

Coalition For Prisoners' Rights Newsletter

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PO Box 1911, Santa Fe NM 87504

August 2016

Whose Needs Come First?

Electronic Features of Jail

There are many jails and prisons in in parts of the country that get very hot and humid in the summer. When, however, do extreme temperatures become cruel and unusual punishment? There is no agreement and little action. Officials offer a range of justifications for the absence of air conditioning.

The Texas Department of Criminal Justice (TDCJ), facing an array of lawsuits over the issue of jail temperatures, said in a recent statement: "the well-being of staff and offenders is a top priority for the agency and we remain committed to making sure that both are safe during the extreme heat." Thirty of the 109 Texas facilities are said to be fully air-conditioned. In Texas, state regulations require that the temperatures in county jails "shall be reasonably maintained between 65 degrees Fahrenheit and 85 in all occupied areas." But that standard does not apply to state prisons.

Extreme conditions occur in many jails and prisons, especially across the south. There are a number of pending cases--often class action suits--which could easily take years to resolve.

In rural Jefferson Davis Parish in Louisiana, the small jail is located on the third floor of the courthouse, and is without air-conditioning. The chief sheriff's deputy's office is "climate controlled" two floors below. In May 2014 the Parish voted for a new jail. And some electronic features of the new jail will need to be kept cool to remain operational. Which will result in air conditioning both for the equipment and the people there....

The Bail Bond Industry

The widespread current practice in the U.S. is pretrial detention, that is jail, based on "wealth-status," not any meaningful assessment of flight risk or danger to the community. In many cases, an arrestee may be held longer in jail while awaiting trial than any sentence s/he would likely receive if convicted. This can cause innocent people accused of crimes to plead guilty. The bail reform act of 1966 eliminated financial bond for most federal defendants.

In the last several years, there have been a growing number of successful efforts across the country to change this system of money bail. Prominent among them are those initiated by the organization Equal Justice Under Law (EJUL).

Since the beginning of 2015, EJUL has filed ten class action challenges to money bail systems in eight states. So far, cities in Alabama, Kansas, Missouri, Mississippi, and Louisiana have reformed their practices to end the use of secured money bail for new arrestees. In addition, EJUL has won rulings from multiple federal courts, including ones in Georgia, Missouri, Alabama and Mississippi.

Another specific example of progress in reducing the common practice of money bail in state proceedings is the vote on a Constitutional Amendment in New Mexico this November. It states: "to protect community safety by granting courts new authority to deny release on bail pending trial for dangerous defendants in felony cases while retaining the right to pretrial release for non-dangerous defendants who do not pose a flight risk."

Resource:

Equal Justice Under Law
601 Pennsylvania Avenue NW
South Building --Suite 900
Washington DC 20004
202-670-1004

* * * BLACK LIVES MATTER * * *

NO ESPERAREMOS MAS

Las mujeres siempre han estado a la vanguardia de la lucha por la dignidad, la democracia y la justicia--desde la abolición de la esclavitud, el derecho de las mujeres al voto hasta el Movimiento por las Vida Negras y justicia para las comunidades inmigrantes.

Mientras celebramos el Día de la Igualdad de la Mujer el 26 de agosto y los logros alcanzados, no podemos olvidar que la Enmienda 19 en la práctica no ofrecía a las mujeres de color y, en particular, a las mujeres afrodescendientes, el sufragio universal. No fue hasta la aprobación de la Ley de Derechos Civiles de 1964 y la Ley de Derecho al Voto de 1965 que este derecho fue verdaderamente garantizado para todas las mujeres.

To receive a CPR Newsletter by postal mail monthly, send us up to 12 self-addressed, stamped envelopes (with the CPR return address).

Keep sending us address changes and renewal requests as we struggle to maintain the mailing list for the January holiday card/new calendar mailing as accurately as possible.

Also, note that the only address to use to be sure to reach us is: OO Box 1911, Santa Fe NM 87504. Some resource address listings are incorrect.

NONE OF US ARE LAWYERS OR LEGAL WORKERS, so, for our protection, please do not mark envelopes sent to us as "Legal Mail."

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

We depend on our readers' donations & thank you for your support! Mil gracias!

Why Prisons: It's Not Often This Blatant

According to the request of the two New Mexico senators, the federal Bureau of Prisons should extend by six months its contract with the for-profit Corrections Corporation of America (CCA) to "provide prison employees with help finding new employment." They went on to say that the closure of for-profit prisons, particularly in rural areas, must be done "prudently." And preferably not at all?

What the Numbers Tell Us

> There are currently a total of 193,000 federal prisoners, 50% of them immigrants convicted of crossing the border without permission.

> Of these, 22,000--less than 12% of all federal prisoners--are held in 13 privately-owned, for-profit facilities under department of justice contracts which will last for as much as five more years. These prisons contain solely non citizens convicted of federal crimes. Last year 70,000 people were prosecuted in federal courts for border-crossing crimes. The feds decided that it doesn't have to provide these people with the same kinds of rehabilitative or reentry services that they *might* provide to U.S. citizens. And they are now planning "either to decline to renew contracts or substantially reduce their scope." This will have no direct impact on the for-profit immigrant detention facilities with which the department of homeland security has contracts. Nor any direct bearing on the for-profit prisons holding state prisoners.

> Since 1970 there has been nearly a fivefold increase in the number of people being held in U.S. jails -- approximately 3,200 county or municipality run-detention facilities.

> Of these people, women are the fastest growing imprisoned population in the country, having increased 14-fold between 1970 and 2014. There were fewer than 8,000 jailed women in 1970. In 2014, there were about 110,000.

Resource: Vera Institute of Justice, 233 Broadway--12th Floor, New York NY; 212-334-1300.

> And now, the unaccompanied child immigrants: Space is being prepared at Ft. Bliss in New Mexico to hold up to 1,800 of them. Such places are administered by the federal department of health and human services. There are more than 100 such shelters, in a dozen states.

> In the first six months of 2016, the U.N. reports that almost 26,000 unaccompanied children were arrested at the U.S. border, along with 29,700 other people traveling as family groups, mostly of mothers with young children.

> The U.S. government has no obligation to provide lawyers for poor children and adults in court accused of violating immigration laws--a civil offense. And, between October 2004 and June 2016, more than half the children who did not have lawyers were deported. Only 1 in 10 children who had had legal representation were deported.