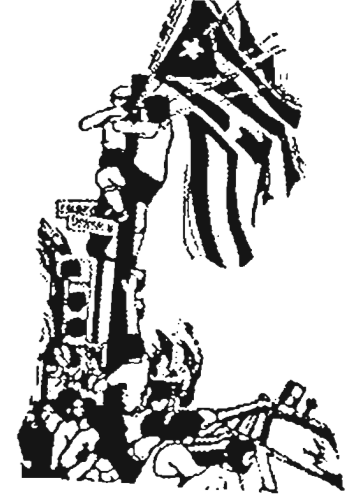
I ask that you allow him to immediately return to his family and his community. Thank you for your consideration.

Dear Commissioners:

I have been told by Alberto Rodriguez's family members that he is eligible for parole after being incarcerated for over ten years. Alberto and I lived in the same community for over twenty years and I remember him as an active community member always working and contributing his time and resources to better the community.

Prior to his arrest he was employed as an University Counselor helping young people enter and confront the university challenges and I ask that his history as a positive community role model be considered and he be returned to his community and family. Our community will only benefit from having Alberto once again living and sharing among us.

cc: Janet Reno, Attorney General
Margaret Colgate-Love, Pardon Attorney



WHAT IS PAROLE?

Defining Parole is no easy task since the rules and regulations governing the granting of parole to federal prisoners is a masterpiece of deception, prestidigitation and double talk. Increasingly, the United States Parole Commission (commonly known as the parole board) has interpreted both law and congressional intent to ensure that federal prisoners serve the maximum amount of time possible. Prisoners with political cases have been treated arbitrarily while established guidelines have been ignored.

We hope that this pamphlet will motivate those committed to fighting injustice to address the issue of parole abuse within the overall question of struggling for a sane and humane criminal justice system. Parole is the granting of conditional release from custody under some form of government supervision.

WHAT IS THE UNITED STATES PAROLE COMMISSION?

Officially the parole board is known as the "Commission". The Federal Parole Commission consists of 8 members all appointed by the President with the Consent of the senate and has the power to grant parole to any eligible prisoners. This Commission performs its duties insulated from the communities most effected by their decisions. Commission members come from police or prison backgrounds. Essentially those who have made careers out of putting us in prison and keeping us there are in charge of deciding when we can come out. There is an obvious conflict of interest where which Congress and the courts have conveniently ignored. People who may have interests other than maintaining power and authority are not represented on the Commission. Community or religious leaders who have an interest in seeing justice served, in reconstructing shattered lives and families or who simply recognize that men and women are capable of changing for the better and deserve to be released back to their communities, are not represented on the Parole Commission.

WHO IS ELIGIBLE FOR PAROLE?

Any federal prisoner imprisoned before November of 1987 who has completed at least one third of his sentence is eligible, as is one who has served 10 years of a life sentence or one of 30 or more years is eligible after serving 10 years. Someone who is eligible doesn't have a right to be released on parole, only to be considered for release.

WHAT HAPPENS AT AN INITIAL HEARING?

At an initial parole hearing the Commission assigns two Hearing Examiners to interview the prisoner. The hearing can be pretty formal or it can be virtually another trial, depending on the case and the government's interest in keeping the person locked up. These Examiners can play "good cop-bad cop" or attempt to create a hostile and contentious atmosphere.

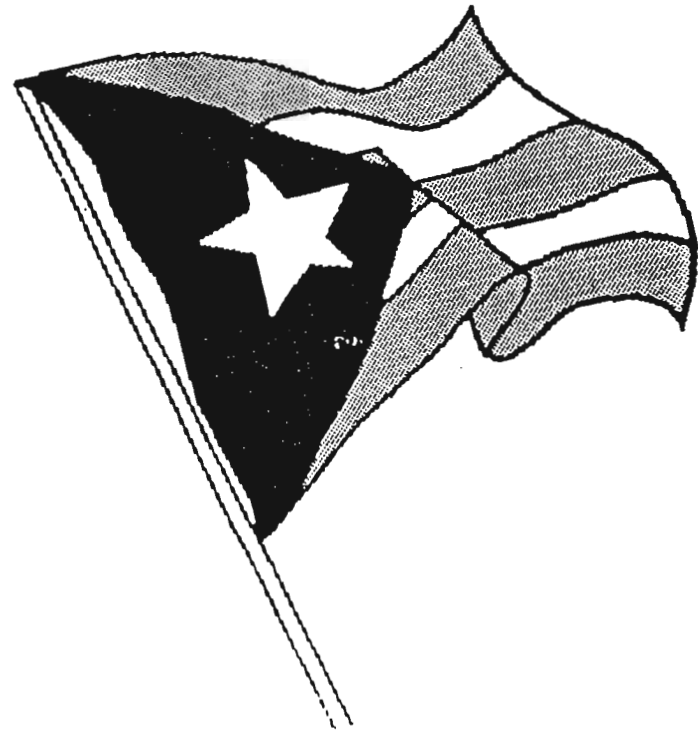
The Examiners will review the disciplinary record and participation such as; industry, drug and alcohol rehabilitation, vocational training, involvement in religious or service organizations etc. based on staff reports. Finally these Examiners will make a determination about your demeanor before them.

WHAT ELSE HAPPENS AT A PAROLE HEARING?

The examiners ask questions and give an opportunity for the prisoner to explain why he should be released on parole. The prisoner can have a representative which can be a staff person, a family member, a friend or an attorney, and who is only allowed to make a brief statement at the end of the hearing.

WHAT HAPPENS NEXT?

The examiners tell the prisoner what their recommendation will be - whether he'll receive a parole release date, whether he'll be continued to the end of his sentence (denied parole) or whether he'll have to serve more time before being considered for release. While in most cases the recommendation goes to the Regional Commission for decision, in the case of the Puerto Rican Political Prisoners, the recommendation is sent to the national parole commission for decision which comes 5 to 6 weeks after the hearing. The decision can be appealed to the same commission which comes 5 to 6 weeks after the hearing. The decision can be appealed to the same commission.



WHO IS ALBERTO?

Alberto is one of 14 children of Manuel and Carmen Rodriguez, who have lived in the same house in Chicago for 28 years. He is the father of two children, Yazmin Elena and Ricardo Alberto. In high school he became part of a new generation of Puerto Ricans in the US who demanded recognition of their history and culture and became active in the struggle for liberation. He formed part of a group of Latino students who, using the tactics of sit-ins and boycotts, forced the Chicago Board of Education to be more responsive to the needs of Latino students. He entered the University of Illinois in 1972 and immediately became involved in student struggles for a Latin American Studies Program and for recruitment of Latino students. Upon graduation in 1976, he began to work for community programs which provided opportunities for working adults to pursue educational goals, including as a peer counselor at a city college and as a coordinator/counselor at an alternative college. He also worked in various community organizations such as the Workers Rights Center, El Comite Pro-Orientacion Comunal, El Desfile del Pueblo, Latino Cultural Center, and various anti-repression committees. When arrested in 1983, he was working as an academic counselor at Northeastern Illinois University and was completing his thesis requirements for a graduate degree from Governor's State University.

The government accused him of seditious conspiracy and related charges, of conspiring to use force against the "lawful" authority of the US over Puerto Rico, and of membership in the F.A.L.N., the Puerto Rican Armed Forces of National Liberation. The indictment charged him with agreeing to commit an armed robbery which never occurred, agreeing to escape a Puerto Rican political prisoner (an escape which never took place), and collecting weapons and explosives which were never used. Surveillance techniques used by the FBI were unprecedented, and the court initially ruled that the government could not use seized videotape images and conversations because the law did not allow for such seizures. However, the appellate court interpreted the law to permit the use of the evidence, much to the government's relief. Alberto, like many other independentists, rejected the notion that US authority over Puerto Rico is "lawful", since the authority began with a military invasion in 1898 and has continued in spite of international law declaring colonialism to be a crime. He did not, therefore, recognize the jurisdiction of the court to criminalize his legitimate role in seeking freedom for his people. The court sentenced him to 35 years in prison, and prison authorities have held him for more than a decade in maximum security.

In prison, Alberto has participated in educational and vocation programs, including pest control management, real estate sales, plumbing and electrical installation and maintenance, and heating and air conditioning installation and maintenance. He has also been active in the prison's N.A.A. C.P. chapter. Prison staff report that his "overall institutional adjustment at USP Lewisburg can be documented as positive... (...) He has maintained a clear conduct record and his interaction with staff and inmates can be rated as superior. He always deals with staff in a polite and courteous manner." A Vocational instructor called him a "highly responsible and reliable individual," characteristics which lead another instructor to ask him to act as his aide. The glowing reports about his adjustment resulted in staff recommending that his maximum custody status be lowered. Officials rejected the recommendation.

If he is not released on parole, his release date will remain May 8, 2004, when he will have served 2/3 of his 35 year sentence.

Send Your Letters To:

Alberto Rodriguez Parole Committee,
P.O. Box 476698, Chicago, IL 60647

No Later than August 25th

Letters should be addressed to:

Edward F. Reilly, Jr.
Chairperson
Federal Parole Commission
Park Place Building
5550 Friendship Blvd., Room 420
Chevy Chase, MD 20815

What You Can Do:

- Write a letter to the editor of your local newspaper, progressive newsletter, church bulletin, etc. informing people about Alberto's parole and the situation of the Puerto Rican Prisoners of War and Political Prisoners in the USA.
- Join the Monthly Phone-In Campaign supporting amnesty for the prisoners

June 20: Attorney General, Janet Reno
Tel: 202/514-2001

July 25: President Clinton
Tel: 202/456-1111

August 22: Pardon Attorney Margaret Colgate Love
Tel: 202/616-6070

September 26: Attorney General, Janet Reno
Tel: 202/514-2001

