Solitary Watch

Criminal Justice Issues and Prisoners' Rights

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Campaign and Advocacy

close

Search

close

close

by James Ridgeway and Jean Casella | February 21, 2013

On January 4, 2013, Tamms Supermax in southern Illinois officially closed its doors. The prison, where some men had been in solitary confinement for more than a decade, had become notorious for its brutal treatment of prisoners with mental illnessand for driving sane prisoners to madness and suicide. The closure of Tamms, under order of Governor Pat Quinn, was celebrated as a victory by human rights and prison reform groups, and by the local activists who had fought for years to do away with what they saw as a torture chamber in their own backyards.

The major force that had opposed the closure of Tammsand indeed, delayed it for many monthswas the American Federation of State, County and Municipal Employees. AFSCME challenged Quinns order through its legislative allies, stalled it through the courts, and mounted a public campaign to keep the prison open. The battle over the future of Tamms became the most visible and contentious example of a phenomenon seen, in one form or another, around the country: Otherwise progressive unions are taking reactionary positions when it comes to prisons, supporting addiction to mass incarceration. And when it comes to issues of prisoners rights in general, and solitary confinement in particular, they areseen asa major obstacle to reform.

With more than 1.6 million members nationwide, AFSCME is generally viewed as a liberal-minded organization that played an important part in developing the trade union movement in the public sector. It was during a march in support of an AFSCME strike in Memphis that Dr. Martin Luther King, Jr. was assassinated. Today AFSCME is seen as a prime labor force behind Obamas presidential victories, a great backer of health care reform, and, in a time of labors decline, the biggest organizing union in the AFL-CIO.

In a commentary in the *Chicago Sun-Times*, scholar and activist Stephen F. Eisenman of the group Tamms Year Ten pointed out that in the 1960s and 70s, AFSCMEs leadership understood that workers rights and human rights were inseparable. Then-president Jerry Wurf, he writes, combined compassion with organizing zeal. When the big psychiatric hospitals, such as New Yorks Creedmoor, were being decertified, he did not argue to keep them all open. Instead, he fought to ensure that de-institutionalized mental health patients received adequate community and home care. Because he knew these hospitals were hellholes, he was willing to sacrifice some union jobs for the good of people with mental illnesses. But Wurf lost that battle. The national recession of the 1970s intervened, and a generation of patients were turned out in the streets without proper support. These are precisely the people who now fill our nations jails and prisons.

Today, in contrast, AFSCME fights to keep these prisons open even when no jobs appear to be at stake. From the start, all of the unions members working at Tamms were guaranteed placement in other prisons, and no jobs were lost when the supermax closed. But the union took the position that conditions at Tammswhich had been widely denounced as cruel, inhumane, and ineffectivewere necessary to maintaining prison safety and security, as well as keeping jobs in southern Illinois. In response, Tamms Year Ten mounted protests in which prisoners family members held signs stating, Torture Is a CrimeNot a Career,My Son Is Not a Paycheck, and We Support Unions That Support Human Rights.

AFSCME is just one of four large unions that represent prison employees, along with the Service Employees International Union (SEIU), American Federation of Government Employees (AFGE), and the Teamsters. In addition, corrections officers in a number of state prison systems, and even some local jail systems, have unions of their ownsuch as the California Correctional Peace Officers Association (CCPOA), the New York State Correctional Officers and Police Benevolent Association (NYSCOPBA) and the Correction Officers Benevolent Association (COBA) of New York City.

The overall picture of prison unions is one of defense and decline, with their interests focused squarely on protecting jobs at all costs. In some instances, this has led them to take positions that align with those of progressive prison reformers. Both share concerns about overcrowding and understaffing. In the recent *Plata* case, in which the Supreme Court ordered California to reduce overcrowding in its prisons, the state correctional officers union argued that CCOPA members daily work experiences reveal an overcrowded, inadequately staffed system that cannot deliver adequate medical care in spite of the best efforts of prison employees. As CO Gary Benson explained at trial, there are way too many inmates in that small of a space to do the job

Most notably, both progressives and unions fiercely oppose prison privatization. Powerful unions have kept private prisons at bay in big states like California and New York, and recently theunion blocked the entrance of private prisons into the state of Florida. Privatizing prisons for profit are immoral, said AFGEs Dale Deshotel, who heads up prison locals within the national union. If we have a society

and control it with laws,if you break law then state or government should handle that functionprivate prisons dont want people who are high security problems. They want low security peopleits a money making project. In private prisons there is no programming for rehabilitation, for education. SEIU spokesperson Kawana Lloyd said: The for-profit companies reduce safety, bring down standards, and have corrupt relationships with politicians.

But preserving jobs generally means keeping as many people as possible in prison for as long as possible, which clearly runs counter to the goal of reducing mass incarceration. CCOPA, for example, was one of the primary sponsors of the proposition that led to Californias Three-Strikes Law in the 1990s, opposed parole reform in the 2000s, and vigorously campaigned to defeat politicians it regarded soft on crime. It continues to support the death penalty. From 1982 to 2011, the unions membership grew by about 600 percent (from 5,000 to 31,000). The organizations finances also expanded. Whereas the CCPOA had approximately $500,000 in 1982, the unions budget in 2002 was roughly $19 million, according to Joshua Page, a University of Minnesota professor and author of the book *The Toughest Beat*, who has written extensively about the union. More recently CCPOA is seen as moderating its positions somewhat, says Page, but it remains a potent political force in California, which has the largest prison population in the country.

Today, in an era where there has been growing interest in cutting state and local budgets, including the costs of prisons and jails, unions have fought against prison closures and programs that would divert offenders into treatment programs and other alternatives to incarceration. Within the prison environment, unions have frequently opposed reforms that could be seen as reducing their members power or autonomy. These include oversights aimed at reducing abuses by corrections officers and other prison officials.

When it comes to solitary confinement specifically, several unions have stood up to resist a growing tide of reform that condemns long-term isolation as not only torturous, but also counterproductive to the goal of prison safety. States that have dramatically reduced their use of isolated confinement have seen prison violence drop as well. Yet in Illinois, AFSCME continues to argue that closing Tamms has put their members lives in danger. In New York City, COBA was a major force behind the building of nearly a thousand new solitary confinement cells on Rikers Island, blaming a rise in violence on the supposed shortage of isolation beds.

In Maine, the union backed warden Patricia Barnhart, thought of as being an old guard, hard knocks warden, before she was recently fired by state corrections commissioner Joseph Ponte. Ponte, who has gained a national reputation for cutting down the use of solitary at Maine State Prison, replaced Barnhart with Roy Bouffard as acting warden. Bouffard is a reformer, and told Lance Tapley of the *Portland Phoenix*: Im definitely going to soften the process at the state prison.

Officially, the big unions have shown little if any interest in taking a position on solitary confinement. AFSCME represents 62,000 corrections officers and 23,000 corrections employees nationally, according to its website. Asked if the national discussed prison reform, or had anything to say about solitary, Chris Fleming, a spokesman at Washington headquarters said We have not taken a position nationally on these issues.

The American Federation of Government Employees, whose members total about 278,000 in more than 100 federal agencies, represents 24,000 prison employees of the Federal Bureau of Prisons. In a phone interview, AFGEs Dale Deshotel was more expansive.In many cases I wish we had the space for solitary confinement. Some of them deserve to be alone. They are very dangerous. In fact in some of our prisons weve got to keep them separated because of the possibility they would hurt one another or create problems for us, he said.I do know people should be treated with dignity. However, a person in prison for violent acts and cannot control himself or herself, there are times they need to be isolatedour own psychologists have their interpretation how long. But I know in my 26 years, early on where we had the opportunity and had the space to isolate an individual because of their conduct, it takes a few days for them to realize what they want. He continued: It does have an effect on a human being. We are not built that way, created that way, to live in isolation. However in a prison setting where an individual refuses to program or cooperate, if we had the opportunity, we would use it much more. But we are so overcrowded that our hands are tied. We struggle to find the empty space to isolate some of these peoplePeople who cant function, we cannot tolerate and we will not tolerate it. Thats different from putting someone in a room for no real reason.

Asked whether SEIU has taken a national position on solitary, Kawana Lloyd said, Definitely not. She added, We have around 25,000 Correctional Officers in our union. Our two largest units are Michigan and North Carolina. Both places are facing privatization challenges.

The Teamsters represent 1.4 million members in the US, Canada and Puerto Rico, Leslie Miller, communications coordinator for the International Brotherhood of Teamsters, wrote in an email. We represent 20,000 Florida Department of Corrections officers in Florida, but since its a right-to-work state the number of actual dues-paying members is smallerWe also represent corrections officers in Washington State.Miller continued, I dont believe the International Brotherhood of Teamsters have taken a stand on solitary confinement, and I dont think the Florida local has taken a stand.

But in local fights over solitary confinement, unions have taken positions squarely in favor of maintaining extreme isolation practices. In Illinois, where AFSCME has lost the fight to keep Tamms supermax open, it nevertheless continues a public relations campaign against the closure. Recently, it sought to link the end of the supermax to three assaults on COs at other prisonseven though none of the prisoners in question had been transferred there from Tamms.

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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Oops this one is better the other is about the abusive solitary practices there.

http://socialistworker.org/2008/09/11/prisoners-in-charge

Well I am NOT a communist NOR a revolutionary but Ill take the info wherever I can find it.

When the prisoners were in charge

Mer Stevens reviews a book about the hidden history of a prisoners uprising at Walpole State Prison in Massachusetts.

September 11, 2008

At the Walpole State Prison, inmates formed the National Prisoners Reform Association, or NPRA. NPRAs stated mission was to exercise self-determination within the prison and to demonstrate that the prison itself was unnecessary.

Prisoners and their allies outside had some early victories that helped pave the way for the struggle to come.

In 1971, at Walpole Prison, the vast majority of the population was still white..
The developing leadership within the prison had to find ways to forge interracial solidarity.

Remembers former inmate Robert Dellelo:

We got everyone in the auditorium. The racial tension in the prison was thickI said, There is only one color and that is blue, the guards wore khakiYou are either blue or brown. There is no in-between ground. We are all in this together.The guards could not work us like before. If we refused to fight each other, they lost a lot of their power. There was a peace across the prison that never was there before. We ended the body count.

THIS KIND of interracial solidarity was no small feat. Guards used all of the means at their disposal to break the prisoners, including beatings, manipulation of privileges, segregation and isolation cells. On several occasions, they attempted to start riots. When organizers forced officials to allow an election, 96 percent of the population voted for the NPRA to represent them.

Prison reform was not without its enemies. The Boston Herald ran a front-page story with the headline Boone the Coon after prison guards protested the reform-minded Commissioner of Corrections John Boone.

The guards maintained a dedicated campaign to break the prisoners organization. They let off 418 canisters of tear gas inside the prison in a single night, enough that residents of the town of Walpole were affected. The guards union staged slowdowns and walkouts against the reforms that led up to a strike against the betterment of living conditions. In a public condemnation of the strike, one citizens commission wrote:

Their strike was not for better wages, hours or other traditional union goals; their strike was against the better and more effective treatment of other human beings. What could condemn a system more than evidence that it caused human beings to have a vested interest in the mistreatment of others?

The strike left prisoners and citizen observers in charge of Walpole. Under their leadership, there was almost no violence. Instead, inmates trained one another in conflict resolution, understanding that any incident would be used as ammunition against their struggle. Remembers Dellelo, When the guards walked out, they expected the prison to explode. We held it together.

@8forever

http://www.brianwillson.com/walpole-state-prison-an-exercise-in-torture/

I havent read it yet but it is about Russs prison union.

After mulling this idea over in my head I have my doubts about the prospects.

1) In CA the Corrections Union is the most powerful and funded Union in the state with members making really good wages and able to influence the law makers.

2) On the other side youll have nearly unemployable poor ex-cons and their families.

A David vs Goliath contest and I know David won in the bible but if I were a betting man the odds are with those with the gold for in this system of government today those with gold make the rules. (Really always have. And Im no communist believe me.)

Then again Ive always been an underdog and willing to mix it up for a just cause.

So lets get it on!

People all over the world are calling for more equality in the system, a chance for a little human dignity, to make a decent living wage, for opportunities for their children, this is just one more area of concern for those alienated by a system that favors the .01% of the population over the 99.99%. Look at Cyprus today why should a common person be taxed for the errors of big banks?

Your experience would be a real asset Russ and I was wondering where you have been 8forever. You would be a tireless advocate 8f. Unity!

@CYA in the immortal words of Eyore Thanx for noticing This Union topic is great.
And at the moment Im homeless. So Internet is sketchy. I posted Fr Russ comment along with this article on FaceBook. I tried to find something on the net about the Hoffa prison Union connection sadly I havent come up with anything. If any of the readers have any documentation Id love to read it. on facebook Im prisoner of love greeting cards Pics of T and me and our art Post anything prison/isolation/art etc

Yeah Rus, we all need to sit down together. We KNOW that the interests of unions and prison reformer advocates are ultimately the same we just need some courageous union leaders to step up and make the case, face the criticism, and issue the invitations.

Union where supporting prisoners in the 60s and early 70s at least in Mass. I was a teamster, Hoffa as some may know started his own prison group, I met with him when we where organizing NPRA, he was going around the country, his own agenda may have been different but at least we had lip service; I am a retired AFSCME member and organizer I believe we need to sit down with the union heads. When I say we I mean ex-cons, family and friends that can make that happen Unions need all the help they can get and we need them on our side It can happen..

@Russ this by far is the most interesting idea. And best comment and conversation I have read ever, extremely proactive. We know the problems heres solution, bravo..

@Philip

Sometimes things are not as simple as it seems.

I read this article on Japans penal draconian system today.Excerpts;

http://www.economist.com/news/asia/21572257-even-japanese-criminals-are-orderly-and-well-behaved-eastern-porridge

Deputy warden, Hiroyuki Shinkai, explains Japanese penal philosophy is different. In Japan, talking is banned, except during break-times. Unpaid work is a duty, not a choice.

The corridors and the tiny cells are spotless. There are no violent attacks on staff, nor riots, few escapes and drugs and contraband are almost non-existent.

Yet increasingly the nations 188 prisons and detention centres come in for harsh criticism, particularly over their obsession with draconian rules and secrecy (on February 21st the government unexpectedly announced it had hanged three men for murder), and their widespread use of solitary confinement.

Europeans and Americans inside Japans prison system have developed mental problems. Yet for Mr Shinkai the differences with the West are a point of pride. Of course we look too strict to outsiders, he says. But his inmates, he goes on, all come from Japanese society. For them, it works beautifully.

Compare Norways Population of 4,707,270 (July 2011 est.) and its demographics

Ethnic groups

Norwegian 94.4%, other European 3.6%, other 2% (2007 estimate)

Religions

Church of Norway (Evangelical Lutheran official) 85.7%, Pentecostal 1%, Roman Catholic 1%, other Christian 2.4%, Muslim 1.8%, other 8.1% (2004)

Literacy
definition: age 15 and over can read and write
total population: 100%
male: 100%
female: 100%

To the USAs population which is 6.7 times as large as Norways coming in at 313,914,040

So Ill use Californias 38,041,430 population instead as an example.

California 2010 demographics: Persons of Hispanic or Latino origin, 38.1%, White persons not of Hispanic origin, 39.7%, Asian 13.6%, Black 6.6%, Mixed 3.6%, Native American 1.7%.

The States prison system, like the state as a whole, lacks a racial/ethnic majority among the population, with Hispanic inmates making up approximately 37% of the population, African American and white inmates each representing about 27%, and other inmates representing 8% as of 2006.

Nearly half of the CAs population speaks a foreign language at home (43.2%), and nearly a third is foreign born (27.2).

Something tells me that although Norways model sounds great on paper and I would have preferred to have done my time there that like Japans it works great for them because of their culture and much smaller and homogeneous societys.

I dont see cruelty and corrections as being inseparatable. AFSCME and other prison guard unions should look to places like Norway, which have humane prison systems that seek to rehab criminals. Those models can sustain good jobs, with guards facing less violence at work, high paying jobs at rehabilitation and work training and placement.

@Philip where are you brilliant men? I find these comments to be refreshing a long way from the run of the mill rehashing and lamenting ad nauseum
Now vote that way. choose leaders that are not afraid of the big prison lobby in this country. I find the general public thinks treating prisoners like people is somehow coddling rather than seeing that prison is part of the problem not the solution, as is. Of course there has to be consequences, punishment and deterrent for crime.

That NONE of the unions interviewed even had a position on supermax confinement is stunning. Thousands of union workers nationwide are engaged in a practice that is cruel, unusual and degrading if not outright torture, and union leadership is silent. The tragic implication is that we have no working class movement in the U.S. only a diminishing number of job-protection-societies. Unless unions begin to connect with the wider world of workers including those in prison they are doomed.

@Stephen Wow! excellent point.

http://www.pen.org/robert-perkinson-texas-tough-rise-americas-prison-empire

Texas Tough: The Rise of Americas Prison Empire
By: Robert Perkinson
PUBLISHED ON NOVEMBER 16, 2011

Theres tough. And then theres Texas tough.
Lieutenant Governor David Dewhurst

If we are to fully understand the causes and consequences of Americas prison buildup, a good place to start is Huntsville, Texas.For 160 years, it has coordinated criminal punishment for the Lone Star State and in the last half century, it has stood at the forefront of a carceral revolution that has remade American society and governance.

Today more than ever, imprisonment is Huntsvilles lifeblood. Nearly half of the towns residents (16,227 out of 35,567) live behind bars. Some 7,500 adults earn their paychecks keeping them there.

Each morning, thousands of guards in ill-fitting gray uniforms pile into pickups and head to one of the areas nine prisons, while starched administrators drive to one of the offices that make up the Texas Department of Criminal Justice (TDCJ) headquarters.

I read this last sentence as evidence that the biggest difference between California and Texas is that guards in Texas do not get paid as well. But the administrators seem to be doing well. This wage disparity is hardly a plus for the state.

For both states it is about job protection albeit some get better pay.

Excellent piece. Painful but necessary. Unions are losing credibility with everyone over their refusal to acknowledge the profound consequences of mass incarceration. Time for change

But look what has happened: just as the union predicted. Tamms closed. The governor transferred inmates into crowded gymnasiums where both inmates and guards are at risk.

Every behavior reacts to cause and effect and positive reinforcement the prisons
pile people hig with no correction no end to sentences to reason to change no end to extremely long forever, never ending sentences, wheres the correction?
What difference does it make to a con that has LWOP? CHANGE IS NEEDED

When dont unions clash with prison reform? Along with prosecutors, theyre perennially the chief opposition! In Texas, corrections reform couldnt really begin until Republicans took over the state because of Democrats kowtowing to the police unions (our prison guard union isnt as powerful here).

@gritsforbreafast thats right Republicans do not support unions.
And the partisan people clinging to the Dems need to realize this and look elsewhere for help with the prison mess. The Dems/govt get PAID for each human in chains. Govt secured jobs on the backs of The People

Finally!

Excellent piece I especially liked the use of this historical background.

in the 1960s and 70s, AFSCMEs leadership understood that workers rights and human rights were inseparable.

Then-president Jerry Wurf, .fought to ensure that de-institutionalized mental health patients received adequate community and home care. Because he knew these hospitals were hellholes, he was willing to sacrifice some union jobs for the good of people with mental illnesses.

But Wurf lost that battle and a generation of patients were turned out in the streets without proper support.

These are precisely the people who now fill our nations jails and prisons.

From one type of hellhole to another with no know winnable solution in sight.

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