

Coalition For Prisoners' Rights Newsletter

Vol. 38-hh, No. 11

PO Box 1911, Santa Fe NM 87504

November 2013

A LIVING DEATH

Life Without Parole Sentences (LWOP) have been growing in popularity in the United States since the early 1970s. However the first study and report describing some of its realities, by the American Civil Liberties Union (ACLU), was only released in mid-November, 2013. This report, *A Living Death: Life Without Parole for Nonviolent Offenses*, deals with the 3,278 people currently imprisoned in this country with nonviolent convictions who have received LWOP sentences.

Of these over 3,000 people, 65% are estimated to be African-American, 18% "white" and 16% Latino. Of these nonviolent convictions 80% are for street drug-related crimes. Of them 63%--more than 2,000 people--are in federal prisons. And over 80% of these LWOP sentences were mandatory, both in the federal system and in the states.

In Louisiana, 91% of those with LWOP sentences for nonviolent convictions are African-American. In the federal system, African-Americans are 20 times more likely to be sentenced to LWOP for nonviolent crimes than "white." In Louisiana again, African-Americans are 23 times more likely to be LWOP sentenced than "white." In the federal system, Latinos are five times more likely to receive LWOP sentences for nonviolent convictions than "whites."

Let us remember that African-Americans make up 13% of the U.S. population, but 45% of the state and federal prison population.

The nine states with nonviolent but LWOP sentenced prisoners, just under 40% of the total, are: Louisiana with 429, Florida with 270, Alabama with 244, Mississippi with 93, South Carolina with 88, Oklahoma with 49, Georgia with 20, Illinois with 10 and Missouri with one.

Of the nonviolent LWOP sentenced federal prisoners, 79% were convicted of violating street drug laws, over 80% with with mandatory sentences. Prosecutors, by choosing the charges they employ, have much more control over

such prisoners' fates than judges do.

The numbers of people this report documents drastically underrepresent the actual number of people who will die in prison after being convicted of a nonviolent crime. For example, it doesn't include the number of prisoners who will die behind bars after being convicted of a crime classified as "violent," nor do the numbers in the report include the many excessive sentences that are grossly longer than our natural life span.

No one with an LWOP sentence has ever been released on parole. Unlike execution sentences, those with LWOP sentences receive no special consideration on appeal. Those with LWOP sentences receive only one automatic appeal, and is not provided any court-appointed attorneys after this appeal is complete, usually within two years of the initial sentence.

Resources

ACLU: 125 Broad St--18th floor
New York NY 10004.

For copies of the report described above and many other publications.

Juvenile Justice Project of Louisiana (JJPL): 1600 Oretha C. Haley Boulevard
New Orleans LA 70113 and

Equal Justice Initiative

122 Commerce Street
Montgomery AL 36104

For information on the effect of the U.S. Supreme Court decision in *Miller v. Alabama*, 132 S.Ct. 2455 for those with Juvenile LWOP sentences and relevant legal strategies to use as a result.

Prison Law Office:

1917 5th Street
Berkeley CA 94710

For information on SB 260, signed into law in CA in September 2013, regarding the Board of Parole Hearings holding of special consideration hearings for lifers sentenced as juveniles. Hearings would be held after doing 15 to 25 years on lengthy/life sentences.

CRIME OF THE MONTH

Youth Services International (YSI) is a private, for-profit company whose business is jailing young people. YSI has a long history of abuse for its prisoners, including beatings, neglect, sexual abuse and unsanitary food--over the past two decades.

YSI underreports incidents such as assaults and fights in order to get more contracts. YSI guards frequently resort to violence, slapping, choking and even breaking bones. YSI staff turnover is rampant, leaving inexperienced guards to manage an abused and angry population.

In spite of this record, YSI has more than \$100 million in contracts to continue to abuse the children of Florida. This is not an accident. Since 1998, YSI has contributed more than \$400,000 to Florida politicians, and in Florida, as elsewhere, political contributions influence politicians more than records of abuse.

At one of YSI's units there had been 96% staff turnover in one year, and eight incidents of child abuse had been reported that year, yet YSI's contract was renewed.

One of the problems with for-profit prisons is that they are trying to squeeze profits out of a skewed, struggling economy. So you either hire people for minimum wage who are afraid of the environment in which they work, or you don't feed people properly. Or both. There are not a lot of margins.

Child abuse is the crime this month; YSI and Florida are the perps.

To receive the Newsletter each month, send us self-addressed, stamped envelopes (with the CPR return address --up to 12 at one time.

Keep sending us address changes and renewal requests, in order to receive the yearly holiday card/new calendar in January.

Also, please note that the only address to use to be sure to reach us continues to be: PO Box, Santa Fe NM 87504. There are resource lists which, unfortunately, use the wrong address.

Remember: NONE OF US ARE LAWYERS OR LEGAL WORKERS. It is very important not to mark any envelopes "legal mail."

Many, many thanks to the Real Cost of Prisons Project for making our monthly Newsletter available on-line for free downloading and distribution. It is at: <http://www.realcostofprisonsproject.org/coalition.html>--This is a GREAT site!

We depend on your readers' donations! Thank you for your support! ¡Mil gracias!

"Todos somos ilegales"

Calle 13, la banda neoyorquina de rock Outernational han unido esfuerzos para apoyar a los inmigrantes sin documentos en Estados Unidos a través de la canción "We Are All Illegals", cuyo video debutó en junio de 2012 en Internet.

"Todos somos ilegales" es una canción de protesta en la que expresan solidaridad con la situación que viven muchos inmigrantes. El lanzamiento del video, coincide con la decisión de la Corte Suprema de avalar un aspecto clave de la polémica ley SB 1070 de Arizona para combatir la inmigración "ilegal."

Combina letras en inglés y español. Los músicos incluyen miembros de Red Hot Chili Peppers y Rage Against The Machine. El álbum cuenta con 18 cortes, todos relacionadas con el tema migratorio.

El cantante de Outernational dice: "Hicimos un álbum totalmente dedicado al tema de la frontera, a hablar sobre las experiencias de millones de personas que se ven obligadas a dejar sus países. Una de las canciones, 'Ladies Of The Night', habla de las mujeres y jóvenes de la Ciudad de Juárez que so violadas y asesinadas. La canción, en un estilo surrealista, muestra a estas jóvenes como emancipadoras de una nueva humanidad, que luchan por un mundo totalmente nuevo. Queremos que la gente vea que hay personas en Estados Unidos que no sólo dicen que las leyes (como la de Arizona) están mal sino que luchan contra ellas por injustas e indignantes.

"Nuestra banda está trabajando muy duro para ayudar, sobare todo a las generaciones más jóvenes, y ver el mundo de una manera diferente, y pensar sobre él de una manera diferente. A que sé abran nuevas posibilidades revolucionarias en su manera de pensar y espero que en un futuro, en el mundo."

VOICES FROM INSIDE

The Norfolk (Massachusetts) Lifers' Group is actively working on compiling data on the commutation/clemency process to be shared and eventually posted on line. We are seeking information from states without an execution sentence, or with inmates serving Life Without Parole. Though we need information on any legal challenges to the process, any information would be helpful. Please contact: Daniel Holland, W69561, Unit 2-2, PO Box 43, Norfolk MA 02056. Out-of-state inmate to inmate correspondence is okay.)