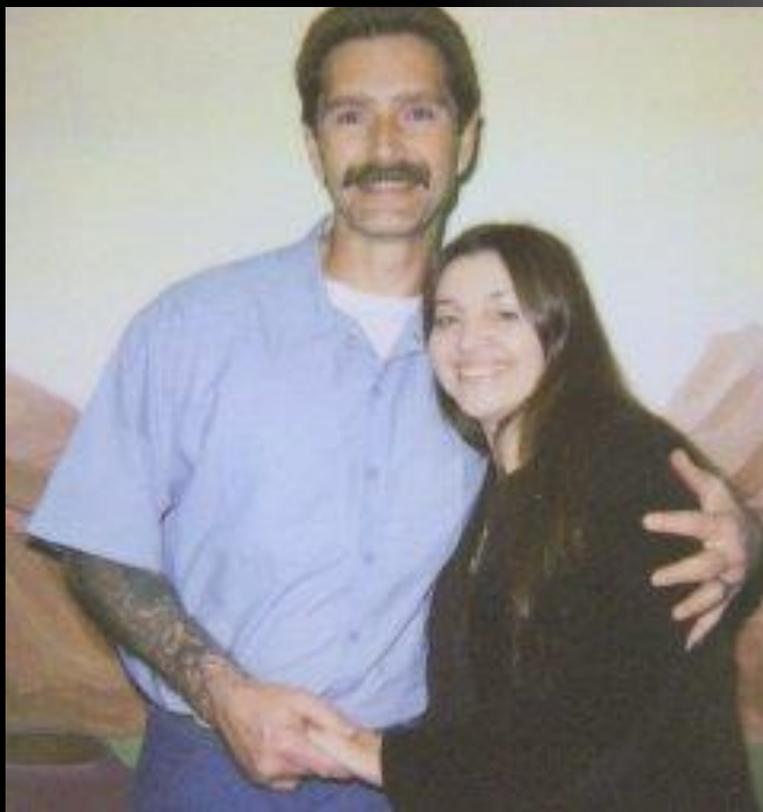


Visiting Incarcerated Persons:

A Brief Guide to Social and Legal Visiting
Joy Ross, Arieta Daoust, and Taeva Shefler
January 31, 2015

Today's Presentation

- ▶ Social Visiting with Joy and Arieta
 - How to Prepare
 - Navigating through the walls
 - Correspondence and other Important Information
 - ▶ Legal Visiting with Taeva
 - Why legal visits
 - Planning and Prerequisites
 - Interview Tips
 - Ethical Considerations
 - How to Use the Information You Have
- 



Social Visiting in Prisons

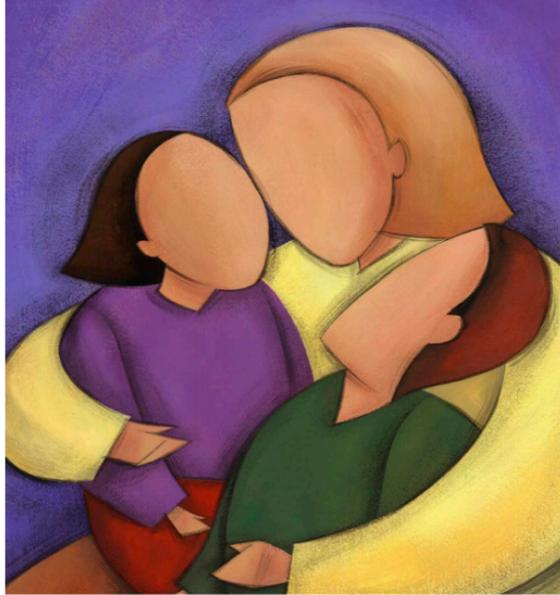
- ❖ How to Prepare
- ❖ Navigating through the walls
- ❖ Correspondence and other Important Information



How to Prepare

- ❖ Application Process
- ❖ Making Appointments
 - ❖ Don't Forget!

Visiting A Friend or Loved One in Prison



www.CDCR.ca.gov
click *inside* California corrections

CDCR's Inmate Visiting Guide

<http://cdcr.ca.gov/Visitors/docs/InmateVisitingGuidelines.pdf>

Application Forms

- ▶ Inmate must send you a signed Visitor Questionnaire (CDCR Form 106)
- ▶ You must return **ATTN: Visiting Lieutenant**
- ▶ The Institution mailing address may be different from the Inmate mailing address
- ▶ Approvals/Denials are sent to your inmate; May take up to 3 months
- ▶ Approvals should follow your inmate wherever they go, even to another prison

I've been denied! What do I do?

▶ Common Reasons for denial:

- Lying or omissions on application
- Expired or invalid ID
- Unpaid traffic tickets
- Criminal History

▶ How to Rectify:

- The denial letter, sent to the inmate, will list a reason
- Call Visiting Lt. and ask
- Apply again!
- Appeal directly to Warden—15 days to respond
- Appeal again to Director of Division of Adult Institutions in Sacramento

Making Appointments

The screenshot displays the top navigation bar of the CDCR website. On the left is the CA.GOV logo and the text "California Department of Corrections & Rehabilitation". In the center is the CDCR seal. On the right are links for "CA.gov", "About CDCR", "Featured Links", and "Contact Us". Below these links is the "Online Service" logo with the tagline "Innovation Powered by EIS" and the EIS logo.

Visitor Processing Appointment Scheduling System

Select Language Powered by Google Translate

VPASS Statewide Message for all Institutions

Welcome to the Visitor Processing Appointment Scheduling System (VPASS). This application is offered as an additional service to help expedite and enhance the visitation process (this does not include visits for inmates on Non-Contact status such as inmates in reception center, administrative segregation, condemned, segregated housing unit and other specialized units). Please contact the institution for special appointments for these inmates. VPASS attempts to alleviate many lengthy visiting wait time issues that are being seen around the state while providing the flexibility for each institution to set up the system to meet their visiting needs. At no time will any visitor be turned away solely for the inability to make or schedule an appointment. Instructional videos for account activation, forgot password and edit/cancel appointments can be accessed at <http://cdcr.ca.gov/visitors>. In the event you are not able to show up for your appointment, please remember to cancel, this will give someone else the opportunity to visit. Enjoy your visits. Thank you, The CDCR VPASS Team

WELCOME: GUEST [LOGIN]

<http://visitorreservations.cdcr.ca.gov>

Using V-PASS/Making Appointments

- ▶ Create an account online
- ▶ You may set appointments up to 2 weeks in advance
- ▶ Visiting without an appointment starts at 10:30 AM.
- ▶ Only for contact visits
 - To visit the condemned ward or for non-contact visits, appointments may be available by phone
 - Call Visiting Lt. to get number and times when sign-up is available
- ▶ Not a guarantee you will get a visit

Don't Forget!

- ▶ Call the Visiting Hotline before prior to departure for your visit to confirm there isn't a lockdown or other problems
 - 1-800-374-8474
- ▶ The ID you used for your application
- ▶ Doctor's note for any disabilities or medical devices –can be submitted with application sent by inmate
- ▶ Birth certificate for any minors and a **notarized** statement from guardian if not yourself—needed **every time**

Navigating Through the Walls



- »» What to Wear & Bring with you
Items for Children
Termination of Visits

What to Wear

▶ NOT ALLOWED

- Denim
 - Chambray
 - Orange Jumpsuits/Full Orange Outfits
 - Forest Green
 - Camouflage
 - Tan pants
 - Sheer Clothing
 - Strapless Tops
 - Halter Tops
 - Cleavage
 - Tight clothing
 - Miniskirts
 - Mini-dresses
 - Hats
 - Gloves
 - Flip-Flops/ Thong Sandals (shower shoes)
 - Underwire Bra
 - Wigs
- Check individual prison for more specific rules

▶ GOOD OPTIONS

color options:

- Black
- White
- Red
- Pink
- Purple
- Silver

▶ Skirts and dresses that fall within **2in** of your knee or lower are allowed

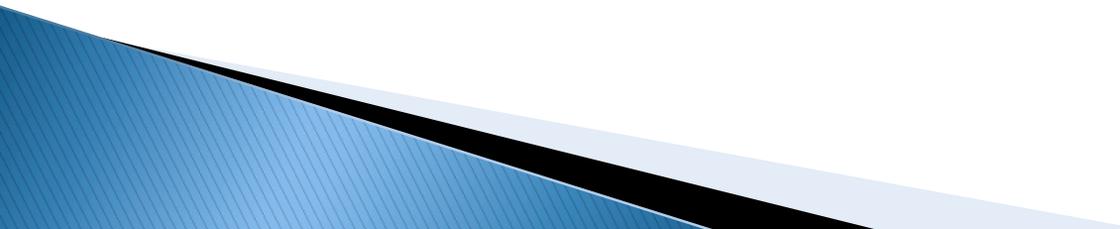
What to Bring with You

- ▶ Up to 10 pages of 8½"x11" paper
- ▶ Up to 10 photos, 8"x10" size
- ▶ Clear purse or bag
- ▶ Up to \$50 per adult; up to \$20 per child
 - For vending machines, if working
 - Check with institution if machines take dollar bills, dollar coins, or only quarters
 - Can purchase photo ducats at check-in for \$2 each
- ▶ 2 keys and a gob on a ring, no key ring adornments
- ▶ Glasses
- ▶ NO CELL PHONES
- ▶ Your ID
- ▶ Extra outfit, in case the guards find you not in dress code

Items for Children and Babies

- ▶ One transparent diaper bag without pockets
- ▶ Up to 6 diapers; 1 travel-size baby wipe packet
- ▶ 2 transparent baby bottles with formula/milk/juice
- ▶ 1 feeding spoon (plastic only)
- ▶ Single-layer baby blanket
- ▶ 1 change of baby clothes
- ▶ 1 transparent pacifier
- ▶ 2 small toys with no moving parts

Medical Items

- ▶ Documentation for everything!
 - ▶ “life-sustaining” prescription medications, such as inhalers
 - ▶ Mobility devices—canes, crutches, wheelchairs
 - ▶ Seat cushions
 - ▶ Implanted metal or prosthetics
- 

Ion Scanners and Drug Dogs

- ▶ Amendments to California Code of Regulations, Title 15, Division 3, §§ 3000, 3173.2, 3287, and 3410
- ▶ Ion Scanners:
 - Like the swabs TSA uses at the airport
 - Currently screening at:
 - Solano (as of 11/24/2014)
 - Lancaster (as of 12/22/2014)
 - Corcoran (as of 1/27/2015)
 - Kern Valley
 - Randomly screening 1 out of 20 visitors
- ▶ Dogs
 - Statewide IFC has not heard reports of dogs yet, they are currently in training

Your Rights With Scans / Searches at the Gate

- ▶ You can refuse a scan at any time
 - You may be able to continue with a non-contact visit, if available
 - You may leave the grounds
 - You may wash your hands and have second scan
- ▶ If 2nd scan is positive
 - No contact visits that day or for next two visits
 - You may leave the grounds
 - You may submit to strip search
- ▶ If you refuse the strip search after 2 positive scans
 - You may be suspended from visiting any CDCR institution for up to 1 year
- ▶ Always get documentation of results
- ▶ For more information, look to:
 - Title 15, 3173.2. Searches and Inspections
 - Corcoran DOM http://www.cdcr.ca.gov/regulations/Adult_Operations/docs/DOM/NCDOM/2014NCDOM/14-19/EDDE_Final_Text.pdf

Termination of Visits

▶ Common reasons for termination:

- “Excessive or inappropriate” contact
- Overcrowding
 - First in, first out rule
 - Handicaps
 - Length of travel
 - Time since last visit
- Failure to supervise children

▶ What you can do:

- Prisoner may use the [602](#) process—you can type it up and have your person submit it
- File a Citizen’s Complaint
- Appeal to the Warden and the Director of Division of Adult Institutions in Sacramento

Correspondence and other Important Info

- » Power of Attorney and other forms
- Supporting a person who has lost visitation privileges
- Citizen's Complaints

Important Documents

- ▶ Keep the following documents on file for your inmate:
 - Power of Attorney
 - HIPPA Medical Release form
- ▶ Getting forms notarized:
 - Send the document and **\$10** money order (made out to CDCR) to Attn: Litigation Coordinator at the prison address (not inmate address)
 - Under CA Gov. Code § 8211, notaries cannot legally charge more than \$10 per seal. Prisons may charge reasonable travel fees for the Notary Public

My person lost their visitation privileges! What can I do?

- ▶ Write letters and send packages
- ▶ Assist with 602 appeal
 - Prisoners are allowed assistance in the 602 appeals process
 - They mail you the form, you can type it and return so he/she can file it internally
- ▶ File complaint with Ombudsman
 - CDCR employee hired to resolve disputes within CDCR
- ▶ Write to Office of Inspector General (independent state officer appointed to investigate allegations of misconduct by state agencies)
- ▶ File a Citizen's Complaint (non-prisoners only)

Citizen's Complaints

STATE OF CALIFORNIA
CDC 2142

DEPARTMENT OF CORRECTIONS

CITIZEN'S COMPLAINT AGAINST EMPLOYEE OF THE CALIFORNIA DEPARTMENT OF CORRECTIONS

I wish to register a complaint against the following named employee(s) of the California Department of Corrections:

Employee(s) Name	Description (Job title, ID number, vehicle and license number, home address, etc.)	Employee's Work Location (if known)

Date(s) of Incident

Time of Incident

Location of Incident

Details of Complaint (Include nature of complaint, names and addresses of witnesses and other involved parties, names of any law enforcement or social services agencies, doctors or attorneys contacted, a chronology of the events, etc. It is important to include as many factual details as possible so that your complaint may be thoroughly investigated. Attach additional sheets if necessary.)

Citizen's Complaints

- ▶ Meant to challenge a CDCR policy or practice, including employee/CO misconduct
- ▶ Works similar to the 602 process, except both prisoners and non-prisoners can file
- ▶ 15 day time requirement to file the complaint
- ▶ Must sign Rights and Responsibilities Statement (CDCR Form 1858)
- ▶ File directly with Warden of the prison

Resources

- ▶ CDCR Visiting Guide:
 - <http://cdcr.ca.gov/Visitors/docs/InmateVisitingGuidelines.pdf>
- ▶ CDCR VPASS website:
 - <http://visitorreservations.cdcr.ca.gov/>
- ▶ Statewide Inmate Family Counsel:
 - <http://www.statewide-ifc.com/>
- ▶ San Quentin IFC's Visiting Brochure:
 - http://www.sanquentin-ifc.org/SQ_Brochure_IFC_final_053013.pdf
- ▶ CDCR announcements of rule changes:
 - http://www.cdcr.ca.gov/Regulations/Adult_Operations/Pending_Rules_Page.html

Resources, cont'd

- ▶ Address for the Director of the Division of Adult Institutions—appeals
 - [California Department of Corrections and Rehabilitation, Division of Adult Institutions, P. O. Box 942883, Sacramento, California, 94283-0001, Attention: Director, Room 351-N](#)
- ▶ Legal Services for Prisoners with Children, *Fighting for Our Rights: A Toolbox for Family Advocates of California Prisoners*
 - <https://www.prisonlegalnews.org/media/publications/CA%20advocacy%20manual%2C%20LSPC.pdf>
- ▶ Citizen Complaint Form:
 - <http://www.ifc-solano.org/documents/complaint.pdf>

Don't forget—enjoy your visit!



Legal Visiting Basics

- » Legal v. Social visits
- » Planning and Prerequisites
- » Interview Tips
- » Ethical Considerations
- » Putting the Information to Use

Pros and cons of legal visits

Requirements

- ▶ Legal visits must have proper purpose
- ▶ Must be an attorney or acting as attorney representative
- ▶ Typically cannot do both legal and social visits at the same institution
- ▶ No felony convictions

Benefits

- ▶ Can visit more than one person in a single day
- ▶ More flexibility in visiting hours
- ▶ Can visit those with limited visitation rights (*e.g.*, people in solitary confinement) and those who have had visitation revoked

Purposes for Attorney Visits

- ▶ Must attest one of the following purposes:
 - You are the attorney of record either by appointment by the court, appointment by the Board of Parole Hearings, or at the inmate's request.
 - You have been requested by a judge to interview a named inmate for purpose of possible appointment as counsel by the same court
 - You are seeking to visit an inmate who may be a witness relevant to a legal matter
 - You are seeking to interview an inmate at that inmate's request for the purpose of possible representation
 - You have been requested by a third party to consult with the inmate when the person cannot do so because of a medical condition, disability, or other circumstance.

Security Clearance Process

- ▶ Each prison has different clearance form and process
- ▶ Recommend applying 4 weeks in advance
- ▶ Some prisons require you to submit prisoner list along with application (*e.g.* Pelican Bay)
- ▶ Attorney Representatives:
 - Must have active CA attorney write sponsorship letter to accompany application
 - Can be licensed private investigators, law students, paralegals, interpreters or medical professionals

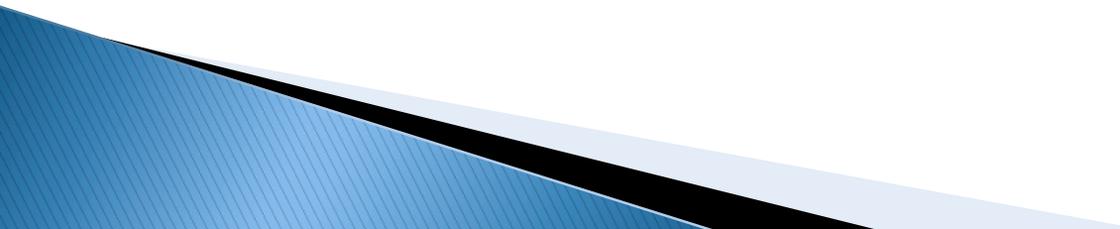
Interview Tips

- »» Planning Ahead
- Interacting with Prison Staff
- Investigating v. Advising

Planning Ahead

- ▶ Go with a partner
- ▶ Compile list of people to visit and apply for security clearance 3–4 weeks in advance
- ▶ Determine which days the prison allows legal visits
 - Pelican Bay only Tuesdays and Wednesdays 7:30am – 1:30pm
 - Corcoran M–F 7:45am–1:45pm
- ▶ Correspond with interviewees so they know you will be coming
 - Send confidentiality notice

Planning Ahead

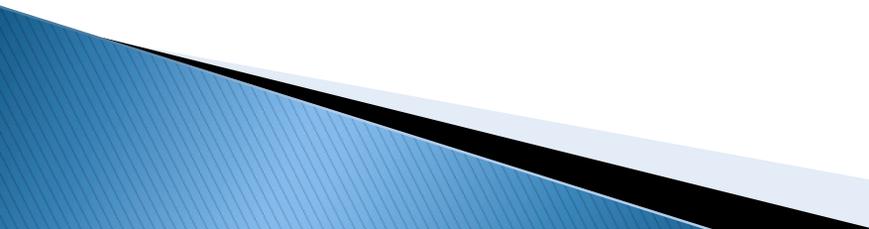
- ▶ Within 2 weeks of visit, follow up with Litigation Coordinator if you have not received clear approval
 - ▶ Keep attorney in the loop about all developments
 - ▶ Book travel accommodations
 - ▶ Prepare materials (if any) and have them cleared by attorney before trip
- 

Interacting with Prison Staff

- ▶ Dealing with searches
- ▶ Bring prisoner list and approval letter
- ▶ Insist on confidential visits
 - As an attorney representative, you are entitled to confidential legal visits
- ▶ Dealing with arbitrary rules
- ▶ Pay attention to your surroundings
- ▶ Pick your battles
- ▶ For more information, *see* CDCR Title 15, § 3178 Attorney Visitation and Consultation

Investigating v. Advising

Investigation tips:

- ▶ Make clear you are there as an attorney or attorney representative, but will not be directly representing them
 - ▶ Avoid discussion of criminal case, any appeals, or active litigation
 - ▶ Do not give personal, political, or legal advice
 - ▶ Keep to the questions you have prepared
- 

Ethical Considerations

- » Duty of Confidentiality
- Third party communications
- Making promises you can keep

Duty of Confidentiality

ABA Model Rule 1.6 Confidentiality Of Information

- ▶ (a) A lawyer shall not reveal information relating to the representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation or the disclosure is permitted by paragraph (b).
- ▶ (b) A lawyer may reveal information relating to the representation of a client to the extent the lawyer reasonably believes necessary:
 - (1) to prevent reasonably certain death or substantial bodily harm;
 - (2) to prevent the client from committing a crime or fraud that is reasonably certain to result in substantial injury to the financial interests or property of another and in furtherance of which the client has used or is using the lawyer's services;...
 - (6) to comply with other law or a court order...
- ▶ (c) A lawyer shall make reasonable efforts to prevent the inadvertent or unauthorized disclosure of, or unauthorized access to, information relating to the representation of a client

Duty of Confidentiality, cont'd

California Business and Professions Code

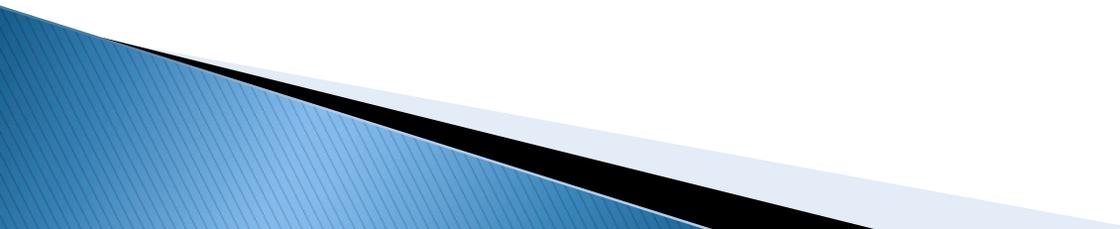
§ 6068 It is the duty of an attorney to...:

- ▶ (e)(1) To maintain inviolate the confidence, and at every peril to himself or herself to preserve the secrets, of his or her client.
- ▶ (2) Notwithstanding paragraph (1), an attorney may, but is not required to, reveal confidential information relating to the representation of a client to the extent that the attorney reasonably believes the disclosure is necessary to prevent a criminal act that the attorney reasonably believes is likely to result in death of, or substantial bodily harm to, an individual.

Paralegal Rules Regarding Confidentiality

- ▶ Paralegals are bound by the same rules as their sponsoring attorneys
- ▶ **NFPA's Model Code of Ethics EC 1.5**
 - A paralegal shall preserve all confidential information provided by the client or acquired from other sources before, during, and after the course of the professional relationship.
- ▶ Attorney–client privilege of confidentiality only exists when working under the direction of an attorney
- ▶ Communications between paralegal and sponsoring attorney are protected

Confidentiality v. Human Rights Reporting

- ▶ Purpose of Investigative visits is to report and expose abuses
 - ▶ Risks of retaliation to interviewee if their story becomes public
 - ▶ Inform interviewees of the risks
 - ▶ Keep personal identification confidential—generalize accounts wherever possible
 - ▶ Get consent!
- 



CONFIDENTIALITY AND CPF INVESTIGATIVE LEGAL VISITS

California Prison Focus (CPF) takes your confidentiality seriously. We respect your privacy and we understand that speaking candidly with us brings risks for prisoners. Therefore we will keep what you tell us *anonymous* unless you give us permission to use your name.

We respect whatever wishes for confidentiality you have. Unless you direct us otherwise, we will share—*anonymously*—what you tell us, in order to educate the public about conditions and to inform activists who advocate for prisoners. Typical ways we use information *anonymously* from our visits include writing reports in our newsletter, *Prison Focus*; reporting orally and in emails to other advocates; talking with journalists; giving public talks; speaking with legislators, CDCR officials, or the Receiver (California Correctional Health Care Services).

Sometimes a legislator, CDCR official, or the Receiver's office needs the names of people involved in order to take action on a situation. We only provide names of prisoners if we already have your permission or we obtain it for this purpose. Similarly, we may think it appropriate to report staff misconduct to the Office of the Inspector General, but we will not use any prisoner's name without his explicit permission.

We rely on you to tell us if you want your information not to be shared—even *anonymously*—with anyone except the investigators (volunteers conducting the visits), the sponsoring attorney, and the CPF legal visits Program Director.

Our visits are confidential legal visits, protected by law. We cannot, however, guarantee that our legal visits are not listened to by prison staff or other authorities.

I have read and understand this notice, and I agree to a CPF legal visit in accordance with it.

Signature

Date

Name

CDC #

3rd Party Communications

- ▶ Third party communication is the transfer of any message between a CDCR prisoner and any third person
 - No messages in, no messages out
- ▶ Includes both in-person visits and all written communications
- ▶ Your sponsoring attorney or joint legal team is not a “third party” under this rule
- ▶ Medical and legal exceptions

Examples of 3rd party communications

- ▶ “I haven’t been able to call my mother in 4 months, she must be really worried about me. Please call her and tell her I’m okay.”
- ▶ This article is about keeping young people out of prison. Will you send this essay to this publisher I know in Seattle?”
- ▶ “If you ever see my old buddy X who lives in your city, say hello for me.”
- ▶ “I need to get my ideas to the hunger strike reps who are writing demands to give to CDCR. When you visit them, tell them...”
- ▶ “My sister wants to volunteer at CPF. Give her a call to discuss it.”

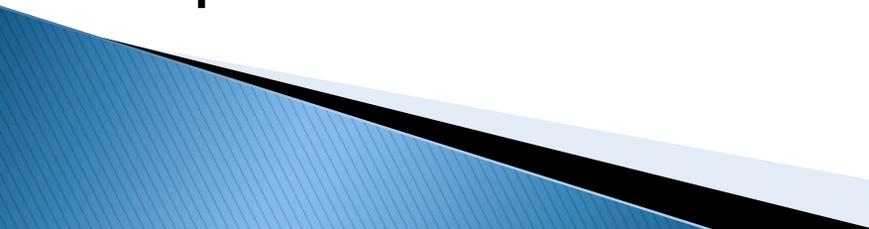
Making (and Keeping) Promises

- ▶ ABA Model Rule 1.18: Duties to Prospective Client
 - You have obligations to individuals with whom you consult but never establish a lawyer–client relationship
- ▶ ABA Model Rule 1.3 Diligence
 - A lawyer shall act with reasonable diligence and promptness in representing a client.
 - No unreasonable delay
- ▶ DO NOT make promises you cannot keep

Putting the Information to Use

- »» Follow up
 - Legal v. nonlegal correspondence
 - Making the information public

Follow up

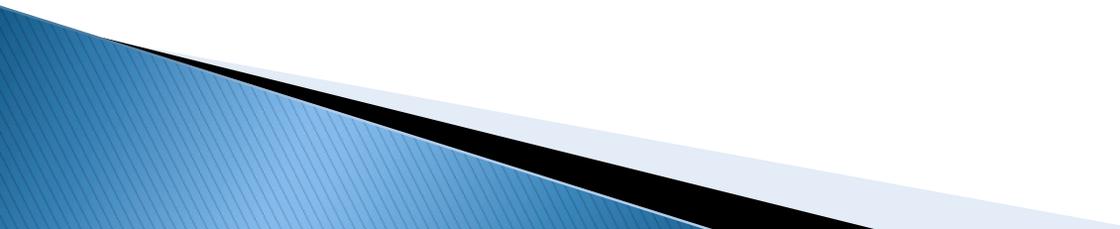
- ▶ Communicate with attorney sponsor and team
 - ▶ Thank you note to prisoner
 - ▶ Did you make any promises?
 - Copies of 602s
 - Any materials you agreed to find and send?
 - ▶ Write up your notes
 - ▶ Summarize into a general report for public use, using only information you have permission to share
- 

Legal / Confidential Mail

- ▶ Return address must have:
 - Attorney name and state bar number
 - Address matching address of record on CA Bar website
 - Marked clearly LEGAL CONFIDENTIAL
- ▶ Legal mail includes:
 - Correspondence about the visit, both before and after (*e.g.*, request for visit, confidentiality notice)
 - Legal research (*e.g.*, court cases or motions)
 - Correspondence about specific conditions, follow up items from visit
- ▶ Legal mail does not include:
 - Books, newspapers, or media articles
 - Correspondence from third parties
 - Money or stamps

I learned so much messed up stuff!

What can I do?

- ▶ Communicate with attorney, agree on a plan
 - ▶ Follow up on specific items you agreed
 - ▶ Generalize as much as possible
 - ▶ Only use information with consent
 - ▶ Listen to interviewees requests—where and how would they like their story to be told?
- 

Ways to make your findings public

- ▶ Write to Inspector General
- ▶ Medical Ombudsman (look in LSPC book for address)
- ▶ Quarterly and annual reports to legislature
- ▶ Write to media
- ▶ Public Reports
- ▶ Public Outreach and Education
- ▶ Work with advocacy groups:
 - PHSS
 - CPF
 - CCWP
 - TGI Justice Project
 - TLC
 - CFASC
 - NLG's Prisoner Advocacy Network



Serving The Interests Of Prisoners And Their Loved Ones On The Outside For Over Twenty Years

A DISCUSSION ON THE AGREEMENT TO END HOSTILITIES AS A BASIS FOR SOCIO-ECONOMIC EMPOWERMENT AND INTER-COMMUNAL INDEPENDENCE

"To overcome the unjust by fully to contrary to the natural order of things; to overcome the unjust by intelligence is in accordance with the natural order. To overcome the unjust by intelligence, however, is a matter of opportunity"

Zhang Liang
From the NCTTCOR-SHU

Meetings brothers and sisters. On August 12, 2012, the Pelican Bay D-Short Corridor Collective issued the historic Agreement to End Hostilities (A.E.H.) in all prison and juvenile facilities and called for its extension to our communities. The strategic and material benefits for our ongoing human rights struggle, [for] thousands of prisoners and their families is obvious.

What may be less obvious is the unprecedented opportunity for social progress and community development represented by the A.E.H. and more precisely why its popularization in the communities from which prisoners hail, and all similarly affected communities nationally, is so vital. The potential benefits to our interests collectively is equally as vital as the abolition of domestic torture units and mass incarceration as a whole, and in fact, may serve as a new front that struggle.

In a recent "90 Minutes" expose a New Jersey state trooper and former Iraq/Afghanistan Occupation Force veteran began employing counter-insurgency techniques imported from those Middle Eastern battlefields to "clear and hold" poverty-stricken communities in New Jersey. As we watched this program they employed everything from quantification of latent L.A. and inter-communal violence data, to "winning the hearts and minds" of residents in order to increase informants amongst the population. The increase in arrests and convictions rates which followed came as no great surprise, nor did the corresponding imprisonment that followed. We noted the lamentable that followed. We noted the lamentable economic condition of the state and this community, in particular at the outset of the story, but only a passing reference was made to potential economic development opportunities that had any hope of empowering that community and those that lived in it.

One of the prevailing factors which prompted this further militarization of law enforcement was the alleged violence between street tribes (i.e., "gangs") and that surrounding the local drug trade knowing full well these phenomena are structural aspects of the capitalist arrangement which force many in those communities to form (or join) street tribes for social empowerment or enter the underground economy (trafficking, etc.) as a survival activity. It reveals this neo-counter-insurgency-inspired approach was just the latest tactic to win public support for yet another streamlining of the school/prison community to prison pipeline and expansion of the prison industrial complex (PIC).

The NCTT is not simply an analytical body. It is an analytical body whose goal is to provide practical solutions to society's ills. We immediately began to make inter-connections on the theoretical level between these phenomena, the Agreement to End Hostilities (A.E.H.), collective community development programs, and a commitment to total community inclusion. This New Jersey community could have been any community in Miami, L.A., West Oakland or South east San Diego. We thought: would such repressive and authoritarian state measures be justifiable if an effective A.E.H. was in place?

Furthermore, if there were community-owned and operated economic ventures, educational development initiatives, and socio-political empowerment platforms inclusive of, and beneficial to, everyone in the community would there even be a need for the residents to sell dope to, or ride on, one another?

into less of our brothers, sisters and children being exposed to the prospect of imprisonment and our communities being subjected to the militaristic occupation tactics of the state? It is our contention that the potential exists for this and much, much more.

The violence and rebellion against private property and bourgeois "law" which accompany the desperation of poverty and social alienation have long been the foundation for justifying the introduction and passage of draconian laws and GetStoP-style enforcement tactics in depressed communities. We can assure you, the NYPD is not pushing "stop and frisk" on the [detents] of the Upper East Side. These self-fulfilling prophecies of underdevelopment have decimated entire generations of young men (and women), consigning them to the (torture) of the PIC. It has also been utilized as the chief cornerstone in the state's justification for the maintenance and expansion of SHU torture units. It is the very basis of the "worst of the worst" propaganda that Stasser and his ilk continue to spout.

The A.E.H., designed to preserve and expand the solidarity of our prisoner human rights struggle has also had the objective effect of further undermining the state's untenable position by taking that argument away from them. If intra-prisoner violence is no longer occurring as a result of the A.E.H., how then can intra-prisoner violence be used as a way to confine men to torture units indefinitely as "the worst of the worst"? It obviously can't.

However, what may not be obvious is the A.E.H. provides us with a unique opportunity to also take that argument from community-based law enforcement agencies and remove various justifications they're currently employing to terrify our communities. It is a crime to be poor in America. From the industrialized "white and purple" prisons of the 18th and 19th century, to the array of criminalization measures used today (i.e., "gang injunctions", prohibiting citizens from congregating with their own friends and neighbors; "stop and frisk", powers which legalize profiling, and mandatory drug testing for recipients of public financial aid) the ugly exercise of criminal proscriptions in the U.S. capitalist state has always sought to criminalize the poor.

The A.E.H. can alter the historic dynamic by providing our communities with an environment in which to restructure our socio-economic reality and common ground upon which to pursue mutually beneficial cooperative efforts, independent of the hostile, antagonistic state and its modern predatory capitalism.

But how would that look on the ground? To answer that question we discussed the validity and practical application of such an undertaking, in relation to the realities on the ground. The final interpretation of that analysis led us to two basic conclusions:

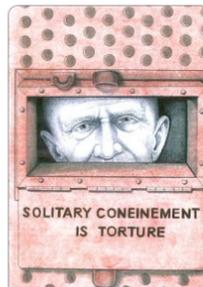
- 1) Many of our younger brothers and sisters are so embroiled in these cycles of violence and retribution that if the A.E.H. were embraced en masse beyond the walls, most would require a productive program of genuine material benefits for them, to act as an incentive and fill the void previously occupied with counter-productive activities, but
- 2) We'd also need respected and respected soldiers on the ground to mitigate misunderstandings.

The remainder of this discussion will thus be a direct outgrowth of these two primary prerequisites.

The NCTTCOR-SHU has previously articulated within the context of comprehensive community development and social transformation three pilot programs. It is our contention that these same pilot programs and other initiatives specifically developed for youth social empowerment, such as "The Youth Community Action Program (YCAP)", initiated within the confines of a universally-adopted and mutually enforced Agreement to End Hostilities (A.E.H.) can give us the tools to reclaim our own communities from police state occupation, rebuild them on the basis of collective prosperity and shared success, while denying the PIC and the capitalist state the opportunity to exploit our young homies, ghomies, comrades and the intra-class/race contradictions we've had to endure under this corrupt system (divide and rule).

We took the time to explore the viability of these ideas by engaging those right here in this torture unit (Concorridor) from every cultural group on whether this would be something their homies and communities would be interested in. If brothers and sisters didn't have to worry about being tripped on, or having to ride on cats that rode on their homies, would they be interested in pursuing and working in community-owned businesses and agricultural communes that kept all the funds, fruits and employment in their community? Prison industrialists, corporations and politicians are consistently drafting laws to criminalize our daily lives and cultures. Would they be interested in organizing all their families, homies and home girls without felony records into voting blocks and lobbying bodies to push legislation that benefited their interests (i.e., abolishing the slavery provision of the 13th Amendment that precludes those convicted of a felony from voting, creation of community-based parole boards so their loved ones could finally get a date, or abolishing "gang injunctions" that criminalize associating with friends and neighbors you've grown up with all your life)? We held these conversations with young and old allies, from every cultural group and affiliation, and the response was universally positive. Some had never even viewed these concepts as a possibility, but by the wisdom of the Pelican Bay D-Short Corridor Collective the A.E.H. has given rise to possibilities previously unimaginable.

It is our contention that a concerted effort by all cultural groups and affiliates to extend the Agreement to End Hostilities (A.E.H.) to all communities in which we have influence, coupled with designating specific personally-respected and reputable addressers to ensure the A.E.H. is understood and adhered to by their communities would give us both the social climate and manpower to organize effective



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The End

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