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Criminal Justice Issues and Prisoners' Rights

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by James Ridgeway and Jean Casella | February 26, 2011



Susan Rosenberg was 29 in 1984 when she was arrested while trying to unload dynamite and guns from a U-Haulin New Jersey. When she wasidentified, it turned out she was wanted in connection witha revolutionary groups attempt to rob a Brinksarmored truck, in which a guard and two police officers were killed. There never were any charges filed in the Brinks case, but Rosenberg wasconvicted on charges of conspiring to possess and transport explosives, guns, and fake IDs across state lines. Sheand similarly charged colleagues dismissed their lawyers and conducted a prose defense, claiming the government was guilty of war crimes and they were acting out of conscience. She was found guilty and sentenced to 58 years in prison. Rosenberg served 16 years before shewas pardoned by Bill Clinton on his last day as president. She is now director of communications for the American Jewish World Service.

Rosenberg was in and out ofsix different prisons. In 1986, she was one of the first twoinmatesat the womans High Security Unit, a basement isolation unit for women at the Federal Correctional Institution inLexington, Kentucky. Containing primarily political prisoners, it was the countrys first control unit for women. Denounced by Amnesty International and bythe ACLU as a living tomb, it was later closed by order of a federal judge.

Rosenbergs new book, *An American Radical*. is a memoir of living life underground, being a revolutionary, and serving hard time. Here she tells her story of entering and living inthe Lexington unit:

[On an] October day in 1987 I descended the flight of those narrow steel stairs into the basement of the high-security unit of the federal prison in Lexington. The space was cold and small, airless and frightening. Alex, a friend and fellow prisoner, and I were going to our own burial with that downward walk, only we were still alive. ..

I looked around and was overcome by the sheer whiteness of the space. It was a bright, gleaming, artificial white, the kind of white that with any lengthy exposure could almost sear your eyeballs. It was the kind of white that can make you go mad. Lexington was over fifty years old. It had been built inthe 1930s as an insane asylum, and then it became a federal drug treatment center and later a womens prison. Billie Holiday had detoxed in this facility.

The basement, however, was new. They had gutted everything and constructed it all over again. It was lifeless. The only sounds were the rattling and clanking of our own chains and the barely audible buzz of the rotating surveillance cameras mounted on every wall and at every crevice. At the entrance to the tier were eight metal doors on each side. They, too, were white except for their steel handles. All the cells were locked. It was colder in the hall than outside. The air-conditioning was on full blast and there was no natural light to provide warmth anywhere. The space resembled the refrigerator in a morgue. Nothing living had yet left an imprint.

After being herded by several officers through the set of steel doors leading ever deeper underground, we were put in an airless room containing only a standing scale in one corner. A sign over the scale read medical room. The men accompanying us stepped outside and several women Cos filed in. They did not look at us or speak. Neither Alex nor I tried to tell what had happened that morning in Tucson. They unchained us, strip-searched us, and left us naked. As one of them went off to find uniforms, another examined our bloody underwear and remained stone-faced. Still, no one spoke. Once we suited up in large blue jumpsuits, several men returned to escort us to yet another small room where we found our property sitting in opened boxes. It had arrived before we had, and had been searched and

secured. The COs had inventoried all of it: photos, earrings, underwear, a favorite pen, our legal papers and books.

Mr. Ogden, the unit manager who would oversee us, secure us, and implement our psychological program, was waiting. He was a big, rambling man in his early forties, with lank dark hair that fell across his receding hairline. An American flag was pinned to his lapel. He spoke in drawn-out, excessively enunciated words as if he were speaking to someone hearing impaired.

Well-II, girls-s-s-, welcome to your new home. We looked at him. Weve spent a lot of money on this place, just for you. I hope you can ap-pre-cia-te that.

Now, all that property you have therehe pointed to the boxesyou cant have most of it. He pulled out a photo album filled with fifty or so pictures of Alexs family. Sitting down on a metal folding chair, crossing his legs, he started flipping through the pages. Nice kid. Whose is it? he asked as we stood there watching him. Mrs. Torres, you can have five of these. Pick the top five.

You have got to be kidding, Alex said.

Nope. Well send the rest home at our expense, he said.

Were allowed a photo album, I said. You sell them on the commissary.

Not here, not in this unit. We have our own rules. Pick five; thats it.

And so it went with everything: no shoes, no underwear, no jewelry, no religious medallions, nothing personal. We really argued about the book limit. The rule was five, like the pictures. Except, we realized, he was making up the rules as he went along. When we asked to see a copy of the regulations, we were told that Washington, D.C., was still working on them. It was clear that he was playing with us.

Finally Alex said, Take it all, and send it all out. I dont want any of it.

Mr. Ogden demurred, stating that he wanted us to choose in front of him the one or two items of most importance to us. Right then, in our first hour after the morning in Tucson and the entrance to Lexington, it became clear to me that this was an initial attempt to make us dependent on the prison. More important, it was the opening salvo (albeit small) in what would become a war between two distinct sides, one of which had overwhelming power and force while the otherour side, my sidehad only beliefs and a view of the world to hang on to. Alex and I would have to divest ourselves of all material ties to our world, to our past lives. We had to begin to acclimate and internalize the idea that less is more, that everything important in our lives, the things that bound us, would go on only in our heads and hearts, with nothing tangible to stir the memory. We decided in that very first hour to hang our sanity on our identity. We would not comply with our jailers command to choose. He seemed disappointed.

We were then handcuffed and walked through the unit, back to the cells. At the last electronic gate we were surrounded by a group of officers and officials. In the silence and whiteness even they were slightly dumbstruck. Alex and I looked at each other. We knew we were entering a tomb. I whispered out of the side of my mouth, Nazis. She nodded and whispered back, A white sepulcher.

As I looked down the hallway, my mind filled up with images of other places that were centers of human suffering: death rows in Huntsville, Angola, and Comstock; white cells and dead wingin Germany where capturedenemies of the state experience the severest effects of isolation; the torture center on RobbenIsland in South Africa and La Libertad in Uruguay. As these images rose and fell, my ideas and goalsmy whole lifepassed before me, I began to disassociate from myself.

But freeze the frame, pull the camera back: there are only two calm, small, battered women standing there, waiting. The prison camera swiveled in a 360-degree turn and a bark sounded over the intercom: R-two gate, R-two gate, we dont see you.

A CO standing next to me said, Move! Get in line with the camerayou can see where it is.

He shoved me and I pulled away, inadvertently stepping into direct view. Fine, said the disembodied voice. There was a loud electronic click, but instead of the gate swinging open, the fire alarms went off. All the men jumped. Alex and I looked at each other and started laughing.

Eventually, the alarms died down and we got through the gate. The door swung shut and Mr. Ogden stood on the outside, staring at me through the small glass windows in the full metal front door. He smiled, gave me a one-handed wave, and disappeared from view.

The first three months, Alex and I were the only two prisoners at the HSU. Every day was filled with confrontations between us and the Cos over every human need: getting hot water for a cup of instant coffee, taking a shower, going outside, getting medical attention, getting a book. We were allowed to come out of our cells and talk with each other but stayed locked on the tier, not allowed beyond the gates. There was a camera at each end of the tier and three gates between the end of the tier and a hall that led to the rest of the unit. Our cells had windows we could see out of only by standing on tiptoe on the bed; the view was of shrubs at ground level in the main inner courtyard of the prison. We really were in the basement, and the side we were on received no natural light. In each cell there was a nineteen-inch TV mounted on the wall. There were no books. We were allowed no physical activity inside, no communication with anyone other than the Bureau of Prisons, and no educational or other programs. But there was that omnipresent TV. That TV came to justify and answer all charges of abuse and deprivation.

We were told by Mr. Ogden that we could submit a list of fifteen people, and only those who were approved by him would be able to correspond with us. Those same people were the ones we could telephone during our one ten-minute phone call a week, and if they submitted to fingerprinting and strip searches they could visit. He went on further to explain that the same conditions would apply to our lawyers. Alex would always ask by whose authority was this being said or done to us. His answer was always ours. Our reaction was to tell our families, friends, and supporters not to visit and we refused to submit a list.

We felt that the BOP was not only burying us alive under layer upon layer of lies and doublespeak, but also trying to construct extreme

and unnecessary conditions designed to intimidate everyone connected to us. We felt that if we participated in their effort to define our lawyers as security threats, this would be tantamount to accepting the governments view of us as terrorists. Alex especially did not want to play into their attempts to criminalize the Puerto Rican independence movement. At that time, fingerprinting lawyers was unprecedented, and clearly designed to have a chilling effect.

Every day got harder and harder. I had been incarcerated for more than two years and Alex more than three. While each prison had been difficult, the HSU brought new heights of control, harassment, denial of basic human rights, attacks on our gender, and terrible cruelty.

One day we could go outside to our tiny dog run for recreation (rec), and the next day it violated policy. One day we could take rec together, and the next we had to go separately. One day they would bring us hot food, and in the following days the food would be ice cold. But always there were verbal harangues.

When Chaplain Bits came one day to counsel us, he wouldnt open the cell doors. He stood outside, staring through the window at me as if I had two heads. He was a short, red-faced, balding man with stains on his collar. His thin mouth was pursed in a sanctimonious way bred by years of misusing the power of the cloth. I remember answering his stare with Whats the matter? Never seen a Jewish woman prisoner before?

He finally spoke. I have never met a woman with such a long sentence. You know, you are going to die here.

When I said that I wanted to see a rabbi, he said no. Then he moved down the tier to the next cell. Alexs husband was a minister in the United Church of Christ, and minister to one of the largest Methodist congregations in the Chicago neighborhood of West Town. Alex is a devout and dedicated Christian. She can quote from the Bible chapter and verse like no one else I know. I stood at my door trying, unsuccessfully, to hear their conversation. Later Alex told me that all she wanted from him was permission to have and wear a cross. To which he replied, Not when you live by the sword, you die by it. You hardly need a cross. An argument about peace and rebellion ensued. His utter lack of compassion was evidenced when I heard him mutter that bitch as he quickly walked down the tier past my cell.

So it went, until one day Mr. Ogden took us into the day room and sat us down. There is a way out, he said with a deadly seriousness, nothing jovial about him at that moment.

We sat silently.

You can be transferred out of here if you renounce your associations, affiliations, and your . . . uh, err, uh . . . views. You can have the privilege of living out your sentence in general population.

On whose authority? We both asked in unison.

This time he said, Take my word for it.

He cant be saying this, I thought. I have the right to my beliefs, to free association. Im an American. Then I had to smile, even laugh at myself. The idea of this country and its glorious democracy still held sway in my thinking. I still cried whenever I heard Dr. Martin Luther King Jr., even though I was an enemy of the state. Then I realized that if we could somehow convince him to put what he had just said in writing, we could expose the HSUfor what it wasthe first official prison for women political prisoners in America. We knew where we were, and we knew that the BOP was concealing its real mission behind exaggerated distortions of our dangerousness. Its officials were trying to justify the dehumanizing conditions they had put us in by slapping a label on us (and on top of that claiming the conditions were not inhuman because we had TVs). I was very happy that this had just happened. I felt that he had just given us the tool to fight back with. We told Mr. Ogden that we knew what they wanted us to do, and that he could forget it. He smiled, as though to say that time was in his favor. He let us walk unchained back to our cells.

Later that same day, we were escorted through two gates and placed behind the locked gate at the entrance to the shower stalls. A voice said, Jim, moveyoure blocking the view. My eyes searched the walls until they found the camera down the hall, facing the shower entrance. It was trained on the two-foot-wide space between the shower stalls and the wall, the space where Alex and I stood to take our clothes off before stepping into the shower.

Youre all sick, I shouted. Watching us in the shower is perverted. What do you think we are going to do in the shower? I shouted furiously.

After that, we refused our shower privileges until we figured out that we could wear layers of clothes to the shower and hang the outer layer on the bars to block their view



James Ridgeway (1936-2021) was the founder and co-director of Solitary Watch. An investigative journalist for over 60 years, he served as Washington Correspondent for the Village Voice and Mother Jones, reporting domestically on subjects ranging from electoral politics to corporate malfeasance to the rise of the racist far-right, and abroad from Central America, Northern Ireland, Eastern Europe, Haiti, and the former Yugoslavia. Earlier, he wrote for The New Republic and Ramparts, and his work appeared in dozens of other publications. He was the co-director of two films and author of 20 books, including a forthcoming posthumous edition of his groundbreaking 1991 work on the far right, Blood in the Face. Jean Casella is the director of Solitary Watch. She has also published work in The Guardian, The Nation, and Mother Jones, and is co-editor of the book Hell Is a Very Small Place: Voices from Solitary Confinement. She has received a Soros Justice Media Fellowship and an Alicia Patterson Fellowship. She tweets @solitarywatch.

Accurate information and authentic storytelling can serve as powerful antidotes to ignorance and injustice. We have helped generate public awareness, mainstream media attention, and informed policymaking on what was once an invisible domestic human rights crisis.

Only with your support can we continue this groundbreaking work, shining light into the darkest corners of the U.S. criminal punishment

system.

by Voices from Solitary

September 30, 2022

by Voices from Solitary

September 19, 2022

by Voices from Solitary

September 6, 2022

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Smart Alec lefties dont actually think they can change the world by mouthing off, do they?

I think she is right where she should be. Unfortunately, there is a lot of sympathy for upper class white revolutionaries who murder blue collar workers in the name of justice.

My own politics are very far to the anti-capitalist, radical left. But I simply dont buy this definition of political prisoner. She was *not* arrested for her politics. She was arrested unloading dynamite & guns! (I do realize people are sometimes arrested and imprisoned for their politics via all sorts of unjustified charges unrelated to their political activities, or with laws that are not enforced on anyone else & sentences not imposed on anyone else with similar charges. But this is not one of those cases.)

If only your lawsuit could have stopped Guantanamo Bay Thank you for your bravery for all of us.

wow yes you hit the plane of justice dead on in what it looks like if it whent high tek and was painted wow you are right the bop are sick but moest of all you are more then lucky that you ever got to see out side the walls of justice after going in you whent head on with the tribunal and lived to see out side thare dammed plane that a lone is remarkbal but it has become even more sick then those days god be with those who are brout to justice for justice is hell on erth may thare be light in the darknes of justice

P.O. Box 11374 Washington, DC 20008

info@solitarywatch.org

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