Transcript of

THE PEOPLE'S TRIBUNAL TO EXPOSE THE CRIMES OF THE CONTROL UNITS

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PREFACE

On November 1, 1987, the National Committee to Free Puerto Rican Prisoners of War, the National Campaign to Abolish the Lexington Prison Women's Control Unit, and the Committee to End the Marion Lockdown held a day-long People's Tribunal to Expose the Crimes of the Control Units.

People came from across the country to attend the event in Chicago - from as far away as California, New York, Vermont, Georgia, and the state of Washington. It was a powerful day, filled with emotions ranging from compassion with those imprisoned by the Control Units, to angry resolve to abolish this new creation of the Bureau of Prisons and the government of the United States. Guiding all of this was the attempt to create an underlying unity and a set of politics that would allow us to understand why the Control Units exist and what tasks must be undertaken to abolish them.

The day started with the viewing of the Committee to End the Marion Lockdown slide show, a video prepared by the Lexington Campaign, and a slideshow about roles assumed in prison and their psychological impact created by Dr. Phillip Zimbardo, a Stanford University psychologist. On display all day were a life-size model cell built by the Committee to End the Marion Lockdown and a large array of literature covering about eight large dining room tables. The cell was toured by virtually all of the 300 people who attended the Tribunal, and most were shocked by its starkness and the realization that the prisoners at Marion live in such cells 23 hours a day, every day. The literature was about Marion and Lexington in particular, and about prisons in general - but also about white supremacy, the Puerto Rican independence movement, and the struggle for New Afrikan/Black liberation.

The Tribunal was called to order in early afternoon. Nineteen people with experiences dealing either directly with the Control Units or with interconnected events would step forward and present their testimony, testimony that would be evaluated by a very distinguished panel of eight people's justices. The testimony, called "gut-wrenching" by several of the people in attendence, continued through the early evening. After dinner, the justices came back to report their verdicts and explain to us what motivated them to vote the way they did.

The unusual nature of the day plus the very positive response from people who attended convinced us to publish the proceedings. This is the book in front of you. After transcribing the recordings, each witness and judge was sent her or his portion and asked to correct it as she or he saw fit. The results were then copyedited for uniformity. No speech was changed in its substance. As the program indicates, the witnesses spoke in groups and each group was then questioned both by the justices and by those others in attendance. Because of technical difficulties, the questions and answers could not be transcribed and are thus not contained in this volume.

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The contents of this book are consistent with the Tribunal proceedings. We begin with an introduction in which we explain how we view the Control Units and their relationship to society.

The second section contains the opening remarks to the Tribunal. This is follwed by the presentation of the Indictment by Jose Lopez against the Bureau of Prisons, the FBI, and Attorney General Edwin Meese.

The next section presents the testimony of four relatives of prisoners at Marion and Lexington. There was great pain and many tears during this segment. At the same time, there was respect and admiration for the imprisoned relatives, a full understanding of their willingness to struggle, and a determination to assist them in ending the brutal conditions.

Next the testimony of several expert witnesses is presented, as are the words of representives from three organizations that have issued reports condemning the Control Units.

Then we hear from three of the main lawyers who have been working around the Control Units. It is significant to note that all three are as much political activists as they are lawyers. They all believe that only through concerted political action will the conditions of the Control Units be changed, and the units themselves finally abolished.

The next section brings us the presentations of the sponsoring organizations. In an effort to allow others to speak, the presentations were short and to the point, but the politics of these organizations run all through this volume.

The evening section contains the verdicts and statements from the justices. All eight of them are prominent activists representing diverse elements in this country that are seeking a new society. Most of the justices have spent time in prison and one, Dora Garcia, was on trial at the time (and was ultimately convicted on frame-up charges directed at the Puerto Rican independence movement).

The Tribunal was organized and carried out as a spur to action against the Control Units. This volume should be read and understood in that context. We want the reader to come to understand the nature and purpose of the Control Units, but most of all we want the reader to become a part of the effort to abolish these monuments to terror and brutality.

The book concludes with a summary of resources available from the sponsoring organizations and brief descriptions of their activities. We urge you to examine this section and contact the organizations for further information about becoming involved in efforts to abolish the control units.

INTRODUCTION

The Control Unit is a relatively new technique developed by the U.S. Bureau of Prisons. These units, which are unmatched in terms of their calculated brutality, are used as an attack on all prisoners in the giant U.S. prison sytem - the largest in the world. They are used particularly to single out, as an example of what is in store for those who fight for a society that is humane, political leaders and others who dare to speak against the system. As the number of political prisoners in this country increases rapidly, it is becoming clear to the U.S. government that even prison will not frighten many people away from pursuing their vision of a new society. And so the government has created Marion and Lexington in an effort to halt organized opposition to its policies at home and abroad. ***Control Unit prisons must be closed!***

THE MARION CONTROL UNIT

Marion was opened in 1963 to replace Alcatraz Prison, which was closed that same year. Marion is the most maximum security prison in the country. It is the experimental laboratory and trendsetter for the whole federal prison system. Here, the Bureau of Prisons established the Control Unit, a "prison within a prison," where prisoners were and still are subjected to sensory deprivation and solitary confinement. In the early years at Marion, prison officials experimented with the use of drugs on Control Unit prisoners. Marion also uses "boxcars" - small, enclosed, soundproof boxes in which prisoners are placed - as a means of psychological torture.

In October 1983, two guards were killed in isolated incidents by two prisoners. Although there was no prison riot, authorities seized this pretext to violently repress the entire prison population. They turned the prison into one huge Control Unit. Since that date, the 350 men imprisoned at Marion have experienced brutal, dehumanizing conditions:

* For 23 hours a day, prisoners are locked in individual cells, denied contact with each other and forced into total idleness.
* During the initial stage of the lockdown, 60 guards equipped with riot gear were shipped in from other prisons, and assisted Marion guards in systematically beating approximately 100 handcuffed and defenseless prisoners.
* All Control Unit prisoners are subjected to humiliating finger probes of the rectum every time they leave the unit for a court date, hospital visit, etc.
* All contact visits have been ended - no prisoner can touch or be touched by family or loved ones.
* Prison authorities shut down work programs, group educational activities and congregational religious services.

Although one or another of these conditions have existed in some prisons from time to time, Marion is the first place where they have all been imposed as part of a strategy selected deliberately by the Bureau of Prisons. These conditions are not the result of a whim of some backward warden. They are the result of policy constructed by the highest offices of the U.S. government.

In its efforts to justify such brutality, the Bureau of Prisons tries to perpetrate the myth that Marion contains "the most vicious, predatory prisoners in the system." Although some infamous felons are placed at Marion, the prison also houses people sentenced to short terms for victimless crimes and people imprisoned for their political beliefs and activities. In addition, many prisoners are told they will be transferred out of Marion if they will drop their law suits against the prison. Also, several political prisoners have been sent directly from conviction to Marion, without ever having spent any time in prison, let alone causing trouble or being violent in prison. The fact is

that the criteria for placement at Marion are intentionally vague, and that, according to the government's own report, 80% of the men there are eligible for placement at less restrictive prisons.

The Marion Control Unit was never really designed to contain "vicious, predatory prisoners." The Bureau of Prisons established the Control Unit in July 1972, in response to a peaceful prisoner protest against the guard beating of a Mexican prisoner. About 60 prisoners were placed in isolated, sensory deprivation cells. With the Marion Control Unit, prison officials hoped to extinguish their spirit of protest, resistance, and solidarity.

As predicted from its inception, the Control Unit produces in prisoners feelings of intense rage and helplessness that often are expressed in violence - either against themselves or against others. Over the years, many prisoners have committed suicide or have turned on other prisoners or guards. Since the entire prison was locked down in 1983, three prisoners have been killed by other prisoners and several stabbings have occurred. The Marion prison lockdown is a bloody failure - it promotes the very violence it claims to be trying to prevent.

Top prison officials have made it clear they intend to permanently maintain the lockdown status, in spite of congressional and church inquiries, and a class action lawsuit by the prisoners. A recent report condemning Marion was issued by Amnesty International, the Nobel prize winning organization that monitors human rights abuses throughout the world. This is the first time that Amnesty has ever criticized a US prison. Amnesty concluded that Marion's policies appear to violate the United Nations' standard minimum rules for the treatment of prisoners. In fact, Amnesty went so far as to send to the Director of the Bureau of Prisons a copy of another of its reports entitled "Safeguards Against Torture." It added that conditions at Marion, in their totality, amount to "cruel, inhuman, and degrading treatment."

THE LEXINGTON CONTROL UNIT FOR WOMEN

Taking lessons learned from Marion, the Bureau of Prisons has built a 16-cell maximum security unit for women prisoners in the Lexington, Kentucky, Federal Prison. It is located in the basement of a high security building, totally separate from the rest of the prison. It is literally a dungeon.

The Control Unit at Lexington is the first of its kind in the country - a special unit designed with the express purpose of breaking women political prisoners. What are conditions like in Lexington?

* The women are never allowed contact with other prisoners.
* The cells were initially painted bright white to produce feelings of disorientation, until a demonstration at the prison resulted in the Unit being repainted a drab beige.
* The few windows in the unit are covered with screens to prevent the women from seeing the outside.
* The women are never free from the eyes of either guards or video cameras.
* Visits are restricted to family members and attorneys; no friends are allowed to visit.
* Visiting takes place in a "special" room and is of shorter duration than visits allowed to other prisoners at Lexington.
* The women are required to wear special uniforms to identify them at all times as "high security" prisoners.
* The women are guarded by twice as many guards as other prisoners.

Placement in the Lexington Control Unit, as with Marion, has already proven to be completely arbitrary. There is one significant difference - the head of the entire prison system makes the final decision about who is designated for Lexington. He has already decided, without any justification, to imprison Puerto Rican Prisoner of War Alejandrina Torres, North American Political Prisoner Susan Rosenberg, and Italian national Silvia Baraldini, already the subjects of special abuse, in the Lexington Control Unit.

Lexington presents us with a qualitative change in the repression of women, and a very substantial protest has already been mounted against the brutality. In addition to a great deal of church protest, hundreds of phone calls and letters, and two large demonstrations at the gates of the prison, the ACLU has issued a stinging attack on the Control Unit (see Appendix for the ACLU report). As a result, the Bureau of Prisons has recently announced that it will close the Lexington Control Unit and open a special prison for women in Marianna, Florida, with over 100 cells. This outrageous plan indicates once again that the BOP is incapable of understanding what is at issue here. They have been embarrassed and exposed in their torture plans at Lexington, and so their response is to make it larger (increasing from 16 cells - although only five at Lexington are now being used - to over 100 cells) and move it to Florida.

PRISONS AND SOCIETY

Feodor Dostoevsky once wrote that to understand a society, one should look within its prisons. What does a glimpse behind U.S. prison walls tell us about our society?

U.S. prisons hold a vast number of people of color. Black people are incarcerated at a rate of 714 per 100,000 population, six times the rate for white people in this country. While white people go to prison about as often as people in European countries, Black people in the U.S. go to prison at a rate that is almost twice as high as the rate for Black people in South Africa! This rate is the highest in the world. **In fact, the probability that a Black man in the U.S. will go to prison in his lifetime is about 25%, or one out of every four!** And the situation is even worse than it sounds, for we use the word "prison" here in its precise meaning. Thus, these figures do not include jail, probation, or any of the other criminal justice categories.

Such a large number of incarcerated people constitutes a well-defined system of population control. It is predicted that U.S. prisons (this does not include jails) will hold over 1,000,000 people by the year 2000, and that more than half will be people of color. This growth is taking place with devastating rapidity. For example, during the period of January-June, 1986, the number of prisoners in the U.S. increased by 25,630 - or more than 1,000 per week! It is the case now, and has always been the case, that such increases in the imprisonment rate have little to do with the crime rate, but rather reflect the ideological and economic realities of the times. This is not meant to imply that crime is not a major problem, but merely to recognize that imprisonment occurs as a result of elite policy rather than as a direct response to "crime."

A growing disparity exists in this country between those who enjoy a comfortable life and those who must struggle to survive. It is these "have-nots" who fill the U.S. prisons. The society that delivers such a disproportionate number of Third World people to the prison doors is one that has produced a generation of Black youth - 75% of whom are unemployed - who are trapped in deteriorating public housing projects, who drop out of schools at alarming rates, who lose their lives to drugs, crime, and violence.

A glance at some recent data provides some insight into living conditions for Black people. All of the following data come from government publications or professional journals. Data are all

from 1980 or later. In every case, the conditions are getting worse for Black people, so that the more recent the data, the worse the situation.

* 10% of white people live below the poverty line compared with 25% of Latino people and 32% of Black people.
* Black median family income is about half (54%) of white median family income.
* The median net worth is $40,000 for white families and $3,000 for Black families.
* A government study predicts that by the year 2000, 70% of Black menwill be unemployed
* The Black infant mortality rate is twice the white infant mortality rate.
* The Black maternal mortality rate is three times the white maternal mortality rate.
* White people live, on the average, about six years longer than Black people. The average Black man will not even live long enough to collect his social security.
* Of doctoral candidates, 4% are Black; 4% of college faculty are Black.
* Of medical students, 7% are Black and this percent has been decreasing since 1972; 2% of physicians are Black; 2% of medical school faculty are Black; 2% of dentists are Black.
* Of law school students, 5% are Black; 2% of law school faculty are Black; 1% of lawyers are Black.

(All of the information about education includes the Black colleges, at which virtually all students and faculty members are Black. If these were omitted from the calculations, the percentages in the last three items would decrease much further.)

Finally, there is the death penalty, used to murder Black people at a rate six times greater than white people. According to a recent study, 7.5% of Black people convicted of killing a white person in Illinois were sentenced to death while none of the 56 white people convicted of killing a Black person received the death penalty. Although Blacks and Hispanics make up about 15% of the population of Illinois, they comprise 70% of death row.

Taken together, we assert that this set of conditions constitutes genocide. This is a word that is emotionally charged, yet we nevertheless maintain that we are using it in a manner consistent with the United Nations definition. This definition states that "genocide" takes place when one group deliberately inflicts upon another group the "conditions of life calculated to bring about its physical destruction in whole or part."

Through its actions, the U.S. makes a clear statement: It will not grant Third World people their human rights. It will not provide them with job opportunities, schools that teach, or medical care. It *will*, however, spend billions of dollars to build bigger and more repressive prisons - prisons which are certain to house swelling numbers of unemployed Black and other Third World people.

What makes this government's program for social "stability" work? Law and order. Longer prison terms. The death penalty. More prisons. More police. In the 1980s, prisons no longer pretend to rehabilitate - they are simply warehouses. While prisons spend money on more guard towers, barbed wire, and new maximum security units, they cut the educational/vocational programs. The message is that crime is caused by bad individuals. Will society be healed by caging and electrocuting them?

Attention turns away from the social, political, and economic roots of crime. Instead, the individual is blamed - and since most of the blame is directed toward Black people, this leads to the criminalization of an entire people. As William Nagel, a leading criminologist, states: "The causes of crime in this country are deeply rooted in its economic and social injustices. The massive use of incarceration has not contributed and will not contribute significantly to the abatement of crime or to the correction of flaws in the social fabric."

If prisons reflect the structure of society, they also reflect the nature of the struggle against that structure. In the sixties, as the Civil Rights and Black Power movements grew, the number of Black political prisoners swelled and the prison struggle became a major part of the Black liberation movement. Political prisoners like George Jackson stated clearly that prisons are an important tool in the government's effort to contain and destroy Black people's freedom. The rebellion at Attica in 1971 was a defining event in U.S. history. The demands of the prisoners, their eloquence and dignity, and the mass murder of 41 of them by the Governor of New York, Nelson Rockefeller, all revealed to the world what the United States was about, and at the same time proclaimed what the movement for a new society would be about.

Although the government refuses to admit it, there are well over 100 political prisoners and prisoners of war in U.S. prisons today. They come from the Puerto Rican, Black/New Afrikan, and Native American liberation movements. They include progressive Christians, white anti-imperialists, draft resisters, grand jury resisters, and members of anti-intervention and sanctuary forces. The movements that these people represent honor, love, and respect them. Yet the government contends that they are criminals or terrorists. Although the government denies the existence of political prisoners in this country, it often reserves the harshest treatment for these very people. Control Units are designed to break every prisoner's spirit. In the case of political prisoners and prisoners of war, the Control Units are part of a calculated strategy to weaken these movements and to intimidate others from taking a stand.

NORMAL CHANNELS UNRESPONSIVE

The Marion lockdown continues despite two U.S. congressional hearings (at one of them only two members of Congress attended), and the recommendation of congressional consultants that the lockdown end. The lockdown continues despite a class action lawsuit by the prisoners seeking an injunction to end it, and months of hearings in which prisoner after prisoner testified that guards have beaten them or forced them to undergo finger probes of the rectum, which the men likened to rape. The lockdown continues - and it appears that neither Congress nor the courts will provide a remedy to the prisoners from the inhumane Control Unit at Marion. In a similar manner, these same channels have also been unresponsive to the women placed in the Lexington Control Unit who are seeking an end to the barbaric conditions they are forced to endure.

Our experiences participating in the anti-intervention, anti-apartheid, anti-nuclear, and disarmament movements have shown us that we cannot rely on Congress or the courts to recognize or protect the rights of people when these rights are in conflict with the aims of the government of the United States. We have thus taken to the streets and demonstrated in order to expose human rights abuses caused by U.S. intervention in Central America and U.S. support for the apartheid regime of South Africa and the murderous Israeli occupation of Palestine.

For the same reasons we must take to the streets and demonstrate to expose and protest the human rights abuses which occur in U.S. prisons. These abuses occur most regularly to Third World prisoners who represent the sectors most often targeted by government repression. Over the years, Marion has been a holding place for leaders of the Black/New Afrikan, Puerto Rican, and Native American struggles; leaders like Rafael Cancel Miranda, Imari Obadele, and Leonard Peltier. In the past few months, Oscar Lopez-Rivera, and Kojo Bomani Sababu (slave name, Grailing Brown) have been transferred to Marion joining Richard Thompson-El. (Sundiata Acoli and Sekou Odinga have recently been transferred out of Marion, in part as a result of our protests.) Also transferred to Marion recently have been Tim Blunk, Alan Berkman, and Ray Levasseur,

three North American anti-imperialist resistance fighters.

WE CAN MAKE A DIFFERENCE

The Bureau of Prisons intentionally builds a wall of silence around its prisons in hopes that the public will never learn about its brutal policies. Largely for this reason, Marion, like so many other prisons, is tucked away in a rural and not easily accessible area. However, when the public calls on government and prison officials to account for their abuses, they become extremely uncomfortable and are often pressured into allowing some changes.

For example, from a small group of people who began to protest the continued imprisonment of the Puerto Rican Nationalists grew a movement which led to their unconditional release in 1978. In another instance, when several hundred people demonstrated in 1983 at Alderson federal prison in West Virginia against the punitive segregation conditions of Haydee Torres and Lucy Rodriguez, two Puerto Rican Prisoners of War, Torres and Rodriguez were transferred out of isolation. In 1984, public attention to Leonard Peltier, the Native American leader who was incarcerated at Marion, resulted in his transfer out of Marion to a less restrictive prison, and the same thing happened to New Afrikans Sekou Odinga and Sundiata Acoli.

Furthermore, we can already see the Bureau of Prisons frantically trying to gain control of the situation around Lexington. As we described above, small improvements have been made there from time to time as the result of continuing protest. Now the BOP says they will shut down the Control Unit! This is a great victory, but it will have even greater impact if we assure that no replacement is ever opened - not at Marianna or anywhere else.

PRISONS AND THE MOVEMENT

Since prisons reflect both the structure of society and the nature of the struggle against that structure, when we work to minimize the brutality of the prison system, we simultaneously work to support those, like political prisoners and prisoners of war, who have been a dynamic catalyst in the movement for a changed, humane society.

It may be that very few of us will go to prison or even know someone who goes to prison, so it may not be apparent why we should be concerned with this issue. But if we are to be part of the solution, and not part of the problem, we must fight against these racist warehouses. Only by dealing with these stark realities, only by making these kinds of sacrifices, can we build a movement that will some day be an alternative to this system and its repression.

The wall of silence around prisons will work only if we let it - out of sight, out of mind. Historically, most of us have become aware of prisons only after some terrible, violent event occurs, such as after the 1971 massacre at Attica Prison. Yet, right now the prisoners at Marion and Lexington are experiencing physical and psychological violence on a daily basis. Many of us now know about these conditions. The question is, what will we do with this awareness. As Rafael Cancel Miranda, who spend many years in Marion, admonished us at a conference about Marion Prison, "we cannot just feel bad or sad, *we must do something*."

THE COMMITTEE TO END THE MARION LOCKDOWN

The Committee to End the Marion Lockdown is trying to generate concern and action in the white community over the issues of Control Units in specific and the prison system in general.

Black/New Afrikan and Puerto Rican organizations are going to their communities with similar appeals. We can only succeed with the broad support of many people working long and hard at this issue. We ask you to join with us to fight against Marion, Lexington, and the entire concept of Control Units for three reasons. First, they are the ultimate barbarity, and their existence not only brutalizes those they incarcerate, but those of us in whose name Marion and Lexington were built. Second, Marion and Lexington are models that will be continued and expanded unless they are stopped, and stopped soon. Third, Marion and Lexington represent one of the most explicit manifestations of the attempt of white supremacy to sustain itself.

This is a difficult historic period for people who are seeking a new way of living, who are seeking a world free of exploitation. But it is not a hopeless time. We have choices. We can act in the pursuit of our vision. This is what the Committee to End the Marion Lockdown is all about. We hope you will join us.

OPENING REMARKS

STEVE WHITMAN: On behalf of the National Committee to Free Puerto Rican Prisoners of War, the National Campaign to Abolish the Lexington Women's Control Unit, and the Committee to End the Marion Lockdown, I would like to welcome you all here today. My name is Steven Whitman, I am a member of the Committee to End the Marion Lockdown, and I will be moderating this afternoon's session.

Movements around the country have often used the slogan "Prisons are the Crime." If this is true, and we of the Committee to End the Marion Lockdown certainly think that it is, then nothing is more criminal than the entire concept of Control Units. We are here today to expose the crimes of Marion and Lexington and to map a strategy that will close these Control Units and ensure that none will ever be built again.

An extraordinary group of people have traveled from across the country to be with us today - to present testimony against the Control Units, and to judge that testimony. They have traveled from as far away as the state of Washington, Vermont, New York, Atlanta, and Carbondale.

I would like to begin by introducing the judges to you. They represent different segments of the movement that is trying today to build a new society - a society free of racism, sexism, and all other forms of exploitation. It is significant to note that several of the judges have served time in prison. It is perhaps even more significant to note that all are activists working to bring about that new society.

Our first judge in alphabetical order is **Betty Balinoff.** (Applause) Betty is a professor of U.S. History at Roosevelt University here in Chicago. She has a special interest in people's history and the history of prison reform. She has also been a long-time supporter of the work of the Lexington Committee. We are pleased that she could be with us today.

The next judge is **Darla Bradley.** (Applause) Darla was just recently released from prison. About two years ago, she and four of her colleagues entered a missile base in Missouri and disarmed two Minuteman II missile silos. (Applause) They called themselves the Silo Plowshares. Also arrested with Darla that day was another friend of ours from Chicago, Jean Gump (Applause), who is still in prison. Recently, Jean's husband, Joe, participated in a Plowshares action entitled the Transfiguration-West Plowshares. Joe was convicted yesterday and is now awaiting sentencing. We are proud to have Darla with us today - not only because of who she is but because of the movement she represents.

The next judge is **Dave Dellinger.** (Applause) There aren't many legends around these days, but Dave is certainly one of them. (Applause) He has been an activist for fifty years - that's 5-0. (Laughter). Many of us work at these issues for a couple of years and then get "burned out." Dave is a good model for us being "long distance runners" in our movement. Dave has always participated in a unique combination of political activities. He has been a peace and anti-intervention activist, but has never lost sight of the fact that we cannot have peace without having justice. As a result, Dave has also constantly worked for civil rights and human rights both here and abroad. In 1968 Dave was tried as a member of the Chicago 8, in one of the most celebrated trials of the era. Just this past April, Dave was arrested again (will he never learn? - laughter), this time at C.I.A. headquarters in Langley, Virginia, for protesting U.S. policy in Central America and South Africa.

Our next Judge is **Dora Garcia.** (Applause) Dora is a counselor here in Chicago at the Cathedral Shelter. She is a well-known community activist and a long-time *independentista.* Dora

is curently on trial, along with Jaime Delgado, Oscar Lopez Rivera, and Kojo Bomani Sababu, for conspiring to break the latter two out of prison. The trial is the latest attempt by the U.S. government to criminalize the Puerto Rican Independence movement. This trial is a most important event, and we urge all who can to work energetically to insure that Dora, Jaime, Oscar, and Kojo are not convicted on these frame-up charges.

Our next judge is **Bernard Headley.** (Applause) Bernard is chair of the Department of Criminal Justice at Northeastern University, and a person who has supported the work to abolish the Control Units since the day it started. Bernard is a well-known author, writing extensively about Black-on-Black crime and social problems in his native Jamaica. He is perhaps best known for his writing on the Atlanta child-murders, including a series of articles and an upcoming book.

Our next judge is **Jean Hughes.** (Applause) Jean is an essential member of the Pledge of Resistance here in Chicago, and those of us who have been around her in demonstrations know that wherever Jean is, there's never a dull moment. (Applause) Jean is a sister in the finest sense of the word. She is a sister because she is a nun and also because she stands in true solidarity with the peoples of the world. She has taught in Guatemala for 16 years and in Nicaragua for a year. It's great that you could be with us today, Jean.

Our next judge is **Morton Sobell.** (Applause) Along with the Puerto Rican Nationalists, Morton was one of the longest-held political prisoners in the history of the United States - a category now unfortunately being filled by several Black people including Geronimo Pratt and Dharuba Moore. Morton was convicted, along with Ethel and Julius Rosenberg, of conspiring to provide atomic secrets to the Soviet Union. In 1953 the Rosenbergs were murdered by the government of the United States. Morton was sentenced to 30 years in prison, and wound up spending twenty years there - starting with five at Alcatraz. Mort got out in 1969 and didn't lose a beat. He immediately became involved in helping to defend the Attica Brothers and many other political prisoners. He has traveled to Vietnam and Cuba several times, providing technical assistance with his expertise in medical electronics. (Applause) Last year Mort was arrested again, this time for protesting aid to the Contras.

Our final judge, but only alphabetically, is **Akinyele Umoja** (Applause). A.K. is National Secretary of the New Afrikan People's Organization. He has been active in grass roots organizing efforts for 16 years, and is now leading the campaign to free Geronimo Pratt and other Black political prisoners. We are honored that you've been able to come here all the way from Atlanta, A.K.

THE INDICTMENT

Jose Lopez

SW: Now that we have introduced the judges, I would like to officially call this People's Tribunal to order. Here to present us with the indictment is Jose Lopez, National Coordinator of the Movimiento de Liberacion Nacional. Jose is an historian, scholar, activist, and international leader of the Puerto Rican independence movement.

JOSE LOPEZ: Today we are gathered here to issue an indictment - it's interesting because we are not usually the ones who are issuing indictments, so it feels good to be on the other side - to issue an indictment against the U.S. government and particularly the Attorney General of the United States, Edwin Meese, the FBI, and the Bureau of Prisons.

Before I begin formal issuance of the indictment, I think it is important for us to note certain things about the question of prisons in this society. We cannot really speak of prisons as a place where the surplus labor force is put away within the context that somehow, prisons in relationship to people are just another governmnet manifestation of political repression. We have to look at the role of prisons as a reflection of what has happened, particularly in the United States, in the past generation.

Paralelling the growing crisis of the economic structure of the U.S. has been the increasing focus on the problem of crime during the past two decades. By the mid-1960s, as we all know, the U.S. was embroiled in a costly war in Vietnam and faced stiff economic competition from its allies. At that very juncture, crime became the number one domestic problem.

In 1965, President Johnson launched his war on crime. He said "We must arrest and reverse the trend toward lawlessness because crime has become a malignant enemy in America's midst." Congress responded by adopting the Omnibus Crime Control and Safe Streets Act. The adoption of this law ushered in a new form of crime control. Not only would the war on crime be fought by legislation, presidential commissions, policy research, etc., but a new strategy of domestic population control was now being instituted. Ever since then billions of dollars have been poured into this war under the Orwellian doublespeak of the criminal justice system, because, of course, they have couched this repression within a new terminology - now you speak of a "criminal justice system" instead of the "penal system," you do not speak of "prisoners," you speak of "inmates," you don't speak of "penitentiaries," you speak of "federal correctional facilities," and so on. This law has profoundly impacted almost every facet of life in America. Everyone has become involved in combatting crime, from the major corporations, reaching to the highest level of government, and even to every livingroom in America's homes. A criminal justice/industrial complex has even emerged. Everyone from the Justice Department to the neighborhood beat representative program (read: spy on your neighbor network) has been mobilized to fight "crime." Thus a full infrastructure of population control has begun to take shape. Therefore, in some respects the character of prisons and jails in America has been profoundly altered.

Today we are here to charge the U.S. with the crime of using prisons as a tool of population control, particularly for people of color. With the initiation of the war on crime, America's growing prison population has literally made it a nation of prisonhouses. According to the figures of the Bureau of Justice, in April of 1987 the number of prisoners in this country reached 546,659 - over one-half million people in prison. No other country in the world has that many prisoners. A close look reveals that from 1980 to 1984 there was an increase of over 40% in the prison

population. It is also very interesting to note that the number of incarcerated women has increased 138% in the last ten years; about 27,000 women were in federal or state custody in 1986 - an increase of about 15% over the year before.

But what is probably most significant is that the largest number of inmates are Blacks/New Afrikans, Mexicans, Puerto Ricans, and Native Americans. The imprisonment rate for Blacks/New Afrikans is much higher than any other segment of the population in this society. In a recent article in Time Magazine it stated that: "While black men account for only 6% of the American population, they make up half of its male prisoners." They have a "1 in 21 chance of becoming murder victims - more than 6 times greater than the population as a whole." **Understanding, of course, that Black on Black crime has been derived from the colonial condition Black people have been subjected to, as Frantz Fanon clearly stated, "The colonized man will first manifest his aggressiveness, which has been deposited in his home, against his own people. This is the period when the niggers beat each other up. . . ."** The article goes on to say that while the national unemployment rate is 6.9%, for Blacks it is 15% and for Black youth it is more than 40%. Eighty percent of Black youth drop out of high school. This hard-core segment of the community dominantly are victims of broken families and perpetrators of new ones, and are evolving into an entrenched subculture where poverty and despair and crime are recycled from one generation to the next." I hope you will keep those words in mind because they are the words of Time Magazine, not a rabble-rousing communist.

We are here, today, to charge the U.S. government with a crime of turning prisons into America's future concentration camps for oppressed nationalities. There is little doubt that if the spiraling prison population growth continues at the present rate, within the next decade or less there will be one million people in prison in this country, not to speak of people in jails, principally people of color. Given the cutbacks in social programs, as America's decline is evident in the growing deficit, an unfavorable balance of trade, and an ever-expanding foreign debt of developing nations, the government cannot continue the same rate of social expenses in the war on crime, particularly the growing costs of prisons.

Presently it costs more to imprison a person for one year than to send him or her to Harvard University. New formulas are being experimented with. The prison-for-profit option is being implemented. Within the next generation we may see factories, textile plants, foundries, and even high-tech industries springing forth in and around prisons. These industries will guarantee the necessary industrial production still needed in this post-industrial society, yielding superprofits and using superexploitative slave wages. Of course we must understand this development within the greater context of the plan, the counterinsurgency plan of population control, and particularly what the Trilateralist Samuel Huntington has called in his book, *Crisis in Democracy*, the "ungovernable sector" (read: Blacks/New Afrikans, Mexicans, Puerto Ricans, and Native Americans). Included among these programs is the project of spatial deconcentration - a concept developed by Anthony Downs, a member of the Kerner Commission, which calls for a process whereby the ghettos are deconcentrated and their populations dispersed to the outskirts of the cities, far away from the financial and commercial centers.

All you have to do is look at what is happening in places like Harlem in New York or the Wicker Park Community of Chicago. Look at this neighborhood right where we are. Fifteen years ago this was a Puerto Rican neighborhood Today, where three Puerto Rican families lived, a yuppie lives with a live-in lover and two German shepherds. An added dimension to the spatial deconcentration proposal are tax-free enterprise zones to be established in the outskirts of America's cities, thus assuring super-profits by paying wages below minimum level and creating future Bantustans a la South Africa. If on the outskirts of America's urban centers future Bantustans are to emerge, then surely from America's prison's will rise future concentration camps.

Today, the evidence will show that as conditions worsen for Third World people and all poor people within U.S. borders, as the government continues to carry on "little" wars abroad to stave off the lingering and growing economic crisis which it entered two decades ago, the system is realizing that discontent at home and national liberation struggles everywhere are inevitable. They have thus begun to draw up plans for a strategy of a new state repression based on the political framework of counterinsurgency models utilized in other parts of the world, particularly theorized in the writings of British Colonels Everleigh and Kitson.

Today U.S. prisons hold more than one hundred political prisoners: some using international law, assert a Prisoner of War (POW) stand, others are political prisoners or prisoners of conscience, members of the Black/New Afrikan, Puerto Rican, and Native American struggles, as well as white anti-imperialists, anti-militarist activists, and progressive Christians. In implementing counterinsurgency policies within the prison, the Bureau of Prisons carries out one if its most important aspects - developed and enunciated in a secret conference that was held in Puerto Rico in 1978 - the policy of the denial system, which seeks to isolate political prisoners from their community and families, also constantly moving them from one prison to another, in some cases thousands of miles away from families and loved ones, restricting correspondence and visits, censorship of political literature, controlled movement within the prison, central monitoring, maximum security level, and even the denial of adequate medical care. Some of the political prisoners are in jail for exercising their human rights to silence - those were the cases of those who a few years ago refused to speak before the grand jury. A more vicious and sophisticated form that seeks to psychologically destroy those accused of violence against the U.S. state is the use of the maxi-maxi unit to house these anti-imperialist revolutionaries so as to break their spirit of resistance.

You will hear the evidence about Marion and Lexington. The evidence will show that Alejandrina Torres, Puerto Rican Prisoner of War, and anti-imperialist North American Susan Rosenberg, and Italian national anti-imperialist Sylvia Baraldini, are buried alive in the Lexington Control Unit. The evidence will show that hundreds of prisoners are being kept in practically total isolation in the dungeon that is called Marion Prison.

Today, our witnesses will bring forth a great deal of evidence that will demonstrate clearly that America, for those of us who are a little bit different in terms of the color of our skin; for those of us who pose a problem in the ability of the U.S. to carry out its warlike policies; for those of us who in any way, shape, or form do not conform to its diabolical and belligerent plans, that those of us who constitute the "ungovernable sectors" - that those of us who pose any threat or in any way are not part of its scheme - the evidence will show that there definitely is a counterinsurgency strategy that will move against us and that is being defined and refined in Marion and Lexington.

What is important today is that you who participate in this People's Tribunal, that you must keep in mind that you are not dealing with prisons as "something that is bad, but we have to have them"; but rather that we see prisons as institutions that are becoming America's concentration camps, particularly for people of color. As we hear the evidence today, as we listen to the comments and the conclusions of the justices, it is important to keep in mind that in many ways, prisons and jails are a reflection of the society in which we live. The conditions in those prisons reflect the condition of America. And those who believe that racism has ended and those who believe that because there is a Black mayor in Chicago and Black congressmen, that Black people are better off, look at the statistics for the Black masses, and look at the statistics in terms of prisons and jails.

Finally, it is important for us to keep in mind the slogan that was developed around Attica - "Attica is all of us." I think Lexington and Marion are also in all of us - and let's keep that in mind this afternoon. (Applause)

THE FAMILIES

SW: No one feels the pain of the imprisoned as much as their family members. Often families are so staggered by the brutality directed at their loved ones that they become immobilized. The family members here today are just the opposite; they have been energized by the spirit of their loved ones and by the need to act. And they bring that spirit here with them today. Our first speaker is Rev. Jose Torres, a long-time independentista and the husband of Alejandrina Torres.

REV. JOSE TORRES: It is a great pleasure for me to address this Tribunal today, and especially to focus my attention on the suffering inflicted on my admirable wife, Alejandrina Torres, in the monstrous federal prison in Lexington, Kentucky - a prison where two other great comrades, Susan Rosenberg and Silvia Baraldini, are also abused.

The Lexington Control Unit is not a game. It is a living tomb for these three young women. Lexington is part of the sophisticated torture system created by the federal government to punish Puerto Rican Prisoners of War and other political prisoners that support Puerto Rican independence.

Lexington Prison is a dungeon where our three comrades are being shunned for their beliefs and for their ideals. This is especially true of Alejandrina because of her patriotic fiber and strength of her ideals to free Puerto Rico, and her commitment to end the colonial system imposed on Puerto Rico by the U.S. government since 1898.

The United States considers it a terrible crime to struggle for the independence of our country, and has created worse jails and punishments for those who fight for the independence of our homeland.

Lexington Prison and the U.S. government are trying to weaken the spirit of these three brave women by torturing them, and by trying as they did earlier with two of our great patriots, Angel Rodriguez Cristobal and Andres Figueroa Cordero, to kill them in prison. It is not with bullets that they intend to kill Alejandrina, Susan, and Silvia but with that opprobrious system of ruining and destroying their personalities, their strength, their ideals, and their health through the denial system and the rigorous and oppressive punishment meted out to them.

Nothing is taken for granted inside the walls of the Lexington Control Unit. Not even eating. Sometimes the women are even denied food. The prison guards bring the food but often they do not call the prisoners to eat; a few minutes later, the guards send the food back to the kitchen. In addition, the guards do not allow the women to sleep; three or four times during the night they set off the fire alarm to ruin their sleep and destroy their nerves. They also create all kinds of other noise during the night by moving chairs, speaking over the telephone in a loud voice, pushing the desk drawers, and making howling noises like wolves. They also shine flashlights in the women's faces during the night.

But no one will destroy Alejandina's spirit, her commitment to the struggle, her patriotic character, or her political strength, no matter how the torture intensifies.

Since the beginning of her incarceration, Alejandrina has been singled out for abuse, torture, and the most brutal, dehumanizing procedures. Do you remember how she was treated, how she was raped several times while imprisoned at the Chicago Metropolitan Correctional Center? Where she was placed among rapacious men that masturbated in front of her cell, and so on? Lexington is the escalation of that odious system of physical, mental, and psychological torture.

There are many things that have happened that I don't know about. Alejandrina does not want us to suffer the pain she feels. We, her family and friends, must unite our efforts and intensify our campaign to shut down the Lexington Control Unit and to also improve the conditions for the prisoners at Marion Federal Penitentiary. Thank you. (Applause)

SW: Our next testifier is Manny Rosenberg, the father of Susan Rosenberg, a political prisoner who is incarcerated at Lexington Prison.

MANNY ROSENBERG: I want to move from general discussion to the particular. I'm sure you'll hear a great deal concerning the difficult and terrible situation that is happening at Lexington, but I will tell it to you as a personal experience. (Pause) I'll get over this emotional response, if you'll just bear with me. Please forgive this informal presentation, but I tell you what I have seen is that this Control Unit kills people and tries to so unnerve them that they will kill themselves. We've visited Susan in prison for three years. We visited her at the Metropolitan Correctional Center - the MCC - in New York, and there she was treated similar to all prisoners. She was in general population and was treated like everybody else. And when she was sent to Tucson, the nine women there were restricted to a prison within a prison. Here they suffered as a group. Visiting took place in the visiting room of the general population of this prison. However, at Lexington it is different. Lexington is really a dungeon within a prison. Our first regular visit was on a Sunday. We were surprised that outside the regular prison were over a hundred picnicking prisoners and their families. So that when the head of the Bureau of Prisons says that all prisoners are treated the same I think we must conclude that this is not true.

But let me continue to describe our visit. First we were processed through, then they take our pictures, and then we proceed through the various electronic devices. Then we are taken by one of the personnel about a quarter of a mile to the High Security Unit - the HSU. We approach a building which is several stories, but our destination leads to the basement. Before entering it, it is necessary to be identified, checked by T.V. camera, and await the opening of first one electronically controlled gate and then another. I turned to note three rows of razorblade wires, not one row, but three rows on top of the fence and three rows on the ground. With the T.V. following us to the entrance of the cellar, we arrive at an electronically controlled door. The door is finally opened, and there are several steps down to the first inner room. Our pictures are checked and we go through still another electronic device. Finally, the fourth electronically controlled door is opened and we go inside. During our first visit, everything was white. Maybe I have seen too many films, but this reminded me of snow blindness. Complaints by the prisoners and their lawyers of eye problems, plus the adverse publicity, forced the prison authorities to change the color to tan.

We enter the visiting room and Susan, my daughter, joins us. She was wearing culottes, tan culottes and a tan shirt. My mind returns to the picnic where prisoners are in their jeans, shoes, shirts, earrings, etc. Susan wears nothing that belongs to her. No earrings, prison shoes, etc. Yes, she is under complete physical control. But she says they can't control her mind and her heart. Her strength gives us strength. Five hours pass so quickly, in spite of the guards watching us every minute. In that time we hear of malicious actions by the guards. It's not unusual for them to shine a light in her face and wake her up at 3 o'clock in the morning and say, "Well, we didn't see your face so we had to make sure it was you." The guards have apparently been specifically told that these are terrorists and that they've got to be very careful. In fact, she's been there for all this time and there have been no charges against her. She has spoken to her advisor and questioned, "We've been here all this time, when are we getting out of this horrible prison?" and the advisor says, "When we change your politics, change your associations." And then inform, of course. Susan, and this is true of all of them, its a devastating thing, devastating to be

there, but the only thing that's great is her spirit.

Susan, and the other political women - despite the devastating place, and the attempts of the staff to render them desolate - because of their spirit, understanding of the situation, and knowledge of our support, will never be defeated. We must remember that the Bureau of Prisons has a mission - to destroy political prisoners. WE MUST NEVER LET THAT HAPPEN!

Susan had religious counseling from the prison rabbi. He came in spite of attempts by the prison authorities to prevent it. He understood that Susan was not the terrorist that the government portrayed. He wrote a letter to the judge for Susan's Rule 35 appeal, for the reduction of her sentence. It was a beautiful letter of her compassion. He had gotten to know her and stated that she was someone who could contribute to society and not try to destroy it. He is the only other person besides us, her parents, and her lawyer, to visit her. He talked about her - what a wonderful person, what a waste it is for her to be in there. So he was fired. After 12 years there he was fired.

I've been asked to stop here. I didn't think I'd speak this long. You're the people who have to be the judges, you're the people who have to respond. You're the people who have to write letters to get them out of this hellhole. So I hope I made you somewhat more aware of our reaction to Susan's imprisonment. (Applause)

SW: The next speaker is Rev. Mary Y. Warner, the mother of Anthony Warner, a prisoner at Marion.

REV. MARY WARNER: Thank you so much for giving me this opportunity. First of all I would like to acknowledge and empathize with Mr. Rosenberg, being a parent of a child who is also locked down. Our difference is that Anthony and I are Black, and that does make a great division in our experiences. The changes that you see as a parent are disturbing. The young men at Marion are under quite a lot of pressure.

Being Black in this society causes us to face bigotries and hostilities that white families couldn't even imagine. Prejudice found in the prison is even more pronounced than that found in the street. At least in the street you are able to go your own separate way, but in the prison that is not possible. I'm told that the guards pit one prisoner against the other - whites against Blacks, Puerto Ricans against Cubans, Christians against Jews - a malicious circle of terror going on constantly.

The reason my son is in prison is that he committed a crime against society. I do not uphold him or anyone else who has been found guilty for doing wrong, but I don't believe that this gives the government or those who are hired to uphold the law the right to deny him or any other inmate the right to be treated as a human being. Anthony entered Marion in 1984, after the Lockdown had begun.

I would like to share with you the average preparation for visitation. It starts for me at 5:00 A.M. on a Friday morning. I must pack and load my car before I go to work. I then take a bus downtown and work about five hours. I then leave the Loop and pick up my cat, a much-needed traveling companion, and drive south to 130th Street, where my granddaughter, Anthony's daughter, lives. It's about 4:00 P.M. when we start out on Interstate 55. The drive takes about five and a half hours. We stop to eat dinner before checking into the motel for the night.

We stay in a motel that costs $35 for double occupancy, not knowing for over a year that there is an organization that will pay this for the family of a prisoner that travels over 100 miles to visit.

The guards that work for the system know about this arrangement but have not informed any member of this family. For two days, the money we spend on the room, twelve meals, and gas comes to over $100. The trip thus runs to a nice monthly bill, but by the grace of God we've been able to manage.

The prison facility requests that we arrive early so that we can be guaranteed a visit. The funny thing about this is that no one is ever there no matter what time you arrive. I have never seen three families at one time in the three years we have been coming to Marion.

The rules change quite regularly without notice to the families. I remember one week my mother, granddaughter, nephew, cousin, and I decided to make a real nice trip of it; the weather was warm and the accommodations at the motel offered a swimming pool so we were prepared to have a nice mini-vacation as well as a nice visit. We were in for a rude awakening. We were informed that only three persons would be allowed to visit at a time. This was not the case during our previous visit. The visiting party consisted of two adults and three minor children. This announcement was so unexpected that my mother became distraught. Not sure what was expected of her, she announced that she would let my granddaughter and I visit and that she and the two children would return to the motel. After calming her down I was able to convince her that this situation could actually be to our advantage. She could return when our visit was over and then go in and see Anthony; this would give us two visits in one day, four hours instead of two. I cried after she left. If you could have only seen the look on her face when we were told that we all couldn't visit; something so small yet so painful.

Once we arrive in the visiting room there is at least a 45-minute to one hour wait. I don't undertstand why this should be the case, since the system has known for an hour and 30 minutes that we are there, and who we want to see. When we got back to the visiting room there was still no one there. Why couldn't we have visited him at once?

Believe me, this is the hardest time one has to face; here is a man that does not have one friend in the whole system, he has been abused, misused, and confused by all the cruelty that he has to face daily. He can't tell those who are abusing him how he hates not being able to defend his manhood because this is taken as rebellious behavior and is punished with more extreme cruelty. Every word spoken can be taken out of context and written up as an act of insubordination and punished by a write-up or a tour of the hole.

I sit through nervous anticipation. I know that upon leaving his cell he has had a rectal examination at least twice. A most humiliating experience. And now the visit begins.

The conversation takes place on a phone that is placed in the small section. There is a glass about 3 or 4 inches thick separating us. This is called a controlled visit. We haven't touched for four years. No hugs or kisses, just glass and a phone. We have two hours and that's it. I happened to be in the visiting room when I was informed by my son that the young lady that just entered was an attorney who was representing some of the men in the prison that were suing the federal government for the Lockdown, and I introduced myself and asked how the case was coming. This is when I found out that I could visit for three hours instead of two; the rules had changed but we had not been informed.

The visit is monitored by closed-circuit television; every word and gesture between my son and his visitors is monitored. He begins with his usual concerns, getting an attorney who will see that he is released and transferred to the state prison in Ohio where he is charged with another crime. When he was sentenced, the deal was to have the sentences run concurrently with the federal charge. He had plea bargained and the state of Ohio had released him to the federal authorities. Once his time began, he was told that the judge that sat on the bench at the time of his trial had retired and the deal concerning concurrent sentences had not been recorded. He is *supposed to be*

transferred upon his release from federal prison. All that hostility pent up from the time of our last visit is now being unleashed upon me, his mother. Who else can he tell how he feels without retribution? Each visit becomes harder than the last but he must not be abandoned. Who else does he have?

The last visit was almost too much for me to bear. Anthony was so distraught that he was hollering, screaming, and cursing with such bitterness. I had to leave the visitor's area to compose myself. On that occasion I witnessed what fear looks like. I know that you have heard of some one being afraid, but to actually see fear, to actually see his face becoming distorted like a person who was experiencing a stroke, was horrifying. The anger he feels for the way he is being treated there is not describable by me. I have been on the receiving end and can tell you it's not by any means pleasant. This is a two-day ordeal. The trip home is always a tearful one; sometimes I don't know how I make it back.

Attempts are made to discourage the friends that are left to discontinue visits, and I must say, they almost succeed. On one occasion my son was placed in the "hole" because they claimed they found in a light fixture a metal instrument that could be turned into a weapon. (This happened in a prison where no one but the guards have access to such materials.) He had been transferred to a new tier, a search had been made before and after, and he was transferred only wearing underwear. When he was transferred to his new cell, he wasn't even allowed to take his personal belongings with him. It would have been impossible for him to bring that piece of metal with him.

The confinement in the hole lasted about 6 weeks with no visits. They decided, after much prayer from the family, he could not have placed the piece of metal where it was found, and all his privileges were restored. Guilty until proven innocent! Whatever a guard says is what is accepted as gospel,with or without evidence.

I had mixed emotions accepting the invitation to speak at this Tribunal. I was torn between my duty as a parent to protect my son from any harm if it was found out by the system that I spoke here today, or to come forth with information that would further the cause to eliminate the Lockdown at Marion. As you can see, I decided to participate. People don't seem to know what the prisoners are going through, and the treatment that they experience daily. How would you like to be considered something less than human? This is the attitude of those who have control of our Black men in these Control Units. It makes you think about slavery times, when we as Black people were treated as animals. To think that the same things are going on today is almost too devastating to comprehend. I have witnessed prejudice in this very place today.

If you would allow me, I would like to share with you an experience that I had while on jury duty a while ago. It was a case being tried before the courts of the city of Markham. The accused was a 17-year-old Black male, who had been a foster child since the age of two. The family that was fostering this young man had five natural children, each one a college graduate. This young man was tenth highest in his class, and a member of his high school track team. He had been sent to the store by an older brother but upon arriving at the store he found it closed, He then proceeded to a store that was six blocks from his house. As he rode to the store, he passed a group of whites sitting out on a car drinking beer. They began to yell racial slurs and vulgar remarks at him.

As he passed by on his return trip, the group decided to chase him and in his attempt to avoid his pursuers, he turned into a dead-end street, panicked, lost control of his bike, and slammed into two white women who were taking a walk. As his bike skidded in his attempt to turn on a gravel road, he ran into one of the women and knocked her down. He began to help the young woman up and she began to scream. Meanwhile, the other woman was supposed to have run off and left her friend. In the meantime, the group was still in hot pursuit and the young man ran off and left his bike. He returned home and told his brother and Mom what had happened. He later returned

to retrieve his bike, which was very important to him because he had built it himself, since his foster parents could not afford to buy him one.

That woman brought the charge of attempted rape against the youth. As we reviewed the evidence of the trial, it was the consensus that the young man was guilty. One of the jurors added evidence and suggested that the young man was probably on drugs. The jury consisted of mostly suburban white people. They would have found the young man guilty had I not been there. I began to review what had been said by both the accuser and accused, since there was other evidence than just what each side was saying.

The police had not been called until the next day. They went to the scene and found no evidence to substantiate the charge; a doctor had not been seen until almost two weeks later; and both women were large enough to have easily beaten up the young man. But all of this did not matter. The women had said that he tried to rape them, and this was enough for the jury. They were white and said that this Black youth had violated their persons. When I began to review the evidence, and not what had been assumed, the jurors asked me *"Why would the women lie?"* Is it really possible that these people believe that white is right?

Two weeks after the incident one of the women saw the young man working on a summer program across the street from her house and called the police, identifying him as the person who had tried to rape her. He was wearing a tee shirt with the number 11 across the front, the same shirt he had on the night of the alleged attack. He was then arrested and charged with attempted rape. Can you believe this? This was when she went to the hospital for the first time, for tranquilizers.

There was no further evidence against him. It was on the word of these two women that they were ready to convict him. Because I sat on that jury I was able to sway the opinion of the majority that we had not been given enough evidence to say that he was guilty beyond a reasonable doubt, so we delivered a verdict of not guilty! (Applause) The parents, social worker, classmates, and community came to give evidence of the integrity of the accused teen, and I thank God that I had not wiggled my way out of my responsibility to be on a jury. It was an experience I will never forget, and I never plan to shun jury duty if asked again.

This opened my eyes to the prejudices that exist in our society, and also let me know that there are people who sit behind bars not because of a crime they have committed, but because of the color of their skin. Thank You. (Applause)

SW: The next speakers are Rev. Ted and Mary Ann Blunk, the parents of Tim Blunk, who is a North American political prisoner being held in Marion.

REV. THEODORE BLUNK: I'm Ted Blunk, a Presbyterian minister, a certified pastoral counselor and marriage and family therapist, and I've been doing that for the past 30 years. Some of you may know Tim. He, along with four young women, was first incarcerated for being one of the Springbok 5 in New York City; that was when we first experienced the "Criminal" Justice system.

I'm in the people business. One of the things I've learned about people is that people need recognition. I call that "strokes." A stroke is a unit of recognition. There are two kinds of strokes - there are positive strokes and there are negative strokes. And I really believe that everybody walks around all day long with their stroke basket hanging out, saying "I need my strokes," because without strokes we literally shrivel up and die.

There have been numerous experiments about strokes. Some of these have been done with infants, and more recently some of these have been done with rodents at the George Washington University in St. Louis, where they separated baby rats from their mothers, left some with their mothers, and then with a third group they spent a considerable time each day just stroking them with a lovely, soft paintbrush. After six months they discovered that the rats who were just fed but not cared for by their mothers were different than the other two groups, even those who were separated, but stroked. The hormone which stimulates growth was lacking, and they were less developed than the other two groups. We need our strokes, and if we don't get our strokes we literally shrivel up and die, and we'll take either one - a positive or a negative.

In the past 17 months I've served with a church which is made up predominantly of older women and men, and if you know Tim, he's very much like me in the sense that he likes to hug a lot. So, when people leave church, I hug them. About 9 months into the process the church secretary noticed that there was a decline in the number of hospitalizations. I didn't have to go to the hospital to visit very much. And we wondered about that. Was it coincidence, or was it that people just didn't want to miss their hugs? We're actually doing a study to see the correlation. And I think, professionally, there is a correlation between hugs and health.

Then there are the Federal Prisons in Marion and Lexington, which are cauldrons of negative strokes or no strokes at all. There are rules, and many of the rules are unspoken, and so the prisoners don't know when they're going to get their strokes. There is no recognition, or at least there's no recognition that is positive. For families there is no contact. Reverend Warner talked about going to visit there, talking through the plexiglass. Manny, at least, got to be in touch with Susan. But it's tough to be in touch with your son by placing your hands against the plexiglass - and that's as close as you can get. There's no work. How can a person get any respect without being able to work? They're only allowed out of their cell for one hour a day. There is limited communication - even when you speak to them on a personal basis it is monitored, and then it's used against the prisoners later on. There are no study programs. We look at Leavenworth now as a healthier place for Tim to have been. There he could at least participate in a graduate program. Now we can't even get hardcovered books to him - only a limited number of paperbacks. There, in Marion, it's one big negative.

Karl Menninger wrote a book back in 1968 called "The Crime of Punishment." In it he wrote that we all break rules of society sometimes, and we do - don't we? Some of us often and flagrantly, some of us get caught at it, and when we are, we're labeled as criminals. What happens to those labeled criminals is a crime in itself. Not because it's cruel and stupid and stultifying, which it is, but because it defeats its own purpose. Menninger in 1968 had many positive things to say about our penal system. Since then, however, there has been a reversal in the whole philosophy and attitude and a change in the system, and I'm sure that if he would do his study again he would deplore it.

Now what about some personal impressions. Marion, Illinois. When you live in Cleveland you can't get there from here. It's hard enough getting there from Chicago - a five-and-one-half-hour drive. Try getting there from Cleveland. So there's limited opportunity for visitation. And the prison is out in the boondocks, to say the least. And when we arrive we're treated professionally, not cordially. We are suspect. We must be suspect to associate with the people we're visiting. On both visits that we were there on one weekend, we had difficult experiences. On the first visit Mary Ann almost had to disrobe in the hall to be able to get through the electrical device - she was even willing to take off her skirt for a moment, but then the guards backed down on that one. They found a malfunction in the machine. And there's the pain of not being close, yet being close - having to use the telephones. And oh yes, telephones. We get to talk to Tim. He's able to make two phone calls a month. That includes legal phone calls. When is he going to call? We don't know. Will we be home? Will both of us be home? It can't be arranged. And then there's the visitors list. Who knows when they're going to be going through

Marion, and how can we make quick arrangements? It's not very likely to happen.

A final thought. A meaningful book that I have read was one written by Victor Frankl, "Man's Search for Meaning." In it he spoke of his experiences in a Nazi concentration camp. And he made the observation in the concentration camp that one can be stripped of all freedoms, but one final freedom that cannot be taken away is the attitude that we will have in any given set of circumstances. Let me tell you that Tim's attitude is amazing. We get the funniest cartoons from him. (We love the one about the Shroud of Tourin, and the one about the Pinnochio nose of Reagan.) You can't take away a person's attitude. Did prison change the attitudes of Gandhi, or of Martin Luther King, Jr.? Does prison change the belief system of a Nelson Mandela? Cruel and inhuman punishment does not change beliefs. It reinforces them. (Applause)

THE ACTIVISTS

SW: Our next group of speakers are people involved in diverse activities to abolish the control units at Marion and Lexington. Not only are their activities diverse, but so are the perspectives they bring to the work. Our first speaker in this group is Phil Scopelite, who is editor and publisher of the trucking industry magazine, Transport Fleet News. Phil has a longstanding interest in prisons and has recently published powerful editorials about the barbarity of the Lockdown at Marion.

PHIL SCOPELITE: Ladies and gentlemen, thank you for giving me this opportunity to talk to you. I will not use my time to talk about Marion; it has been so well covered by the speakers who preceded me. Rather, I would like to give a testimony, to tell you about my feelings concerning the federal prisons - one in particular.

Through personal contact, I have been intimately connected with the Metropolitan Correctional Center (MCC) here in downtown Chicago. For over a year, I have visited the MCC once or twice a week to see an inmate - my nephew. As a result of my visits and the close, intimate contact I have had with many of the prisoners, and the observations I have made on the conduct and behavior of the prison staff, I have come to this conclusion: many prison officials and guards are mentally incompetent and display an almost criminal disregard and contempt for the inmates. Further, prison personnel seem to take a delight in stripping inmates of their last vestige of pride and manhood. Of course, this is a well-known trick practiced by the managers of our federal prisons: strip an inmate of his pride, force upon him the realization that his very life depends on the goodwill of his keepers, and you will have fashioned your prisoners into tractable and amenable subjects easily controlled and handled.

This practice was brought to my attention in many ways, but was most graphically illustrated in the experience I am about to relate to you. My nephew was thrown into the hole at MCC. I picked up the prisoner's wife and five-year-old daughter on their first visit to him since he was placed in solitary confinement.

Two guards walked the prisoner to the visiting room on the eighth floor. He was in manacles. They ushered him into the visiting room, and closed the door behind him. There was a one-foot-square slot in the door 18 inches from the ground. The guards told him to back up to the door and put his hands through the slot in order for them to remove the handcuffs.

There, before the anguished eyes of his wife, the prisoner was forced to kneel down on the floor in order to reach the slot. As he knelt before his small family, his wife burst into tears. His daughter joined her mother in crying, and he looked like a helpless, wounded animal. The only thing the prisoner had to offer his wife and daughter - his manhood - was brutally stripped away from him by the prison guards.

In an editorial I wrote in my magazine, I challenged the warden of MCC. I asked, "Warden Jenkins, why the hell isn't that hole in the door three feet from the ground instead of 18 inches? We claim that the placement of that hole is just one of the many barbaric practices engaged in by you and your people to strip inmates of dignity and pride."

Of course, the warden did not respond to my editorial, but my readers did. And the responses I received from my red-necked compatriots in the truck industry were overwhelmingly positive and supportive of my position.

Shortly after I wrote the editorial I happened to catch Jan Susler on the radio. I heard her

magnificent and eloquent description of the plight of the prisoners at Marion and phoned the number given to the radio listeners at the end of the program. Steve Whitman came to visit me as a result of my phone call. He touched my heart as he described the work of his committee, the Committee to End the Marion Lockdown. As a result of his visit, I decided to do a series of editorials concerning Marion.

And Steve, I can't tell you how proud I am to be able to work shoulder to shoulder with you and the members of your committee. I would also like to tell my brothers and sisters in the audience how happy I am to be able to fellowship with them today and to be able to talk about my concerns. Thank you. (Applause)

SW: The next speaker is Bindu Desai. She is an activist for human rights and coordinator of India Alert. Bindu will tell us about the report on Marion prison that has been recently issued by Amnesty International, an organization she is a member of. The report, by the way, is also available downstairs on the literature table.

BINDU DESAI: Though a member of Amnesty International, I speak today in my personal capacity. I will summarize the report issued by Amnesty International on the allegations of ill-treatment in Marion Prison, Illinois, U.S.A. The report was issued in May 1987.

As some members of the audience may be unaware of what Amnesty International is, what its aims are, how it operates, I will briefly explain Amnesty International's aims. Amnesty International is an independent, worldwide movement for the international protection of human rights. It seeks the release of men and women detained anywhere beause of their beliefs, color, sex, ethnic origin, language or religious creed provided they have not used or advocated violence. These prisoners are termed "prisoners of conscience." It works for fair and prompt trials for all political prisoners and works on behalf of such people detained without charge or trial. It opposes the death penalty and torture or other cruel, inhuman, or degrading treatment or punishment of all prisoners without reservation.

Amnesty places a big emphasis on impartiality. To safeguard impartiality, Amnesty members do not work for prisoners held within their own country. It also prides itself on the accuracy of its information which is collected by the International Secretariat in London, from newspapers, journals, lawyers, human rights organizations, as well as prisoners and their families. It sometimes sends legal observers to attend trials where accepted international standards are at issue.

In the Marion case, Amnesty received allegations from a number of different sources including the National Prison Project in Washington and from a group of twelve lawyers who had visited Marion Prison between the 15th and 3rd of November, 1983. To the best of my knowledge, this is the first report ever issued by Amnesty International on prisons in the United States.

On behalf of Amnesty International, Mr. David Matas, a member of the Canadian bar, attended a part of the Federal District Court hearing in July of 1985, and the Congressional hearing in June 1985. Mr. Matas's report dealt with two separate disputes. One: the allegations of assault, abuse, beating, and harassment. Two: the assertion of the illegality of property deprivation and limitation on religious practices, and of the housing of prisoners in a permanent lockdown. Mr. Matas notes that "These practices were admitted by the prison administration, only their legality was contested." While Mr. Matas was unable to draw conclusions on the substance of the allegations of brutality, he found serious shortcomings in the measures taken by the United States government to investigate the allegations.

They included: first, a lack of a specific inquiry by either the prison administration or the House Committee on the Judiciary. In the court inquiry:

(a) there was a delay in the hearing (incidents occurred in November of 1983, and the hearings took place in July of 1985);
(b) the initiative for the court hearing was left to the victims;
(c) the court hearing was presided over by the lowest level of the United States judiciary, a magistrate, who himself dismissed a recusal [a motion to remove himself from the case], who was not even given the handling of the case, and who carried preconceptions that the prisoners deserved to be at Marion, a super-maximum penitentiary.

Mr. Matas also felt that a lawsuit was not an appropriate forum because it had an adversarial nature, because it lacks flexibility, and because it cannot investigate a general situation where there has been a collapse of the prison administration, wholesale beatings, and a cover-up. A lawsuit cannot direct attention to the issue of whether conditions facilitated the possibility of violence and brutality. Mr. Matas suggested instead, based on the United Nations Declaration on the Protection of All Persons from Being Subjected to Torture, and other Cruel, Inhuman or Degrading Treatment or Punishment, adopted on the 9th of December, 1975, which provides in Article 9, that "Wherever there is reasonable grounds to believe that an act of torture has been committed, the competent authorities of the state concerned shall promptly proceed to an impartial investigation even if there has been no formal complaint."

Further, the Standard Minimum Rules of the United Nations for the treatment of prisoners provides that prisons be regularly inspected by people qualified and experienced in how prisons should function. He commented that neither the requirements of the inspection nor investigation appeared to have been met in respect of the allegations of brutality at Marion.

He commented adversely on the absence of use of nametags by the guards, and he severely criticized the use of the SORT team (Special Operations Response Team). This team, as he comments, is based on the "A Team" in which, he writes, "The police team uses comic-book vigilante violence to get the bad guys." A SORT team, as he says, specializes in the use of force. He continues: "There is no such thing as specialization in this area, with one set of guards being trained only in the use of force, and another set of guards being trained in the prevention of cruelty. The undue emphasis, in the SORT team, on the use of force, is a situation that would facilitate the occurrence of brutality."

He mentions the cavalier attitude of the prison administration itself. The associate warden, P.W. Koehane, testified that the use of force was reasonable because no one was admitted to the hospital and no one was admitted to intensive care. Mr. Matas dismisses this statement, saying, "To require that level of violence before the administration shows concern is itself unreasonable."

He concluded that within Marion Prison, every single rule of the Standard Minimum Rules of the United Nations is infringed in some way or another, and he felt that this had to do with the purpose of Marion. The United Nations rules require that prisoners be treated in such a way that encourages self-respect, and develops a sense of responsibility among inmates. Mr. Matas felt that as Marion's purpose is security, all other considerations are secondary.

Amnesty International recommended an independent inquiry. In its opinion, the federal district case was dismissed not because the weight of independent evidence clearly showed that there had been no incidents of ill treatment, or use of excessive force, but because plaintiffs had failed to discharge their burden of proof. They added that this result may well have been inevitable under the circumstances. Thank you. (Applause)

SW: Just yesterday, the Illinois Prisons and Jails Project, which is a part of John Howard Association, issued a report roundly condemning Marion Prison, and Don Goldhamer of the Illinois Prisons and Jails Project is here today and will say just a few words about the report.

DON GOLDHAMER: In the early 1970s, the Illinois Prisons and Jails Project (I.P.J.P.) was created in response to criticism by prison officials that critics of prisons couldn't possibly know what was going on inside because we hadn't been there. We obtained, at that time, permission to go into the prisons in the state of Illinois, shortly thereafter extending that to Cook County jails. We have been taking teams of representatives of community organizations in to do monitoring in prisons and in county jails in Illinois since that time. In 1985, and again in June of 1987, we had opportunities to go into Marion penitentiary. What I wish to share with you this afternoon very briefly is some of the items that we call attention to in our report. The report is available for free on the literature table downstairs or from the John Howard Association.

The staff and members of the John Howard Association Board of Directors and the I.P.J.P. visitation committee were permitted access to all parts of the institution and were able to speak confidentially with the inmates and staff. That is our standard operating procedure; we do not accept restrictions other than our agreement to share our reports with prison administrators before making them public.

The first conclusion that we reached, and perhaps the most important, is that the institution is not a normal maximum-security prison which is on lockdown status, but is in fact a rather firmly-established, fully functioning behavior modification program designed to break the spirit and behavior of difficult prisoners, and then to reconstruct their personalities through a year or more of sensory or psychological deprivation. The prisoners are stripped of their individual identities in order that new, quieter behavior patterns can be implanted.

This treatment is directed at more than those who represent a threat to the physical safety of staff or inmates. It includes those who represent a threat to the order or discipline of that institution by either threats, escapes, or political activity. Administrators and staff on all levels frequently refer to the Marion population as the "worst of the worst," but the background information that was shared with us was insufficient to establish this, and we urge that sufficient additional information be released to determine the percentage of inmates who do *not* have histories of violent criminal assaults and so forth, and that this information should be made available to the public as a matter of policy.

Finally, the courts ruled in 1985 that the activities of the officials and procedures at Marion were constitutional. While the decision validated the practices at Marion as not in violation of the Constitution, it must be recognized that the case established only minimum standards for conditions which shock the conscience of reasonable people. We suggest that the maintaining of an institution just above the minimum constitutional standards is unacceptable in a democratic society. The Federal Bureau of Prisons should upgrade the operation at Marion to conform to the higher standards developed by medical associations, public health associations, and professional correctional associations. Our report also questions the selection of inmates for transfer to Marion and the application of the guidelines under which those inmates are moved from grade to grade within Marion.

The burden of proof is now on Marion to show that such a repressive response is justified. Thank you. (Applause)

SW: We have another change in the program. William Rubin, who was to speak next, is a reporter for The Nation magazine. He was forced to stay in New York this weekend. Instead of Bill speaking, we have Ellen Youniss, who is a member of the National Campaign to Abolish the Lexington Women's Control Unit, to tell us a bit more about what is contained in the ACLU report.

ELLEN YOUNISS: In July 1987, the National Prison Project of the American Civil Liberties Union (ACLU) toured the "High Security Unit" (more appropriately, the Control Unit). Two staff attorneys, accompanied by an experienced correctional psychologist, Richard Korn, Ph.D., spent time in the Control Unit under the terms of prison officials, and interviewed the five women in the Unit, the warden, associate wardens, available program staff, and the officer responsible for security of the unit. On August 25, 1987, the ACLU issued a report of their findings, recommendations, and conclusions on the Control Unit. In addition, an appendix by Dr. Korn details the tortuous, disturbing effects of confinement in the Unit. The report is devastating, condemning the unit as a "living tomb." In the end, the ACLU reaches the only humane conclusion - that the Unit must be closed. For the purposes of testimony at this Tribunal, I will highlight the report. (See the Appendix for the ACLU report and Dr. Korn's appendix in their entirety.)

Please keep in mind the following quote from Jackson (Prisoners of Isolation, Toronto: University of Toronto Press, 1983, pp. 64-65) when studying the Lexington Control Unit:

> The tasks of understanding the effects of dissociation is . . . complicated by a tendency to focus on the physical conditions of confinement. . . . The importance of understanding the effects . . . in terms beyond the physical was recognized by the study group on dissociation appointed in 1975 by the federal Solicitor General to consider "the usefulness of dissociation as a method of punishment, the effectiveness of dissociation as a means of protecting prisoners, and the living conditions that exist . . . from the point of view of human treatment and the negative effects of prolonged isolation.

The study group found that "most segregated prisoners complained more about the manner in which they were treated than the physical conditions in which they lived," and that "the physical milieu is not as crucial to the prisoners as the psychological."

First of all, the ACLU reports its findings on the conditions of the Control Unit - both the conditions and treatment of the women in the unit, and the conditions of how the women got transferred to the unit and how they may get out. The conditions inside the unit include the women being celled in the darker, gloomier side of the unit, while the sunnier, brighter side is in view, but always unoccupied. The women and their every movement are constantly surveilled by camera monitors, even in their shower stalls. The women are always strip-searched after each outdoor exercise period, sometimes including a visual body cavity search, despite both camera monitor and guard surveillance during these periods. For this reason, two of the women do not go out for exercise. The women's every request and conversation with prison staff is logged. The staff informed the women that they have been instructed not to interact with them. In addition, personal possessions and visits are unnecessarily and severely limited. All of the women report inattention to medical needs. They are forced to wear ill-fitting prison-issued clothing to insure that they look "feminine." These conditions add up to total control by the prison of the women, and total forced dependency of the women on the prison staff and system.

Just as devastating as the conditions and treatment of the women in the unit, are the conditions of how the women are assigned to the unit, as well as how they can get out. The women never had administrative hearings prior to their transfer to this unit to determine whether they met the BOP's criteria for placement there. The two political prisoners and one prisoner of war (POW)

have been told that they were assigned to the unit because of their political associations. The only official explanation the BOP has provided thus far for the women being assigned to the Control Unit is that the women's incarceration "raises a serious threat of external assault for the purpose of aiding the offender's escape." Neither are they reviewed to determine if the "original factors which required (their) placement into the unit no longer apply," and if they can be transferred out. Nor have they been instructed on what they need to do to be transferred out, although one of the political prisoners was told that she would be released when she changes her political affiliations, although they did not explain how they expected her to do this. In fact, most of the women were threatened with being kept in the unit until their release from prison.

Any person with humane instincts can sense that these circumstances and the suffering of these women are inhumane, and that the intention of the BOP is to control these women until they break. But in case anyone has any doubts, Dr. Korn documents blow-by-blow what the effects on the women are or will be, leaving no room for questions or rationalizations. The BOP intends to depersonalize and deny individuality to each woman in the unit. Personal possessions are severely limited, including books. This is particularly difficult for each of the three political women, whose ideology is an intrinsic part of her identity. Denial of a personal library violates the rights of intellectually free and mature people.

In addition, the women are denied personal initiative, and forced to be dependent on the prison staff and system. Given that two of the women were sexually assaulted at the Arizona federal facility by male staff who were later officially exonerated for their actions, all the women feel vulnerable to similar sexual abuse and humiliation in the unit. Finally, and perhaps most important, since the women have no control over being placed in the unit or being transferred out, their fate and future is in the hands of others. Hopelessness will be the likely reaction, according to Dr. Korn.

Dr. Korn emphasizes that the officials who are in control of the unit are not unsophisticated, illiterate provincials in some ideological backwater. They are nothing if not deliberate in every detail. They know what they are doing and they know why they are doing it; and so do the women.

Exactly what is the BOP trying to do?

As the women have correctly concluded, the unit is designed to undermine their mental and physical beings, to destroy them physically and psychologically. The physical suffering these women endure is loss of appetite, weight loss, worsening health problems, eye problems, dizziness, heart complications, and ultimately, a general physical malaise. The potential psychological suffering the women may be forced to endure is torturous: claustrophobia, chronic rage and suppressed anger, depression, hallucinations, withdrawal and apathy. Dr. Korn emphasizes that the appearance of these symptoms in any one of the women can spread to the others because the women as a group are vulnerable to each other's emotions.

The Lexington Control Unit is the first political prison in this country, with a program based on Marion, the political prisons of the Federal Republic of West Germany, and Chinese prisons for American soldiers during the Korean War. Dr. Korn expresses that he has no doubt that the control unit is an experiment of the BOP to "replicate, under modern constraints and by 'acceptable methods,' the program originally developed by the Chinese. This program sets up a hierarchy of objectives. The first of these is to reduce the prisoners to the state of submission essential for ideological conversion. That failing, the next objective is to reduce them to a state of psychological incompetence, sufficient to neutralize them as efficient, self-directing antagonists. That failing, the only alternative is to destroy them, preferably by making them desperate enough to destroy themselves." And the women know that, too. As one of them said, "They're trying to kill us, but they'd rather we kill ourselves."

The women know all this; they are forced to live under and endure these circumstances day after day.

In October, the BOP announced that it planned to close the Control Unit in nine to eleven months, because the unit was too small to house all the women "terrorists" in this country. As of the time of the publication of these proceedings, the unit remains open. Also, a new "special" prison for women political prisoners in Marianna, Florida, is under construction.

The findings of the ACLU and Dr. Korn are substantial and damaging, but they are only words on paper if people are not moved to make their conclusion, that the Control Unit be closed, a reality. People must attack the BOP on all fronts to make this a reality. (Applause)

SW: The last speaker of this group is Shelley Miller. Shelley served two years in Alderson prison for refusing to cooperate with a grand jury that was investigating the Puerto Rican Independence movement. Her strength and resolve are an inspiration to all of us.

SHELLEY MILLER: I was released eight months ago from Alderson Federal Prison in West Virginia, where I served two years. I want to share with you today some of my experiences from that relatively short imprisonment. First I wanted to talk a little about the impact of imprisonment on me. I was thinking about the impact of imprisonment on comrades in Lexington and Marion, and I can only imagine what it must be like for them. In the last eight months, I've become more in touch with the fact of the impact of the isolation of being in prison. Alderson is a very open prison. It's a large facility as prisons go, and I was in general population. Yet I experienced a kind of memory loss based on isolation, because memories are based on a series of experiences in the context of our relationship to other things. When you spend two years in the same exact surroundings, there is no varied context. Everything is the same and it makes it much more difficult to remember when things happened, how long ago they happened, and so on.

So when I heard about the conditions of what Susan, Sylvia, and Alejandrina and the men at Marion are experiencing, I knew a little bit of what Dr. Korn in the ACLU's report meant about the impact of lack of stimulus and input. I partially experienced it and I was only in jail for two years. Another thing in that regard, is the question of control, because that's what prisons have: control. They control your every movement every single day, all the time you are aware that you are under the control of the United States government. You know they are always looking over your shoulder. When I got out I was on parole for five months, and I went to my parole officer and he said something to me about what I could do - it was quite limited as to what I was allowed to do. At one point my stomach clenched up, and it brought back such vivid memories of the two years, of the kind of stress that kind of control exacts that I hadn't even been aware of. So when I think about what they're enduring, what is wrong, what Dr. Rosenberg has said about the daily attacks on their children in those environments, and think about it in relationship to my own pain, I can't imagine it. I can't even imagine it.

The other area that I wanted to testify about is the question of what happened to my political beliefs. I refused to testify to a grand jury investigating the Puerto Rican Independence movement in general and the FALN (Fuerzas Armadas de Liberacion Nacional) in particular. From the moment I was in prison, when I turned myself in to the MCC in New York, I was treated differently because of my politics. And because Susan Rosenberg was in prison, we were told that we were going to be under "separation" from each other and we were not going to be allowed to see each other in the small, one floor of the MCC in New York. They changed that because there was immediate pressure from our lawyers, from our friends, but it was an immediate response on their part to the fact that if they can call you a terrorist, if they can justify that what

you are in jail for is something they define as terrorism, they can do anything to you. So people who fight for human rights are terrorists and people who bomb Nicaragua are not.

What happened to me was that when I arrived at Alderson I was placed under close accountability, which meant that I was under much closer scrutiny and monitoring. I had the lowest security level possible because I was a self-surrender (I had been allowed out on bail and then turned myself into prison). I was clearly not, in objective terms, an escape risk. I had turned myself in but I was maintained on close accountability for five months. When I asked why, I was told that the reason was in the FALN. They could justify anything, no matter what I said or what I did. It's always been true that I support the FALN and I've taken a public position on it. I was self-surrendered, but it didn't matter, because they could justify it in the same manner that they can say whatever they want in relationship to why Susan, Alejandrina, and Sylvia are in Lexington.

I was not allowed to go home, to receive a furlough, which anyone else in my situation, being self-surrendered, would have received. My mother was very, very sick. She was in the hospital near death and they wouldn't allow me to go home. What the warden said to me was, "I've known other people like you. I knew Sylvia. I know Haydee Torres, I was at Pleasanton, and you are all really nice girls but I wouldn't trust you out there. You might talk about what you're in jail for. You might talk about your politics."

What they're trying to do to Susan, Silvia, Alejandrina, and to the comrades at Marion can only be magnified from what happened to me, and I can only understand it to a small extent. But I think we all can stretch our imaginations about understanding what the government's goals are and what the strength of the women and the men inside is like. One thing I learned even more clearly while I was in prison is the importance of positive examples. In this society, principle, honor, and caring about humanity are not very high on the list of priorities. They are not things that are very valued. So that when you have a group of people who are willing to say, "This is what I stand for, this is who I am, this is what I believe in," you have people who by their very example are showing to a huge group of other people what the society could be, what is its potential, what's possible, and you give people a small glimpse of what the future could look like. When the government and the Bureau of Prisons looks at that, they say, "We've got to break it down." The fact that the people inside are trying to maintain a level of strength and hope in the midst of that, in the midst of this incredible attack by the government means we must challenge the government ourselves. Thank you. (Applause)

THE ATTORNEYS

SW: The next group of speakers consists of three lawyers who have been involved with Marion and Lexington for a long time. They are crucial to the political work because they are some of the few people who ever get to make contact with the prisoners in the Control Units, and are therefore conduits for the feelings, perceptions, and messages of the prisoners. But to say these speakers are dedicated lawyers is not enough. Each of them is an activist who spends as much time in the streets as in the courtroom. The first is Nancy Horgan, a lawyer for the prisoners at Marion.

NANCY HORGAN: I've been asked to talk about legal perspectives about Marion. I've also been asked to be brief and I will, since there's not much to say about legal perspectives and Marion that's not readily apparent to all of you who have heard the testimony so far.

First of all, to answer one of the previous questions: Officially, attorney-client conferences at Marion are not tape recorded. They are videotaped with the camera focused directly on the lawyer's face and on any papers that are passed back and forth between the lawyer and the client. If the client has a confidential communication to make to me, I tell him to write it down, cover it up, and pass it to me. I then destroy it right after I read it. Telephone conferences between attorney and client are probably monitored, although the institution denies it.

By "legal perspectives" I understand the organizers of the conference to mean what the courts, the federal district courts, have said about the operation of Marion. Since Marion has now been locked down for four years, I can tell you that the type of testimony that you have heard here today has been presented fully in the District Court.

For six months we put on testimony that amounted to 90 witnesses and thousands and thousands of pages of exhibits before a magistrate sitting inside Marion. What has been said so eloquently here today was described to a magistrate and then later to a federal judge. They heard from a mother of a prisoner about her visits to her son over a two-year period, and about the effects of the lockdown that she saw on her son. They heard from prisoners who had been beaten, they heard from David Hale (the guard you heard on tape a little earlier), they heard prisoners describe being beaten, they heard prisoners describe being given rectal searches, they heard of the isolation and the idleness and the effects that it had on the prisoners. They heard expert witnesses, both ours and those from the Bureau of Prisons, describe the effects that the lockdown had on the prisoners. Every one of them said the effects were negative, while some said they were devastating.

After the court heard all of this testimony, we asked the court to enjoin the operation of Marion because it was cruel and unusual punishment and because it denied prisoners due process, because they were put in these conditions with no hearings and no standards (as if there could be standards for putting people in such conditions). We were saying that Marion deprived prisoners of freedom of religion, freedom of speech, and access to the courts. These concepts can be understood by everyone in this room.

What the judge and the magistrate did when they heard all of the testimony, was first to ignore all the evidence of psychological damage. Our witnesses might as well have never testified. In the 200 pages of findings, they did not mention our psychologist or psychiatrist, and when they mentioned the BOP's psychologist, they altered his testimony to say that everything was fine. The judge and magistrate said that no prisoner had been abused at Marion. They said that all our prisoners were lying, that all 45 prisoners who said they had been beaten or that they saw beatings were lying, and that the guard who said he participated in beatings was lying. So there was no physical abuse.

The judge and magistrate talked about the necessity for rectal searches and did not ever talk about the testimony of the prisoners, of the psychological effects of rectal searches on the prisoners. We heard testimony about that but the reaction of the court was not to discuss it. They didn't say there's been testimony that it's devastating. They didn't say anything. They addressed the testimony of the prisoners about isolation and idleness and about the lack of programs, but only to trivialize it. They said that prisoners complain if the guards don't make small talk with them. Well, they said, the constitution doesn't guarantee the right to small talk. But they never acknowledged what the prisoners said, and that's what I think is important here.

The courts just aren't acknowledging what you have heard about today and what the prisoners testified to. That's been the response of the courts. All this just doesn't exist at Marion. At least for the beatings they acknowledged that the prisoners talked about it, but claimed that it wasn't true. That's not what they said about the psychological effects. The court's decision didn't even acknowledge that there could be psychological effects.

This has all been appealed now. This week the lawyers who worked on the case are preparing a brief to the Court of Appeals. It is possible that the Court of Appeals will talk about some of the things similar to the testimony that you have heard today. If they do, it will be the first time that an official court has acknowledged that. I would not, however, advise you to wait for that. (Laughter)

It is interesting to see today that the John Howard Association, which had a representative testify earlier, acknowledged what the project of Marion is: "Through a year or more of sensory and psychological deprivation, prisoners are stripped of their individual identities in order that compliant behavior patterns can be implanted, a process of mortification and depersonalization." What dismays me is to see that the John Howard Association, a respected prison organization, goes on to say that: "The John Howard Association does not feel competent to challenge the legitimacy of that program or to argue that the methods themselves are unacceptable for individuals who have demonstrated an inability or an unwillingness to conform to the requirements of community living."

I think that the John Howard Association is competent to challenge that, I think that this court is competent to challenge that, I think that you are competent to challenge that. Thank you. (Applause)

SW: Our next speaker is Melinda Power, an attorney for the women at Lexington.

MELINDA POWER: I'm also going to try to be brief. I want to speak on the specific issue of sexual harassment and sexual attacks against women in Lexington. It's no coincidence that the first control unit for political prisoners was open for women, and that's because the U.S. government, due to its sexist nature, believes that women are weaker. However, we know they are wrong, and the women in Lexington are daily showing them that they are very wrong. Prior to Alejandrina and Susan being moved to Lexington from Tucson where they were being held in October 1986, they were the victims of a sexual attack.

Without going into detail, Alejandrina, as Rev. Torres mentioned, had been the victim of two sexual attacks here in Chicago. Well, the third time it happened, Alejandrina and Susan were being moved to Lexington. Associate warden Gibson came and told the women that they were going to have to submit to a rectal and vaginal search. When the women said we know that you can search us by other means, particularly by putting us through a metal detector to determine if there is any contraband, the associate warden said, "We could not get what we want from you if

we did that." And as four women guards stood around and did nothing, the associate warden, a man, conducted a vaginal and rectal search on these women. They were then moved from Tucson and put into the Lexington Control Unit. Since they've been in the control unit, there have been specific things that have happened to them that could only happen to women. First of all, as was mentioned earlier, they are forced to wear culottes. Now, why are they forced to wear culottes? Because the warden said, and this is a quote, "It is more feminine." Additionally, if the women, during their periods, want sanitary napkins, they must request one each time it is needed. When that request is made, the guard shouts to another guard who shouts to another guard, "She needs another sanitary napkin." This is obviously to humiliate the women.

Until very recently, actually until the ACLU report came out and the meeting with the Bureau of Prisons happened, when the women took a shower, there was no shower curtain in front of them. And as we know from other testimony, there is a video camera on them 24 hours a day, including when they shower. And who knows who watches the results of what is on that video camera. The other thing that was mentioned by several of the witnesses is that when the women show affection to each other, they're written up for "lesbian behavior." That is, affection between women is a source of punishment if you're in the Lexington Control Unit.

Now, all of these, as I said, are specifically directed towards women as women to try to hit them in the areas where they are the most vulnerable as women. I think it's very important to show, as everyone up to now has testified, that this hasn't been successful - it hasn't broken their will and spirit. If anything it has further solidified their commitment and our commitment, too, to fighting against the Lexington Control Unit. (Applause)

SW: The third person to speak to us from this group is Jan Susler, a long-time prisoner's rights attorney and an essential part of the powerful efforts to close down the Control Units.

JAN SUSLER: In 1978, Father Daniel Berrigan published an article in The Catholic Worker, "Hell In A Very Small Place." I want to read to you from a section that I feel is pertinent about this Tribunal.

> One must be careful in the name of the heroic resisters of Marion [and we might add Lexington in these days] not to mystify the issue. Humans created Marion, humans must render it less lethal, or better still, must dismantle it. A mitigation of its horrors, of injustice and the degradation of souls, must be sought by legal and illegal means. Humans oppose humans, in a contest to the death; seizing on public apathy, certain minds are determined to make the defenseless the victims, and of the victims (if required), corpses. This must be resisted; the guilty brought to bar.

That's how I see this Tribunal, which is appropriately observed on the first anniversary of the opening of the Lexington Control Unit, and the fourth, shamefully, the fourth anniversary of the imposition of the lockdown at Marion. Now, you might say, you've all heard testimony today: Lexington has five prisoners, Marion 350. They are exceptionally small prisons. Why, for 355 prisoners, is there so much concern? The reason is because they are not just two little prisons. Lexington is the first political prison in the United States - admittedly political prison - and Marion is a Control Unit after which Lexington is modeled. Marion and Lexington are brother and sister, children of the same evil union. Now, why do I say they are a model?

One reason is in the early 1970s, when the Control Unit was opened, it was opened as an experiment to see just how much the prisoners could take. And it was expanded when it was seen

that the prisoners were able to resist the horrible conditions. They decided to expand it even though the experiment failed. They decided to expand it and enlarge it to see if it could work on a larger basis.

Another reason is because Marion, as a repressive anchor, allows more repression in the entire rest of the prison system. Prison officials tell a lie that says exactly the opposite - that having the worse prisoners at Marion and Lexington, concentrated all together, allows them to have a more open and less restrictive environment in other prisons.

Craig Haney, an expert witness in the trial to end the lockdown at Marion, testified in response to the Bureau of Prison's assertion that it allowed other prisons to run more openly:

> My experience is the contrary, and I say that in full recognition of the fact that that is often the theory under which intensified security precautions are taken and special restrictions are placed on people in certain units. The idea being, that if you take what are often called or regarded as troublemakers, and put them all over here, and make it very bad over here, we will have removed the problem from the other institutions and, in addition, we will have a threat which we can use with inmates at other institutions which will deter them from acting improperly. My experience with that theory, although it sounds fine in theory, is that quite the reverse happens. That, in fact, special bad place becomes a kind of standard for the rest of the system, and rather than liberalize it, the rest of the system moves in the direction of the place which was created. Because it is so extreme, many things look very good in comparison, and those things can get progressively worse because they are always, still after all, better than this other bad place. So, in fact, the reverse happens to what is intended.

As we have heard from the guards and over the years from hundreds of prisoners, the Control Unit experience has failed, failed because it provokes instability and provokes anger, which is about the most healthy response a person could have to that kind of oppression and repression. Instead of reevaluating the failed experiment, officials expanded it - made it larger. There is a reason why they have expanded it as well in a political context, and that is, as Professor Lopez stated, they need it for counterinsurgency. They need it to try to control the resisters inside the prison system and the resisters outside the prison system. They need to set examples, because examples of resistance are not the examples the United States government wants to maintain. If they can break that resistance, they can try to teach us all that it does not pay to struggle against an unjust system.

We have to keep in mind that Marion and Lexington are based on myth. You always hear prison officials say, "Security, we have to do this for security. These people are terrorists, they are the worst of the worst; they need a more secure environment." They do that because they want us to believe there is a real reason, a justification for the conduct. They need to maintain a facade of democracy. Those of us who are here today have heard about the people held under those conditions, and we know that what they need is not more "security." What they need is to be with their people, fighting for justice.

I recently met Dr. Richard Korn, the correctional psychologist who wrote the recent report on Lexington. After meeting the women in Lexington, he said to me: "Jan, I have never had a case like this. I have done prison work for 35 years. This is the only case I have experienced where I do not have a sense of humor." I said, "Dick, you cannot do that because the women inside have a sense of humor, and you will have to get your strength from them. You need to go back in and get that touch of life from them. Do not lose your sense of humor." But what that says is what these Control Units are. They are not only immoral, they are violative of every international law you can imagine, which the United States has completely ignored.

The Control Units are more than immoral and illegal: they are death. They are spiritual death, political death, physical death, and psychological death. That is very contrary to the prisoners, who are life, and to us, who are life.

I am in the middle of a political trial right now, and in the courtroom, there are two parts of the courtroom: one part is where the proceedings go on (death) and the other part is where the spectators and movement members sit (life). There is an enormous demarcation between the two. One day during a break in the proceedings, I ventured to the spectators' section for a breath of air and revitalization. I looked over and I saw Oscar Lopez and Kojo Sababu, two political defendants in custody, surrounded by U.S. marshals, a death line (dressed in polyester). Lopez and Sababu were prevented from joining us (in life) by the counterinsurgency "death" machine, and would soon return to Marion.

The control units are cruel experiments. They are experiments on the prisoners - on how much the prisoners can take. But as you can see today, there are also experiments on the families - how much can they take before they break? But they are more than that: they are experiments on all of *us* - how much can *we* take? And we have to say that *we cannot take this; we will not accept this.* The experiments are over as far as we are concerned.

This Tribunal is a wonderful gathering, and it is certainly appropriate that we are here today, but the problem is that we are trying to make a system accountable. The committees that have called this Tribunal together are making this government accountable, making it responsible for the torture; yet they do not just perform torture and run their cruel experiments on this Tribunal day. They do it every day - every day the prisoners are tortured, and every day they are under these conditions. As Shelley Miller said, she had to carry a "close accountability card." Well, Bureau of Prisons director Michael Quinlan has to carry a close accountability card, and we are going to check it regularly and make sure that we are going to continue doing this.

Two more things. The Tribunal members will judge me as a witness and judge my credibility. I want to make a confession, which is obvious from my emotion, that I am not a crier, and that I am not unbiased, and that I am not without motive. I want to close the Control Units.

Lastly, the prisoners who we are talking about at Marion and Lexington, not just the political prisoners, and the prisoners of war, but in addition all of the prisoners who are serving very long sentences, they are going to be in prison unless we can start campaigns for their amnesty and freedom. And what that says to those of us who are out here working is that we have to understand that it is not enough to come to a tribunal, and it is not enough to talk on the radio, and it is not enough to pass leaflets at the "el" one day. We are talking years here, friends. We are going to be here and working together for the end of torture and for the freedom of these prisoners. Thank you. (Applause)

THE SPONSORING ORGANIZATIONS

SW: The next group to testify will be representatives of the organizations that are cosponsoring today's Tribunal. They have agreed to speak and also to waive the questions until afterwards, on the grounds that they, like everyone who has presented today, will be available during dinner for discussion. The first to speak will be two representatives of the Lexington Committee; Anne Statton will speak first, then Susan McNish will finish.

ANNE STATTON: I am speaking on behalf of the Chicago chapter of the National Campaign to Abolish the Lexington Women's Control Unit. We formed in response to the tortures and inhumane conditions that the women in Lexington are forced to endure. Alejandrina Torres, Silvia Baraldini, Susan Rosenburg, Sylvia Brown, and Deborah Brown, are the five women currently imprisoned in the unit. On International Women's Day this year, we, along with the Committee to End the Marion Lockdown, and the National Committee to Free Puerto Rican Prisoners of War, organized in Lexington, Kentucky, to demand that the unit be shut down. After the demonstration, we realized that we needed a the local, national, and international campaign focusing public attention on conditions in the unit to generate enough public pressure to shut it down. In July, the National Campaign was formed for this purpose.

As women, we feel a strong sense of solidarity with the women at Lexington. We also want people to understand who the women are, and to understand that these women are in prison because of their commitment to the struggle for justice. We also want to emphasize that the U.S. government is trying to break the will and spirit of these women and even worse, trying to drive them to suicide. These effects were documented in the recent ACLU report. Furthermore, we know that the existence of the control unit, designed to undermine and ultimately destroy the physical and mental health of political prisoners, illustrates the escalating political repression in the U.S.

In the past, we have helped to coordinate the letter-writing campaign to the warden and prisoners of Lexington, as well as a national phone-in campaign to the prison. Various chapters have done outreach in other cities. Locally, the Chicago chapter sponsored a benefit party in June. As part of our continuing community outreach, we have also drafted a petition protesting the inhumane conditions of the unit. To date, we have hundreds of signatures on this petition. We also have literature tables in our neighborhoods, speak at public programs, churches, house meetings. We have written articles for various publications. We talk to our friends and neighbors. We know, and your presence here today attests to the fact, that we are having an impact. Our goal is to educate the public and to expose the conditions of the unit. We recognize that without intense public pressure, the Bureau of Prisons will not close the Control Unit. Today, we are breaking the walls of silence that the government wants to build around the Lexington Control Unit. We are going to keep working until there are no more walls, and no more Lexington Control Units! (Applause)

SUSAN McNISH: We would like to thank everyone for coming today. It is really wonderful to see so many people interested and concerned about the conditions at Lexington and Marion. It is very exciting to be on a committee that has been involved in helping to present this Tribunal. As a member of the National Campaign to Abolish the Lexington Women's Control Unit, our commitment does not stop with this Tribunal. We know we have a lot of work ahead. The announcement that the Lexington Control Unit will be closed in nine to eleven months is not good enough. We demand that it be shut down immediately. One more day is much too long.

We are intensifying our work because we do not want the Bureau of Prisons to think that we accept their calendars. We are planning a lot of activities, and we need people to join the work: We need you. Some of the things we have planned are a national phone-in campaign, and that is going to be to Michael Quinlan himself, director of the BOP. That is going to take place November 23 for Chicago. We have more information at our literature table. Please participate in it. Also, on the weekend of December 12 and 13 we will showing the movie "Sacco and Vanzetti." From now until March 8, International Women's Day, a lot of the work is to build for what will be the third demonstration at Lexington. We know each demonstration has made an impact, and we want to march with greater strength and numbers than ever. We would also like to invite you to join our campaign. We have a chapter right here in Chicago, and we are available to speak to groups or organizations about Lexington. Please sign the mailing list so we can keep you informed about upcoming events, and let's continue to work together to shut down the Lexington Control Unit, to End the Marion Lockdown, and to ensure no more control units be built. (Applause)

SW: The next speaker is Steven Oscharoff, who is a member of the Committee to End the Marion Lockdown.

STEVEN OSCHAROFF: Good afternoon distinguished justices, fellow witnesses, and the many participants here today. The power to end the Marion Lockdown lies with us. I don't say this just to make people feel better. Let me quote from a recent article about Marion in U.S. News and World Report. It says Marion is "as punishing and foreboding as corrections professionals can create, as punishing and foreboding as the courts will allow, and as punishing and foreboding as public opinion will tolerate." Since the BOP wants a permanent lockdown and the courts have refused to act, it comes down to what we are willing to tolerate.

And what is it that we are willing to tolerate, or even condone? We've heard a lot of testimony, but here is what the news-magazine said after talking with the Bureau of Prisons: "The philosophy of Marion is to psychologically emasculate a man. Strip down his ego and crush his insolence." This sounds to me like something that might have been written as a justification of slavery in this country. And this will continue as long as we tolerate it. Marion is a part of society that many people do not see and do not really want to think about. It is a skeleton in America's closet. But Marion is very much a part and a reflection of the larger U.S. society today.

And in the society that Marion is a part of, we see that conditions of life for Black people are worse than they were 25 years ago. By any measure, Black people's survival is under attack. We think it is not too strong to say that the U.S. is inflicting genocide on Black people. And prisons play a central role in this. For example, when we look at the situation of young Black men in their 20s, the prime of life, we find that on any given day, one out of 33 of those men will be in a state prison. This does not include young men in federal prisons, county jails, juvenile lockups, or men on probation or parole. The prison system definitely plays a role in decimating Black communities.

This is not an accident in a society built on white supremacy and the pursuit of profit. And we in the Committee to End the Marion Lockdown feel that it is a particular challenge to white brothers and sisters to stop tolerating this kind of a system, a system whose answer to injustice and inequality is a dungeon like Marion.

Things can change though. We need to send the message that we will *not* tolerate the lockdown at Marion and we will not tolerate the continued uses of the prison system to control people of

color. We are trying to reach people in our communities about the reality of Marion. We urge people here to work with us. Arrange a slide show for any community, whether it is a union, church, or other group. We have a petition we'd like you to sign and circulate. There is a list of prisoners in your packet. We urge you to write to some of them. Even if it is only to send them a card around the holiday season. But share your feelings about the Tribunal with them. Start a correspondence. Learn from them. There is going to be a demonstration here against Marion and Lexington on December 18, at the height of the Christmas shopping season. We did a similar thing last year and it was very successful.

Each of us in coming here today has made a statement: our tolerance is at an end - the barbarity of Marion and other control units, the racism of the prison system, can no longer continue in our name. With our continued efforts, we will *end the Marion Lockdown.* (Applause)

THE JUSTICES

NANCY KURSHAN: Earlier today, this afternoon, you heard the diverse testimony of family members, of attorneys, of people struggling to change the conditions inside the Lexington and Marion control units. You heard about the Amnesty International Report, the ACLU and the John Howard Reports. Much information was offered from many different people. It was a long program and there was a great deal of information that was shared with us. This evening is the time to hear the verdict of the judges and the thinking behind their verdict. The first judge who will speak tonight is Betty Balinoff. She is a teacher of social history at Roosevelt University. And she is a supporter of the work around Lexington. Please welcome her. (Applause)

BETTY BALINOFF

This is probably the only chance I'll ever get to sit in judgment on my fellow man, and I've given a great deal of thought to all that I've heard this morning and afternoon from all of the witnesses - both friends of prisoners and lawyers of the prisoners, and experts, social scientists. I think the evidence is so overwhelming that I would have to find the plaintiffs guilty as charged. (Applause) Save your hands. I think you'll need them when the other jurors give their statements.

As far as the thinking behind my decision, it has to do with my discipline, which is history. I was one of those lucky people who started back to school to study history in the 1960s, and there was a kind of ferment going on then, just as there is beginning to be a new ferment now. So I was introduced to that part of history I had never had a chance to learn when I was younger - Black history, women's history. Then, after I had taught history for a few years, quite frankly, I found that I got bored with my own classes unless I kept my interest alive by continually trying to add more things that I realized had been left out.

In the 60s a favorite teacher of mine once said that U.S. historians were still not able to come to grips with the story of the American Indian, so I decided to force myself to learn more about that part of our history by offering to teach a course in it. I tried to think what else had been left out, and eventually I began teaching courses on immigration history, labor history, and family history. Then I remembered that someone had once said that the best way to really understand a society is to look at its treatment of its most helpless members. So I developed a course called Topics in Social History, which was concerned with our ways of dealing with poverty, illness, and crime. In some ways I feel that I should throw an extra $5 into the kitty, because you've just helped me upgrade one part of that course and make it more current.

As I listened to the testimony, I kept thinking how familiar everything sounded. There was not a single thing that had been done to anybody that hadn't been done a million times before to all kinds of victims. I began to feel that I was reliving the same movie over and over and over. And it's only new to people who are very young or very inexperienced. The only thing is, it's much more painful to live through it than to read about it.

I was really impressed with a lot of statements that individuals made and their understanding of what was going on. And I was aghast at the well-planned, well-regulated assaults on human dignity that I heard described here - the daily strip searches of the women at Lexington, the prolonged and extreme isolation from families and support systems, the denial of religious support for one of the women, the coldness, hostility, and petty indignities suffered daily. These all clearly added up to a kind of psychological warfare designed to undermine both body and mind, to

destroy the integration of the personality, to kill the psyche.

At one point one of the men who was most active in working on the Marion Prison Lockdown said that the rationale for that lockdown reminded him a great deal of the rationale for slavery, and I had just been thinking exactly the same thing when he said it. I remembered that at the time of the American Revolution a lot of people thought that slavery would just decline and die a natural death without any organized effort to kill it. People were going to outgrow it now that they were smarter, more democratic, and more enlightened. There was a reform movement which developed soon after the revolution, but it was a very tame reform movement, filled with slaveholders who would occasionally free a handful of slaves and pay to have them shipped back to Africa. Then, as the United States acquired more territory and the westward movement began in earnest, slavery took a new lease on life. More and more people wanted slaves, and the prices went up and up. Privileges which free Blacks had had for years were suddenly withdrawn and social scientists developed new theories to justify slavery, which people for years had called a "necessary evil," as a positive good.

Just when things were getting worse and worse, a new anti-slavery movement appeared, and the rationale behind this movement was very interesting. And I think it is very pertinent to our present situation. It is probably important to remember that this new movement came out of a religious revival movement, a movement that spread all across Europe and the whole United States. Some of the revivalists began to think about sin in a new way. They talked about sin as something that could be social, not just personal. They began to talk about the effect such "social sins" could have on a whole nation, and they concluded that the sin that most threatened the future of the U.S. was slavery.

Their rationale went something like this: Stealing is always a crime whether one steals money, labor, or life itself. It is also a sin. It is evil to harm people's bodies, beat them, to steal their children. But there is one kind of sin that is unpardonable, because it is so much worse than all the rest, and its repercussions for the whole of society are so much greater, and that is the effort to kill a soul. To have complete control over the daily lives of others, to deny them the right to grow and develop on their own by coercing all their acivities, is tantamount to "killing their souls." When one human being tries to play God to another, they deny both the fatherhood of God and the brotherhood of man.

This might be seen as an early argument against totalitarianism in general, not just slavery. When we were talking about mind control and the efforts of people in our government to dictate how people should think and precisely on what grounds they will be recognized as free, responsible adults, based on their thinking, I think we were talking about the same thing.

Nature seems to love variety, because the earth is filled with such a wide range of plant life, animals, and people. But some of us seem determined to limit the selection as much as possible to our own preferences. This is a serious problem, not only in what it causes us to do to other people but to nature as a whole and to future generations. The very species of plant that we kill may be the one that held a cure to one of our serious diseases. Or we may be attempting to destroy the very minds, the very hearts that could give us a healing vision for our future. That is basically the rationale behind my conclusion that the defendants are all very guilty, not only of crimes against humanity but of the "unpardonable sin" as well. (Applause)

NK: The next judge is Darla Bradley, who is a member of the Silo Plowshares. She, along with several others, entered a missile site in Missouri and destroyed 2 Minuteman II missiles. She was recently released from prison. We are very happy to have her here with us tonight. (Appluase)

DARLA BRADLEY

Thanks a lot. First of all, I am a little humbled to be invited here. I'm certainly not among the ones who are still in prison and spending a lot of time, like Helen Woodson and some of my co-defendants. Although I only spent nine months in prison, I think I can relate to the jail experience pretty well because, although I was in a minimum security prison, it definitely got to me. I was thinking about it as I watched the slide show on the psychological tests that were done on those young kids where everybody started playing their appropriate roles. That's real easy to do when you are in prison. No matter how strong you feel when you are on the outside, it is easy to become part of the system.

The thing that they asked me to talk about was what the jail experience was like for me. On one level it was really good, because there was a lot of rapport among the prisoners, especially the women I was with. I was in a coed prison in Ft. Worth, Texas. It had somewhere between 850-950 prisoners during the time I was there. I spent about 9 months there. And during that time I worked in the dish room first, doing dishes and getting sopping wet every day. And I later became a tutor in the education department, which was sort of a showplace to make it look like you had a wonderful, fair prison there, giving these prisoners a chance at an education. So I felt a bit like a monkey in a zoo. I mean, we did good things in the education department, but the prison used our work to make itself look good. And so whatever good things you do in prison, the authorities turn it around to make themselves look good. There were a couple of things I thought were really devastating to prisoners. One is the parole board. Parole boards are set up to (and this is my opinion) give false hope to inmates that they'll get out sooner. They go to the parole boards and they get their hopes crushed and they get destroyed one more time. So they not only have to go through sentencing and be destroyed and have their families destroyed, but they have to set themselves up with false hopes of an early release and have those hopes crushed at the parole board. And it's just a devastating effect on the whole prison whether you go or not. The parole board meets every other month. So every two months the whole prison goes into a deep depression over the fate of our lives.

I think it's real easy to get overwhelmed by the immense evil of the prison system, especially when you see what a farce it is, people making careers out of putting people behind bars. In the slide show we saw today they showed how the prison system separates the inmates so that if anything happens to one, the others don't come to their aid. And that's really true of the prison I was in, more so than at county jails. It seems like the prisoners in the county jails have more of a sense of each other and a support for each other. But in the federal prisons, they can pick off anybody they want, because people are afraid of getting shipped to another prison or messing up their release dates, things like that, because the main purpose of everybody in prison is to get out rather than to try to stop the whole system.

A real clear example of this division happened while I was in prison. A friend of mine, Cindy, was getting sexually harassed, at one point attacked, by this one prison guard. It is really common in women's prisons that the guards have sexual relations with the women. Cindy didn't want to have anything to do with this man, and she didn't know what to do, and so another friend of mine and I told her we thought she should seek help and have him stopped so that he didn't harass anyone else. She decided she was strong enough to do that and face the consequences. And so she set him up and had some lieutenants bust him. The whole prison turned against her, prisoner and guards, because they thought that she violated some taboo. It just amazed me that prisoners

sided with that guard who was abusing them.

That's what really struck me about the prison system, what it really does to people, what they do to us by separating us from our families and from all that we care about, while making the number one very most important thing to get out. On the outside it might be making money, or it might be doing whatever we happen to do that is the most important thing in life. In prison the most important thing for most prisoners is getting out. That really struck me as something really sad. At other times I saw people unify as long as there wasn't any threat of persecution. I don't think that's true of everyone, but I think in a minimum security prison it's more true than at other places.

Overall I feel that I haven't overcome the experience yet. I felt kind of chewed up and spit out by the system. I wasn't strong enough to handle the eight-year sentence I had, and it was much different than I expected. And I think I went in with a lot of ideals and hopes that could be achieved, and they didn't get realized. And so last March, I decided at the end of my appeal and that I would file a Rule 35, which is a sentence reduction plea. I agreed to pay the state restitution for the damage to property, which was a major concession on my part. And I still haven't paid, because it's kind of a hard thing to do - to repair a missile.

I think that what happened to me is that I lost my focus in terms of resistance because of the vastly different focus of the prison system. The closest way I can explain it is to say that it is like living in a richer neighborhood and being concerned about poverty. It's hard to keep poverty real within you when you are in the richer neighborhood. And I was surrounded by people who said that doing what I was doing was really stupid. Most of the other people I was in jail with, other than resisters, think what I did was silly. It's not worth it, they say, and you know that you can do so much more good on the outside. I wasn't sure anymore, so I decided that since I wasn't sure I would get out, and I would go back to the Catholic Worker and work there for a while and try to recoup.

The prison that I was in is a coed place. And I know you folks talked a bit about the lack of physical contact. Well, in some of the minimum security places that are all women or all men they aren't so strict about it, but because our prison was all coed, we couldn't touch each other at all. And so to go through 9 months and not be able to touch each other, except in visits when you can touch somebody else, is a really difficult thing to do. This is especially the case if you are a touching person, which I happen to be. To go up to touch somebody's shoulder and have them say, "Don't do that," is a very destructive thing. The prison system is full of little mechanisms like that. Destroying community within the prison. And destroying people. It seems like that's the main business. It seems like that's our whole government's business. They spend all their money on prisons and bombs.

One other thing I wanted to mention is that I was a self-commit. I turned myself in when it was time to go to prison, and that's a really weird experience. I drove up with my sister in her Toyota minivan, climbed out and walked in and had my suitcase with me. When I went up to the desk I'm a free person and as soon as I talk to the prison guards there, I'm no longer free. Then, when they release you, you know their attitude toward free people and prison people is totally different. You know, they are real authoritative and hard to prisoners, but they act a little bit cheerier to the visitors. Then when you leave it's like you are prisoner, a prisoner, going through the strip searches and all. Then you get to like a line on the ground and it's "Okay, have a good life, it's been nice seeing you." Very weird. The point I'm trying to make is that prisons are isolated from our society. I'm now isolated from my friends in prison and they feel isolated from the outside world. They don't contact the outside world. It's vicious. It's like a whole underculture in our society, of about a half of a million people who no one seems to know about or care about in the broader spectrum of things. People have a basic assumption that if you are in jail, then you deserve it. And I don't know many people who deserve what they get. Let me end by saying

this. I think those of us on the outside, when we are not in jail, have to be the ones that clean it up, because the people inside are pretty powerless to change things. In this context, I find Meese and the rest guilty of crimes against humanity, based upon my personal experiences and the testimony heard today at this Tribunal. (Applause)

NK: The next judge is Dave Dellinger. He is a long time peace and anti-intervention activist. Many people may remember that he was one of the main organizers of the demonstrations here at the Democratic Convention in 1968, and consequently became part of one of the most well-known trials of the era, the Chicago Eight. He will be going on trial in Langley, Virginia for a protest last April at C.I.A. headquarters. (Appluase)

DAVE DELLINGER

It has been both painful and inspiring to hear the testimony today. Painful to be reminded of the atrocities that are committed against human beings in the name of "justice." Inspiring to be reminded that there are people - prisoners, friends, parents, lawyers, and others - who refuse to tolerate these atrocities and are determined to put an end to them. And inspiring to see that this determination extends to a commitment to do away with the gross injustices that, directly or indirectly, lead people to do things that cause a backward and vengeful society to put them in prison. Sometimes the things they do are acts of desperation that are anti-social and self-defeating. But this does not justify excluding them from the human family and treating them as the inmates of our prisons are treated. Sometimes the things they do are exemplary acts - or at least reflect an exemplary motivation. Their offense is to oppose the institutional crimes of a society that disrespects, disempowers, and despoils millions of its members for the sake of the private privileges, profits, and power of a few. They work for a society of human solidarity in which the guiding principle will no longer be competition to rise above one's fellows in a ceaseless war of all against all, but cooperation to rise together. Archbishop Romero, another offender, spoke of a new society that will encourage "the generous . . . contributions of all to the good of all."

The invitation to serve on this Tribunal couldn't have come at a worse time for me. I was seriously overcommitted and had made a firm decision not to accept any more outside engagements of any kind. But prisoners are the untouchables of our society. They come in disproportionate numbers from the victims of race and class oppression. They become doubly untouchable once they have been convicted by a criminal "criminal justice" system and sent to prison. There aren't enough tribunals like this one. So here I am, experiencing not only pain and inspiration, but also a flood of memories from my own prison experiences.

Shortly after graduating from college, I went to prison as a war objector. When I got out I used to say that I went from Yale to jail and got a better education in three years of jail than in six years at Yale. Yet I had gotten a relatively good education at Yale. Dostoyevsky is right: If you want to understand a society, you have to look inside its prisons. That is where the laws are "writ large"; where the kid gloves are off - all gloves are off - and you see the underlying violence that enforces the injustices of the society.

I especially appreciate the comments today by a number of witnesses, that prisons play a key role in racial genocide; that a lot of what once happened to Black people on the plantations now takes place in prisons. When I went to Cook County Jail in 1970, over 90% of the prisoners were people of color - of various colors other than the pink that more accurately describes the people we usually call white. Faced by such facts, you have to conclude either that there is something wrong with Black people - that they are criminally inclined - or that the society is racist. My own conclusion is that there is something drastically wrong with the society and right about a lot of Black people. What is right shone forth in the late fifties and early sixties, when the Black-led struggle for civil rights broke the spell of McCarthyism and inspired and energized what became known as The Sixties. And today, more and more Black people are in jail because one way or another they are rebelling; refusing to accept the cruel and destructive lot that a racist society assigns them. As Ashanti said, the forms of their revolt are not always pretty - and, I would add, not always productive. But they are attempts at self-assertion, tortured ways of trying to survive,

to get quick relief, or in some cases to get some of what other people have and society unfairly denies them.

Speaking of Cook County Jail, one of my joys today - and I hope that Alan will forgive me - is that I met my friend Alan, who was in the same tier as I was in that jail in 1970. I got out after a month, but Alan didn't get out for 15 years, and I congratulate him for being here today fighting for prisoners' rights. Stand up Alan. (Applause)

When I first met Alan, I was in jail as one of the Chicago Eight - Seven at the time, because Bobby Seale's case had been severed from ours. The judge had denied us bail, saying that we were too dangerous to be on the streets. That, I thought was the biggest compliment I had ever received. Anyway, I don't believe that the amount of money a person can come up with should determine whether or not that person stays in jail. Once I stayed in for six weeks before trial rather than accept bail. However, when we were in Cook County jail, the Appeals Court decided that we could be released on bail. Supporters raised the money and said "Come on out." We thanked them and said that we would not come out until they raised an equal amount to release other prisoners who were not known as political prisoners - and they did. At the time, getting them out was more important to me than making an issue of opposition to the bail system. It was a simple act of the kind of elementary solidarity with all prisoners that we have to develop much further.

To continue on a personal note that has implications for the issues raised today, the first time I went to federal prison, anti-war people began a campaign to have me and six fellow war objectors treated as political prisoners. We sent out word that we had spent a month with the other prisoners and didn't want to be treated any differently than they were. To us they were political prisoners too, whatever they had done and whatever they were called. They deserved to be treated with intelligence and compassion rather than with cruelty and contempt. And we wanted to rise or fall with them rather than to be treated as a privileged elite.

Here's another story that tells something about the prison system. When I got to federal prison, I found that it was racially segregated. The only place that wasn't segregated was quarantine, where you spent your first thirty days being examined, catalogued, etc. My first Saturday night out of quarantine, I walked into the weekly movie with a Black man. Guards ushered him into the Black section and pointed me toward the white section. But I followed my friend and sat down next to him. Hardly had the lights gone out and the movie begun when I was blinded by half a dozen searchlights in my eyes. I was taken out and put in solitary confinement.

It is preposterous to think that a prison system that reflects the worst attitudes and practices of society and backs them with violence is capable of rehabilitating people. We should be atoning for the injustices and oppressions that they have suffered by acting toward them in the best ways that human beings can interact - giving them positive "strokes," as Ted Blunk told us - rather than trying to break their spirits in ways that have been described today.

The Sixties gave birth to some good things and also went wrong in a number of ways. One of the worst slogans of the late sixties was "The duty of a revolutionary organizer is to stay out of jail by any means necessary." But I was lucky. By then I had spent enough time in jail to know that jail is a great place to organize people and be organized by them. A great place to gain a deeper understanding of the realities of human nature and of the role of a cynical view of human nature in producing a corrupt and corrupting society. If, as George Bernard Shaw maintained, false patriotism is the last refuge of scoundrels, propagating a false view of human nature is the first line of attack against those who think that human beings are capable of doing away with injustice, oppression, and war.

Some of the people I lived with had committed horrendous crimes. Yet there was an awesome reality to their life experience and a basic, if partially repressed, instinct to love and be loved that

was able to express itself if you treated them with the kind of respect every human being deserves. Like everyone, they needed to feel and be useful; to be forgiven rather than guilt-tripped, valued as persons of equal worth rather than patronized. If they slipped into prison bullshit, they needed to be challenged, but other than that they needed patient listeners who believed that they could become their best selves rather than their worst. They needed to be encouraged to love themselves, no matter what they had done or society had done to them.

Usually those who had commited the most atrocious crimes were the most open to these kinds of influences, not because they had the longest sentences but because they were unhappy with - at some level even revolted by - what they had done. My judgment is that removing such people from the environment and context in which they have committed such crimes is often necessary, for their sake and sometimes for the sake of possible future victims. But putting them in one of our U.S. prisons cannot possibly heal them. Nor can it deter others who are wrestling with similar problems - insecurity, oppression, repressed explosive anger, socially induced negative self images - from committing similar crimes. From these prisoners in particular, I learned about human nature and absolutely everyone's potential for both good and evil, lessons that have stayed with me to this day.

I guess I'll give one more personal example of what happens in prison, how those in authority try to divide and rule, much as they do outside prison. One time when I was on a long hunger strike the doctors told me that if I didn't eat I would die. It was about the sixtieth day and I was being force fed through the nose with liquids. I believe that they put something in the liquid to frighten me, because the first thing that happened was that I felt a tremor and an overwhelming sensation that I was about to die. I didn't have time to tell anyone, even if I had wanted to, because I looked up to see two doctors and the warden entering my hospital cell. They gave me a cardiogram and announced that my heart had been damaged by going without food. I would die unless I ate. I've never in my life had any heart problems, before or after that incident. Anyway, I didn't eat, and as you can see, I didn't die.

A week later, after we had won a partial victory and gone off the strike, we were not given any time to recover. I was thrown, weak, dizzy, and with a ringing in my ears that made me hard of hearing, into the fuck-up dorm. It was populated almost exclusively by Southern white military prisoners. The guards said to them: "This is one of the guys who spits on the flag and says he is too good to be in prison with the rest of you." They were trading on the claims of two or three war objectors that they should be treated as political prisoners, a position I always opposed. Then they said, "He's a nigger lover who wants to force you guys to eat and sleep with niggers and shit in the same toilet. We don't care what you do to him. Bring him out with his head in his hands, if you want to." Then they left.

The only way I survived was that I was god-damned lucky. Earlier, before the hunger strike, someone had been assaulted by a guard and I stepped out of line and defended him. So I was able to say to them, "I was fighting for your rights when I was on that hunger strike, and I'm the guy who was put in the hole for defending Joe Snedecker when the motherfuckin' hacks were beating the shit out of him. Who are you going to side with, the hacks or me?" Luckily it was my second sentence, and I had learned a little the first time around about how to appeal to some basic feelings that are strong in most prisoners.

Let me end by extending what I have already said about Blacks to two other groups. It was an inspiration to hear witnesses from the movement for Puerto Rican independence. I was lucky, again, because when I was in federal prison I met Puerto Rican *independentistas* who opened my eyes to some things that I didn't understand deeply enough. I knew something about imperialism and colonialism and thought I was against them. But I wasn't nearly sensitive enough to what goes down in Puerto Rico. As a result of what they taught me, when I got out I worked with the Puerto Rican Independence movement, and some years later I attended the funeral of Albizu

Campos in Puerto Rico and stood honor guard by his casket. (Applause) I don't deserve the applause. I haven't done nearly enough. But being here today will help me.

And I want to say how happy I am for the presentations by women. Anybody who thinks that the movement for justice is not advancing, deepening, and becoming more vital, for all its inevitable confusions and setbacks, ought to compare the role of women here today with the way it would have been a few years ago. Imagine, today there were three women lawyers making superb presentations. And all those other women, talking about what's being done to women *as women* in prison - finger probes of their vaginas by male guards, and all the rest. Never forget that in the civil rights struggle in the late fifties and early sixties, men were doing heroic things and treating women as shit. And women were doing heroic things and being treated like shit. It was in that context that the women's movement got a fresh start. Like every movement, it has its periods of energy, growth, and at least partial triumphs, and its periods of decline. But when women in the civil rights movement - and later in the anti-Vietnam War movement - began refusing to be treated as shit, the women's movement got new energy and insights. And that's just as important for men as it is for women.

Finally, I will respond specifically to the indictment. Can you guess whom I find guilty? I find the government guilty of monstrous crimes. And I find the American people guilty for not having paid enough attention to the crimes, in and out of prison, against the victims of class, racial, and other prejudices. Finally, I indict myself for not doing enough to help expose and put an end to these crimes. I don't want to overstate it, but when I go back to Vermont, I'm going to do more - and a lot more intelligently - as a result of these hearings. I've already talked with Nancy Kurshan and Steve Whitman about getting some materials, such as the slide show, and arranging for someone from the witnesses or the committee to present the kind of things you have heard today to a Vermont audience. Thank you. (Applause)

NK: The next speaker is an activist in the Puerto Rican community. She is a well-known independentista *who is loved by many of us. She is currently on trial as part of the United States government's attempt to criminalize and destroy the Puerto Rican independence movement. Please welcome Dora Garcia.*

DORA GARCIA

Thank you. I was sitting here trying to decide where to start, trying to decide whether I should tell you my verdict first or whether I should share my impressions with you, which are many. I decided that I would first say some things to some of the people who presented today, things that I wanted so desperately to say to them as they were speaking.

I had to restrain myself from jumping up from that chair when Mr. Blunk, Tim's father, spoke. I wanted to say, hey, I know you, I know you Mr. and Mrs. Blunk, because Timmy has talked to me about you. I have sat with Tim in the visiting room at Leavenworth, which is where I met him, and I have shared hours of happiness with him and my brother-in-law, Oscar Lopez. And so as I heard Mr. Blunk speak, and as I saw him raise his hand and tell you that there is a plexiglass window that does not allow him to give strokes to his son, I said "GUILTY!" to this government that gives this pain to this man and his wife, that doesn't allow him what is his right and privilege, to embrace and kiss his child.

As I sat there, and listened to Rev. Mary Warner talk to us about her son, Anthony; as she described his face filled with anger and rage; as she said that she had to sit there and let him be angry and let him scream and yell and get it out of his system; and as she shared with us the fact that she and her mother and other members of her family left in tears, not wanting to come back, dreading the next visit, but knowing that they would come back, I said "GUILTY, GUILTY!" to the system that allows and permits that. And as Phil Scopelite shared his story, and talked about the 18-inch hole, I knew exactly what he was talking about because of my own personal experience when I was arrested last year with Jaime and Viola, an experience which Jaime already shared with you.

But even more so I recall vividly what he's talking about, because for the past 15 months I have gone to the Metropolitan Correctional Center in Chicago every week regularly and sat in a tiny little room with 8 people, our knees touching, with no air and no privacy, because the government refused to state that they were not bugging us as we met to prepare our legal defense. And every time I'm in that room, with my dearly beloved brother-in-law, comrade, and friend, Oscar Lopez Rivera, and Kojo Sababu, I see that 18-inch hole and I see how they have to bend, practically on their knees, to have those handcuffs removed. So as I heard Phil speak, I said "GUILTY!" as charged, again and again and again.

And every time I think of my god-daughter, Catalina Torres, and the anguish that she has suffered; when I hear her bravely tell the story of how her heart was punctured when she was 11 years old on the day they arrested her mother, Alejandrina; once again I can't help but say over and over and over again, "GUILTY!, GUILTY!, GUILTY," a thousand times guilty. For all the pain and the insults they thrashed at us, at my people as a whole and all the POWs and political prisoners, and all the prisoners at Marion and Lexington, on a daily and regular basis. And for what they are doing to the family structure. *There could be no other verdict!*

I want to share a story with you. For the past 6 years, Oscar has been in prison. And during that whole time I talked to him at least once a week, every Sunday faithfully and religiously, and there were several of us with whom he spoke faithfully and religiously. He spoke to his mother-in-law, Josefina Rodriguez, and her family. He spoke to my sister-in-law, his sister,

Mercedes-Zenaida, regularly, and he spoke to me. And sometimes we spoke 2 or 3 times a week. Then in May, when he was placed in solitary confinement and then transferred to Marion, those calls were abruptly ended. In the 5 years he was in Leavenworth, I went to see him 3-4-5 times a year - as often as I could. But those visits were abruptly ended. And I did not hear from him, talk to him, or see him again until October, from May until October when they brought him for his arraignment. After the charges against me were dropped in August, there was a superceding indictment that added me on again and charged me in December. There was no new evidence, only the same evidence they had in August. So the charges that were dropped in August were added again in December.

Since that time I have been able to see Oscar at least once a week. Last week he said to me, right before our trial started, "Pretty soon I won't see you again, and I don't know if I'll be able to talk to you again. And I know it will be for a long, long time." And I looked at him and I tried to make light of the subject and I said "Well, if we win you will see me again. I'll apply for visiting privileges," and we both laughed because we both knew that this probably would not be the reality any more. So then he looked at me and he said, once again, "Withdrawal," and I said "Yeah, once again withdrawal."

One of the interesting things about our case is that in the past several days, we've only had one witness and he's been a prosecution witness. We have not yet declared our government misconduct defense. In fact, the U.S. attorney said to the judge, in a motion, "They cannot raise government misconduct as a defense." And the judge said, "Well, that is not for the jury to decide and I can't make that decision until I hear all the evidence. So I'm going to hold off on that ruling and I'm going to put on their defense and then we'll see." So we had the jury selection and we have had 2 days of court proceedings. The first day began with our opening statements. The second day, the witnesses started, and like I said we've had only one witness so far.

Our defense spent an entire day on cross examination. Since before the trial began, since the motion for government misconduct was brought up, and since the cross examination of the first witness, the government attorneys have been livid. They are saying, "They are raising government misconduct! They are raising government misconduct!" And they are as upset as all hell. And we haven't said a word yet about government misconduct. But evidently they don't like our questioning.

I've always said that whether we go to jail or not is not what is going to determine whether we have a victory. And I foresee a victory, I foresee a victory for the Puerto Rican independence movement. I foresee a victory for all of us because we will be able to expose many, many things. Clearly, we will be able to expose counterinsurgency tactics of the FBI, counterinsurgency tactics of the prison, and counterinsurgency tactics of the entire government which is against the nation of Puerto Rico and our people. They are so desperate to destroy our movement that they will stop at nothing.

I guess by now you all know what my verdict is here. Standing back there trying to figure out what our sentence should be, a lot of different things came to mind. One of the things we thought that people liked was that we would let the prisoners themselves decide that matter. (Applause)

NK: Bernard Headley is the chairperson of the Criminal Justice Department at Northeastern University. He is an author and is currently working on a book that deals with the Atlanta child murders. He is a long-time supporter of the work in opposition to the Control Units, and is here in that capacity tonight. (Applause)

BERNARD HEADLEY

Thank you Nancy. Lest anybody be confused, there is a Northeastern University in Boston. That's not the one I am affiliated with. Northeastern Illinois University is right here in Chicago, just for the out-of-towners.

First of all, I, like so many of us here, am overwhelmed by this evening's events. And I think Steve Whitman and Nancy Kurshan and the people involved in the Committee to End the Marion Lockdown should be given a nice round of applause for this day. (Applause) And on a personal note, what can I say about Dave Dellinger? I remember when I just came to this country several years ago, as a freshman in college, there was the Chicago trial going on. Of course, being a young foreigner you are quite confused. These things don't happen in America. And so Dave Dellinger really became one of my heroes, as I finally got to understand the politics of America. Meeting him here tonight is really like meeting Godot. You wonder why the media is not here tonight. Why are ABC, CBS, and NBC not here covering this? They are probably out chasing Jim McMahon, trying to find out if he will play tomorrow or not. These things somehow assume more importance than the issue of human rights and justice.

A very basic fact that we need to be reminded of has been stated to some extent here. And that is, to change conditions at Marion and Lexington, we can't expect any real change and real redress if we are really placed in the position where we are taking our case to the fox, as Malcolm X used to say. Do we really expect to get any justice from Ed Meese, the Bureau of Prisons, Robert Bork? Taking your case to the powers that be would be like my getting on the subway in New York and asking Bernhard Goetz for a quarter. I would be blown away. They've got the keys. And as Sterling Brown used to say, "They've got the guns." The only way these evils can be corrected is when the people take the keys; when the people take the guns, then collectively decide exactly what we're going to do with these institutions. Maybe we'll put a different class of people in there then. (Applause) Thank you.

My experience with Marion, my first direct experience, that is, came maybe two or three years ago when I was teaching a class at Northeastern Illinois called The Politics of Punishment. One of the things we try to do in all of our classes is let students see actually what prisons in America look like. And so I wanted to see Marion, some 350 miles away. Jan Susler and the People's Law Office had told me what I was up against. No such thing is ever done, she had said. Anyway, I managed to write the "right" kind of letters. Of course, as far as they were concerned, my name was relatively clean. So they said, "Bring your class down." It's the only tour I've been on where 2/3 of the visit lasted in the office of the warden. We never got beyond the office of the warden, until probably the day was almost done. We were given a quick tour, along the way that. But anyway, what frightened me more than anything else is that these folks take their job seriously. And so all the things that we have been saying here, all the testimony given here which we interpret as a gross violation of human rights - mean, as far as the Marion authorities are concerned, that they are doing their job efficiently. They are on the case! When they brutalize inmates and people get afraid, they're doing their job.

To illustrate this point, the warden gave us an example. It seemed as though he was trying to scare the daylights out of the students, or, really, to convince us that they are doing what the taxpayers want. He informed us first that Marion is where you keep an elite group of prisoners,

prisoners who are so violent that nobody else keeps them. "They send them to us, we break their spirit and send them back into general population," he says convincingly. So he says, "There was one case where we weren't successful in breaking this guy's spirit satisfactorily enough. So he was here, did a couple years with us, and went back to state prison in New York. And he got violent again in New York. And so they decided to bring him back here. And this guy, when he realized he was coming back to Marion, he was scared shitless. So much was he scared that when the van actually pulled up outside the gates of Marion, this guy refused to let himself be unchained from his seat." (The man had obviously traveled all the way from New York City chained to his seat.) "When we realized that this guy didn't want to get out of his seat," Warden Williford continued, "we went inside and we got some dynamite and we cleared that truck out. We put some dynamite under that chair and we lighted it and blasted that sucker clean out of that van. He landed up on his side still chained to his seat, but he was out of the van." That's the job our friendly enforcers are doing down at Marion. They're not apologetic about it. They are doing what they think we want them to do.

But let me get specifically to the issues raised in this Tribunal. We up here are supposed to be judges. Each of us is supposed to play the role of judge. So far, all the other judges did indeed address some of the more pertinent political things raised by Brother Jose Lopez and Sister Ashanti. Relevant though they are, I will bypass some of those issues and instead try to play judge. So what I'll do is concentrate on some more narrow concepts relating to the philosophy of the law. I'm not, however, a lawyer - they trained me to be a sociologist of the law. So I'll talk about the moral and social implications of the law as regards Western conservative jurisprudence.

Let's talk about the idea of rights. I want to put before you three relevant propositions as they relate to rights and those convicted by our criminal justice system. First proposition is: Rights are something the majority confers on the minority through some bourgeois notion of the ballot. Put another way, are rights something that people vote and confer on you? That's the Borkian principle: that rights come only from what the majority says they are. On the other hand, let me put before you proposition number two: Rights are something that is inalienable to humanity; rights have something to do with one's basic worth: something the theologians like to call "alien dignity." Is that what is meant by rights? Something that people don't confer on you? Rather, because you exist you have rights? Now, I'm not talking about formal, bourgeois rights, like the right to freedom of speech and the right to vote. I'm talking about all rights - the right to a job, the right to an education, the right to three square meals a day. Are these rights something that is intrinsic simply because you exist?

If we accept proposition two, which most civilized, progressive societies do, that rights are intrinsic, we must consider a third proposition. That is, do those rights reverse themselves, are they now reversed or denied to people who have been accused and convicted by the state? In other words, do these rights no longer exist for those we convict? That you are no longer a human being because the state convicts you? I'm not saying because you are a criminal, I'm saying because the *state* convicts you. And that means a basic assumption must be made here which we won't get into. That is, we must assume now - if we are going to talk about the rights of prisoners - that the criminal justice system in America is fair, it is legitimate, it can really process people in a just, fair, and legitimate manner. So that from the time you are arrested till the time you are convicted, the criminal justice system has been fair to you. And so we get to the point where we have a convict, a prisoner. The question still is: After your conviction, do you still have basic human rights? This is the basic issue before us as we contemplate the evidence brought before us on the things taking place at Marion and Lexington. This is what we as judges must render a judgment on. Judges in the traditional sense of Western jurisprudence must appeal to precedents, to the rule of law, to stated written values, in order to arrive at some kind of determination of guilt or innocence. So, in a strictly conservative sense, I must appeal to legal history and to legal values in rendering a judgment on Marion and Lexington.

The question is: Do we have expressed values regarding the rights of prisoners? The answer is yes. Going back to the famous Nuremburg trials (in the wake of World War II atrocities) and the proceedings that came out of those trials, we find that the verdicts also related to the rights of prisoners of war, and all people who are confined by the state. "Yes," the jurists all agreed, "there are certain rights that are guaranteed people who are confined by the state."

The International Commission of Jurists that last met in The Hague in 1981 under the auspices of the United Nations, again came out quite forcefully in reinforcing the rights of confined people. And this is what they said about the rights of people who are held in confinement by the state. I'll just briefly run through a few of the important things they said. Basically, all these international juridical bodies affirm that people can be sent to prison as a form of punishment, but not *for* punishment. That's what the international committee says. Which means that people in prison should *not* be experimented on physically, mentally or otherwise. No qualifications. People in prisons should be given adequate food, recreation, and medical care. They have the right to unhindered communication with their attorneys. They have the right to security. That is, their property must be protected, so must their body and their very physical being. They must not be violated in any way. The purpose of guards is to protect these rights, especially the right to security. That's what guards are there for, to protect the prisoner's rights, to guarantee their physical security, not to harass, brutalize, and intimidate prisoners.

Does our own middle class bourgeois society say anything about the rights of prisoners? The attorneys among us will all say yes. There are probably two or three, important Supreme Court decisions reinforcing the rights of prisoners. The decisions Holt vs. Sarver, in 1969, and Pugh vs. Locke, in 1976, affirmed the notion that people in prison should not be subjected to cruel and unusual punishment means. In the state of Arkansas, where prison guards regularly whipped the brothers and electrocuted them by the balls, then put them through shock treatment, the Supreme Court said, "You can't do that." That's wrong. No.

If we look at Marion and Lexington, we can then conclude the following: that the prisoners are locked down for 23 hours of the day, allowed no fresh air - that's cruel and unusual punishment. When you let people sleep naked on concrete slabs, that's cruel and unusual punishment. When guards shove billy clubs and flashlights up people's asses, that would clearly seem to be cruel and unusual punishment. When people are awakened in the night and have a light shoved in their faces, that's cruel and unusual punishment. When inmates are beaten mercilessly, almost to the point of death, that would seem to be cruel and unusual punishment. And when prisoners have no recourse for official brutality, that's cruel and unusual punishment. Finally when the justice system criminalizes the actions of the poor and idolizes the crimes of the rich, the Ivan Boeskys, the John Zaccaros, the Ray Donovans, that's cruel and unusual punishment.

In the final analysis - breathe easy, dear moderator, I'm almost through - I find Marion, Lexington, and all the modern-day American prisons, modern-day versions of a Kafkaesque nightmare. Marion is particularly anathema to the essence of humanity. Marion and Lexington should be abandoned. As Bob Marley used to say, they should be condemned, totally destroyed, and never be allowed to rise again. (Applause)

NK: Sister Jean Hughes is a member of the Eighth Day Center for Peace and Justice. She is an activist in the Pledge of Resistance and the Sanctuary Movement here in Chicago. She is an integral part of the anti-intervention movement here. Please welcome Jean Hughes.

JEAN HUGHES

After Bernard Headley, it would be absurd to try to say something new. Today has been a privilege as well as a difficult experience. What I have seen and heard has touched the very core of being human. Therefore, I am forced to respond - will try to articulate - not out of the political strategy perspective at which I function daily, but rather out of the motivation for that activity, the belief system. In fact, the only level out of which I can begin to deal at all with human torture is at a faith level. It is a faith that has been chipped and honed through 17 years in Latin America, where I learned from the people how to be a community person. It is a faith that brought me back here to my own country hoping to live with people in a new way.

I find Edwin Meese, Ronald Reagan, the economic system, the educational system, our churches, the media, every facet of acculturation in our country, guilty. I find them guilty of living out and promulgating the myth that individual wealth and/or power is a value to be sought and cherished above all else. Within this framework and in order to ensure that value, the victimization of whole nations, whole races, communities, and individuals is not only tolerated but institutionalized. Within this framework and in order to ensure that value, any other world view must quickly and brutally be expunged. Within this framework and in order to ensure that value, Lexington and Marion exist.

I believe that we are all sisters and brothers, children of the same God. I believe that life is a covenant in which each community with its unique gifts contributes to the development of all of humankind. Within my framework, how could I not find the entire system, especially those responsible for Lexington and Marion, guilty of crimes against humanity? By their own admissions, Lexington and Marion exist to break down the human personality, reconstructing personalities "compatible" with the system . . . historical amnesiacs, economic illiterates, and/or fatalists. The message is that until those women and men become "compatible," they will continue to be subjected to the experiment which translates into inhuman, sadistic treatment. Most insidious is the fact that the authorities, knowing that these inmates will not choose "compatiblility," are therefore trying to destroy them. It is a crime against all of humanity.

Besides finding the above system, foundational structures, administrators and supporters guilty, it is necessary to ask myself and all of you what we are going to do about it? This is not the first time we have heard about Lexington and Marion . . . or U.S. intervention in Nicaragua, or 1.5 million dollars a day in military aid to El Salvador, or the systematic extermination of the Indians in Guatemala, or the military build-up in Honduras, the continuing struggles for liberation and self-determination in Puerto Rico, the Philippines, South Africa, Chile, the Middle East, to name a few.

I struggle with what to do about all of these issues. They are pieces in the groaning, wrenching, weaving fabric of the human family struggling to become. I do know what I will not do. I will not write letters to my congressperson. It costs so much to get elected in this country, it would be absurd to suppose that someone who truly represented the interests of the poor would be elected. Why would I write to someone asking her/him to change the very system that put him/her in power? No, I won't call my congressperson or the president or anyone like that. It reinforces the system. It creates the impression that the system, with the right people and/or votes, would work. This is not true. It is fatally flawed, because the basic value supposes throw-away people. It establishes an economic elite whose choices mandate life or death for other communities.

What I am telling you here tonight is that, although I do not have any answers, I'm open to the possibilities. We must do something. Besides the testimony of the relatives, one of the things that struck me powerfully today was the slide show on the Stanford prison experiment. It frightened me badly. Watching those young, well-meaning people turn into not only supporters but promoters of an arbitrary, oppressive system made me ask myself how co-opted I have become without even realizing it. It is a fair guess that each of you could ask yourself the same question. So, what should we do? What can we do? I learned a great deal today from each and every participant. I will commit to the degree that I can, but I am asking, begging for some creative suggestions. We need to do something that will make a difference. If we want a new world, we have to build it . . . and not on the bodies of our sisters and brothers. (Applause)

NK: Our next judge is Morton Sobell. He was a codefendant with Julius and Ethel Rosenberg who, as most of you probably know, were executed in the electric chair. He himself spent 20 years in prison, 5 of them at the infamous Alcatraz. He came out of those 20 years ready to take on the United States government, defend the Attica Brothers, and render technical assistance to the Cubans and the Vietnamese. Most recently, he has been arrested protesting Contra aid. Please give a warm welcome to Morton Sobell.

MORTON SOBELL

One thing I should make clear before I begin. If you think that just because I did 18 1/2 years on a bum rap I'm incapable of giving objective justice, you're wrong. I pride myself with my objectivity. (Laughter)

More than 35 years ago, in 1952, I was sent to Alcatraz. And it was made clear that I was being sent there for no other reason than I just wouldn't cooperate and name names for the F.B.I. So you see, that hasn't changed today. As a matter of fact, as I heard all the stories tonight, I said, My God, you know the French have that saying, "The more it changes, the more it stays the same." Because everything sounded so familiar.

Back in those days, and between the Federal Detention House in New York and Alcatraz, I didn't have a contact visit for over 7 years. That is, I couldn't touch my wife or kids. As a matter of fact, they wouldn't let me see my son Mark for over four years. They said it was no good for him to visit me in prison. That's the Bureau of Prisons for you. And occasionally, at Alcatraz, being the end of the line, there would be a killing from time to time. But the remarkable thing was that whatever occurred, the guards knew their limits and were careful not to overstep them. There was a matter-of-fact state of equilibrium between the guards and the inmates. And this is true of most prisons. Sometimes the state of equilibrium shifted one way or the other way, but the people on each side knew just what they could do. And there was, shall we say, a mutual, though assymetrical, respect between the guards and the prisoners. And the guards at Alcatraz, more than in any other place, knew they couldn't fuck with anybody, because if they did they might get killed. So they didn't! You see, there were people there doing life and they would just as soon kill a guard if he upset them, so the guards didn't deliberately upset the inmates.

But one day somebody got an idea, and they distributed a "book of rules." The only problem was that those behind the idea of a rules book were not psychologically tuned in. There had been a lot of grumbling anyway, and this precipitated a strike, and that night the prisoners threw everything out of their cells, burned up things, broke up the toilets and whatnot. And there was smoke and fire. Amazingly, throughout all of that they didn't send in any guards. Because they knew that guards would be in danger of being assaulted and they didn't want any more trouble. The next day, nobody went to work, and moreover most had burned up the hated coveralls which were *de rigeur* for dining at Alcatraz. And we all now went to the dining room dressed in pants and shirts.

And when nobody went to work, men were dragged out out of their cells by the "goon squad" and put in the hole. This lasted a whole month, with some being thrown in segregation and others into Special Treatment Units. The STU consisted of cells, like the model you saw downstairs, with a closed front. Through all of this there was a lot of tugging and pulling. But what never happened was that the guards never used what you would call "undue force." The goon squad would go into a cell and drag somebody out. The somebody that came out would never fight back, and in turn the guards used minimal force. It was like a gentleman's game, if I can use that metaphor, where everybody understood what the rules were, and in spite of all the roughness and everything, nobody really got hurt. The inmates won very important gains. The coveralls were

abandoned. The rule book, of course, was discarded, and the food improved tremendously. And if anything, the guards manifested an increased civility towards the inmates afterwards. So, again, that mutual equilibrium was established.

I have described a very typical Alcatraz uprising, such as occurs all over from time to time, and I now want to use it as a model to contrast with what went on in Marion after the two guards were killed in 1983.

In the first place, the incidents at Marion both took place in the Segregation Unit, where any competently run prison would never have allowed such things to occur. Secondly, one of the guards had been messing up the inmate who killed him. Any sensible administration would have warned the guard to lay off. Thus, what we are dealing with is an incompetent, insensitive prison administration, which responded to the fraternal feelings and fears of the guards and beat up and abused all of the prisoners in the institution - who were in no way involved with the actions of the two prisoners. This situation was nothing like what I just discussed - or what happened at Attica - where the entire prisons rose up in revolt.

Then, after the guards were called in and brutalized the entire prison, the administration realized that they had created a monster - and that now they had to contain it, which they did with a permanent lockdown and more brutalization. In fact, brutalization became standard operating procedure - which they justified by pointing to the resentment of the prisoners.

Anyone can read all of the horrible details about this situation in the Congressional Oversight Hearings Report or the transcription of the National Public Radio series on Marion. There was the trashing of the prisoners' few personal possesssions, such as photographs of loved ones, the digital rectal examinations, and the new concrete beds with iron rings for restraining prisoners - which the courts approved as reasonable. There was also the handcuffing and shackling of prisoners at every turn, the complete cessation of all meaningful activities, the constant beatings and humiliation, and the 23-hours-a-day lockup, which incidentally was condemned by Amnesty International as contravening international standards of imprisonment, even though the U.S. courts found it perfectly acceptable - and much, much more.

What started out as another prison incident has turned into a new type of prison, patterned more or less on the German model of the prison built for holding the members of the Red Army Faction. I call it a new type in the sense that the equilibrium of the classic prison has been destroyed, and in its place we have total oppression, total control of the prisoner, which makes a mockery of human rights. The administration would probably contend that prisoners are not human. Of course, that they dehumanize the prisoners makes this situation even more tragic.

But it will become even more tragic when they start to fill up Marion with political prisoners - as they have already begun to do. The pattern will have been established, and the courts will have approved, and since there are no visible criteria for who gets sent to Marion, or Lexington for that matter, the Bureau of Pirsons will feel perfectly free to send all the political prisoners to these prisons. But more important perhaps, the people on the outside, good citizens, not totally unlike the Germans when the concentration camps were going full blast, who are so concerned about prisons in Eastern Europe, will simply close their eyes - and their hearts - to all that is being done in their name.

We know how selective the Reagan administration is with respect to human rights, but that the people of this country should follow suit is a disaster. What is to be done? That is the question.

In the Congressional Oversight Hearing that I mentioned before, one David Ward testified as an expert. He is Chair of the Department of Sociology at the University of Minnesota. I met him about 7 years ago when he was doing a study of Alcatraz, and he was interviewing former

prisoners, and to show his respect for the people, everyone who was interviewed got $50. And we had a nice conversation beyond the interview about my former colleagues whom he had interviewed. About 5 years ago I met him again and I asked him about the Alcatraz interviews what he had concluded. And he told me amazing stories. He told me how in the 30's prisoners had gone to court and complained about beatings, about being put in a basement dungeon, and all kinds of horrendous stories, much like we know about Marion. But when the prisoners filed writs, the guards went to court, and the Bureau of Prisons told them to lie, and the courts disbelieved the prisoners, and the hearings ended and the prisoners got additional beatings for going to court. So I asked Prof. Ward when he was going to get this stuff published. Well, he hemmed and hawed. Now I see that he didn't publish it because he wouldn't have been asked to testify about Marion and become an apologist for the Bureau of Prisons. Well, I plan before too many weeks are over, to see what he has to say at this late date about the non-publication, because I think it could be interesting to point out how in the 30's the Bureau of Prisons lied, as we all know they are lying today.

According to the New York Times just a few days ago, the Bureau of Prisons said they were going to double the number of beds in the next 10 years. Well, if you consider that in the past 10 years they doubled the number of beds, in 20 years they will have quadrupled the number of beds in prison. And the question is, what will have happened in 20 years to justify this? And the only thing I can see is that they are getting ready for a real upset in society. And you know where this is going to come from. It's coming from people of color, from the minorities, it's coming from all these who feel that they have been deprived of a piece of the pie that everybody else seems to be getting and that they can plainly see on the TV. So I would suggest that in this whole question of Marion we must not lose sight of the bigger political issue behind it, that it is part of the transformation for what they see as the war to come.

Thus it is that I indict all 3 branches of the government for their conspiracy to deprive major sectors of our society and the people of the nation of Puerto Rico of their liberty and their basic human rights. And I would also caution the American people that they had better wake up too. And I would warn them that just as the German people blinded themselves to the concentration camps in Germany, so the American people are doing much the same today to what is happening in Marion, Lexington, and many of the other prisons. Thank you. (Applause)

NK: The final judge to render his verdict is Akinyele Umoja. He is an activist in grass roots human rights struggles in the Black community. He has been for the last 15 years, including the struggle around political prisoners such as Geronimo Pratt. He is the National Secretary of the New Afrikan People's Organization, and he has traveled from Atlanta, Georgia, to be here with us today.

AKINYELE UMOJA

On behalf of the men, women, and children of the New Afrikan People's Organization, on behalf of New Afrikan political prisoners and Prisoners of War, like Geronimo Pratt, Sekou Odinga, Dr. Mtulu Shakur, on behalf of our brother Watani Tyehimba who was just recently released from incarceration because he did not cooperate and collaborate with the federal grand jury, I'd like to greet you with the battle cry of the New Afrikan independence movement, "Free the land!" ("Free the land"), "Free the land!" ("Free the land") To the parents, the attorneys, the activists, we must commend you for the diligent struggle you have waged to make sure that the prison population in general, and the political prisoners and Prisoners of War in particular, have not been isolated. That the struggle is continuing to free them. But most of all, to the political prisoners and Prisoners of War themselves who have maintained their national, political, social, and revolutionary consciousness in the face of United States terrorism, physical violence, psychological violence, and torture. We'd like to commend them for the beautiful spirit they have maintained. We'd like y'all to give them a standing ovation. (Applause)

I've tried in the little time that I've had to prepare a statement so that I could try to beat the clock. We have to ask, when we hear this compelling evidence, who is the real criminal? When we talk of crime, we must go to the foundations of the crime. The roots of the crime. We must ask who stole the land of the Native Americans? Who committed genocide against them? Who enslaved and captured the New Afrikan people, colonizing us, and committed genocide against us? Who stole the northern half of the Mexican nation? Who colonized Puerto Rico? We must ask, who has confined New Afrikan people in urban ghetto reservations which we call the American bantustans? Who has forced us to live in substandard housing? Who has underdeveloped and overexploited our communities? Who has created conditions of life calculated to destroy us as a people, physically and psychologically? Who has created the reality where New Afrikan youth go, as Malcolm X said, from a poor neighborhood to a poor education at a poor school to get a poor job? And the reality today is they are not even guaranteed a poor job. We charge the rulers of this empire, we charge its institutions, and we charge all of its structures. They are guilty of genocide. They are guilty of colonialism. They are guilty of exploitation. We won't depend on the courts. We can't depend on the U.S. constitution, or as we call it in the New Afrikan independence movement, the "U.S. Constipation." Let us remember that this constitution, which is being glorified this year, counted a New Afrikan person as three-fifths of a human being. It legalized the slave trade for over 2 centuries and allowed the U.S. federal government to benefit from the slave trade by taxing each slave when they brought him or her to this country. It also called for the capture of fugitive slaves.

And let us remember that today in the United States Constitution, under the 13th Amendment of that constitution, or constipation, it allows prisoners to be treated as slaves. It allows for the conditions of slavery that existed before the 13th Amendment of 1865 to be applied inside the prison system, if you read it correctly. Marion and Lexington Control Units are actually concentration camps. They are set up to contain and control and oppress people, the victims and the scapegoats of the American nightmare. It is set up to isolate political activists, to isolate revolutionaries, and to eliminate the possibility of another Malcolm X, or George Jackson from coming out of the prison walls, from coming out of the concentration camps. But it was a revolutionary from this city, from Chicago, who taught us, "You can jail a revolutionary but you

can't jail the revolution." That was brother Fred Hampton. (Applause)

We must remember in the final analysis that even though we played the role of the judge tonight, the people are the judge. The people are the best judges. So it is incumbent upon all of us to take the evidence that we found tonight, to take it to the people, to take it to the streets, through whatever form, through leaflets, through forums, through art, through culture, through film, whatever means necessary, we must take it to our people. So they can make the final determination. They said I was the last judge, I was the final judge tonight. No, the people will be the final judge. The people will render the type of verdict that we need. We must compel them to decide. Not only to smash Marion and Lexington, but to smash the evil and illegal system of colonial genocide and capitalist exploitation. We must shake the foundations of this illegal system. We must free Puerto Rico. We must free the Mexicano people, we must free the Native nations, we must free New Afrika, we must free the land. "Free the land!" (Applause)

ABOLISH THE CONTROL UNITS - SHUT THEM DOWN!

NK: I think I already know the answer to the question I'm going to put to you. But we've heard the verdict of the judges this evening after an afternoon of testimony. And I definitely want to agree with the idea that was put forth by Nancy Horgan earlier today, that the people here are competent to judge whether the United States government, through its Bureau of Prisons, the F.B.I., the Attorney General, etc., are guilty of blatant, racist human rights violations. But I'd like to hear the verdict from you all, a demonstration. Your participation here today and tonight indicates that you are not subject to the psychic numbness that someone talked about earlier today. But I'd like to hear what your verdict is. Is it guilty or not guilty? (GUILTY!) One more time, I can't hear it loud enough. (GUILTY!)

Okay, well then if that's the case, I think then that we have to do something about it. We have to demonstrate our intolerance of the existence of these Control Units. We have to demonstrate it, materially in the world. We have to ensure that there is enough motion, not just to get them to announce that they are going to close down the Lexington Control Unit, but we have to ensure that in fact that the Lexington Control Unit is shut down, and that the women who are in it are moved out immediately. (Applause)

And then we have to continue the work, simultaneously, we have to continue the work around Marion federal prison. We have to continue the work because we are committed to the freedom of the political prisoners, and we are committed to ending the prison system such as it exists in this country today. So we have a long hard task before us. And as people have said all day today, this is not something that will happen instantly. It's not something that will happen through efforts that burn out in short spaces of time. So we have to prepare ourselves for a very long struggle. But as someone said, Marion and Lexington were built by people, and people can destroy them, if we work together to build a movement and the people in the room tonight help. If you are involved in the work, continue to be involved, don't give up. Don't give up now because we are really just getting started. If you are not involved in the work, join us. Join us in whatever ways you can: getting the word out to friends, showing the slide shows, educational work, help us transcribe the tapes of the proceedings today.

And join us in our demonstrations, they do make a difference. We have seen that, we believe that we have had some impact, at least in getting Sundiata Acoli moved out of Marion federal prison after he'd been there many years. That's not the whole thing, but it's a part. At the same time, we just heard today that political prisoner Alan Berkman is presently designated to go to Marion, starting next week. But for the political prisoners and all the prisoners, join us in our work.

Thank you for coming today and tonight. Thanks so much for the judges. (Applause) So as we said when we went to the Rock Island Arsenal, "Shut it down!" ("Shut it down!") Let's leave here tonight with a firm resolve to abolish the control units forever! (Applause)

RESOURCES

If you would like to learn more about the lockdown at Marion, the women's control unit at Lexington, or other issues discussed during the People's Tribunal, here is a list of resources available from the sponsoring organizations. Also available are petitions and brochures from the Committee to End The Marion Lockdown, the National Campaign to Abolish the Lexington Women's Control Unit and the National Committee to Free Puerto Rican Prisoners of War. This transcript was produced to motivate concerned people into action. We urge you to work with us to educate the public about the control unit's history, conditions and purpose. Donations are gladly accepted by all three sponsoring organizations. Please contact us.

Resources available from:

<u>The Committee to End The Marion Lockdown</u>

Marion Prison: Inside the Lockdown! - $1.50
Produced by the CEML, this shocking and informative pamphlet includes the transcript of a two part radio documentary about Marion, broadcast on National Public Radio's "All Things Considered." It features interviews with prison staff and prisoners, as well as impressions left upon the reporters.

Report on Marion Prison by Amnesty International - $2.00
This report was compiled in May 1987 after an Amnesty International observer investigated allegations of ill-treatment of prisoners. The report condemns conditions at Marion, stating that they "amount to cruel and unusual punishment."

Marion slideshow - $25 rental
CEML created this slideshow about the conditions and history of Marion Prison and the role white supremacy plays in U.S. prisons and society as a whole. The Lexington control unit is also examined. The slideshow is available for purchase.

Stanford University Prison Experiment slideshow - inquire

If you want to be placed on our mailing list, or to obtain the above resources, petitions calling for an end to the lockdown and brochures, please contact:

The Committee to End the Marion Lockdown
343 S. Dearborn, Suite 1607, Chicago, IL 60604
(312) 663-5046

Resources available from:

The National Campaign to Abolish the Lexington Women's Control Unit

ACLU Report on the Lexington Control Unit - $2.00
The American Civil Liberties Union released this report in August, 1987 in response to organizing done by the National Campaign. The report was made by a psychologist who toured the unit and interviewed the women. This report condemns the control unit, and was instrumental in the Bureau of Prison's announcement in October, 1987 that the Lexington unit will be closed. As of June, 1988, however, the Lexington control unit remains open.

Informational Packet on the Lexington Control Unit - $1.00
This packet includes the National Campaign newspaper clippings, as well as statements made by the women political prisoners and others involved in the struggle to shut down the control unit.

Cassette of KFAI Radio Program on Lexington - $4.00
This tape features interviews with the women prisoners of the Lexington control unit from a 30 minute radio program broadcast on KFAI in Oakland, CA.

The National Campaign to Abolish the Lexington Women's Control Unit is an organization committed to building a movement to force the U.S. government to shut down the Lexington unit. It is made up of people concerned about the emergence of the control unit as a tool of government political repression and psychological torture. The National Campaign is also opposed to the opening of a special women's unit at Marianna Prison in Marianna, FL, scheduled to open July, 1988. It is projected to hold one hundred women in conditions believed to be similar to Lexington. To obtain the above materials on the Lexington control unit, and the new women's unit planned for Marianna, FL, please contact:

The National Campaign to Abolish the Lexington Women's Control Unit
New York: 294 Atlantic Avenue
Brooklyn, NY 11201
(718) 624-0800
Chicago: Box 295, 2520 N. Lincoln
Chicago, IL 60614
(312) 278-6706
San Francisco: 3543 18th Street, #17
San Francisco, CA 94110
(415) 561-9055

Resources available from:

The National Committee to Free Puerto Rican Prisoners of War

The Puerto Rican Prisoners of War and Violations of Their Human Rights - $2.00
This booklet documents the history of each of the prisoners of war and the harsh treatment they have all received in U.S. jails and prisons. This resource shows the length to which the government will go to discourage Puerto Ricans from struggling for the independence of their homeland.

The National Committee to Free Puerto Rican Prisoners of War is an organization created to support Puerto Ricans arrested for struggling against the colonialism of Puerto Ricans inside and outside of the United States. It also serves to safeguard the human rights of the Puerto Rican P.O.W.s and political prisoners, and to provide them the means to help advance the struggle while inside the prison walls. ***La Libertad*** is a monthly magazine that includes articles by and about the P.O.W.s, which the National Committee produces. To obtain the above booklet, a subscription to ***La Libertad*** or more information about the Puerto Rican Prisoners of War, please contact:

The National Committee to Free the Puerto Rican Prisoners of War
P.O. Box 476698
Chicago, IL 60647

Other

Reports from the Oversight Hearings on Marion Penitentiary by the U.S. House of Representatives
In 1984 and 1985 the U.S. House of Representatives' Committee on the Judiciary held special hearings on the Marion lockdown. Those hearings did not end the lockdown, but they did produce two long, detailed books of transcriptions, and other interesting materials related to the hearings. These reports are available at no charge to the public. To receive the 1984 report (serial # 106) or the 1985 report (serial #26), write to:

The Honorable Robert W. Kastenmeier
House of Representatives
Washington D.C. 20515

We also encourage people to write to the director of the Bureau of Prisons to demand that the present control units at Marion and Lexington be shut down and that no other control units ever be opened. Write to:

Michael Quinlan
Director, U.S. Bureau of Prisons
320 1st Street, N.W.
Washington D.C. 20001

OCTOBER 27, 1983: Lockdown begins at Marion Prison.
OCTOBER 29, 1986: Control Unit for women opens at Lexington Prison.
OCTOBER 24, 1987:

PEOPLE'S TRIBUNAL

to expose the crimes of the Marion & Lexington Control Units

TESTIMONY FROM

Rev. Ted & Mary Ann Blunk
Bella & Manny Rosenberg
Rev. Jose Torres
Rev. Mary Warner
relatives of prisoners
Nancy Horgan
Melinda Power
Jan Susler
attorneys
Amnesty International
report on Marion
Former guard
from Marion
Phil Scopelite
editor & publisher:
"Transport Fleet News"
William A. Reuben
former exec. dir. ACLU
Dr. Susana Schlesinger
psychologist
Ashanti Chimurenga
New Afrikan activist & attorney
Shelley Miller
grand jury resister;
former political prisoner
Representative
Lexington Committee to
Shut Down the HSU
Jaime Delgado
National Committee to Free
Puerto Rican Prisoners of War

JUSTICES

Betty Balanoff
prof. of history, Roosevelt Univ.
Darla Bradley
Plowshares activist;
former political prisoner
Dave Dellinger
peace activist; member, Chicago 7
Dora Garcia-Lopez
National Committee to Free
Puerto Rican Prisoners of War
Bernard Headley
chair, Crimninal Justice Dept.,
Northeastern Illinois Univ.
Sister Jean Hughes
8th Day Center for Peace & Justice
Joan McCarty
director, Prison Workshop Players
Lu Palmer
Chicago community activist
Morton Sobell
co-defendant of Ethel
and Julius Rosenberg
Akinyela Umoja
National Secretary,
New Afrikan People's Organization

Saturday, October 24 12 - 9:30 p.m.
Wellington Avenue Church, 615 West Wellington

donation $1-5 (sliding scale) childcare provided

The Marion Control Unit

Marion Federal Prison in Illinois is the most maximum security prison in the United States. The entire prison is a Control Unit where the Bureau of Prisons experiments with behavior modification through isolation and sensory deprivation. Marion has been designed to control all those prisoners in the United States who are hated by the Bureau of Prisons--people who stand up for themselves, writ writers, political prisoners and others. A warden of Marion admitted in court during a 1975 law suit against the prison that the purpose of the Control Unit was "to control revolutionary attitudes that are prevalent in prison and in the society at large." In 1987, Amnesty International issued a special report condemning Marion Prison for violating the U.N.'s minimal rules for the treatment of prisoners. The report added that conditions at Marion, in their totality, amount to "cruel, inhuman, and degrading treatment."

The Lexington Control Unit

The Lexington Control Unit is the first U.S. prison built specifically for women political prisoners. Imprisoned there are Alejandrina Torres, a Puerto Rican prisoner of war, and anti-imperialist prisoners Susan Rosenberg and Silvia Baraldini, an Italian national. Every detail of their lives is under constant audio and visual surveillance. The goal is to isolate and psychologically weaken these women and to ultimately break their will and spirit. Daily strip searches, censored mail, confinement 23 hours a day in a basement, and visits limited to immediate family are all part of a U.S. government plan to destroy these women.

On Saturday, October 24, the wardens of Marion and Lexington prisons, Attorney General Edwin Meese, and the Federal Bureau of Investigation will be on trial for crimes committed against humanity.

Witnesses with expert testimony, judges to weigh the evidence, and *you*--participating in the questioning--will all help the tribunal to reach a verdict.

This experience will help bring together many people committed to closing the Control Units.

SCHEDULE

12:00 - 12:30	**Welcome and registration**
12:30 - 2:30	**Display of full-size model Control Unit cell** **Literature and Committee members available** **Audio-visual presentations** *slide show on Marion prison *slide show: The Stanford University Prison Experiment--the psychology of imprisonment *video: interview with 4 Puerto Rican women prisoners of war *video: interview with Susan Rosenberg *video: demonstration at Lexington Prison on International Women's Day, 1987
2:30 - 6:00	**Testimony from witnesses with questions from the floor**
6:00 - 7:30	**Dinner; literature and Committee members available**
7:30 - 9:30	**Tribunal reconvenes;** **Justices deliver their verdict**

sponsored by:
Committee to End the Marion Lockdown
National Campaign to Abolish the Lexington Women's Control Unit
National Committee to Free Puerto Rican Prisoners of War

for info: call 342-8023, or write the Committee to End the Marion Lockdown at 343 South Dearborn, Suite 1607 Chicago, IL 60604

"We, the hereon undersigned, extend greetings and solidarity to the People's Tribunal and commend its efforts to expose the criminality of U.S. government repression at its Marion and Lexington prisons. On this 4th anniversary of the imposition of the infamous lockdown of USP Marion, it is especially appropriate to create conciousness of the maximum restriction, lockdown, control unit mania that has already spawned similar dungeons at FCI Lexington and in several states, with more in the works."

-signed by 26 inmates at USP Marion

"Part of the 'mission' of the BOP with the establishment of this unit is to neutralize our commitment, our political identities, to render us psychologically dependent. The experiences at the HSU have not done that, rather our commitment has been strengthened. We beleve that the psychological experimentation conducted on us to break us, to destroy our unity, to try and make us hate ourselves, to feel abandoned by our movements -- all of it has failed.'"

-Susan Rosenberg, anti-imperialist Political Prisoner, Sylvia Baraldini, anti-imperialist Political Prisoner, Alejandrina Torres, Puerto Rican Prisoner of War, Lexington HSU

"The Tribunal is a powerful and moving expose of the sinister nature of Marion Penitentiary, and lays bare its brutal dehumanizing character for all to see. A must reading for all those committed to knowing the truth and acting, based on facts."

-Sundiata Acoli, New Afrikan Political Prisoner of War

"'Can such a human experiment be stopped?' is a question that needs to be answered. Only if a strong movement is organized that can fight Washington and the Bureau of Prisons, and that can draw support from those who are directly affected as well as society at large. Within Marion very little can be done since prisoners are isolated from each other and live in an environment where they are more apt to fight among themselves than with the enemy. So any attempt to struggle against USP Marion must rest within those forces that are progressive and committed enough to want to tackle this issue."

-Oscar Lopez, Puerto Rican Prisoner of War

"Simply by observing the treatment of prisoners at USP Marion, America's self appointed role as the world's human rights advocate is revealed as so much hypocrisy. Marion's violation of many of the U.N. Minimum Standard Rules for the treatment of prisoners shows how shallow the U.S. commitment to a human rights program really is. This transcript of the Tribunal's work in revealing the abuses of Martion and Lexington has done much to expose the illusion of concern for human rights cast by the U.S. government."

-Kojo Bomani-Sababu, New Afrikan Political Prisoner

"USP Marion is billed as a 'concentration model' enshrouded in disinformation in order to hide from the people its character as a tool of oppression. But such tactics of social manipulation and control are a public danger because they always overflow the dark concrete corners in which they are spawned in secrecy. This record of the Tribunal's exposure of the depredations of Marion and Lexington shines home sterilizing light into the American Gulag Archipalago -- and is also a warning beacon."

-Bill Dunne, #10916-086 USP Marion

"I am not incapacitated [though my jailers have certainly tried to make me so]. I am not their victim. What I am is a revolutionary whose spirit of resistance they want to destroy because I dare to demand the treatment and respect that corresponds to my position as prisoner of war. They would like to destroy this spirit in me, but this they cannot do, for I will resist all their attacks. I know I will continue resisting with the forthrightness of my POW posisiton, the dignity of my nation, and my sense of revolutionary morality."

-Alejandrina Torres, Puerto Rican Prisoner of War.