

# Coalition For Prisoners' Rights Newsletter

Vol. 42-yy, No. 6

PO Box 1911, Santa Fe NM 87504

June 2017

## More NM Jail Population Changes Coming?

## Drug War = War on Immigrants

Although the Albuquerque NM area's chief prosecutor announced in April 2017 that his office was henceforth going to focus on the "worst offenders" and only try about half of the criminal cases referred by law enforcement, by the beginning of June, newspaper headlines were proclaiming "N.M. prison population rises while other states see decline."

There were 38 states that cut prison populations from 2010-2-15, but in New Mexico the number of people incarcerated grew by 6%. Only 11 other states had increases in their prison populations during this time.

The *Sentencing Project* located in Washington DC states in a recent report "The trends in the growth of the prison population have been divorced from crime rates....violent crime rates hit a high pointing Mexico around 1998 and had fallen 32% by 2015...."

In addition, according to a study by the Massachusetts based *Prison Policy Initiative*, New Mexico had a jail incarceration rate of 340.8 per 100,000 in 2013. Georgia had the second highest rate that year of 317.3 per 100,000. On the other hand, Bernalillo County (the Albuquerque area) has decreased its jail population 48% from 2013 to 2017. The report attributed most of the increase in jail population on the large number of those incarcerated who are too poor to post bail after their arrests based on minor infractions.

As the result of the adoption of an Amendment to the NM Constitution in the last election, the NM bail and pretrial detention system is being overhauled to ensure that "clearly dangerous defendants remain incarceration before trial and that non-violent people do not languish in jail just because they cannot afford bail" beginning July 1, 2017. These reforms are modeled after changes made in New Jersey and in Washington DC.

In addition, Bernalillo County Metropolitan and the 2nd Judicial District courts will begin using the "Public Safety Assessment" based on research to determine if a defendant is any risk before trial.

The link is mass incarceration. Time and struggle and expense have fueled the movement away from such wide acceptance of Mandatory Minimum sentences for street drug convictions to some extent. One form this has taken is the widespread graduated legalization of marijuana--already in a number of states, such as Colorado, and increasingly in California and Ohio, among others. There is increasing pressure to declassify street drug offenses from felonies to simple misdemeanors.

For-profit prisons are a legacy of the Clinton Administration. The Clinton Omnibus Crime bill provided, among many of systemic expansions, \$10 billion to build prisons. It created special courts to deport non-citizens alleged to be "engaged in terrorist activity" and authorized the use of secret evidence. The prison population swelled from 1.4 million to 2 million.

There must be increasing coordination and unity between the movements to end mass incarceration and the movements to end mass deportation. The current rhetoric of the new federal administration is committed to promoting a warlike mentality towards poor people and people of color, including immigrants. As Michelle Alexander says: "It's the same struggle--to define who is worthy, who has dignity and value, and who is disposable." The war that was declared on street drugs decades ago gave birth to a for-profit prison system of mass incarceration. The for-profit detention centers that are locking up immigrants today wouldn't even exist but for the drug war.

## **FIGHT BACK SUCCESSES**

Feminists of color have long been involved in building movements based on justice for all. A new era of Black, female leadership emerged in 2014 with the **Black Lives Matter**. And it has been built on a foundation of decades of struggle in laying its foundation by such leaders as Sojourner Truth, Ida B. Wells and Fannie Lou Hamer, among so many others. Thank you too, Bree Newsome! The names are symbols of the many.

# Trabajan por la justicia

Óscar López Rivera, el activista puertorriqueño tras pasar 35 años encarcelado--gran parte de ese tiempo en regimen de aislamiento--fue puesto en libertad el 17 de mayo de 2017.

En 1981, López Rivera fue condenado por cargos federales que incluían conspiración sediciosa; se decir, conspiración para oponerse a la autoridad estadounidense sobre Puerto Rico. En 1999, Bill Clinton conmutó las sentencias de 16 miembros de las Fuerzas Armadas de Liberación Nacional (FALN), pero López Rivera se negó a aceptar el acuerdo porque no incluía a dos compañeros activistas, que han sido puestos en libertad desde entonces.

Tras la liberación de López Rivera, los organizadores del Desfile del Día de Puerto Rico de la ciudad de Nueva York eligieron honrarlo como el primer "Héroe de la liberación nacional" del desfile. La decisión hizo que el jefe de la policía de la ciudad y varios patrocinadores corporativos boicotearan el encuentro.

La campaña de boicot fue organizada silenciosamente por un grupo conservador de derecha de Washington DC, el Media Research Center, que recibe importantes fondos de donantes cercanos al presidente Trump y a Breitbart News. López Rivera tiene previsto marchar como un simple ciudadano.

Como dijo el arzobispo de África del Sur Desmond Tutu, poder unirme con alegría a ustedes diciendo "Bienvenido a casa" a Oscar y oraciones por la paz y el empoderamiento del pueblo puertorriqueño.

\*\*\*\*\*

**To receive the 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 in order for us to maintain the mailing list for the January holiday card/new calendar mailing as accurately as we can.**

**Also, note that the *only* address to be sure to reach us is: PO Box 1911, Santa Fe NM 87504. Some resource address listings are incorrect in this regard.**

**And still: NONE OF US ARE LAWYERS OR LEGAL WORKERS; 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.realcostprisonsproject.org/html>--this is a GREAT site!**

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

# BIG NUMBERS EVERYWHERE

*In California, prison related budget:*  
> increases \$500 million for the state prison system

> increases \$1.5 million for local "community corrections" programs  
> refurbishes/replaces the 12 oldest prisons in California.

*In Texas:*  
> 3 of the 4 for-profit prisons the legislature has voted to close have been.

*National summary of imprisonment:*

> 2.3 people behind bars  
> 1,719 state prisons  
> 102 federal prisons  
> 901 juvenile lock-ups  
> 3,163 local jails  
> 76 Indian Country jails  
> Plus military prisons, immigration detention facilities, civil commitment centers, U.S. territory prisons  
> 840,000 U.S. citizens on parole  
> 3.7 million people on probation.

*More re federal sentencing:*  
> from 2013, the peak year to date, the federal prison population went down 13% by the end of 2016. But for 2018, a 2% rise in the federal prison population is forecast

> average federal prison term for a street drug conviction: 11.3 years  
> 48% receiving a federal street drug sentence is 2009 were for convictions of selling less than one ounce of drugs.

> no weapon was involved in 82% of street sentences for drug offenses in 2016.

*About for-profit prisons:*  
> 8.3% of the 1.5 million people confined in U.S. prisons were held in for-profit facilities as of 2015.

> Core Civic (formerly Corrections Corporation of American and GEO Group together manage more than half of the for-profit prison contracts in the U.S., with combined revenues of \$3.5 billion in 2015

> during the 2016 presidential campaign, GEO Group illegally donated more than \$225,000 to a Trump PAC

> Montana and New Mexico cage more than 40% of those imprisoned in for-profit facilities

> Kansas and North Carolina are among the states that hold no one in for-profits  
> Sessions has also ordered the 94 U.S. Attorneys to "seek the harshest punishment possible for street drug offenses"--see the federal prison rise forecast for 2018 above

> GEO has pushed for increased jail time for immigrant children in Texas.

*Overall, we know:*  
> African American and Hispanics made up roughly 60% of the U.S. prison population in 2014.