



OUT the LAW

Vol.1 No. 2

25c

Journal of the Prisoners Union

WALLER PRESS

182

Dec. 71

FREEDOM OF SPEECH IS THE WILL
TO ACT ON WHAT YOU SPEAK.
Walter Marchand, ex-con.

**CONVICT
Women**



The Prisoner's Union is an organization of convicts, ex-convicts and interested citizens dedicated to bringing about change in a decadent, barbaric prison system, a system designed to de-humanize men and women in the most agonizing ways that only men can devise, one that has over the years of penology become ultra-sophisticated; a sophistication that would shame a sophist but only elicits that word REFORM from the penologists. A word that is in itself deceptive because it means: leave the structure as it is - just reform the face of it. In the Prisoner's Union do not want reform, we want a permanent change. This means a good hard look at the STRUCTURE. Unity is the only answer for a solution.

Willie Holder - X

Robbing the
Prisoners Union

The Forgotten Offenders

Brotherhood
is powerful

ACTION IS THE EPITOME
OF INTELLECTUALISM.
convict.
YEAH! Patty Wood, ex-con.



Prisoners Union
Exposed
PUNISHING COVERS
Dept. of Corrections??

Unity is sweet

Taxpayers take notice!
Capitalism and crime



'Once a man pays his debt to society, he ought to be able to begin with a clean slate.'

Correctional industries

prison system
of Convicted
Beastialities

Folsom prison

UNITY
IS
THE
SOLUTION

1984

STATE OF CALIFORNIA -- HUMAN RELATIONS DIVISION
DEPARTMENT OF CORRECTIONS
SACRAMENTO

September 8, 1971

Mr. Robert L. Lawson
Executive Officer, California
Council on Criminal Justice
1108 - 14th Street, Room 500
Sacramento, CA 95814

Subject: Letter of Intent -- Proposal for the Neurosurgical
Treatment of Violent Inmates

Dear Mr. Lawson:

The problem of treating the aggressive, destructive inmate has long been a problem in all correctional systems. During recent years this problem has become particularly acute in the California Department of Corrections institutions. To date, no satisfactory method of treatment of these individuals has been developed.

This letter of intent is to alert you to the development of a proposal to seek funding for a program involving a complex neurosurgical evaluation and treatment program for the violent inmate. The program would involve the neurosurgery staff of the University of California at San Francisco Medical Center. Initially, following screening at the California Medical Facility at Vacaville, a period of acute hospitalization would be involved at the UCSF Hospital for a period of 5 to 7 days. After this, during a period of two or three weeks, the patient would undergo diagnostic studies, probably on an outpatient basis, being transported as necessary from either California Medical Facility at Vacaville or San Quentin. During this time, surgical and diagnostic procedures would be performed to locate centers in the brain which may have been previously damaged and which could serve as the focus for episodes of violent behavior. If these areas were located and verified that they were indeed the source of aggressive behavior, neurosurgery would be performed, directed at the previously found cerebral foci. Finally, if it were found that surgery was indicated the patient would be rehospitalized at the UCSF Medical Center for its performance.

It is estimated that the total effort, including the necessary screening by physicians, the hospitalizations, pay and transportation for correctional officers would amount to \$48,000; grant funds required would be \$36,000 with the Department of Corrections providing the 25% in kind match.

Very sincerely,

R. K. PROCUNIER

PRISON REFORM?

editorial

tony newland

...ed by Leo Ryan, Democrat from the 27th District, was the darkest development in the history of penology. The proposal would make it mandatory that convicted felons, sentenced to State Prison, would not serve longer than the minimum sentence imposed on them for their crimes. California is one state that imposes an indeterminate sentence, setting out a minimum and a maximum sentence for a specific crime. Thus, a person convicted of armed robbery, by statute, will receive a five-year to life sentence. The prisoner enters the prison for the maximum term prescribed, namely life, and has no opportunity to appear before a parole board. The problem of prisons to their present state. To others, such as E. Kim Nelson, Dean of the School of Public Administration at the University of Southern California, it means abandonment of the concept of prison as a corrective device (simply because it won't work) and honestly maintaining prisons for what they are - places of punishment. From these two views, which are quite close despite the disparate frames of reference, one can travel all the way to topical revolutionary rhetoric which advocates, "ban all prisons, now!"

Since such a wide range of views exists regarding prison reform, so wide that it would be extremely difficult to have consensus, the next logical step might be to get away from the notion of prison reform altogether. A serious argument for the abolition of the concept can easily be generated. A close look at the history of corrections shows that two serious reform movements (if fact, some have called them correctional "revolutions") have occurred in the past two hundred years. The problem with these reform revolutions, however, is that each has merely paid attention to the theory and/or to the practice of the operations of the criminal justice system. What has never been tackled are

the basic assumptions of the system. Why is there such rigid stratification along economic and class lines in the publicly-labeled criminal population? Is it really possible that the lower class is inherently more criminal than other classes? Or is it rather possible that something else is operating? And since this becomes a moot question, for this line of reasoning is not likely to find its way into any kind of administrative policy, we are left the absolute conviction that any new type of prison reform will merely be an extension of the other reforms of the past. We will only have a patch-up job, a new definition of the same old "game". The evidence in that regard is clear.

New frills, such as reduced case-loads, professionalization of personnel, smaller prisons, or new

"treatment" strategies will not appreciably alter the prison problem. Instead we must pay attention to the assumptions underlying the structure of the criminal justice system. Why is it that a small minority are being extracted from the large population of lawbreakers and subjected to tremendous injustices? What is it about the "boundary-maintaining" functions of our society which makes this system necessary?

In sum, we can only urge that the notion of prison reform meets the fate it deserves. Furthermore, we urge in the place of "reform" we begin to speak of change: structural change, based on the best evidence which can be mustered; but above all, prison change which will address itself to justice.

UNITY IS THE SOLUTION

The bookshelves of penologists and sociologists sag with volumes written on the subject of the effects of prison on the human. Essentially, an organism which feeds upon and emits a certain set of influences commits a felony -- the reasons for which are lost in the interminable theories of social behaviourists -- and is suddenly and violently snatched from its conditions of daily life and transplanted in a foul soil where it cannot experience, except vicariously through a tormented imagination, the simple influences of life on which it once depended. This organism becomes dependant upon the influences of prison life. Sooner or later it suffers some kind of permanent derangement and develops a new style of habits -- such as a tendency toward recidivism. Where the organism is not deranged there are Provisions of Parole to ensure that the organism will not escape the clutches of the Department of Corrections.

And only a convict can feel the sense of rejection and isolation of having to ask his parole officer for permission to marry or engage in any civil right. And only convicts can DO anything about their condition.

Employees have power only when they can, for a time at least, act as one body and sit down on the job and tell their employer: "We are not producing for you anymore until our demands are met." Until we are able to act as one body -- black, brown, white, and yellow bodies -- the bookshelves will continue to sag, we will continue to spend murderous lengths of time in prison while working for slave rates until our release into a world devoid of civil rights.

If we convicts and ex-convicts look forward to the termination of the indeterminate sentence, the establishment of a minimum wage and the full restoration of all civil rights we must join -- join, that is, not so much an organization but ourselves. UNITY IS THE SOLUTION.

A person commits a felony, goes to prison and is kept in prison so long that he inevitably cultivates a hunger for revenge which is easily satisfied in the completion of a felony, is apprehended and sent back to prison -- or returns for a parole violation, which is neither a felony nor a misdemeanor but only an infraction of one or more interdepartmental rules, all of which are designed or at least have the effect of having been designed to perpetuate a high body-count for the CDC. And there is only one body of men who know better than any other when an organism begins to deteriorate and slips beyond the point of no return: convicts. Only a convict knows his true worth as a laborer, only he knows the degradation of manufacturing furniture for pennies an hour while the State reaps the profits.

STAFF BOX

EDITOR
Tony Newland

Composers:	Distribution/
Judy Klein	Circulation:
Willie Holder	Candy Shapiro
Russ Russell	Joaquin Wilson
Conner Nixon	
Joaquin Wilson	Prisoners'
Patty Wood	Union
Staff Artist:	1345 7th Ave.
Willie Holder	S.F., Ca. 94122
	664-4315
Staff Photographer:	
Joaquin Wilson	



Remember!

The Forgotten Offender

FACTS ABOUT WOMEN PRISONERS

The typical California woman prisoner is a white, 33-year old who will serve 1 1/2 years for a narcotic offense, reveals the 1968 edition of California Prisoners.

This 150-page pamphlet summarizes statistical information about Calif. felon prisoners and parolees.

California Prisoners is published by the Human Relations Agency of the Department of Corrections.

Some 1,069 women were paroled at the end of 1968 with the total women prison population at 680.

Most of the women parolees were convicted of forgery and check offenses, reports the study.

White women made up 66 per cent of the prison population in 1968. Twenty-eight per cent of the women inmates were black and three per cent were Mexican.

Theft, forgery and checks, and narcotic offenses were committed by 70 per cent of the white women. Black women's crimes accounted for 36 per cent of those jailed for homicide convictions. Mexican women made up 8 per cent of those jailed for narcotics.

More than 68 per cent of the women convicted of homicide had never been jailed before. However, 56 per cent of the women charged with forgery and check crimes and 67 per cent of the narcotic offenders had served jail or juvenile sentences previously.

The trend of the types of crimes

women are jailed for has been changing. Though narcotic offenders comprised the highest percentage of women felons, and forgery and check offenders ranked second, the percentage of women jailed for homicide has increased from 11 per cent in 1958 to 17 per cent in 1968.

Homicide convictions for men, furthermore, have only risen from six per cent to nine per cent from 1958 to 1968.

Robbery, on the other hand, accounted for the crimes that most men had committed. Convicted robbers increased from 20 per cent to 25 per cent from 1958 to 1968.

Fifty-one per cent of the women felons had served a jail or juvenile sentence before their imprisonment in 1968. But 77 per cent of the women inmates are still under 40-years old.

Women felons who had been paroled and returned three or more times for violations increased from 3 per cent in 1958 to 19 per cent in 1968.

More than 98 per cent of the women released from prison in 1968 were paroled with only 1.8 per cent discharged without parole.

Time served in prison by women felons has increased from 12 months in 1965 to 18 months in 1968. Women re-paroled after their return to prison served an average of 11 months before they were re-released to parole.

Thus women inmates in recent years are returning to prison more often

than they used to. Their jail-time is longer and they have gotten older. More minority women are jailed and for more serious crimes.

Donna Horowitz - student

71

Neurosurgical

What have I done to deserve this?
What am I to be treated like this?
I had this wonderful idea of being a woman, but I didn't exactly know what position I was in as a woman, in this country, until I heard the lock of doors close behind me.
It's still hard to believe the dehumanization I was put thru inside - how much more intense my position as a non-human was.
What have I done to deserve this?
What am I to be treated like this?
A girl I was called.
Like an animal I was treated.
But one thing I won - one thing I gained was a deep understanding and love for women - for women forced in pain and forced in hurt.
What have WE done to deserve this?
What are WE to be treated like this?

Pat Wood - K

FULL VISION TOILETS



She starts the day at about 7 a.m. with hot or cold cereal, a cup of milk and plain toast. She must buy sugar from the commissary herself.

This is what Susan Rucker, 20, has awoken to every day since Sept. 15. This is what she can expect until Jan. 29.

Miss Rucker is currently serving five months of a six-month prostitution conviction in the San Francisco City Jail.

Because she hasn't entered petty quarrels with her fellow inmates, she'll be released one month early.

Five more days will also be cut off her sentence because she sorts the women's blue prison uniforms for a half-hour or an hour daily. She's getting no money for this job, though.

Miss Rucker says her cell is "crowded." She shares her cell -- about 24 feet by 24 feet with nine other women who sleep in four bunk beds and two cots.

The deputies treat the women fairly, says Miss Rucker. But she says the public defenders "mess you over." She says they don't fight for you.

They just don't care what happens to their clients.

Miss Rucker says most of her customers were middle-aged, white businessmen who weren't from the city.

She says they were the "cleanest and nicest" to do business with during her top night of business she made \$150 to \$200. Before she came to San Francisco she labored for \$200 a month in a paperback book manufacturing factory.

"I'm still young and I don't want to get any older at this stage," says Miss Rucker, who admits that her profession aged her.

She says when she's released she'll go to bakers' training school. She says she doesn't "want to keep coming to jail all her life."

Miss Rucker says there's no kind of vocational training for her while she's in jail. All she does is read, play cards and listen to the radio. On Wednesdays a Salvation Army lady comes and the women make Christmas decorations.

Miss Rucker says the lieutenant is "kind of a battle-ax."

Lieutenant Rita Barnell has been head of the women's division for 11 years. The jail holds 60 women under maximum security, says Lt. Barnell.

Lt. Barnell says not one woman has ever escaped. There's no way to get out the front door. She says she doesn't even have the keys for all the doors.

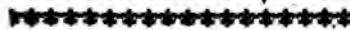
Lt. Barnell said deputies can't be too easy going with the prisoners. "Any women will take advantage of a deputy if she is too lenient," she says.

Lt. Barnell said the prisoners aren't always well-behaved. She has to break up fights once in a while.

But she says no one is allowed "to kill themselves." That's why full vision toilets have been installed in each cell.

Lt. Barnell says she has to "get to know the people." She's in charge of seeing that the "girls" keep an "emotional balance."

Donna Horowitz - Student



UP AGAINST the LAW

(Editor's Note: The questions raised by this article are indeed provocative. It was written by a current prisoner in California. His name is being withheld for obvious reasons.)

The defeat of Assembly Bill 483, proposed by Leo Ryan, Democrat from the 27th District, was the darkest development in the history of penology. The proposal would make it mandatory that convicted felons, sentenced to State Prison, would not serve longer than the minimum sentence imposed on them for their crimes. California is one state that imposes an indeterminate sentence, setting out a minimum and a maximum sentence for a specific crime. Thus, a person convicted of armed robbery, by statute, will receive a five-year to life sentence. The prisoner enters the prison for the maximum term prescribed, namely life, and has an opportunity to appear before a parole board, who has absolute power to set any length of time for this prisoner to serve; time served may vary from twenty-four months, the minimum, or five years and anywhere up to a lifetime in prison. This term allegedly is determined by the inmate's attitude, demeanor, ability to adapt to prison routine and clear record while in custody.

It is hard to imagine the interference of the California Department of Corrections as well as the lobby of the Correctional Officers' many Associations to strangle the very Bill that basically substantiates and supports their position that indeterminate sentences are conducive to rehabilitation by producing in the inmates a desire to do better to earn an earlier release. The Bill would have created for the first time in this State a true incentive for the inmates to serve their time with a clear record, win their release and re-enter society without the cruel frustration of never knowing how long their sentences will run. It appears that the system is attempting to retain the reputation of having the longest sentences in the country.

The hypothesis that the CDC's recent change of position, from support to opposition of AB 483 was based upon recent riots and killings within their institutions cannot stand, as it is hard to believe that a system dedicated to rehabilitation would be guilty of retributive acts. In the history of this State's correctional concepts, sentences have increased rather than decreased. Instigated by mass hysteria, penal codes were strengthened, all to unbelievable proportions.

All administrative efforts, under the guise of rehabilitative steps, were directed to the increase of security, building bigger and better prisons. It is interesting to note that 90% of the budget is allocated to security. The author will not attempt to go into the various aspects of due process and the role money plays in trials and proceedings leading to imprisonment as this issue rightfully belongs in the field of

law and not in corrections.

Imprisonment is the basis of the current concept of criminology, that increases crime rather than serving to decrease it. It can be observed that increasing the terms of the sentences does not decrease the incidence of crime. On the other hand, it was also shown that by reviving the death penalty in some states where it was dormant, actually increased the crime of murder. Severe penalties brutalize society in general, causing increase in crime rates.

Prison brutalizes the inmate, the guard and staff. Society, as we have already seen, is brutalized by the increasing degree of reparation and develops animosity towards the prison populations and to inmates released on parole. Man's indifference to Man becomes an accepted dogma. Under such attitudes, the concepts of rehabilitation and restitution, two of the major trends, theoretically and practically adaptable to penology, fail.

The constructive principle to teach the offender responsibility, emotional stability and gainful trade or profession cannot exist under prison conditions. Prisons rob a man of his identity, sensitivity, and compassion. Responsibility in prison is non-existent. The trades and vocational training available are designed to serve institutional needs and are institution oriented; prison-trained cooks and clerks, automobile license plate makers, mattress makers, prison uniform tailors cannot find gainful employment after release, only those who had a pre-prison trade or profession return and are again employed. Imprisonment takes from a man the very basic concepts of honor and respect, causes him to lose professional licenses, emasculating him and regurgitating him, powerless, civilly dead, and morally exhausted into a society that rejects him.

The prison offers several positive factors, each diametrically opposite to the actual goal of corrections. Life in prison is not dissimilar to the life in a seminary or a private university. It is the exposure to these institutions that teaches us the profession or science we seek: a four year term at a university will earn a student a Bachelor's Degree in practically any field. On the other hand so will a four year term at a prison. The parallel is there: exposure, availability of information, willing teachers and tutors, and thousands of students. Let us examine this point -- it is a fact that the methodology of crime increases in efficiency after each period of incarceration; proficiency can only be developed from experience of instructions. Common burglars learn to pick locks and safes, evaluate jewelry; narcotic addicts learn to smuggle efficiently; and above all other developments, criminal contacts are increased to include every possible grade, type and dedication in specialized areas.

We can see that recidivism prevails in staggering percentages, over 50% of parolees return to prison, most of them within a year or few months of release. The main reason for return is inability to make way in life due to the barricades imposed by the conditions of parole, civil death, and the stigma of being an "ex-con". Indiscriminate parole violations at the whim of the parole officer without basis or right to due process add to the stream of returnees.

In actual practice, few can actually be said to belong in prison or away from society; many of these are dangerous to either themselves or to others due to many underlying causes; consequently, the inmates falling into this category need medical or psychiatric therapy not impersonal and prolonged incarceration.

We must take a hard look at criminality and penology. Each must be aware as voters and members of society that there is a causal relationship between criminality and penology. The majority of offenders are propagated and nurtured by the theory of punishment and retribution.

Many years ago the communities of Royal Oak, Michigan and Boulder, Colorado, experimented with a new concept in corrections. Due to a shortage of probation officers in those small communities, the courts had to imprison or jail misdemeanants, rather than releasing them on probation, for lack of supervision. A proposal created a project that involved volunteers from the community to work on a one-to-one basis, one volunteer to each offender for the duration of the probation period. The chief objective here was not enforcement supervision but guidance in life, the most common problems that require experienced advice--financial, marital, all forms of crisis intervention were provided by the volunteers in the form of personal attention. These communities report a decrease in recidivism by 55%. Fresno, Calif., an agricultural community followed Las Vegas, Nevada and other Calif. communities by becoming the first area to use a privately incorporated non-profit corporation to operate a volunteer probation department, a budget of \$17,000.00 annually provides over \$300,000.00 of services to that community.

The hypothesis is quite simple. Volunteers in every community, trained and supervised by probation departments with professional staffs, supervise and guide all offenders who remain in society with the exception of major crimes such as murder under certain conditions and violent pathological offenses, the matter of selection and qualification should not be an issue for the purpose of this article. Offenders remaining in society are helped to keep up their responsibilities, families, jobs and personal problems. By involving a large percentage of the population in this

Cont. to pg. 13

END THE INDETERMINATE SENTENCE!

PRISON OR

by KAIDI KASIRIKA
and MAHARIBI MUI

LARRY WEST is serving a life sentence for kidnap and robbery. Generally acknowledged as one of the best legal minds in prison, Brother West and Russell Magee have collaborated on a number of legal writs. He was recently transferred from San Quentin to Folsom Prison because of his legal activity on behalf of inmates and his particular assistance of Russell Magee. In his words, "When you talk about August 7, 1970, that's not an escape. It's a slave rebellion."

KENNETH DIVANS, co-author of this article, is one of the 28 black prisoners who were tortured and beaten in San Quentin's "adjustment center" on August 21, the day George Jackson was killed. He is being held incommunicado, but he may be reached by letter; his address is Kenneth Divans, B-11368, Tazewell, Calif. 94964. Now 27, Brother Divans has spent most of his life in California prisons.

MEN AND WOMEN come to jail primarily because of their economic status. Over 80% of prisoners enter prison with crimes concerning obtaining money — whether it's murder-robbery, first degree robbery, second degree robbery, grand theft, petty theft, picking pockets, till-tapping, first or second degree burglary, passing checks, forgery, pimping and pandering, selling narcotics, etc. All these crimes are committed to obtain money, to secure food, clothing and shelter in some manner.

The crimes, most being petty in nature, are usually committed by the unemployed, under-employed or disabled. The people, the black and poor people who are in desperate need, seek to provide for themselves the essentials of life.

Many who read this article may disagree with the conclusions I reached above because they fail to see that the systematic educational process in this country conditions us to accept competition and imbeds within each person the desire to exploit his fellow being — to try to obtain the maximum selfish benefit for the minimum output. So, it is only natural that when forces beyond the individual's control ensnare him and impede his economical progress, he utilizes those resources at his immediate command to break through those barriers erected to his detriment.

It would be interesting to see what percentage of black men and women would be sent to prison if they were not subjected to racism and discrimination, were granted a relevant education and an equal opportunity to prosper as other American citizens, and were spared the psychological sabotage that has been directed upon their minds.

However, black and poor people are also exploited as a class, and forced to work for slave wages. They are subjected to a luxurious society that advocates the acquiring of wealth as the means to happiness and prosperity; a society that incessantly displays a multitude of riches, yet denies them the means to acquire same; a society that makes every action a crime and yet only black and poor people subjected to prosecution.

IF WE ARE to understand the prison system it is necessary to take a critical and honest look at the system as a whole as Chairman Mao states:

It is well known that when you do anything, unless you understand its actual circumstances, its nature and its relations to other things (the part correlated to the whole) you will not know the laws governing it or know how to do it or be able to do it well.

Or be able to deal with it effectively, you dig?

White racism and materialism (private ownership) are the two components of capitalism. One component absent of the other would severely cripple, if not destroy, the capitalistic system. The prison slavery system manifests itself as the primeval means of production for capitalism. The majority of the minority groups that overcrowd the prisons are the direct results of white racism. There is no divorce of the prison and capitalistic system as some may

think. The prisons are merely one part of the exorbitant afterbirths of a backwards government and politics. In attacking the prison system, we are merely assailing one of the tentacles of the octopus, as a necessary prelude for the inevitable removal of its head, i.e., the American capitalistic system.

The prison system is a slave system. A slave is one who is held captive without freedom of choice and must labor until death or until his freedom is bought. The California prison system is a slave system, patterned after that of the original 13 colonies. The immense power wielded by this state slave system ascends to the president. From the womb to the tomb, juveniles are forced into crime and eventually become adult offenders.

It's more than a coincidence that 80% of today's prisoners started being rehabilitated at ages 11 or 12, and yet at ages 35 and 40 no rehabilitation has occurred for them. Doesn't this high percentage of state-raised prisoners attest to the fact that the system is designed to preserve a prison labor force? A prisoner (slave) is sentenced for an indeterminate term and the only sanctioned way to freedom is to work and produce — in other words, make the captor a profit. Look into the California Department of Corrections industry books, and see the millions of dollars profited each year. The prison industries maintain a co-operative relationship with society and produce for private enterprises. How many people realize that the profits of the San Quentin prison canteen pay the yearly salaries of 133 prison employees? No prisoner is issued money, but issued ducats. All monies are deposited in an interest-earning bank account, of which prisoners never receive any share.

THE SLAVE MUST be forced to realize that every day he works he is lengthening his prison term. The majority of the California prisoners are ignorant to the fact that they have absolute power to destroy the slave prison system by not cooperating with it, by not working. The slaves en masse fail to perceive the reality of their situation i.e., SLAVERY. The prison system is a business that must profit to survive. A primary tenet of business, is that each employee must produce so many units. Any business that has more employees than units produced is headed for bankruptcy. The same principle applies to the prison slave system, therefore its very existence depends on production. This is why the prison administration thwarts prisoner worker strikes by inflating and agitating race riots. The strike is forgotten and prisoners find themselves ensnared in a racial crisis. And the slave masters' cheap slave labor force is no longer threatened by demands for higher wages, prison reforms, etc.

Finally, when one's labor has earned the system a sufficient amount of capital, he is rented out to the outside world (which is also slavery if he happens to be black, poor or both), for a week, months or years, until eventually he is brought back to the plantation (prison). This is a never-ending cycle. Indeterminate sentences, strict paroles, lack of rehabilitation facilities, sexual and financial castration, visiting and mail restrictions are the main forces that constitute this never-ending cycle of enslavement.

INDETERMINATE SENTENCE

The abrogation of the indeterminate sentence is the first and foremost proposal that must be submitted to the legislature. This is more paramount than any facet of reform in relation to the penal system in California.

Any sane convict would prefer less time and knowing when his release is scheduled, than the various pacification and alteration programs presently being instituted in prisons.

The indeterminate sentence was initiated to give the adult authority complete power in granting and denying paroles, and as a

safeguard from the possibility of a prisoner being released before he is thoroughly rehabilitated. This plan may have been plausible if it had really achieved rehabilitation. After this enactment of power to secure the "free" society, the policymakers failed to institute any meaningful facilities for the purpose of improvement. This has inevitably reduced the prison-slave system to human warehouses that do great harm and little or no good.

To the newly convicted, the indeterminate sentence is a psychological burden that blunts his motivational edge for improvement. If one is serving a five year to life term, he knows he has got to do at least three and one-half years, and who knows how much after that. This inspires him even less to participate in the quasi-programs available.

All prison terms should be set at a definite date. The prisoners — within 90 days after commencement of sentence — should be informed exactly of his possible release date.

For further incentive, a point system should be utilized based upon work, skill trades, educational and extracurricular prison activities. Once the time is set, the prisoner should then be informed that he can reduce his time by earning points and optimal evaluations. During the initial 90 days the prisoner's educational deficiencies must be exposed and his program of prison release tailored to overcome this deficiency.

Once a prisoner comes to the realization that he, actually, is setting his own time, the desire to be free will be the panacea for all prison conflict. These types of procedures will promote an optimistic attitude, while simultaneously requiring a complete education, trade, etc., for an early release.

However, before anything is implemented the general attitude of the policy maker must change toward prisoners. Prisoners must be provided with humane treatment and be discerned as culturally deprived people in need of support and understanding; not looked upon as animals and maniacs, to be mutilated and twisted into formless objects.

DISCIPLINARY

The amount and type of disciplinary actions received by a prisoner, determines when he will be paroled. The "correctional officer" (prison guard) who charges the offense that greatly affects the amount of time a prisoner may serve, has no training, and in most cases doesn't fully know the prison rules. Thus, the prisoner's action at best is whimsical but based upon this ill-trained prison guard's evaluation is the criterion used by the Adult Authority to determine whether a prisoner is fit for society.

When a prisoner is accused of violating a prison rule, (for example, stabbing another prisoner), in nine out of ten cases this is not witnessed by a guard, as most guards could not identify most prisoners in any event. When the prisoner is brought before a hearing, he is not allowed confrontation with any of the witnesses against him or his accuser. The only defense he has is to convince a hostile prison official that he is innocent. This is close to impossible to do, as other prison officials will state that they received some "anonymous" note or other communication identifying the accused prisoner as the culprit. Under this type of setting it matters not whether the prisoner is innocent or guilty of the offense charged since he is invariably found guilty.

HOWEVER, even before the so-called hearing, the prisoner is allowed nothing, — papers, toothbrush, toothpaste, soap, etc.

POETRY

Condition - ing
 16 lb. Hammer,
 Granite Blocks,
 Asphalt, Wind, Rain,
 No Dust,
 No mud.
 Whistle blows,
 Line forms,
 Lock up,
 Count time
 Whistle Blows,
 Fear,
 Whistle Blows,
 Disturbance.
 Whistle Blows,
 Tension.
 Whistle Blows,
 Shot,
 Whistle Blows
 Goon Squad

16 lb Hammer,
 Granite Blocks
 Bell Rings,
 Stand for Court,
 Bell Rings,
 Hunger,
 Bell Rings,
 Breakfast
 Bell Rings,
 Lunch
 Bell Rings,
 Dinner
 16 lb. Hammer,
 Granite Blocks
 Bell Rings,
 Lights Out.
 Bell Rings,
 Light in Eyes
 Bell Rings,
 Show some Skin
 Bell Rings,
 Door opens

16 lb Hammer,
 Granite Blocks
 Fact Cars,
 Busses,
 Trolleys,
 Untraceable
 Women,
 Honey,
 Palm Smeets,
 Hands Shake,
 Voice Quivers
 Mother Fucker!

16 lb Hammer,
 Granite Blocks
 Bell Rings,
 Streetcar.
 Bell Rings,
 Telephone.
 Bell Rings,
 Caller.
 Whistle Blows,
 Valet,
 Whistle Blows,
 Taxi,
 Whistle Blows,
 Traffic goes.

Willie Holder

constitution
resolution

unity is
whose solution
whose solution?

choose solution :: a) confused
blabused.
c) amused
d) all of the above

neurosurgical reconstitution
ain't no solution

constitution
resolution

unity is
a) solution

Jesse Boggs

the favorite poet of
 Senator Mundt is Badger Clark
 and Senator McGovern is Ertushenko
 but i can see them both
 strolling hand in hand along the steppes
 of Gitchesgome
 drumming votes with 'ugh' and 'da'.
 i'm from South Dakota
 Soledad, San Quentin, Susanville
 and even a seating
 scrutiny of Vacaville
 and my favorite senator is me.
 and my platform is this: no convict's face
 is stamped with the hand of the state
 that mints her coins.

but being tolerant i forgive
 Badger his bushy mustache and whiskey,
 Ertushenko his college cowlick and dry martini,
 Me my long hair and grass,
 but i can't get over the badge-bearing Caesars
 of daily prison life
 and the offer of the big yard
 where they work
 to render unto themselves what they think is theirs.
 Convict bodies and beings.
 i may sound silly,
 but i don't want any part of the sacrifice --
 i'm simply not that guilty
 and i'd bring it all to a vote except i wonder
 what would happen to all political prisoners
 chugging across our mental countryside on TV trains
 if all the voters suddenly awake
 and during election stayed in bed.
 Stamp their feet
 and loose their heads?

perhaps one day i will talk this poem
 from the roof of a smiling caboose
 placidly flashing over the prisons
 if i take enough.

Walter Burckhard

Copping a Plea

Some people just cannot believe
 The love that can be
 is
 and will be.
 There is too much hate.
 There is too much fear.
 Fear
 especially.
 Love is such an easy thing to get into.
 Believe it.
 Hate is a much more fearful thing.
 Forget it.
 So believe in corny, mushy plain old love.
 It can't hurt you.

Or
 Believe in warm, comradely, bantering, full,
 brother-sister love.
 It can only do you good.

Sharon Armstrong - Musician

Robed madman
 Playing psycho-sexual chess
 With my body.
 A closet queen
 Who would stash my body
 In a closet,
 A Puppet without strings.
 I approach the docket,
 My balls in my lawyer's pocket
 O' God,
 Hear me, please,
 I am a man.

ter Lee Beken

#8

According to a college text
 "The Meat We Eat"
 to treat a lamb you
 sever the head at the Atlas
 joint, skin out the head
 and remove the tongue,
 which seems backward
 because the cops are always telling me
 to shut up
 but whenever i stop to talk to someone about it
 someone prods me. with the notion of KEEP MOVING
 indispensable to getting along
 in a world of dispensable things
 i rarely have time to talk, or having to choose
 which tenderizer to use
 but shelves of Safeway German goods
 keep the boulder of my mind off its weight
 on my skinny shoulders
 that someone wants to see with time
 and order. in the court
 a howl of weakening sometimes tears my ears
 and through the big yard chiller i can hear
 the parkers squealing
 it must be lambs are easily led,
 and my one redeeming quality in this
 possible obsession
 is that i know better than to blame it all
 on the obvious: judas-goats.
 i look in the eyes of my keepers and their faces
 want to eat me alive. i need a prod
 with battery to administer some shocks
 in the proper places
 so they won't eat off my head.

Walter Burckhard

GUERRILLA THEATER

presents:

ARREST



SEARCH



COURTROOM



MATRON



WOMENS' PRISON



COURTROOM



VISIT



The basement of the Prisoners' Union House is modeled after the slums of a 1922 submarine, and it is where the theater came together. The theater started from zero, and with a little help from a few friends, they put together in ten days a show that has played at four colleges and is still growing.

It was all energy and chaos at first -- it's still mostly energy and chaos, but there's a little more direction to it. The ideas were everybody's -- all out of prison life. There were more ideas than can be crammed into the available time. The first rehearsals went like this:

(Noise - Confusion)
 "Awright, listen up"
 (Noise - Confusion)
 "Awright, shut up!"
 (Noise - Confusion)
 "Awright, shut the F--- Up!!"
 (Momentary calm)
 "OK, We got a week or so to do this thing, and we got to get some ideas."
 (Noise - Confusion)

And from the noise and confusion emerged a cycle -- we follow a man and a woman through arrest, trial, imprisonment, a visit, yard scenes, adult authority hearing, parole and violation, back to adult authority and back to the joint -- the recycling process of the prison system machine.

The ex-con as an actor is testimony to the reaction of the human being to prison life. Put in an acting situation -- nobody in this theater group is an actor in the professional sense of the word. The ex-con adapts incredibly fast. Being able to project a feeling out to an audience and into people's minds takes a lot of emotional force, and that is one thing "real" actors work at developing. Someone in the Prisoners' Union said it -- "We are actors, man. Everyday you spend in the joint, you're an actor."

So these dozen or so people drew on that experience and put it across to audiences, and it worked -- nobody could have done it better.

And the experience of three shows as well as long hours of practice has molded this group into an all-business, professional unit. Now rehearsals go like this:

(Noise - Confusion)
 "Awright, listen up"
 (Noise - Confusion)
 "Awright, shut up!"
 (Noise - Confusion)
 "Awright, shut the F--- Up!!"
 (Momentary calm)
 "OK, anybody got any new ideas for bits?"
 (Noise - Confusion)

And it gets better all the time.

ADULT AUTHORITY



LAVERY?

Ernest Divans
(Larry M. West)

Under such conditions he must wait sometimes up to 30 days for the committee to convene. If the prisoner is so-called "lucky," he is found guilty and sentenced to time served. If not, he is sentenced to the hole, for any duration from 5 days to the end of his sentence, which in many cases is life.

There are a number of prisoners, including the authors, who have been in the hole for two, three, four, even five or more years, where the food is cold, grossly insufficient to sustain life; where there is no sunlight, where most days you are confined to the cell for 24 hours, and the others you are allowed out for 30 minutes to an hour, twice a week.

The mode of disciplinary hearings does much to mentally scar a prisoner as far as fairness is concerned; it substantiates the fact that racism permeates American society in and out of prison, especially when prison officials' words or statements are involved. However nothing is done to remove the programmed racism that is omnipresent, in and out of prison-slavery. To supplement the programmed racism, and to further polarize prison-slaves, the oppressive captor has invoked and utilized to maximum benefit, a class stratum, where some slaves are "permitted" more privileges than others.

REHABILITATION

The historical focus of the prison system has transmuted from practical punishment to theoretical rehabilitation. At present, rehabilitation is a myth and to make it a reality entails an amount of funds, staff members, and a complete overhaul of the prison system, which the state refuses to provide.

More psychiatrists, psychologists, sociologists and relevant programs relating to existing occupations in society are needed; not more prison guards, tear gas, nightsticks, strip-cells, guns, restricted diets and the like.

The prison system to effectuate rehabilitation, must be operated on a basis conducive to the modes of existing cultures, based upon the theory that a man will be back unless properly trained. The idea of punishment must be completely liquidated. The main purpose of rehabilitation is to prepare one for return to society. Therefore, we find it necessary for the prisoner to keep in contact with those whom he will affiliate with and relate to on his return to the community. It is impracticable (blinking reality) for prisoners to be completely alienated from society-free people for years in a microcosm of madness and sickness, then returned to society and expected to function as normal people.

This contradiction is manifested by the reality that the prisoners most likely to gain parole (in a minimum amount of time) are the ones who adapt to the autocratic rule of the prison — those who so-called adjust by becoming mindless objects, robots and mechanical men — those who cease to think, because all decisions are made for them. They react to buzzers, bells, horns, whistles, etc. Those sounds relate — telegraph to the lobotomized verberum — when to eat, sleep, wake, go, stop, work, etc., etc. A constant reaction to these sounds generates a habitual mechanical functioning that requires little or no mental thought. It is a conditioned reflex: ring the bell — the animal reacts — the prison slave reacts. These types of prisoners, although the most likely to receive parole, are likewise most probably the ones who will fail outside the prison, because decisions are no longer made for them. They have been programmed to a false tempo, thereby putting them out of

rhythm to the beat of society. Keeping a man locked up for many years, never allowing him to make independent decisions and then flinging him unceremoniously into the free-world society is in contradiction to the rules and principles of rehabilitation.

SEXUAL AND FINANCIAL CASTRATION

The California correctional institutions (prison-slave camps) have broken up thousands of families because of their maximum restrictions. Among them is conjugal contact. At present, the prison system has mildly relented in this direction with the advent of conjugal visits restricted to married men only, in certain privileged institutions. Actually a class system is used, for only a few prisoners have this privilege, and it is held as a shining example to married slaves, as to what the future holds (in slavery) for those obsequious slaves. In short, the conjugal visit is used as a lever by the oppressor to control.

The conjugal visit privilege should not be restricted to married men, but should extend to all men. For what is marriage but a piece of unfeeling paper that expresses nothing? Love needs no certification; nor does a sexual act between man and woman, for only they enjoy the fruits of their labor and reap the reward.

The system purports to frown upon homosexuality. Yet its very insular rules breeds that it allegedly seeks to stamp out. All men should have the right to unity with his so-called common-law wife, or any consenting female. (The same applies to female prisoners.) Sexual intercourse between man and woman is essential as life itself. The separation of man from woman is one of the greatest inhumanities to man and woman because it denies man the very creature that makes him whole and complete, and no man should be subjected to this emasculation, regardless of his crime. Not only has the ban on sex broken up families on the outside but has created more problems inside prisons. Young prisoners are constantly harassed, attacked, raped and forced into homosexuality for merely the sexual gratification. Prisoners also lie, cheat, steal and kill over homosexuals or potential bed partners.

Another home wrecker is the financial castration of convicted men. Prisoners should have the opportunity to support their families while in prison. Hence the wages in the prison factories, and other prison facilities should be tantamount to the federal minimum wage. This would enable prisoners to make allotments to their families, thus maintaining their status as the bread-winner.

Sexual and financial castration are the two components of home-wreckers. When a man is convicted and sent to prison, his woman or wife, must and will continue her sex life and find a suitable bread-winner for the family. Prisoners should be allowed to maintain their responsibilities as providers and continue their sex life. These are the two components essential for his manhood. Should a prisoner be denied his manhood because he is a prisoner?

VISITING AND MAIL RESTRICTIONS

Various programs must be established to keep prisoners active and in contact with the outside world. The restrictions on correspondence and visits should be completely abolished. At present, the strictness on mailing and visiting impedes the prisoners right and desire for expression; foils the establishing of any new relationships and prohibits the receiving of services from outside agencies.

THE PRESENT PRISON system is designed to keep and hold a prisoner incommunicado by placing restrictions upon his mailing and visiting. What type of prison system refuses to allow a prisoner to write a person he doesn't know simply because he is in prison? Surely not a system that purports to be preparing a prisoner for re-entry into

society, yet denies, obstructs and stymies the prisoners' contacts with free world society. Prison officials redemptively state that the reason prisoners are prohibited from writing anyone is because they are protecting society. However, such statements negate the facts that 98% of all prisoners are eventually released back to society. Hence, if you can't trust a prisoner to write, how can you permit him back into society? A large portion of insecurity derives from having little or no one to communicate with and meaningfully relate to.

Also, there is the legal mail problem. The prison guards should not be allowed under any circumstances to censor or handle the mail (legal or personal) as is presently done. Usually the guards that censor and deliver the mail are the very guards that the prisoner is filing a complaint against. Further, when involved in court action the attorney general and other legal adversaries obtain copies of prisoners' legal documents before the court does (without his permission). In a lot of cases the prisoners' legal mail never gets to court, especially when he has a winning case, and no outside help. Prison officials, acting on orders of the attorney general, etc., will shake down (search) prisoners' cells and take writs, lawbooks and other legal documents. A lot of writs and cases are allegedly lost by the prison officials who are conspiring with the attorney general. Prison officials should not be allowed to tamper with prisoners' mail and legal property because prison officials are the prisoners' adversaries. The only way to stop this is to take the mail completely out of the prison personnel's hands and authority. A federal postal employee should pick up and deliver all mail.

The restrictions on books, newspapers and correspondence courses should also be abolished. Most prisoners like to read books of a relevant nature. But prison officials frustrate prisoners' efforts to obtain meaningful reading material, and put at the prisoners disposal, Christian Science newspapers, San Quentin newspapers, sex books and westerns. It is ironic that a prisoner has unimpeded access to such tools of destruction as dope, homosexuality, knives, guns, narcotics, etc., but it is extremely difficult for him to obtain a good book.

ERADICATE THE SLAVE SYSTEM

Today the rallying cry is, "free all political prisoners," although a more apt description is "free the slaves." A political prisoner is one whose ideology has brought him into combat with the oppressor, while a slave is one whose environmental factors cause him to be oppressed. We have previously defined a slave as one held captive without freedom of choice who must labor till death or his freedom is bought.

Our plight is exactly that of a slave. Our purpose is to awaken the people that their idleness indicates their approval of the enslavement of their friends, family and loved ones. Until the true situation of these enclosed microcosms is apparent, only then will any meaningful moves be implemented

cont. on pg. 42

This article has been taken from:

THE BLACKSCHOLAR
Journal of Black Studies and Research



2670 BRIDGEWAY • BOX 908
BAUATITO • CALIFORNIA 94968

THE CASE OF JOSEPH ROMERO

There are many gross misconceptions about the indeterminate sentence system. A major fiction is that it is humanitarian or non-punitive in its effect. Nothing could be further from the truth. In general, sentences become longer under this system. Moreover the intensity of punishment is increased by the indeterminacy. But more disturbing than the general increase in punishment are the numerous unstated, insidious purposes it serves. For instance, the following case history, which should enrage any fair minded person, demonstrates how persons who are believed to be dangerous are made to serve cruel and inhuman sentences, though the evidence indicating they are dangerous is nothing more than an unfounded suspicion.

John Irwin

An Open Letter To The People Of California :

It is my sincere hope that after reading this document that you will understand the desperate situation in which I find myself. It is a gross injustice, in my opinion, for the California Adult Authority to deny me parole year after year without legitimate cause.

I ask that after acquainting yourself with my status, that you lend me your assistance in trying to secure my release on parole by writing to the following people:

Assemblymen & Assemblywomen

Name:
Assemblyman of California
State Capitol Building
Sacramento, California 95814

Craig W. Middle
Yvonne Braithwaite
Willie L. Brown, Jr.
Peter R. Chacon
Alex P. Garcia
Joe Gonsalves
John T. Knox
Bob Moretti
Frank Murphy, Jr.
Leo J. Ryan
Alan Sieroty
John Vasconcellos
Henry A. Waxman
Edwin L. Z'berg

Senators

Name:
Senator of California
State Capitol Building
Sacramento, California 95814

Mervyn H. Dymally
George Moscone
Nicholas Petris
Albert S. Rodda

Adult Authority Members

Name:
Adult Authority
State Office Bldg. #8
714 F Street, Room 523
Sacramento, California 95814

Henry W. Kerr, Chairman
Curtis O. Lynum, Vice-Chairman
Manley J. Bowler, Member
Walter A. Gordon, Jr., Member
Leland M. Edman, Member
James H. Hoover, Member
Daniel R. Lopez, Member
Joseph A. Spangler, Admin. Officer
Charles E. Brown, Member
R.K. Procutner, Director, Dept.
of Corrections

STATE OF CALIFORNIA)
COUNTY OF SAN LUIS OBISPO) ss

DECLARATION OF JOSEPH C. ROMERO

WHEREFORE, I, the undersigned Joseph C. Romero state under penalty of perjury as follows:

This Declaration is being written from my prison cell located at the California Mens Colony, East Facility, San Luis Obispo, California and in the sincere hope that those who read it will consider my plight and render aid and assistance to me in connection with my upcoming parole board appearance before the California Adult Authority during the first week of March, 1972.

To date I have been imprisoned continuously for 21 years and eight months for the crime of murder, committed during the commission of a robbery. The original conviction took place in December, 1949 and at the time I was but 19 years old. I am a native resident of Los Angeles, California, having been born and raised in the Boyle Heights area.

While it is true that I have been eligible for release on parole since approximately 1957 (after having served the minimum term of seven yrs.) I have been consistently and arbitrarily denied parole consideration for many years, despite my many annual appearances before the Adult Authority during these 21 years of confinement. Subsequent to my initial appearance after seven years of custody, I was denied a hearing for a period of three years. This means that when I returned to the paroling agency representatives for the second time, I had served ten years. Since my second appearance I have been shuttled from parole hearings yearly without any meritorious consideration and have been given less than true factual reasons for the denial of parole.



The Adult Authority annually presents unsubstantiated accusations that I am a "dope smuggler" and/or that I am a "chieftain" in the "Mexican Mafia" within the prison social structure. I most earnestly take exception to these accusations and allegations and deny their validity. I have denied them annually before the Parole Board in both cases the allegations are untrue, unfounded, and are untenable reasons for justifying the many years that I have been held in custody. The basis for the charges, as presented to me annually, stem from "inmate informers", who for reasons best known to themselves choose to tell prison officials that I am a "dope smuggler" and a "chieftain" in the "Mexican Mafia". It is extremely difficult to overcome these charges when I appear before the Parole Board, as I feel they literally want to believe the accusations, and based on their erroneous beliefs, continue to deny me my freedom.

I want to bring to your attention that the only conceivable reason for denying me parole has been hearsay accusations on which I have never been tried. On June 23, 1971, Judge Alfonso J. Zirpoli, of the U.S. District Court in San Francisco decided in the case of the so-called "Soledad Brothers" that certain charges brought against them because of an infraction of prison regulations should be expunged from their prison records and ordered the punishments not be referred to the Adult Authority, because the prisoners were not afforded certain rights. I believe my case is more aggravated as I was not even afforded a disciplinary hearing on any of the accusations by prison authorities.

I am now, and have been for quite a number of years, as ready for society as I will ever be. I feel that many of the years I have been kept captive have been because the Parole Board has acted on suspicion, rumor, and caprice in considering my case.

My record within the institution clearly demonstrates that I have completed the past twelve years without any disciplinary action. A fact which speaks well for me and creates many questions when reviewing the Parole Board's explanations for denying my parole.

In May, 1959, while incarcerated at the California State Prison at San Quentin, I was charged with the killing of another inmate. The Marin County Grand Jury investigating the matter found it to be justifiable homicide and I was acquitted. However, using this latter situation as a lever, the Adult Authority has denied me parole consideration despite my many overdue years of served time, despite the academic and vocational achievements I have completed and acquired, and despite my excellent discipline-free record for twelve years. Presently I have approximately 14,000 hours vocational training in lithography and have worked diligently and received my high school diploma. I have also taken several college level courses. My vocational reports have always included high marks. I believe it is highly doubtful that another such record can be located in the files of the entire California Penal system.

ADULT AUTHORITY IN PERSPECTIVE

The attempt of this article is to view the California Adult Authority as it exists interdependently in a complex social web. Only by observing this newly developed method of prisoner contact as it is in the whole of society will we be able to discern its true function.

How does the Adult Authority function? First it is necessary to look at the indeterminate sentence. Under this system the state legislature sets the minimum and maximum term of each offense (eg. burglary second degree, one to fifteen years; robbery five to life; sale of marijuana, five to life).

The court, which could of course be prejudicial in sentencing, simply gives custody of the felon to the Director of the Department of Corrections "for the term prescribed by law." Under him, the prisoners' treatment will be directed by a group of "trained experts" in human behavior. And ultimately the length of incarceration will be determined by another group of experts, the Adult Authority composed supposedly according to their own literature "of persons who have demonstrated skills, abilities and leadership in many fields."

However we find that the Adult Authority appointments are politically made by Ronald Reagan. The nine member board is drawn from the ranks ex-policeman, prosecutors, FBI and prison personnel.

Is the Adult Authority in fact a method of prisoner control? As conceived by its advocates the answer is much rhetoric about humane prison treatment with the indeterminate sentence integral to "rehabilitation. It would be possible under this system to grant an earlier parole to prisoners who demonstrate that their behavior has improved by attending programs of work, counseling, educational and vocational training. (but the incredible fact is that the median term served by California's "felon first releases" had by 1968 risen to 36 months, highest in the nation. What the corrections people found with the indeterminate sentence was a method of control superior to anything in existence. The message to inmates under this system is "either run the course we set and keep the joint cool or you will serve more time." The Adult Authority is under no obligation to set a sentence and does not do so until the person is to be paroled. This way a prisoner may be kept in perpetual suspense as to his actual length of incarceration, never knowing from year to year what portion of his sentence he will serve.

The California Department of Corrections has pointed incessantly to its treatment programs as milestones in prison reform and yet rates of recidivism have not declined. John Irwin wrote in "The Felon", according to a California legislative committee report most inmates look upon treatment programs as "phony." To decline to play, however, can be dangerous indeed. One becomes known as uncooperative and it is an easy step to a maximum security prison.

It is prudent to point out that

there is no such thing as prisoners' rights and therefore any infraction of rules, regardless of the seriousness of the case, results in administrative justice administered by a three member hearing committee consisting of the associate warden and two other prison officers before whom the prisoner accused of breaking the rules is brought. The hearing will probably last from two to ten minutes. The prisoner is not permitted to confront or cross examine his accuser or to call witnesses nor may a lawyer be present. Due process is completely eliminated. The crime in being ~~heard~~ even be as serious as deny me relief ~~vis~~ ~~but~~ ~~he~~ is

To point out an obvious ~~and~~ ~~he~~ I was convicted together with a defendant. My co-defendant served 1 1/2 years and was paroled. He was on parole for a period of nine months and then was apprehended for possession of narcotics. He was tried, convicted, sentenced to prison on a sentence not less than two years and not more than 10 years. His parole was revoked and again he was serving his original life sentence plus the new sentence. It is interesting to note that my co-defendant was paroled for the second time in June of 1971.

It is my desire, that if all else fails -- including my upcoming appearance before the Parole Board, to test the legality of my situation in the courts. Some advisors state that testing the Parole Board is impossible, yet others say that it is not only quite possible, but it is apparently the only manner in which I will ever obtain a release. It is very discouraging to face the fact that after all the years I have spent doing what was expected of me, that I must now in my 22nd year of confinement commence legal action against my keepers -- who will, I am certain, take grave exception if not over all offense to the necessary proceedings.

thority ~~will~~ next time the inmate is up for parole he will simply be denied perhaps to the maximum of his sentence.

And what kind of a hearing is the prisoner likely to encounter when he comes up for parole? First of all there are no written guidelines and if parole is denied, the prisoner is not entitled to know the reason. No transcript is made of the hearing. The prisoner's family, his council and the press are excluded. Two members of the Adult Authority will be present along with several helpers and guards. The decision will be based mainly on the contents of the inmate's central file folder containing every bit of information known about him, including psychiatric evaluation, disciplinary infraction, previous outside arrest records (even if they weren't convictions), etc. All of these things will be weighed. While guards are permitted to familiarize themselves with the contents of the folder -- neither the prisoner nor his lawyer is permitted to see it.

Who are considered the dangerous prisoners not sufficiently rehabilitated to return to society? Evidently this category is elastic enough to embrace political non-conformists, leaders of ethnic groups,

prison trouble makers, etc.; but most important this category can include any person, who a tiny political appointed group of men decide on, regardless of how arbitrary their decisions may be. The Adult Authority has the power to play God with the lives of inmates.

Now we must attempt to get more of an overview of the prison situation. Clearly prisoners see themselves more and more as captives of an economic system. They must participate in a system of forced labor (2-16¢ per hour) or of course upon being assigned a job they can refuse and be confined in the adjustment center (solitary). That's not good because one always returns to the Adult Authority again.

Interesting to note that the California Prison System represents the 3rd largest industrial conglomerate in California. Not only do they make license plates, but soap, detergent, toilet paper, fabrics, shoes, furniture, and fixtures for schools and other state operated institutions. They repair state vehicles and other machinery and more. When the inmate looks around at his fellow workers, or course it is not too difficult to determine that something approaching half of the faces around him are of color and that the overwhelming majority of the prison population belongs to the lowest economic class.

Now on the other hand something that has taken inmates a little longer to see is that in the society at large the prison is controlled by a political/economic system. The Adult Authority, which has complete arbitrary power over every prisoner, is appointed by the governor and made up of ex-law officers. In fact every individual working in the prison system is either appointed by the state or screened for lesser positions by those appointed. All decisions are made in secret (behind locked doors if you will) and ultimately approved by the governor.

In a study entitled "The Effect of Criminal Sanctions", the California State Assembly Committee on Criminal Procedure flatly declares that the prisons are meeting none of their proclaimed goals. They do not protect the public because most crimes are unreported, unprosecuted and "the great majority of criminals are in the community, not in prison." Long prison terms do not deter crime. Numerous studies have shown that confining a person away from social intercourse actively destroys his ability to cope in a social situation; therefore, this person is very likely to break the rules. So recidivism rates soar, and everyone in the social organism suffers. The committee also found that the Adult Authority "operates without a clear and rationally justified policy;" it is "legally and scientifically, unequipped" for its responsibilities.

It is worthwhile examining just who are the other people running around loose and committing crimes. There are many of course involved in small time robbery, burglary, dope dealing and what not, but there is crime in all segments of society. One

LETTERS

For close to 2 months now, I have been corresponding with a convict currently locked up in Folsom Prison. Factors involved in motivating me to begin writing to a convict originally sprang up in the aftermath of the massacre at Attica. My thoughts toward prison at the time and the men confined within, were always in the abstract. San Quentin was always just that big buidling down by the bay that you glanced at on your way out to the country. The men inside were even less significant because you couldn't even see them, and if you did see them it was usually on the front page of some newspaper after they were dead. Remember George?

Prisons are usually in the same geographic situation as Indian reservations. That is, they are removed and isolated from the public, and unfortunately that familiar old maxim "Out of sight, out of mind" holds true for a large number of people. A great many myths, prejudices and misconceptions are floating around today about convicts. The best way to get rid of those misconceptions to correspond with a convict. It will not only straighten your own head out regarding the ideas you hold about prisoners, it will also bring a great deal of joy to a man or woman whose only contact with the outside world since their incarceration might be you.

Today all of us in America must face the possibility of our going to prison for one reason or another. Ex-cons working for their brothers and sisters still inside must face the possibility of being violated and sent back. Anyone who smokes grass is in danger of a prison term. Gay people must be on the guard. In short, everyone commits a so-called "crime" every day of their life. If you are even imprisoned for your actions, by they political or just an act of survival in our society, you will want to know that people on the outside care about you and are working for you. WRITE TO A CONVICT.

Flint Ward - Student

Take the time to help. Fifteen minutes out of your week to show we haven't forgot the men and women incarcerated

I WOULD LIKE TO WRITE TO A PRISONER

NAME _____

ADDRESS _____

CITY _____

send to: Prisoners' Union
1345 7th Avenue
San Francisco, Ca.
94122

...signed
...under penalty
...follows:
...this Declaration is being written from my prison cell located at the California Mens Colony, East Facility, San Luis Obispo, California and in the sincere hope that those who read it will consider my plight and render aid and assistance to me in connection with my upcoming parole board appearance before the California Adult Authority during the first week of March, 1972.

To date I have been imprisoned continuously for 21 years and eight months for the crime of murder, committed during the commission of a robbery. The original conviction took place in December, 1949 and at the time I was but 19 years old. I am a native resident of Los Angeles, California, having been born and raised in the Boyle Heights area.

While it is true that I have been eligible for release on parole since approximately 1957 (after having served the minimum term of seven yrs.) I have been consistently and arbitrarily denied parole consideration for many years, despite my many annual appearances before the Adult Authority during these 21 years of confinement. I am not represented by a lawyer and have not been represented by the Army. The Army has been unable to get any convictions for fragging and all the lifers want blood, and they want blood bad.

Billy Smith is a typical combat soldier. He comes from Watts and like most combat soldiers he has lived in poverty all his life. Ten percent of the men in the Army are black and five percent of the men are brown, yet twenty percent of the casualties are black and another twenty percent are brown. The remaining sixty percent of the casualties are mainly poor whites. Many young men from poor families are given the choice of either a prison sentence or enlisting in the Army by the Courts. Some young men in the ghetto see the Army as a way of escaping from the poverty of their lives, and learning a trade so that they can earn a decent living. The poor are especially vulnerable to the draft because they rarely have the resources, to fight the draft, that are available to middleclass kids. When the poor person enters the Army he is given a so-called objective test to determine in what field he will be placed. The odds are that since the poor person want to a ghetto school and can't read too well he will do very poorly on the test and be assigned to the infantry. Billy Smith grew

...the
...official
...and a
...Mafia
...overco
...before
...they l
...accusa
...ronaco
...my fre

I wa
that b
denying
accusa
tried.
J. Zir
in San
of the

STOCKADE

...them t
in Watts and was drafted to fight prison a war in a distant land while his from tally lived in poverty at home. the pusilly Smith realized that the Adult etnamese were not his enemies and were not he was being forced to kill belie:ople against his will. Because of I wa's lack of enthusiasm for killing hearibooks", Billy soon became a target by pri'r harassment by his officers. Al- though he was only in Viet Nam for Five months before the fragging in- a kident, his commanding officer had cialready given him three administra- tive punishments and he was being c processed for a Undesirable Discharge F because they said he was unfit for military life. Billy would not lick the boots of his officers and fake enthusiasm for killing people that had never done anything to him. Officers and noncons can't stand men who won't kiss their ass especially if the man is black. Because of his attitude the commanding officer of his company was looking for a chance to make an example of Billy Smith.

This is the way that military justice works. Although fraggings have been occuring for a long time the military has been unable to get any convictions. Now the military wants to railroad Billy Smith to his death so by his example to frighten other soldiers into more enthusiasm for a war that they don't want. There is no real evidence against Billy Smith. A grenade pin found in Billy Smith's pocket was tested by the Army against a grenade handle found near the scene of the fragging and proved to have totally different markings. A jury of all white career Army officers is going to try Billy-Smith, a black, for the killing of their white officers. In the Military Justice System the defendant is presumed guilty until proven innocent. Billy Smith is guilty of saying, by his attitude, that I'm not gonna ... anymore, and kill people who never hurt me. For this crime the Officers of the United States Army want his life.

Lee Yeager - Student

UP AGAINST THE LAW

Cont. from pg. 5

work the insight into our judicial system and concepts of correction increases and deepens. Laws are made, changed and abolished by people. By increasing the number of people who will become knowledgeable in this area, we achieve a bifurcated goal: first, we decrease recidivism, eventually affecting the overall crime rate; and secondly, we involve the general population in the nation, educating them to the fact that without this exposure we cannot liberalize our present Victorian system.

Needless to say, there will be, and already exists, considerable opposition to this proposal. Most pressure groups, such as the CDC, rationalize the problem by stating that no one but they really understand the needs of the offender sent to prison. Yet they refuse to share this knowledge with the public. No one knows what really goes on in prisons unless they have been there. We do not read about improvement in food, medical attention, education or training that would tend to indicate progress to "rehabilitation". Instead, we hear only bloody reports, released in their own verbiage by the Department of Corrections to the press, designed to give a one-sided, biased picture that simply brutalizes society against the offender. Do these riots take place? Are guards killed? Or do inmates kill each other? Is it possible because of a system that turns the inmates into animals by the virtue of incarceration? The guards who get killed are seldom the Caspar Milquetoast variety. What are they really like? What did their psychiatric tests show if such were given? Brutality? The prison system is a veritable paradise for the deviate with a certain pathology which can be vented on the inmate.

Most of the objections against any new system is money. In this case, the proposal is less expensive than any existing plans. The volunteers do not get paid; they stand in line to be trained and assigned. The probation subsidy program proposed and activated in California provides that half of the cost spent by a state to maintain a prisoner in prison is paid to the county that wishes to maintain this offender on probation instead of imprisonment. This revenue alone will more than provide for the costs of the proposed program. It is hard to believe that the remaining objections are based on the potential loss of power, employment and the possible bankruptcy of such a large industry in California, the human warehouse system that has been a self-perpetuating industrial complex for over a century.

Where are we going in corrections? Do we continue the present system of warehousing people? There is proof that the crime rate is growing in spite of the increasing sentences. Closer custody, harsher punishment does not seem to be the answer. In all our professional fields this country is and has been the leader in the world: medical investigations and methods have been developed to unbelievable heights; technology and all fields of science have had outstanding results. Only one field has had no noticeable developments or results, and this field deals in the largest

commodities of all, man. If we can cure our financial and medical ills why can't we cure our social ills as well? Why must we be the last nation in the world to solve this problem? Is it because we cannot face the problem, or is it because the monster we have created through apathy and disinterest is too large to handle?

JOE ROMERO

Cont. from pg. 10

It is a fact that during my 21 yrs. in prison I have never been apprehended for being under the influence of liquor, narcotics, nor for the possession of monies, nor any such type contraband. Again, the allegations believed by the Parole Board, while being untrue, have allowed them to deny me relief via release on parole. To point out an obvious injustice: I was convicted together with a co-defendant. My co-defendant served 13 years and was paroled. He was on parole for a period of nine months and then was apprehended for possession of narcotics. He was tried, convicted, sentenced to prison on a sentence not less than two years and not more than 10 years. His parole was revoked and again he was serving his original life sentence plus the new sentence. It is interesting to note that my co-defendant was paroled for the second time in June of 1971.

It is my desire, that if all else fails -- including my upcoming appearance before the Parole Board, to test the legality of my situation in the courts. Some advisors state that testing the Parole Board is impossible, yet others say that it is not only quite possible, but it is apparently the only manner in which I will ever obtain a release. It is very discouraging to face the fact that after all the years I have spent doing what was expected of me, that I must now in my 22nd year of confinement commence legal action against my keepers -- who will, I am certain, take grave exception if not over all offense to the necessary proceedings.

To reiterate, court action and public pressure are the only things that will help me to secure my release...

I have five sisters, a brother and a son. My son returned from a tour of duty in Viet Nam approximately six months ago. Without reservation, I want my freedom and I want to be with my family. Yet, I am told this cannot be accomplished unless I stand before the Adult Authority and admit that all the allegations made against me are true and correct. Then and only then, will they possibly, just possibly consider me for release. This is a calculated risk. They are asking that I admit to totally untrue accusations and then they ask that I take a chance that they may or may not parole me then or ever.

This letter is the only means of communication available to me in attempting to seek outside assistance. It should be perfectly obvious that I cannot fight the California Adult Authority; I cannot make them believe me, and I cannot make them release me without assistance.

If you are interested in my situation after considering this letter and its contents, any correspondence on my behalf should be directed either to the officials listed on the first page and/or to the following:

Mr. H. Kerr, Chairman
California Adult Authority
714 P Street, Building #8
Sacramento, California 95814

Mr. R.K. Procnier
Director of Corrections
(same as Mr. Kerr)

Hon. Ronald Reagan, Governor
State Capitol
Sacramento, California 95814

These gentlemen are at liberty as an act of choice and/or discretion to make recommendations to the Adult Authority.

Perhaps any and all publications, periodicals, or Mexican/American groups who may be able to lend assistance can be contacted. It is suggested that any letters be submitted prior to December, 1971 in order that they be available for the first week in March, 1972 when I appear before the Parole Board for my 14th appearance for parole consideration.

Your every assistance and consideration will be deeply appreciated by myself, my son, and the members of my immediate family. I firmly believe that this letter literally reeks with injustice. I do implore you to come to my assistance.

Thank you for any help you can give me in this matter.

Executed this 31st day of Oct., 1971 at San Luis Obispo, Calif.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully,
Joseph C. Romero, Declarant

Adult Authority

Cont. from pg. 11
would almost say that criminality is supported or at least tacitly permitted by the American public. In the upper echelons - the people with money and power - the incidence of crimes like price fixing, income tax evasion, monopoly or oligopoly, environmental destruction, salary padding, embezzlement etc., which go unpunished, is staggering. So one is forced to ask, "Why is it necessary that a group of 28,000 very poor people in this state alone (250,000 nationwide) be singled out for punishment procedures that have not changed significantly in theory or practice since the middle ages?"

Prisoners, for good reasons, are beginning to feel a "sense of injustice" that, coupled with over crowding, harassment, poor conditions generally, has created an explosive atmosphere. Because of this the Prisoners' Union has formed to represent convict needs to help minimize violence and insure that meaningful intelligent change comes about instead of regression towards tightened security as has been the recent trend.

We think it imperative that the indeterminate sentence is eliminated and that the Adult Authority be removed from political control. We desire a depoliticalization of the entire prison system; that the veil of secrecy be lifted and that the inmates be given access to the community.

Joaquin Wilson - Student & Ex-GI

PUBLIC INDIFFERENCE

I don't want to talk, specifically, about problems in prison -- for we all know they are great, indeed -- but rather to talk about one response to these problems.

It seems axiomatic that the only way a problem is defined as such in this society is for the persons most seriously involved to take an active part in its definition.

What might best illustrate the current tenor of attitudes toward prisons was contained in a report in 1969 from the Joint Commission on Correctional Manpower:

One must conclude .. that the public feels that the corrections system is inadequate. At the same time, the public is not eager to help bring about change ..

Since the public is not interested in change then we have to educate them -- hence we have formed the Prisoners' Union.

The Union is a group of ex-convicts who have joined together in a common enterprise dedicated to bringing about some change in the prison system. We know the system is inequitable -- it filters out, from the large class of law-violators through a process known only to itself, a small number and heaps a disproportionate vengeance upon them (no matter if it's called punishment or "treatment") in an effort to expiate society's guilt for its essential lawlessness. And I cite Daniel Bell's book, Crime as an American Way of Life, to illustrate what I mean.

We feel that terrible injustices are being done to this small minority of citizens and that they are being forced to bear inequities far beyond what society's professed aim is in their regard.

Moreover, we would like to see a return to the "Classical School" of criminology as put forward by the rational scholars of 200 years ago,

men such as Jeremy Bentham in England and Cesare Beccaria in Italy. We, as a convict organization, are calling for a total application of the Law. If one breaks the law let him be punished by society. But we want clear and impartial enforcement; we want everyone who commits a crime to receive speedy, fair and equal justice. We want an end to such obviously discriminating practices as allowing the executives of General Electric, who through price-fixing, to steal millions from the people while a black from the ghetto serves 11 years and is ultimately killed for a \$70.00 robbery.

We want moralism, religion and their social pseudo-sciences out of corrections. We demand justice. And we want an admission from the correctional organizations that they don't know what they're doing. That they're destroying people in the name of "treatment" which has no scientific validity. Since they don't know what they're doing the best thing they can do is to do the least. If they must imprison humans leave them alone!

Their protestations to the contrary, they know nothing about human behavior and the effects of imprisoning men and women. Twenty years ago Barnes and Teeters, in their classic criminology text, noted:

.. a sort of punitive halo has been built around the modern prison which the public refuses to dislodge.

We want to expose that halo for what it is. That the establishment, through its prisons, is repressing the most powerless people in this society. That its prisons are by no accident populated by the poor, the black and the brown.

They know their prison system is a failure, and yet they refuse to admit it. But it's only a failure in terms of its stated goals; perhaps their "hidden agenda" is working quite well!

Nevertheless we can only proceed on the stated goals and so we have formed a set of goals in response:

Prisoners' Union Goals

We demand a termination of:

- I. ECONOMIC EXPLOITATION
- II. THE INDETERMINANT SENTENCE SYSTEM
- III. DENIAL OF HUMAN AND CIVIL RIGHTS
 1. Employment without a reasonable wage.
 2. Employment without workers' compensation or benefits.
 3. Riffing of sentences.
 4. Delay in Sentencing.
 5. Sentencing with irrelevant, scientifically invalid, unjust, arbitrary, or whimsical guidelines.
 6. Revocation of parole without due process.
 7. Brutal treatment on the part of guards and prison staff.
 8. Racism.
 9. Denial of basic civil rights.
 10. Inferior, incompetent, and insufficient medical treatment.
 11. Arbitrary, indefinite punitive segregation.
 12. Inadequate educational and vocational programs.
 13. Forced participation in inhumane and ineffective "treatment" programs.
 14. Restrictions on prisoners' efforts to litigate.
 15. Denial of full civil rights upon release.

Strategies:

1. Organize a unified, multi-racial union which can work efficiently toward our collective goals.
2. Retain attorneys to help gain our objectives through the courts.
3. Appear before legislative bodies to provide more complete information about prisons and prison conditions.
4. Educate the public through the media, our own newspaper, and public speaking on prisons and treatment of prisoners.
5. Collectively bargain with prison administrations.

Prison or Slavery

cont. from pg. 9

to liberate the slaves. For none should deny that as long as he does not know that he, his family, friends or loved ones are slaves, there will be no will to resist. We must not overlook that the only thing necessary for the triumph of evil, exploitation and subjugation, is that the conscientious people do nothing.

IN ALL CASES, theory must precede action and knowledge must precede both. The prison slave system must be opened, exposed and eradicated. The first step to attainment is to elevate the consciousness of the people. Who among you dares to quarrel with the maxim, "he who controls minds -- has very little to fear from bodies?" The speediest and surest way to annihilate this prison system is to quit cooperating with it. Too many poor, oppressed, and innocent people are falling victim to slavery because those charged with the responsibility of promoting the general welfare are sending that much needed at home tax dollar abroad to launch the offensive, to exploit, to subjugate, and when the need arises, exterminate.

It is no accident or coincidence that in the height of financial crisis, the prison-slave camps are being inundated with the poor, the black, the minorities of all levels and ideologies. It is no haphazard occurrence that all black and reform advocating leaders are being exiled, imprisoned or murdered. Throughout history, the weakest groups were the first eliminated. We, the poor and black are at present the weakest and least organized. This unorganization of the poor and black people is best evidenced by our numbers in prison slavery, and also by the amount of time we must spend there, away from our families, friends and loved ones.

Whatever artificial barriers you have erected in your mind about the good of prisons, we hope this article has enlightened you sufficiently as to leave no doubt that *prison is slavery*.

WILL YOU HIRE THIS CONVICT ?

George Doyle - age 36 - B18702 - S.Q. Appears before Adult Authority 12/71. Experience: Garage & Service Station Mechanic, Sheet Metal, Sealer, Painter, Varnisher, Yardman, Bookkeeper, Etc.. Contact: 664-4315 for further info.

WE MUST UNIONIZE !

MEMBERSHIP FORM:

Prisoners' Union - 664-4315
1345 7th Ave.
S.F., Ca 94122

NAME _____

ADDRESS _____

CITY _____ ZIP _____

PHONE(home) _____ (work) _____

TYPE OF MEMBERSHIP:

Convict X-Convict
Citizen Honorary

YEARLY MEMBERSHIP DUES:

\$8.00 - Outside Membership _____
\$4.00 - Inside Membership _____
(Membership includes a subscription to THE OUTLAW).
\$4.00 - For Subscription to OUTLAW only _____