

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2011/09/10/what-the-war-on-terror-owes-to-the-war-on-crime-2/>

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by [Jean Casella and James Ridgeway](#) | September 10, 2011

Long before the War on Terror, there was the War on Crime. And as much as 9/11 was a watershed event, many aspects of the nation's response to the terrorist attacks find longstanding precedent in the American criminal justice system.

In his article *Exporting Harshness: How the War on Crime Helped Make the War on Terror Possible*, Georgetown Law professor and former public defender James Forman Jr. argues against the widely accepted notion that the war on terror represents a sharp break from the past, with American values and ideals betrayed, American law remade. Forman continues: While I share much of the criticism of how we have waged the war on terror, I suspect it is both too simple and ultimately too comforting to assert that the Bush administration alone remade our justice system and betrayed our values. Instead, he believes, our approach to the war on terror is an extension of sometimes a grotesque one of what we do in the name of the war on crime:

By pursuing certain policies and using particular rhetoric domestically, I suggest, we have rendered thinkable what would otherwise have been unthinkable. Moreover, as the world's largest jailer, we are increasingly desensitized to the harsh treatment of criminals. We have come to accept such excesses as casualties of war whether on crime, drugs, or terror. Indeed, more than that, we no longer see what we do as special, different, or harsh. Certain practices have become what David Garland calls the taken-for-granted features of contemporary crime policy. In part for this reason, despite the mounting evidence regarding secret memos, inhumane prison conditions, coercive interrogations, and interference with defense lawyers, the Bush administration's approach to the war on terror went largely unchecked and unchanged. (H/T [Prison Law Blog](#))

Berkeley professor Jonathan Simons, in his 2007 book *Governing Through Crime: How the War on Crime Transformed American Democracy*, also looks for the roots of these excesses, and locates them decades prior to the terrorist attacks. Fear of sudden and terrible violence was a major feature of American life long before September 11, 2001. The collapsing towers were only the latest and most lethal of a series of spectacular scenes of violence that have unfolded at the centers of our large cities since President Kennedy was shot to death in Dallas with a mail-order rifle in 1963. In the subsequent decades, Simon writes, Americans have built a new civil and political order, values like freedom and equality have been revised in ways that would have been shocking in the late 1960s, and new forms of power institutionalized and embraced all in the name of repressing seemingly endless waves of violent crime. Simon continues:

The terror attacks of 9/11 have created a kind of amnesia wherein a quarter-century of fearing crime and securing social spaces has been suddenly recognized, but misidentified as a response to an astounding act of terrorism, rather than a generation-long pattern of political and social change. Just as we now see the war on terrorism as requiring a fundamental recasting of American governance, the war on crime has already wrought such a transformation one which may now be relegitimized as a tough response to terrorism.

Many historians trace the birth of the War on Crime to the mid-1960s specifically, to [Barry Goldwater's 1964 presidential campaign](#), with his rhetoric of crime in the streets and the need for law and order. Since that time, politicians have increasingly exploited the fear of violent crime and its perpetrators to institute ever more draconian laws and policies. The War on Crime was soon joined by its partner the War on Drugs, which was launched by Richard Nixon and gained traction during the Reagan Administration. One crime bill after another was passed with broad bipartisan support, and more and more federal and state monies were poured into expanding law enforcement and building and maintaining prisons. Between 1970 and 2005, the U.S. prison population grew by 700 percent.

Even as crime rates declined sharply in the 1990s, a Democratic president, Bill Clinton, championed two of the harshest pieces of criminal justice legislation ever passed: The [Anti-Terrorism and Effective Death Penalty Act](#) of 1996 (AEDPA), passed after the Oklahoma City bombing with broad bipartisan support, undermined habeas corpus rights of U.S. prisoners long before the Bush Administration sought to withhold them from enemy combatants. AEDPA placed severe limitations on prisoners' ability to challenge death sentences or life sentences, or any unjust convictions in federal courts, even when they had new evidence of their innocence. The [Prison Litigation Reform Act \(PLRA\)](#) also passed in 1996, was intended to deter inmates from bringing frivolous lawsuits, said the [New York Times](#) in a 2009 editorial. What the law has done instead is insulate prisons from a large number of very worthy lawsuits, and allow abusive and cruel mistreatment of inmates to go unpunished long before the advent of Guantanamo Bay, Abu Ghraib, Bagram, and the black sites spawned by the War on Terror.

Anne-Marie Cusac, who spent the decade prior to 9/11 reporting on prison abuses on American soil, wrote in [The Progressive](#) after the

Abu Ghraib scandal broke, Reporters and commentators keep asking, how could this happen? My question is, why are we surprised when many of these same practices are occurring at home? Cusac continues:

In February 1999, the Sacramento Sheriff's Department settled a class-action lawsuit alleging numerous acts of torture, including mock executions, where guards strapped inmates into a restraint chair, covered their faces with masks, and told the inmates they were about to be electrocuted.

When I read a report in The Guardian of London of May 14 that it had learned of ordinary soldiers who . . . were taught to perform mock executions, I couldn't help but remember the jail.

Then there's the training video used at the Brazoria County Detention Center in Texas. In addition to footage of beatings and stun gun use, the videotape included scenes of guards encouraging dogs to bite inmates.

The jail system in Maricopa County is well known for its practice of requiring inmates to wear pink underwear, and it is notorious for using stun guns and restraint chairs. In 1996, jail staff placed Scott Norberg in a restraint chair, shocked him twenty-one times with stun guns, and gagged him until he turned blue, according to news reports. Norberg died. His family filed a wrongful lawsuit against the jails and subsequently received an \$8 million settlement, one of the largest in Arizona history. However, the settlement included no admission of wrongdoing on the part of the jail.

The Red Cross also says that inmates at the Abu Ghraib jail suffer prolonged exposure while hooded to the sun over several hours, including during the hottest time of the day when temperatures could reach 50 degrees Celsius (122 degrees Fahrenheit) or higher. Many of the Maricopa County Jail system inmates live outdoors in tent cities, even on days that reach 120 degrees in the shade. During last year's heat wave, the Associated Press reported that temperatures inside the jail tents reached 138 degrees.

Cusac goes on to document other abuses familiar to U.S. prisoners as well as foreign detainees, including stress positions, torturous restraints, rape by guards, and long-term solitary confinement. It is no accident that Army Specialist Charles Graner, [convicted as the ringleader](#) in the Abu Ghraib prison abuse scandal (and recently released from a military jail at Fort Leavenworth) honed his sadistic skills at Pennsylvania's state prisons, where [guards admitted to](#) beating prisoners and were accused of placing a razor blade in one inmate's food.

It is no accident, either, that laws passed in the name of terrorism both the AEDPA and the USA-PATRIOT Act have been used to trample on the [rights of the accused](#) and prosecute ordinary American lawbreakers, including [drug offenders](#) and [undocumented immigrants](#), far more than to round up actual terrorists. If the War on Crime fed the War on Terror, the War on Terror has also expanded and re-legitimized the War on Crime. All this has happened with the approval of both political parties, virtually guaranteeing that the legacy of 9/11 will be an endless war at home, as well as abroad.

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 [Juan Moreno Haines](#)

October 25, 2022

by [Solitary Watch Guest Author](#)

October 13, 2022

by [Vaidya Gullapalli](#)

September 29, 2022

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When one thinks of prisons, the war on drugs, and the war on terror, all should be thought of in the terms of terror. What is really interesting is, the tactics used by the United States are tactics that were outlawed in England in 1972. For instance, hooding can be thought of in its modern form of the Shu and SuperMax prisons. No day light is hooding. Second, when lights are left on day and night, this is sleep deprivation, which is torture. Third, when people are left naked, wearing diapers, and constantly under observation, this entire process becomes torture.

The question proposed is: if this practice has been outlawed in England in 1972, when they and the United States signed agreements with the United Nation, why is prisons allowed to use these methods on prisoners today?

The entire practice is unacceptable, deplorable, and downright degrading, but then, countries that are capitalist, does more suppression, oppression, and depression of its citizens, than countries that are not capitalist, and/or democratic, as practiced by the United States.

All countries violate their citizens to some degree, but this is beyond violation: for example, what has happened thus far, has a tendency to, violate the Constitution of the United States, as it relates to the Eighth Amendment, but it does not violate the Constitution as it relates to the Thirteenth Amendment as it relates to slavery.

For instance, we all know from our early history of how people were treated in slavery, not only in the United States, but by countries such as, Egypt and Africa, just to name a couple.

However, it does appear from this writers perspective, that there is a conflict of interest within these two amendments; whereas, a third conflict of interest comes to light due to, signatures on the United Nation agreement, as to prisons and soldiers that are captured in war in relationship to torture.

One could make the statement that they could not believe something like this could happen within the United States. But anytime media is denied access to any public institution like a prison, one can believe and rest assured that abuse is taking place, and that these institutions does not want what they are doing exposed. Second, society also is one of the major cause of coverup abuse, because, society does not believe in holding our state(s) accountable for anything.

California stated today, that they would be releasing 4,500 women prisoners, and that the program maybe extended to male prisoners sometime in the future.

Are male prisoners going to be held longer because they went on a hunger strike, and/or is it revenge? Because, there is still 28,500 prisoners remaining to be released, based on the the Appeal Courts order.

THE TRIBUNAL

The Six Hammers

Followers of The Tribunal seek one thing above all else: justice. While some claim to express this desire by pursuing careers as guards or magistrates, true believers in The Tribunal do not recognize the rights of any court on Norrath and enforce the Tribunals sense of ultimate justice on the rest of the population. Retribution, vengeance, and punishment are sacred duties. Followers of The Tribunal are methodical, patient and just. They must be so, for it is their belief that if they punish an innocent, The Tribunal will pass judgement against them, and doom them to an eternity.

ok want see something really scary lol this may make you wonder is really what we say it is this is from everwuest lore now read this and tell me this nashion is not going down this path really dam fast like siad bout time you all see what i ben seeing going on over the years thare building the walls of justice round us and we now days will not speek out agenst it by the time a nuff do i pray it not be to late and you all siad i was nuts for saying the tribunals age was comeing if this small bit on the values of those who follow the tribunal after reading it makes you think of your nashion hears your dam warning sighn lol may thare be light in the darknes of justice

<http://www.businessinsider.com/wow-gop-voters-applaud-executions-2011-9>

People react to death penalty question.

violence and devastation of 9/11 first hand, and its hard to see the same word used to characterize both Al Qaeda and her brother, who took care to make sure that no one was hurt by his actions. Still, the victims of his arsons did feel terrorized by the fires, and one prosecutor says, You dont have to be Bonnie and Clyde to be a bank robber, and you dont have to be Al Qaeda to be a terrorist. The distinction between a criminal and a terrorist is a serious one. A federal judge must decide whether to apply terrorism enhancement to McGowans arson charges, which could translate into McGowan being assigned to one of the restrictive terrorist prisons in the United States known as communication management units.

Finally there is this case which marked the end of the publics support of the Anti-War movement.

<http://www.cbsnews.com/stories/2011/08/28/sunday/main20098388.shtml?tag=contentBody:cbsCarousel>

On the anniversary of 9-11-2001 I would like to offer this quote.

Remembering our time of total commitment to a set of dogmas that we now find pathetic, we tend to wear wry smiles.

Perhaps it is not too much to say that in these violent times the kindest, wisest wish we have for the young must be:

We hope that your period of immersion in group lunacy, group self-righteousness, will not coincide with some period of your countrys history when you can put your murderous and stupid ideas into practice.

If you are lucky, you will emerge much enlarged by your experience of what you are capable of in the way of bigotry and intolerance. You will understand absolutely how sane people, in periods of public insanity, can murder, destroy, lie, swear black is white.

Prisons We Choose to Live Inside by Doris Lessing.

If you want to explore more on the terrorism topic you can find the next two documentary films on PBS under POV very helpful.

The timely new documentary Better This World tells a provocative and cautionary story about the shifting fault lines of civil liberties, protest and government vigilance. Two boyhood friends from the heart of Texas, Bradley Crowder and David McKay, find themselves increasingly out of step with their neighbors as they react against the wars in Iraq and Afghanistan. After moving to Austin, they go to a

presentation at a local bookstore about protesting the 2008 Republican National Convention (RNC) in Minneapolis-St. Paul. There they are approached by a charismatic older activist, who suggests that they work together to prepare for the demonstrations. Six months later, on the eve of the convention, the two young friends make eight Molotov cocktails but then decide not to use them. The matter might have ended there but not everything was as it seemed. The FBI and other law enforcement agencies had been engaged in a two-year, multimillion-dollar counterterrorism effort leading up to the convention. The young mens mentor, it turns out, was a government informant and had been long before meeting them; Crowder and McKay were arrested and charged with domestic terrorism. Growing up in Midland, Texas, Crowder and McKay had little political education beyond their parents encouragement to stand up for the oppressed and to stand up for what you believe in. Somewhere along the way, partly in late-night walks through the towns deserted streets, the friends began to form their own interpretation of their parents words. It was Crowder who made the first public statement of his political beliefs in 2003 when the United States declared war on Iraq. He drew an upside-down American flag with the words No War on a T-shirt and wore it to his high school the next day a move that, he recounts, became a pretty dramatic event. Seeking something else, Crowder and McKay moved to more progressive Austin, where they met Brandon Darby, who had gained prominence as the co-founder of Common Ground, a grassroots relief organization that fed and housed thousands of victims of Hurricane Katrina. Crowder and McKay were flattered when the larger-than-life activist approached them at a bookstore in Austin about organizing together.

Two years prior to the 2008 RNC, Minneapolis-St. Paul was designated a homeland security site and the FBI began preventative intelligence operations nationwide, including sending informants into many activist circles. As FBI Special Agent Christopher Langert says, We . . . knew that there were . . . some people [coming] to St. Paul to do more than just demonstrate. . . . They were going to try to block delegates, cause destruction. So the FBI tasked Darby with infiltrating Austin-based activist groups.

As several people in the film who knew Darby, Crowder and McKay recount, Darby urged the young men to become more radical to take more extreme actions. According to Larra Elliott, one of the activists who accompanied the three to the RNC, Brandon . . . said something that caught my attention, like, Dont you feel that firebombs and armed militias . . . that kind of . . . action is necessary sometimes? And Brad was like, No, I dont feel that way. Brandon would not leave it alone.

Darby echoes some of this sentiment in letters to his FBI handler about meetings with McKay and Crowder. I told them that direct action is intense, and we could all expect to have violence used against us. I told them I was ready to deal with that, and if they werent, then they shouldnt work with me.

On Aug. 28, 2008, Crowder and McKay joined Darby and several other activists Darby had brought together for the long van ride up to the RNC, where they would join thousands of other protestors. Within days Crowder and McKay were under arrest. The Texas Two faced multiple domestic terrorism charges, agonizing legal decisions and decades in prison. Darby, until then their mentor, would be the governments star witness against them.

Better This World reconstructs the story of the relationship between these three men and the subsequent twists and turns of their legal cases through interviews with Crowder, McKay and their family members; FBI agents and attorneys; and a wealth of intriguing surveillance and archival footage presenting an extraordinarily well-documented account and untangling a web of questions: Why did Darby, a committed activist, become a government informant? What led these young men to build eight homemade bombs? Did Darby and law enforcement save innocent victims from domestic terrorists bent on violence and destruction? Or were Crowder and McKay impressionable disciples set up by overzealous agents and a dangerous provocateur? Or does the answer lie somewhere in between? Better This World probes these questions and more as it paints a gripping portrait of the strange and intriguing odyssey of these men poignantly describing not only the problems of power and authority, but also the ultimate power of friendship, forgiveness and love. In December 2005, Daniel McGowan was arrested by four federal agents in a nationwide sweep of radical environmentalists involved with the Earth Liberation Front, or ELF. For years, the ELF had launched spectacular acts of arson against dozens of businesses it accused of destroying the environment, including timber companies, SUV dealerships, wild horse slaughterhouses and a \$12 million ski lodge in Vail, Colorado. No one had ever been hurt in any of the fires, but the FBI considered the group the No. 1 domestic terrorism threat in the United States, and soon after his arrest, McGowan discovered that the arson carried a sentence of life in prison. Winner of the U.S. Documentary Editing Award at the 2011 Sundance Film Festival, If a Tree Falls: A Story of the Earth Liberation Front is a layered narrative that carefully weaves together a variety of clashing points of view using vrit footage, surprisingly candid interviews and a trove of archival material (much of it never before seen). The result is a nuanced story that asks its audience to wrestle with questions intentionally left unresolved.

The film begins with McGowan in his sister Lisas Manhattan apartment, where he has been placed on house arrest as he awaits trial for two arsons that he committed against Oregon timber facilities. With an ankle bracelet monitoring his movement, he contemplates his future and reflects on his past.

On the surface, McGowan is an unlikely revolutionary. He went to Catholic school in Queens, was the son of a New York police officer and was a business major in college. Growing up, he wasnt the political kid fighting for anything, his sister says. He was just a regular kid.

That was part of his appeal to director Marshall Curry and cinematographer/co-director Sam Cullman. Curry explains, Im always intrigued when reality cuts against my expectations or stereotypes. How did this guy who could be anyones little brother, or employee, or next-door neighbor wind up facing life in prison for eco-terrorism?

McGowan recounts how after college, while working at a New York public relations firm, he discovered the widespread environmental destruction going on around him. That moment, he says, took the blinders off, and he leapt into the environmental movement, writing letters, petitioning and then engaging in civil disobedience. When those actions seemed ineffective and non-violent protests were met by force from law enforcement he moved on to small acts of property destruction and eventually to arson. As a member of the ELF, he took part in two multimillion dollar fires in Oregon one against a timber company engaged in old-growth logging and the other aimed at a tree farm he believed was involved in genetic engineering projects. But after that second fire, McGowan began to question the use of arson as a tactic.

As the film explores McGowans case, other dramatic characters fill out his story and sometimes challenge him: Jake Ferguson, the quiet, charismatic pirate who started the ELF in the United States; Suzanne Savoie, McGowans ex-girlfriend, who took part in two fires with him; Tim Lewis, an activist/filmmaker who lives in a one-room cabin in the mountains of Oregon and captured on film the environmental movement that spawned the ELF; Greg Harvey, a police detective who describes the day he and his partners broke the case as one of the best days Ive ever had; Kirk Engdall, the assistant U.S. attorney who prosecuted the case but by the end of the film holds a nuanced view of the group.

McGowan, like many supporters of the ELF, feels conflicted about the fires. On one hand, ELF supporters believe that the groups actions were following the traditions of the Boston Tea Party: symbolic property destruction designed to draw attention to important

issues. But they also recognize the danger and unanticipated consequences of arson and question whether the fires helped the ELF achieve its goals.

McGowan does not feel conflicted about whether the arsons should be considered acts of terrorism. Terrorism, he feels, has become a term that people use to win public relations battles against their political opponents. His sister points out that she witnessed the

Some may know I wrote a guest piece titled: The Prisoners Catch 22 on this site.

So I am aware of the contradictions between these new laws and the freedoms we as Americans have long sought to preserve.

But just as this post ends there is blame to share for this erosion of our liberties. Much of it can be laid at the gate of our prisons with the often violent struggle for better conditions. California has always led the way in this epic battle.

Rather than just list the negative affects of the heavy handed counter moves by the prison system we must understand the motivations for them and take some responsibility in their formation.

So which came first, Californias Radical Prison Movement, or The Explosion in the Prison Population?

First we must account for any increase in the total population of the US that may affect the numbers.

US Population:

1960 = 179,323, 175

2000 = 281,421, 906

An increase of over 102, 000, 000 or approx. 57%

http://www.censuscope.org/us/chart_popl.html

US Prison Population

1960 = 332, 945

2000 = 2, 042, 479

An increase of over 600%

http://www.justicepolicy.org/images/upload/00-05_rep_punishingdecade_ac.pdf

Obviously just an increase in the population does not account for the much larger increase in the prison population.

Taking a closer look I found that the US prison population had actually declined in the 1950s and 1960s.

Here are the numbers, between 1960 and 1970, the prison population actually declined by 16,524.

During this same period the Blacks as a percentage of the prison population increased from 32% to 40% while the white inmates representation declined from 66% to 60%

The reasons for this was, the success of the F.B.I.s CoIntPro, the resulting rise of the radical prison movement and the resulting prison violence it spurred. Most of this increase in incarceration occurred from 1970 on. Why?

In the words of Edward Bunker in a 1972 Harpers article War Behind Walls, wrote on

Page 4, a religious doctrine of hate:

what increases racial polarization in prison beyond conciliation is the mutative leap in black militant rhetoric. This rhetoric is heard within prison walls by unsophisticated minds and gives those blacks that already hate whites a rationale for murder.

Everyone understands that blacks have been brutalized by generations of institutional racism, and recently by inertia and indifference. What the sympathetic fail to grasp is that sometimes the psychological truncation is so great that it cannot be repaired. Nothing is left but hate. They have no desire no motivation for anything but revenge.

For almost two decades no guard had been killed in a California prison. Then within a few months a dozen were killed in San Quentin, Soledad, and Folsom, all by blacks.

Guards, who are invariably conservative and narrow minded at the outset, heard the inflammatory rhetoric along with the murders and saw it as a direct personal threat. If they had been secret bigots, they now turned into outright racists.

This is the reason that the radical prison movements public support effectively died out by 1972, it had died because of the excessive violence of the prison movement.

Here is another view I found on this.

http://webcache.googleusercontent.com/search?q=cache:u9_Zum5fUqoJ:monthlyreview.org/2009/06/01/the-penal-state-in-an-age-of-crisis+growth+in+black+us+prison+population+since+1960%27s&cd=4&hl=en&ct=clnk&gl=us&source=www.google.com

As a rule, crime and social protest rise in periods of economic crisis in capitalist society.

During times of economic and social instability, the well-to-do become increasingly fearful of the general population, more disposed to adopt harsh measures to safeguard their positions at the apex of the social pyramid.

The slowdown in the economic growth rate of U.S. capitalism beginning in the late 1960s and early 1970s converging with the emergence of radical social protest around the same period was accompanied by a rapid rise in public safety spending as a share of civilian government expenditures.

So significant was this shift that we can speak of a crowding out of welfare state spending (health, education, social services) by penal state spending (law enforcement, courts, and prisons) in the United States during the last third of a century.

This conclusion is validated in these passages taken from the book by Eric Cummings *The Rise and Fall of California's Radical Prison Movement*.

Page 229: The California Right had from the very first reacted with intense fear to the Marxist language in which the Left had chosen to couch its prison ideology. Fired by the bogeyman of communism, conservatives had generously contributed to committees funding police units to investigate California radicals.

Page 231: In hearings before a congressional subcommittee investigating San Quentin in October, Moe Camacho, President of the CCOA, called for the creation of separate, maximum security prisons for revolutionary inmates and demanded stricter treatment for the remaining maximum security prisoners.

Page 233: In 1970 Warden Nelson had served on the Committee on Riots and Disturbances of the American Correction Association. The first firm decision the group came to was that convict ringleaders must be removed and isolated from the general population before an opportunity to carry out their plans presents itself. In other words, troublemakers were to be identified and punished before they committed any offenses.

December 1973. the House Committee on Internal Security, was particularly interested to hear about the unrestricted flow of extremist propaganda into the prison. that FBI director J. Edgar Hoover had claimed stimulated the hardened criminal inmates into an alliance with revolutionary extremists.

For the Committee on Internal Security and the San Quentin officers who testified before it, San Quentins problem with radicals was entirely an imported one. Again the San Quentin administration chose to ignore the genuine grievances of the inmates as a source of prison rebellion. The committee was in part correct in its observations. Imported radical literature and the support of radical outsiders had certainly contributed to San Quentins revolution, though beneath this surface was along history of unresolved, legitimate prisoner grievances that had little to do with the ideological wars of the California Right and Left that were being reproduced in San Quentins battle of books. Despite this fact, in the California prison system a solution was already in the works. The plan was to turn the prisoners away from reading anything whatsoever.

Page 187: When a full-scale prisoner unionization movement emerged in the prisons in 1970, using the rhetoric of class analysis originated by the prison system radicals, scores of community groups turned out in support and lobbied the state government for change. But sadly, revolutionary convicts would insist on adding to the moderate reform goals of union inmates absurdly impossible demands as the spirit of the Marion County Courthouse shootout seized control of the explosively angry movement and turned reform aside for terror, as if demanding bloody confrontation. This would not have happened had radical prisoners not been misled into thinking they were center-stage leaders of an already advancing American revolution.

The stage was set for the beautification of George Jackson in the role the culture had created for him: ultimate wordsmith of the outlaw trope, the Dragon, priest of supreme male vengeance, convict god, and martyr to the racist past. A dramatic change in the radical literature imported into the prisons accompanied this last, most extreme wave of leftist convict romanticism. By late 1970 the tone of San Quentins imported literature became noticeably more inflammatory and more practical rather than theoretical, including detailed diagrams and instructions on bomb and weapons manufacture. Unfortunately, this change, well noted by prison staff, furnished the state with just the evidence of conspiracy it had so long desired and fueled moves toward a prison crackdown and a conservative repudiation of prison reform directed from both Sacramento and Washington. The just emerging moderate reformist convict union movement would by small steps be turned aside in its infancy as more and more the state and the extreme Left read the prison movement exclusively in the exaggerated figure of George Jackson. Tragically, that script now seemed to both far Right and Left to make his death necessary. And after the carnage, predictably, the same script would allow prison authorities to blame his death on outsiders and to go on ignoring prisoners legitimate grievances.

Page 229: The California Right had from the very first reacted with intense fear to the Marxist language in which the Left had chosen to couch its prison ideology. Fired by the bogeyman of communism, conservatives had generously contributed to committees funding police units to investigate California radicals. By the time of George Jacksons death, multiple local, state and federal agencies had infiltrated the California prison movement.

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Page 236: In the face of the conservative backlash, inmate radicalism took on uncontrollable forms.

Page 235: In its campaign to recapture of San Quentin from its radical convicts, the prison stepped up suppression of mail and books. This was especially true in the AC, where the San Quentin six, George Jacksons alleged conspirators on August 21, were still attempting to organize.

Page 237-38: this ongoing high level of inmate radical organizing, seemingly resistant even to the severest prison discipline, continued to alarm prison officials.

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I read the following quote in a self help book on writing. If you dont make the best case for the other sides position, you will sorely challenge your best readers to do so.

So when I came across this article I decided that it makes the case for the PLRA.

Excerpts from: <http://eglibraryreferences.blogspot.com/2008/04/confession-of-underground-think-tank.html>

Confession of an Underground Think Tank Strategist

By Eddie Griffin

Tuesday, April 22, 2008

The other means of attack consisted of creating a paper-jam in the grievance filing process, and consuming incalculable hours of government legal scholars time. We made a pact: File long drawn-out complaints, a minimum of 25 pages each. About 20 prisoners pledged to file on daily complaints, 25 pages or more per clip, knowing beforehand that the warden and his staff would rubber stamp our redress petition DENIED.

We then appealed up the pyramid, to the appellate level, at a 50-page clip, to be DENIED again, on up the line to Washington, this time at about 100 pages per 20 inmates. Like day-in and day-out clockwork, the grievance poured out, until the system was jammed.

At the time, I had unlimited access to a class of law student at Southern Illinois University Law School, just outside the prison. To break the logjam, the courts and Congress instituted the Informal Resolution formula to put one more step in the process before we could go to courts. It was designed for prison officials and inmates to settle their problems at the institutional level, informally.

Our objective was not so much a resolution, but to generation tons and tons of paperwork. Therefore, most of the complaints were duds that covered for the real legal complaint that would make its way to court. While the warden was busy rubber-stamping prisoners complaints, some good cases sneaked through the cracks and got to court.

There, we had them again. This time in court, against the formidable Peoples Law Office in Chicago, and at least a dozen outstanding and zealous civil rights lawyers.

Okay, I admit, Eddie Griffin was one of those trouble-making masterminds that wardens liked to keep out of circulation. Per capita, prisoners like us cost the government millions per day. Incarceration was not supposed to be so cheap. And, legitimate grievances can be even costlier. My estimated cost was at least a million dollars per day.

I was the Marion Brother who wrote the petition and hand-delivered it to the warden on the morning of the hunger strike. He turned red, as red as any Redman I had ever seen, and I imagined smoke coming off the top of his cranium.

That was it: The Scatter Gun Strategy in a nutshell, and I was the sacrificial lamb. The prison administration was fighting on multiple fronts, in the courts, in the media, and against outside protesters, carrying signs and shouting slogans. It got worse worse for the warden and worse for me.

Now the Congress got into the act with an investigation

Warden Fenny had his hands full with inquiries. He literally said as much, when he deposited me into the safe keepings of solitary strip cell, refrigerated by the open winter skies. I was put on No-Human-Contact status, known as boogey men in the federal prison system

Now the warden had an international controversy on his hand. US prisoners on a hunger strike against an oppressive all-white prison regime, staffed with a crew of doctors working in secret on mind control techniques, with CIA and undercover FBI agents involved behind the scene. The US media broke the allegation open when Dr. Edgar Schein, esteemed MIT pioneer in brainwashing research admitted to the behavioral research.

All of these developments exceeded my wildest dream. It started out as a power struggle between prisoners and prison officials over humane treatment. But the strategy was Overkill.

So I am glad that the inmates chose non violent means to protest the SHU.

I support them!

I have seen things behind bars, It is a crying shame what happens in prison. These laws will not be changed anytime soon. It is big biz.

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