

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2010/03/20/if-you-build-it-they-will-come-obama-commits-to-gitmo-north/>

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by [Jean Casella and James Ridgeway](#) | March 20, 2010

The federal government confirmed on Thursday that it plans to buy Thomson Correction Center. Obama has long envisioned the state prison in rural Illinois as a new home for the detainees from the so-called war on terror who are currently housed at Guantanamo Bay. But it is quite possible that no Gitmo residents will ever live there.

According to Lynn Sweets blog at the [Chicago Sun-Times](#):

The Obama administration's Justice Department would be seeking to purchase the facility in Thomson even if detainees were not being considered for transfer there, Assistant Attorney General Ronald Welch wrote in a letter to Rep. Don Manzullo (R-Ill.). However, Welch said the facility is being acquired to fulfill both of the goals of reducing federal prison overcrowding and transferring a limited number of detainees out of Guantanamo.

Thomson is in Manzullo's district and the lawmaker has been trying to convince the Obama White House to buy Thomson to house just high security federal prisoners not Guantanamo detainees.

The Justice Department request for \$237 million to buy, activate and operate Thomson is in the fiscal 2011 budget now pending before Congress.

This would seem like a strange turn of events, since the administration's whole reason for buying Thomson was as part of a scheme to shut down Guantanamo. But the White House has met with stiff resistance ever since December, when it [announced plans](#) to move about 100 terror suspects from Gitmo to the near-empty Illinois prison, once it had been purchased and renovated by the federal government.



Before those plans could be carried out, however, Congress would need to change existing laws that limit the movement of Gitmo detainees, and it would need to approve the federal funds required to buy and upgrade Thomson.

Instead, Congressional Republicans, along with some Democrats, quickly pronounced the president's scheme a grave threat to national security and public safety, and declared that the captives at Guantanamo should remain right where they are.

Earlier this month, there was talk of a deal being brokered by Senator Lindsey Graham (R-SC) to round up support for closing Gitmo if the White House would drop plans to try accused 9/11 conspirators in civilian courts and put them before military commissions instead. I don't believe Khalid Sheikh Mohammed robbed a liquor store, [Graham said](#) on Face the Nation. If he's not an enemy combatant, who would be?

But last week, House Minority Leader John Boehner (R-Ohio) made it clear that he wasn't playing ball. I think we have a world-class facility at Guantanamo, [Boehner said on CNN](#). There's no reason to bring these terrorists into the United States. No reason to increase the threat level here because they're here, their friends may want to come. He also declared: They keep saying they are going to [close it]. They want \$500 million from this Congress to rehabilitate this prison in northwest Illinois! I wouldn't vote for this if you put a gun to my head.

Against this backstory, what are we to make of the latest move by the White House: its pledge to buy Thomson regardless of whether

Congress allows terrorism suspects to be transferred there? Does this represent Obamas complete capitulation to his opponents in Congress and beyond or a shrewd end run around them?

Its clear that the residents of Thomson, Illinois a depressed rural town on the banks of the Mississippi whose main claim to fame is that its the [watermelon capital of the world](#) are [hungry for the economic boost](#) they believe a booming federal prison would provide. Their Republican member of Congress is pushing for it as well. But if theyre going to have a maximum security prison in their own backyards, theyd apparently prefer it be filled with good, old-fashioned American criminals, rather than foreign terrorists (convicted or not).

Is the president hoping that he can exploit this desperation to quietly carry out the first phase of his plan to close Guantanamo? Does he wager that if he can just get his hands on Thomson, hell eventually be able to slip his hundred Gitmo detainees into the 1,600-bed complex? Does he believe that if he builds it, sooner or later they will come?

A more meaningful question might be whether it even matters, at this point, if the detainees remain at Guantanamo or are brought to the proposed supermax unit at Thomson, which some critics have already dubbed Gitmo North.

If any of Guantanamos terrorism suspects are tried in civilian courts a prospect that seems less likely by the day they would not be sent to Thomson, but directly to the jurisdictions where their trials take place. Instead, the prospective tenants of the Illinois supermax would include two types of current Guantanamo detainees: One group, Obama [acknowledged last May](#), will likely be held in indefinite detention without trial, because they cannot be prosecuted for past crimes, he said, but nonetheless pose a threat to the security of the United States. (In at least some of these cases, the suspects cannot be prosecuted because they were tortured during the Bush years.) Another group of detainees, [the president has said](#), will continue to be tried under the system of military commissions established at Gitmo in 2006 albeit with some added legal protections. Facilities would be built at Thomson expressly for this purpose.

When the Thomson scheme was first announced, [Glenn Greenwald wrote](#) that the detainees sent there would have exactly the same rights or lack thereof as they have now at Guantanamo.

The sentiment behind Obamas campaign vow to close Guantanamo was the right one, but the reality of how its being done negates that almost entirely. What is the point of closing Guantanamo only to replicate its essential framework of imprisonment without trials a few thousand miles to the North? Its true that the revised military commissions contain some important improvements over the ones used under Bush. But the fundamental elements of Guantanamo are being kept firmly in place. What made Guantanamo so offensive and repugnant was not the fact that it was located in Cuba rather than Illinois. The primary complaint was that it was a legal black hole because the detainees were kept in cages indefinitely with no charges or trials. *That* is being retained with the move to the North.

There is, I suppose, symbolic value in closing Guantanamo. But what made Guantanamo such an affront to basic liberty and the rule of law was far more than symbolism, and it certainly had nothing to do with its locale.

Theres some question, as well, whether conditions at Thomson would be any better than those at Guantanamo, now that some of the most abject torture practices of the Bush years have ceased. Senator Orrin Hatch was ridiculed by some progressives last month for [suggesting that](#) the detainees might be better off at Gitmo: Its pretty nice compared to Illinois the place in Illinois where they want to put them, Hatch said at a hearing of the Senate Select Committee on Intelligence. Itsd be nice and cold in the winter time and all I can say is that I imagine there'll be a hue and a cry that were not fair by bringing them here. But its possible that Hatch could be right.



Illinois Senator [Dick Durbin has already promised](#) that the supermax portion of Thomson would be the most secure prison in the United States of America; Governor Pat Quinn concurs. Its a safe bet that former Gitmo residents there would live in an extreme version of the [Communications Management Units](#) already in place at [other federal prisons](#), blocked from virtually all contact with the outside world as well as with other prisoners, and plunged into permanent isolation. It would likely surpass even the notorious ADX federal supermax in Florence, Colorado, which bars some of its inmates from all human contact even with guards. A former warden [called ADX](#) a clean version of hell. (The federal Bureau of Prisons, by the way, insists that [solitary confinement does not exist](#) within its system; inmates who live in isolated lockdown are in Special Housing Units.)

This is the final grim reality to be faced in contemplating Obamas plan to close Gitmo, should it ever come to pass: Residence in a stateside prison is no guarantee of immunity from torture. While a federal supermax in Illinois will never be the site of waterboarding, torture of various kinds take place routinely at prisons across the United States (including the terrible [Tamms supermax](#), not far from Thomson in Illinois). For some reason, it has never inspired the kind of progressive resistance that rose up in response to Guantanamo or Abu Ghraib, but it goes on nonetheless. A 2004 report from [Human Rights Watch](#) stated:

In recent years, U.S. prison inmates have been beaten with fists and batons, stomped on, kicked, shot, stunned with electronic devices, doused with chemical sprays, choked, and slammed face first onto concrete floors by the officers whose job it is to guard them. Inmates have ended up with broken jaws, smashed ribs, perforated eardrums, missing teeth, burn scars not to mention psychological scars and emotional pain. Some have died.

Both men and women prisoners but especially women face staff rape and sexual abuse. Correctional officers will bribe, coerce, or violently force inmates into granting sexual favors, including oral sex or intercourse. Prison staff have laughed at and ignored the pleas of male prisoners seeking protection from rape by other inmates.

Even detained children and youth are not immune from staff brutality and abuse. They too are kicked, beaten, punched, choked, and sexually preyed upon by adult staff.

In addition, some 25,000 supermax prisoners, along with 50,000 to 80,000 others, live in extended solitary confinement within the borders of the United States. This kind of isolation has been deemed torture by a number of international conventions, and by [everyone who has ever experienced it](#).

None of this will change because a hundred prisoners are taken on a 2,000 mile journey north, from the shores of Guantanamo Bay to the banks of the Mississippi.



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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In many ways, the existing CMUs at Marion and Terre Haute are worse than Gitmo. Thompson, like Tamms, is designed to avoid any need for human contact.

On the other hand, since Thompson is in the Seventh Circuit, wouldn't Westefer mandate that prisoners would be entitled to due process hearings if they were to be transferred to Tamms?

ok now you can all RUN LIKE HELL i cant beleieve i allmoest voted for this dickhead this is going to make stoping solitary so much harder and god knows how close this will be to NY now damit i travel at times a lot thow that state it going to be in grate now i closer to the soon to be strongest shard of the void just what i wanted my fucking generashion to be remebered for building the gratest cruelty on erths thanks obma dick heads i say it is time we stop this big assed tribunal of his from takeing over are life cos he allready took my generashions dignety from us befor it began it ses we have the rite to overthrow the goverment it the constushion lets befor they build us in to the plane of justice as a nashion we dont stop them the us will be a prison and we the inmates god can only help us now may he wach over s all pray that you do not fall under the care of the tribunal he speeks for for if you do pray for death for in justice there is no light the voids age begins now we must fight it or we consoomed within it stand and fight or give in i choose to fight i do not kiss TRIBUNAL ASS I KICK IT!

I guess I should have waited longer before I posted the last two but I keep finding more evidence of my observation. Here is another quote:

Federal laws have also extended their reach. Weve federalized more crimes that had traditionally been state crimes, Lappin said, pointing to sex, drug and gun offenses.

This phenomenon, taken with the release of criminals in budget-strapped states, has recently driven state prison populations to a 38-year-low.

Read rest of article here:

<http://www.courthousenews.com/2010/03/18/25696.htm>

One more example:

March 19, 2010

Strapped States Are Bullish For Private Prisons

Strapped States Are Bullish For Private Prisons

Frobes

Andy Obermueller 03.18.10

I just stumbled upon some interesting data from the federal government: The average wage of the 15.2 million employees in California, according to the U.S. Bureau of Labor Statistics, is \$48,090. That comes out to about \$23.12 an hour.

Very low on the scale are private security guards, who earn an average of \$25,950. Bailiffs earn just under \$49,000. Yet relatively high on the scale are state prison guards, who can, with overtime, easily earn more than \$100,000 a year. By contrast, a kindergarten teacher in the Golden State can expect to pull down an average of \$56,540.

If you think that's odd, try this statistic on for size: Fully 9.5% of the California state budget is allocated toward prisons. Only 5.7%, by comparison, goes to universities.

Twenty-five years ago, prisons were 4% of the budget. Higher education represented 11% of the state budget.

The prison guards union has historically been one of the most powerful in the state. No state pays guards more. And these jobs are very secure: If Sacramento is facing the squeeze and has to furlough state workers, prison guards are one of the few groups that are exempt and must stay on the job.

Wages are only the tip of the compensation iceberg. Guards also receive generous health care and retirement benefits. You won't get 90% of your salary in retirement. A prison guard in California, however, absolutely will. The Governor is not happy with this.

His administration has been plagued by budget crises. The current budget proposal creates a \$20 billion deficit, which half of Californians according to a poll released today say should come not from more taxes but from spending cuts.

Arnold Schwarzenegger is sponsoring a ballot initiative that would automatically give more money to higher education than to prisons. He has also said he wants to build jails in Mexico to house the 20,000 or so illegal immigrants in California prisons. That suggestion, however, raises constitutional questions and is unlikely to gain traction as a serious solution.

What's left?

Well, the governor could let people out of jail. The politics of this are dicey, as anyone who remembers Willie Horton can attest.

There are other practical considerations as well. In some cases, release isn't even an option. California has a three strikes law. Since 1994, three felony convictions have put offenders in jail for the rest of their lives, with scant chances for parole. The law, upheld by the Supreme Court, is wildly popular. After 15 years, one study suggested it has saved the state \$54 billion and prevented 10,000 murders.

I'll give you three guesses which lobby pushed that bill through the statehouse.

If you said the California Correctional Peace Officers Association, you're right.

Schwarzenegger's only serious alternative is to find a cheaper solution than putting these inmates in prisons with platinum-paid guards. Luckily, there is a way.

California can outsource the problem to companies with lower costs. Private prison operators pay security guard wages rather than correctional officer wages, giving a significant advantage. (Wages represent 70% of a prison's budget.)

What's more, private business is far more adroit at building prisons than the slow ship of state can, especially during a financial crisis. And while there is some question as to whether it's kosher to ship inmates to Mexico, it's perfectly all right to ship them to another state.

Already, 25 U.S. states already have deals to outsource prisoner management.

The leading vendor is Corrections Corporation of America, a \$2.4 billion company operating 65 private prison facilities with 87,000 beds in 19 states and the District of Columbia.

Corrections revenue, not surprisingly, has not decreased since 2005. And the future looks bright for the company, not just because of the problems of Mr. Schwarzenegger, but because of the long-term trend toward harsher incarceration in the United States.

In 1980, 319,598 people were in prison. At the end of 2008, the latest year for which the Department of Justice has data, the total U.S. prison population stood at 1.5 million, a gain of +375%. That figure exceeds the growth in the general population +32.4% by more than a factor of 10.

The bottom line is that Corrections Corp. can't build prisons fast enough, and it will never run out of demand for its product. Even given its status as the top operator of private prisons, its bed count is equal to a mere 5.7% of the total inmate population.

Given the growth potential, CXW is exceedingly cheap. Shares trade for a mere 15.5 times earnings, a discount to its historical average earnings multiple of 18.5 and a discount to the broader market.

Low costs, strong margins and an endless supply of customers make this business model as good as they get. As governments, like California's, seek ways to reduce spending, the stock will look very appealing. If Schwarzenegger's ballot initiative wins passage, California will have no choice but to outsource massive amounts of prisoners.

These government actions are very good news for the companys shareholdersand very good reasons to become one today.

Andy Obermueller is editor of Government-Driven Investing. Visit this link to subscribe to Investor Update, the free newsletter featuring market news, stock picks, and actionable investing advice from Andy and other StreetAuthority experts.

<http://www.forbes.com/2010/03/18/corrections-corporation-america-private-prisons.html>

Your article rightly points out:

Its clear that the residents of Thomson, Illinois a depressed rural town on the banks of the Mississippi whose main claim to fame is that its the watermelon capital of the world are hungry for the economic boost they believe a booming federal prison would provide.

Have you noticed these two articles:

March 17, 2010

Pew Survey Shows State Prison Population Dropped in 2009

Combining the state and federal figures, the nations total prison population rose by 1,099 inmates. Given the small size of the national increase, the incarceration rate did not change and remains at or about 1 in 100 adults, or 2.3 million out of 230 million, according to Pew.

The report can be found at:

http://www.pewcenteronthestates.org/uploadedFiles/Prison_Count_2010.pdf?n=880

The full survey can be found at:

<http://www.pewcenteronthestates.org/prisoncount2010>

This shift in the prison population from state to federal prisons is not surprisingly occurring at a time of great financial restraint by the states. But the industry leaders who profit from these lost souls needs someone else to foot the bill.

Here is another example in the news:

Lawmakers to consider: Is it time to close the Dozier School for Boys?

By Ben Montgomery, Waveney Ann Moore and John Frank, Times Staff Writers
Tuesday, March 9, 2010

TALLAHASSEE Floridas oldest reform school has survived a century of failure and scandal. Now lawmakers once again are confronted with an uncomfortable question: Is it time to shut the place down?

At the start of another legislative session, Arthur G. Dozier School for Boys in Marianna is again struggling to keep kids safe. The school notorious for decades-old abuse has failed its state evaluation two years in a row. In the past five years, the Times has learned, boys have been beaten by guards, denied medical care and prevented from reporting abuse. The school has employed a mentally challenged man, a man who came to work high on cocaine and a man who broke his wifes shoulder. The Department of Juvenile Justice last year forced out its sixth superintendent in eight years.

Dozier exists because of history, Roy Miller, president of the Childrens Campaign, an advocacy and watchdog group, said of the politically protected facility. It doesnt exist because there is any compelling reason to keep it open.

Budget woes may provide incentive to shut the school.

In January, Sen. Victor Crist, R-Tampa, chairman of the Senate committee that recommends funding for corrections institutions, asked DJJ to come up with a plan to absorb the closure. We have to make some very serious decisions, and this looks like a no-brainer, he said.

Closing the school would mean lost jobs in Jackson County. The school is one of the top 18 employers there, with 192 full-time staff and salaries amounting to \$7 million, the report said.

This comment by the state representative from the district it is located reveals what it is all about.

Rep. Marti Coley, R-Marianna, is lobbying the governor and other lawmakers to keep the facility open, sparing jobs in her district.

They do not want to rehabilitate these prisoners they want to preserve their jobs. It is about money plain and simple.

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