

For centuries persons charged and convicted of crimes have been looked upon and treated as less than human beings. This is true today in spite of the fact that current knowledge of society, and its patterns of law enforcement, teach us that law violations occur among a vastly larger number of persons than those convicted and imprisoned. Moreover that the prisoner, the convict and the ex-convict are treated with extreme hostility and oppression more because of their being poor or members of racial minorities and having reduced life circumstances of ill-fortune, than their being persons who have reduced worth or who are less deserving of dignity.

We do not deny that society has a right to punish persons for law violations, but we submit that this punishment should be spread evenly among the largest number of law violators as possible and not heaped upon a few. Moreover we accept incarceration for reasonable periods as punishment, but only after conviction. Beyond this society should have no other rights over the convicted person. Therefore, we are committed to altering or removing those penal practices which are in conflict with this inherently just law and society. The practices with which we are primarily concerned at this time fall into the following three general categories:

I. ECONOMIC EXPLOITATION: In most settings prisoners are forced to supply labor for the state and in return they receive no salary (or virtually no salary) or no other rights and compensations normally guaranteed workers.

II. THE INDETERMINANT SENTENCE SYSTEM: In some states, such as California, convicts are sentenced under an indeterminant system in which they are held for indefinite lengths of time, do not know when they will be released, and finally have their sentence determined upon irrelevant, arbitrary, or unconstitutional criteria. Furthermore once determined they may have their sentence taken away and after release their parole revoked without any new charges being brought against them in a due process procedure.

III. DENIAL OF HUMAN AND CIVIL RIGHTS: Prisoners are not simply incarcerated as punishment. They are incarcerated and treated brutally and denied a multitude of basic human and civil rights which it is unnecessary and unjust to deny them.

Within these three general categories the Prisoners Union commits itself to change or remove the following specific conditions or practices:

1. Employment without a reasonable wage: Prisoners labor sometimes earn large profits for the state, though they receive no, or an insignificant, wage. Moreover, they are coerced into this employment by threats of delay of release or denial of ordinary privileges. If prisoners work, and they should have a right to work, then they must receive a reasonable wage.

2. Employment without workers' compensations or benefits. Though they labor for the state prisoners receive no usual workers' benefits or compensations. In California if they are injured on the job, they must sign a release, freeing the state from legal responsibility, before they will be

treated. Upon release they cannot take advantage of and of the usual benefits available to workers, such as unemployment insurance.

3. Refixing of sentences: In California, for example, the Adult Authority regularly refixes sentences back to their maximum when a convict has been charged, without legal action, with a prison rule or parole condition violation. We submit that it is a basic precept of justice that once delivered a sentence cannot be made more severe. Refixing is in violation of this precept.

4. Delay in Sentencing: In some indeterminate sentence systems prisoners do not receive a release date until they have almost completed their sentences. Though a "rehabilitative" rationale is given for this practice, it is clear that maximizing conformity and docility among prisoners is the more important reason. This practice results in extreme hardship and mental torture for the prisoner, and is unnecessary and unjust.

5. Sentencing with irrelevant, scientifically invalid, unjust, arbitrary, or whimsical guidelines: In the absence of scientifically valid predictive criteria, and with the operation of other unstated purposes, sentences under the indeterminate sentence system are varied arbitrarily, unjustly or whimsically. Needless to say this practice should be stopped.

6. Revocation of parole without due process: Persons on parole are returned to prison when they have been charged with violations of frivolous and impossible conditions of parole or have been suspected of law violations. This is done without a due process procedure in which the parolees can defend themselves against the charges brought against them.

7. Brutal treatment on the part of guards and prison staff: Occasionally prisoners are beaten, gassed and kept in physically brutal "holes". Women prisoners are raped by male guards. Regularly prisoners are treated with a deep contempt. Both forms of brutality, the more direct and the less tangible, are felt deeply and resented by all prisoners. These are forms of punishment over and beyond incarceration and must be stopped.

8. Racism: Prison administrations practice formal racial discrimination and support informal discrimination. More recently, in California, prison guards and staff foment hostility between the races for the purpose of dividing the prisoner population and precipitating violent incidents which justify repressive practices. Both forms of racism are vicious, inhumane and unjust, and must be stopped.

9. Denial of basic civil rights: We have agreed that the state has the right to incarcerate individuals. But we disagree that it has a right to take other basic freedoms such as the freedom of speech. We feel that they should have free communication with outside individuals and groups, unrestricted visits with individuals and representatives of organizations, and the freedom to maintain membership and communication with legal and other social organizations. Women prisoners should have the right to keep their children or decide where they will be kept and have special visitation arrangements with them. Moreover, prisoners should have easy access to all published material.

10. Inferior, incompetent, and insufficient medical treatment: Prison and jail hospital staff and equipment are extremely inferior. Prisoners are denied basic medical needs. Women prisoners are not given adequate pre-natal, delivery and post natal care. Prisoners have no other medical alternatives than the prison facilities, so adequate and competent care must be easily available to them.

11. Arbitrary, indefinite punitive segregation: Prisoners are regularly placed in "prisons within prisons" and held there for indefinite periods though no new charges have been proven against them. The arbitrary use of "segregation" and "adjustment centers" is inhumane, extremely damaging to prisoners, and unjust. We must work to eliminate them.

12. Inadequate educational and vocational programs: Prison education programs are inadequate, obsolete and available to too few prisoners. During incarceration a prisoner must have the rights to educate himself/herself and learn a trade.

13. Forced participation in inhumane and ineffective "treatment" programs: Prisoners are subjected to programs which run from the excruciatingly dull group counseling sessions to bizarre chemical therapeutic practices at Vacaville prison and methadone maintenance when released. We submit that all helping programs must be totally voluntary and participation in them have no bearing on the granting of privileges or release.

14. Restrictions on prisoners' efforts to litigate: Prisoners, though they are the least likely to have received adequate legal services, are restricted in their use of law publications and have very limited access to lawyers. It is extremely difficult for them to rectify injustices in their convictions or seek legal redress for illegal treatment in prison. We must work towards expanded legal facilities and services.

15. Denial of full civil rights upon release: Though retribution in the form of a prison sentence has been paid the state, prisoners continue to experience loss of civil rights after release. They can not vote, they are discriminated against by employers, and are persecuted by law enforcement agencies. We feel strongly that once punishment is terminated the ex-prisoner must be restored to full citizenship.

STRATEGIES:

Though the Prisoners Union will pursue a wide variety of strategies to achieve the above stated goals, at present we are concentrating on the following tactics:

1. Organize a unified, multi-racial union which can work efficiently toward our collective goals.

2. Retain attorneys to help gain our objectives through the courts.
3. Appear before legislative bodies to provide more complete information about prisons and prison conditions.
4. Educate the public through the media, our own newspaper, and public speaking on prisons and treatment of prisoners.
5. Collectively bargain with prison administrations.

prisoner's union
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