

Guild Notes

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CHALLENGING
MASS
INCARCERATION

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NOTE: The views expressed in *Guild Notes* are those of the authors. They do not necessarily reflect the opinions of the NLG as a whole.

Cover: Angela Davis joined the Lewis & Clark NLG abolition group's biweekly visit to McLaren Youth Correctional Facility in March to discuss abolition, collective organizing, and critical resistance.

We want to hear about your NLG work—submit to the next issue of *Guild Notes*!

Deadline for the Summer/Fall 2018 issue is:

Monday, June 21, 2018

See nlg.org/submission-guidelines to learn more.
Beyond Bars guidelines available at the URL above and also printed in this issue's *Beyond Bars* column.

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On Collective Resistance

By Natasha Lycia Ora Bannan, NLG President

Awareness of our situation must come before inner changes, which in turn come before changes in society. Nothing happens in the 'real' world unless it first happens in the images in our heads. —Gloria Anzaldúa.

If one thing has become clear under this government that has laid bare its white supremacist and patriarchal beliefs, it's that our collective survival must be just that—collective. Our movements and communities have united in unprecedented ways, recognizing that the liberation of one is the liberation of all. NLG members have long known this, as we not only represent movements but are an integral part of them. We have been challenging systemic oppression and structural/institutional racism, sexism, homo/transphobia, imperialism and colonialism and anti-immigrant targeting since before “intersectionality” became used to describe the lived experiences of millions.

As we face relentless attacks on our lives and professions, the Guild is leading conversations across our various committees, chapters and projects to ensure that we continue to learn from our work and provide our communities with the best support possible. You've probably seen some of the excellent work from the National Office this past year, with in-depth reports and research that are tracking, anticipating and responding to attempts to silence dissent. Our regional conferences are helping build locally while sharing nationally. Our national committees have been actively participating in [webinars](#), panels and [retreats](#) to share analysis across the organization.

It is critical that we show up fully now, and that we see the ways in which our work and movements are connected. The Guild is not only an anti-racist legal institution, it is also an anti-imperialist and anti-capitalist one. We understand threats of war to



From left: Natasha Lycia Ora Bannan, Judith Berkan Valeria Pelet del Toro, Annette Martínez Orabona, and Elizabeth Yeampierre at the 24th annual RebLaw Conference in February at Yale Law School following the panel, #PuertoRicoSeLevanta: Colonialism, Disaster Capitalism, and Solidarity Networks in Post-Maria Puerto Rico. (Photo: Saúl Ramírez)

mean a way of exterminating communities of color by extracting resources from their lands and people. We also recognize war as a means of implementing totalitarian policies under a false pretense of patriotism to subject communities of color domestically to enhanced surveillance, detention, policing and incarceration—while simultaneously recruiting their family members to serve in that war. It is this understanding of the corporate state that has permitted the NLG for more than 80 years to follow the radical tradition of putting the tools of the oppressor in the hands of the oppressed. Now, more than ever, YOUR participation is crucial. Join a committee, join your local chapter, run for local leadership, get involved with a project, plan a discussion. This is the time when we must build together, or vanish.

¡En la unidad está la fuerza! ■

For updates:
nlg.org/convention

FALL 2018!

NLG #Law4thePeople Convention
PORTLAND, OREGON
OCTOBER 31 - NOVEMBER 4, 2018 | Benson Hotel

Announcing NLG Foundation Guild Grants Recipients

By Daniel McGee, NLGF
Managing Director

The NLG Foundation (NLGF) is pleased to announce the recipients of the 2017 Guild Grants Program. A total of \$25,000 was awarded to fourteen grantees to promote membership in the NLG, strengthen programmatic work, and enhance coordination among Guild chapters, committees, and the National Office. Recipients were awarded small grants between \$500 and \$2,500.

After announcing the availability of the grants at the 2017 NLG Convention, the NLGF received 34 requests for funding. Applications were carefully reviewed by the NLGF Grants Selection Committee, which considered how well each proposed project would increase membership in the NLG, whether or not the project would serve as an example to other parts of the NLG, and the project's ability to raise matching funds and to carry out and promote the proposed work. The Selection Committee also considered geographical representation and subject matter to ensure a broad distribution and to encourage membership growth in under-resourced areas.

These small grants aim to enhance the effectiveness of the Guild in supporting movements for social change. Whether it's by working collaboratively with community partners, providing resources to the broader legal community, or recruiting law students and facilitating deeper involvement, each of the selected projects are finding creative ways to build the Guild.

The NLGF is proud to support the work of the following projects, committees, and chapters through this small grants program.

Guild Grants Recipients:

- **Alabama Chapter** to conduct Know Your Rights trainings for tenants facing displacement while fighting redevelopment plans in downtown Birmingham.
- **Detroit & MI Chapter** to conduct Know Your Rights trainings in public high schools in Detroit.
- **Detroit & MI Chapter** to work with law students to download and organize discovery documents for litigation stemming from the Flint water poisoning.
- **Idaho Chapter** to aid local immigrant communities facing law enforcement and ICE targeting through Know Your Rights workshops, bi-lingual content for the chapter website, community security planning guide, and immigration-specific mass defense training.
- **Legal Worker Caucus** to develop a legal worker boot camp and accompanying online resource hub.
- **Los Angeles Chapter** Housing Committee to create a housing specific student run legal clinic and brief bank and pleadings resource.
- **Military Law Task Force** to produce a webinar and legal memo as follow up to brochure and self-help legal guide on military sexual assault and sexual harassment.
- **NextGen Committee** of the NLGSF Bay Area Chapter to produce a Know Your Rights video in collaboration with the Arab Resource Center.
- **NYU NLG (anti) Detention Project** to disseminate pro se packets and provide advocacy for people in immigration detention around the NYC area.
- **Rhode Island Chapter** to provide legal observer and advocacy trainings to support Alianza Mobilizando y Organizando Resistencia.
- **SF Bay Area Chapter** to address the mistreatment of Alameda County inmates by publicizing rules, working with public defenders and criminal defense bar, and producing a Know Your Rights pamphlet for inmates on how to file a grievance, and how to stop harassment.
- **TUPOCC-National** to train NLG attorneys, activists, students & legal workers via webinar and cross-committee workshops on the nuances of representing Arab & Muslim clients and activists in light of Trump era policies.
- **UCLA NLG Student Chapter** to support "Liberation Lawyering," a one-day conference to foster a dialogue between advocates for racial justice, economic empowerment, and human rights. (See above photo)
- **University of Denver NLG Student Chapter** to host two events.



NLG members at the Liberation Lawyering Conference at UCLA in March.

NLG Detroit & Michigan Chapter Annual Dinner Honors Buck Davis and Cynthia Heenan, with Keynote by Noam Chomsky

By Kurt Thornbladh, NLG Detroit & Michigan Treasurer

On February 11, 2018 the Detroit & Michigan Chapter of the NLG hosted its 81st Anniversary Dinner at Local 600, United Auto Workers, in Dearborn, MI. More than 500 people braved freezing temperatures, snow and sleet to attend.

Keynote Speaker Noam Chomsky gave an enlightening talk to attendees. Chomsky is well-known as the “Father of Modern Linguistics” but more so for his life-long fight for social justice. During the keynote, Professor Chomsky inspired those present to



A view of the sold out dinner, with event space generously donated by UAW Local 600. (Photo: Shanna Merola)



Honorees and longtime NLG members Cynthia Heenan (left) and Hugh “Buck” Davis (right). (Photo: Shanna Merola)

continue to struggle for social justice and to “speak truth to power.” The Chapter honored Cynthia Heenan and Hugh “Buck” Davis, founders of Constitutional Litigation Associates of Detroit. Cynthia co-chairs the Detroit Citizen’s Resistance Committee and is on the Steering Committee of the NLG Mass Defense Committee. She and Buck are also founders of the Guild’s National Police Accountability Project. Buck has been involved in landmark cases since before graduating from law school, beginning with *U.S. v. U.S. District Court ex rel. Sinclair*. Buck has been a member of the Guild for 47 years. Cynthia joined him right out of law school in 1995.

Cynthia and Buck blur the line between work and play, combining business trips with visits to family and destinations. Their yin and yang keeps things balanced personally and professionally. They strive to strike a balance between fighting for what’s right and keeping the lights on for themselves and the next generation.

The Unsung Hero Award celebrated “The Raiz Up”, a

Xicano/Indigenous hip hop group in Southwest Detroit that was started by Antonio Rafael and Lisa Nemiki/Gokwe Brunk for “decolonial edu-tainment.” Antonio is a

Xicano artist, organizer, and musician, active in the right to water movement. Lisa is an Ojibwe mother and activist from the Lac Vieux Desert in the upper peninsula. Honored with the group were Raymond Soufy Elwart and America Del Real. Raymond and America are well-known activists, artists and musicians in Detroit, and in America’s case, a dancer. She founded Detroit’s Joyas de Mexico dance group in 2010.

Outstanding Law

Student Honorees were Madeline Sinkovich & Marie Reimers. Both 3Ls at Wayne State University Law School, and both feminists, they were drawn to the Guild at law school orientation.

Radicalized studying police practices at Ferguson, Madeline is a frequent legal observer. She works with the Keith Center for Civil Rights and organizes panel discussions on radical labor law. She wants to fight police misconduct and help grassroots community organizations. She is from Novi, MI.



Noam Chomsky and NLG Executive Director Pooja Gehi share some laughs.

Marie became a radical feminist as a teenager. She’s a frequent legal observer, and volunteered in Cleveland for the Republican National Convention and in Washington, DC for J20. She works with the Michigan Children’s Law Center and the Detroit Radical Childcare Collective. Marie is from Saginaw, MI. She wants to work with legal aid in anti-poverty work. According to Marie, “Poverty is man-made.”

The anniversary dinner is an annual event of the Detroit & Michigan Chapter. Guild members and friends from other chapters are more than welcome. Upcoming anniversary dinners will appear at www.michigannlg.org. ■

NLG Weinglass Fellow Fights Construction of Toxic KY Prison

By Emily Posner, 2017 Weinglass Fellowship Recipient

Over the past two years, the Letcher Governance Project (LGP), Coalition to Fight Toxic Prisons (CFTC) and Abolitionist Law Center (ALC) have worked in collaboration to stop the Bureau of Prisons' (BOP) proposal to build a new penitentiary on top of a former mountain top removal site used for coal mining in Letcher County, Kentucky.

The proposal initiated an environmental review process required by the National Environmental Protection Act (NEPA). In turn, the BOP has held multiple public meetings and comment periods about its Environmental Impact Statement (EIS). The EIS outlines the actions taken by the agency in considering all of the environmental consequences of a project prior to finalizing its decision to move forward. With its appendixes, the EIS was well over 1,000 pages. The BOP made it available online and at public libraries in Letcher County. The NEPA process for this project will conclude once the BOP issue a record of decision (ROD) concerning the EIS.

At each opportunity for public participation, LGP, CFTC and ALC submitted [in-depth comments](#) that outlined our opposition to the project due to its serious environmental, social and economic impacts. We also organized the submission of expert comments from a prison administrator, environmental engineer, and endangered bat surveyor.

We also asked 500+ federal inmates to submit comments to the BOP about how they did not have access to the EIS, which made it impossible for them to submit any form of meaningful comment to the BOP about this project that will deeply impact them.

We hold that both NEPA's implementing regulations and the BOP's internal policies required the agency to make the EIS available to inmates at their facilities' law libraries. By not making the EIS accessible to federal inmates, we believe that the BOP did not comply with the process mandated by

NEPA.

To date, the BOP has not published an ROD. If the BOP does publish an ROD, the release of that document allows those individuals and organizations who commented on the EIS the opportunity to sue the agency under NEPA.

Meanwhile, through the support of a Weinglass Fellowship, the NLG has supported my firm in coordinating with the federal inmates who are opposed to this project. While there is no judicial precedent on this issue, we believe that the Prison Litigation Reform Act (PLRA) adds an additional administrative process on inmates who may wish to challenge the legality of the EIS. Consequently, through the support of the NLG, we are maintaining contact with approximately 50 inmates as they administratively exhaust their grievances with this proposed project.

As we wait for an ROD, our attention has also turned to Congress to put pressure on its members to pull the funding for this project. In 2016, at the behest of Kentucky Representative Hal Rogers, Congress allocated \$444 million to build this unnecessary prison in a location that puts at risk the health of inmates, correctional officers and their families.

Recently, the Department of Justice (DOJ) (who also oversees the BOP) informed Congress in its proposed FY2018 Performance Budget that there is no longer a need to build this particular prison due to a declining federal prison population and the availability of more "efficient and cost-effective ways" to expand prison capacity than building a massive new facility. The DOJ's perspective calls into question the BOP's purported purpose and need for this project. Above all, it demonstrates that in reality this prison exemplifies unnecessary pork barrel spending on the part of the federal government.

Please don't hesitate to **call the US Capitol switchboard at 202-224-3121** to voice your support of rescinding funding for the Letcher prison to your Senator and Representative. •

Apply for 2018 NLG Leonard I. Weinglass Memorial Fellowship



[Leonard I. Weinglass](#) (1933-2011) was a criminal defense attorney, constitutional law advocate, and longtime NLG member. His clients included activists such as Angela Davis, the Cuban Five, the Chicago Seven, the Pentagon Papers, and the death row appeals of Mumia Abu-Jamal. Thanks to a generous bequest from the Weinglass estate, the NLG has established a fellowship for recent law graduates. Each year, one fellow will receive a stipend to work for the Guild on a specific civil rights or civil liberties project. In 2016, the first Weinglass Fellowship was awarded to Chicago NLG member [Max Suchan to support his work](#) with the [Chicago Community Bond Fund](#). In 2017, Louisiana NLG member [Emily Posner](#) received the fellowship to work with the

Campaign to Fight Toxic Prisons and the Abolitionist Law Center (see above article).

Eligibility: Open to all NLG members who have graduated from law school in the past five years and who are current in their NLG dues.* Applicants must have the sponsorship of an NLG entity, which includes NLG [Chapters](#), [Committees](#), [Regions](#), Projects,** and the NLG National Office. The sponsoring entity agrees to offer (or assist to help locate) a working space for the Fellow over the course of their project.

Award: One Fellow will be chosen annually and receive a \$4,250 award to work on a 10-week project that is in line with the mission of the NLG and the career of Leonard Weinglass. The Fellow will also receive free registration

continued on following page

Meet the 2018 Haywood Burns Fellows

The NLG National Office is pleased to introduce our **2018 Haywood Burns Fellowship** recipients! Now in its 45th year, the Fellowship sponsors law students and legal workers spending the summer working for public interest organizations nationwide to build their legal skills and strengthen their long-term commitment to social justice.

Right: Haywood Burns (far right) with client Angela Davis and fellow NLG defense attorney Margaret Burham (far left) during 1972 trial. Below: 2018 Haywood Burns Fellows, listed right to left.



Tyler Crawford is a Stein Public Interest Scholar at Fordham Law. He will be a Haywood Burns fellow at Appalachian Research and Defense Fund, a civil legal aid organization based in Eastern Kentucky, where he will be defending the welfare rights of vulnerable clients and conducting legal clinics and outreach to rural communities.

Walter Anthony Jean-Jacques is a first-year law student at Notre Dame Law. As a Haywood Burns Fellow, he will be a summer legal intern for the NAACP Legal Defense and Educational Fund, Inc. in NYC working on Juvenile Justice and School Segregation issues.

Jilisa Milton is a JD/MSW candidate at the University of Alabama. She will be working at Equal Justice Initiative on appellate representation of indigent women and men on death row, advocacy on behalf of those sentenced to life without parole as juveniles, investigation of inhumane and abusive conditions in prisons, and research aimed at developing connections between America's racist history

and current issues in mass incarceration.

Anita Miralle De Asis aka Needa Bee is a long time businesswoman, artist, organizer, advocate, activist and educator. She will work with Meikeljohn Civil Liberties Institute to expand the institute's work and the work of her organization The Village of ensuring landless people's human and constitutional rights to adequate housing and the decriminalization of homelessness.

Denali Wilson is a first-year law student at the University of New Mexico. With the support of the fellowship, she will spend the summer providing legal support to immigrants detained at the Cibola County Correctional Center in Milan, New Mexico.

Your contributions fund 100% of the Fellowship program. **Please make a donation today at** www.nlg.org/haywoodburns

NLG Weinglass Fellowship application instructions cont.

for one year to the [NLG Law for the People Convention](#), and will be highlighted on the Guild website, social media sites, and *Guild Notes*.

Application: Email the following materials to Director of Research and Education Traci Yoder at traci@nlg.org by **Monday May 14, 2018:**

- Cover letter describing your previous experience and reasons you are applying
- Current resume (no more than 3 pages)
- Essay between 1,000-1,500 words describing your proposed project
- Contact information for two references
- Letter from the NLG entity who will be sponsoring your project

Selection and Notification: The Fellowship winner will

be chosen by a committee composed of NLG Foundation Board members, NLG National Executive Committee members, and representatives from the NLG National Office. The committee will review the applications with an eye toward projects that meet the fellowship criteria, address a relevant and timely issue, and further the NLG's mission of people's lawyering and placing human rights over property interests. The fellowship recipient will be notified no later than June 8, 2018.

*To join or renew, go to nlg.org/join. If you are unsure of your membership status, please email NLG Director of Membership Lisa Drapkin at membership@nlg.org.

**NLG Projects include the [National Police Accountability Project](#), the [National Immigration Project](#), and the [Sugar Law Center](#).

Struggles of Using Legal Recourse for Better Prison Conditions

By Lisa Drapkin, NLG Membership Director

It seems there could never be enough legal support to help the millions of prisoners seeking legal assistance. One of the reasons why there are not more lawyers to help prisoners with civil suits is because of the Prison Litigation Reform Act (PLRA), a federal law enacted in 1996 under President Clinton.

Congress enacted PLRA in response to a significant increase in prisoner litigation in the federal courts. A misconstrued case was supposedly the impetus, in which a prisoner filed suit over receiving crunchy peanut butter instead of creamy. However the facts of this case [were incorrect](#), and instead it was about a prisoner not receiving a refund for a jar of peanut butter he returned. This is extremely legitimate because the majority of prisoners have little to no funds to their name.

According to the PLRA, before prisoners are allowed to challenge a condition of their confinement in federal court, they must first exhaust available administrative remedies by pursuing to completion whichever grievance or appeal procedures the prison administration provides. Even a lawyer cannot act until the individual goes through several bureaucratic layers.

Prisoners cannot file a lawsuit for mental or emotional injury without also showing physical injury, which can lead to abuse to occur without accountability. At least in 2013, with the [Violence Against Women Act](#), the PLRA was amended to include sexual assault even if physical injury is not medically apparent. In addition, the PLRA limits the court's ability to make prison officials pay for attorneys' fees if they lose a case – which means there is no monetary incentive for lawyers to take them.

The repeal of PLRA would be an important step towards accountability. Prisoners might gain a greater sense of dignity by having a more attainable legal method of recourse, and more lawyers might be willing to represent prisoners in civil suits if they could expect to be compensated for their work.

Creating change on a larger scale requires not only legal recourse, but also organized resistance. A good example of this is the California hunger strike of 2013.

The initial coordinated CA hunger strike was in 2011, when [over 12,000 prisoners](#) and supporters across the state protested the inhumane conditions of the SHU (Segregated Housing Unit). Following the strike, [their demands](#) for reform had not been met, and so another coordinated hunger strike was held in 2013, involving [30,000 CA prisoners](#). The strike spread to prisons in other states and even other countries. There were many outside [calls for solidarity](#), and mainstream media news coverage of the largest hunger strike in history raised awareness among the public at large.

Simultaneously, [Ashker v. Governor of California](#), brought by the Center for Constitutional Rights



(CCR), held that prolonged solitary violates the Eighth Amendment, and charged that prisoners were denied any meaningful review of their SHU placement, such as those imposed based merely on a prisoner's alleged association with a prison gang. The named plaintiffs included several leaders and participants from the hunger strikes.

In 2015, the plaintiffs and the State of California agreed on a landmark settlement that ended the use of indeterminate solitary confinement across the state as well as the use of "gang affiliation" as a basis for placing people in isolation. Several other [key reforms](#) were made related to the use of solitary. The weight of the resistance movement in conjunction with the courtroom battle was necessary in order for such a meaningful result to occur.

Two years later, CCR found [violations continued](#), including hundreds of prisoners formerly held in SHU being transferred to Level IV prisons with very similar conditions. Because a legal settlement did not provide instant relief for all, coordinated efforts to resist solitary confinement from the inside and outside are still needed. Projects like the NLG San Francisco Chapter's [Prisoner Advocacy Network](#) (PAN), established following the hunger strikes, seek to strengthen these efforts through individualized advocacy for prison activists.

Whether at the individual or large-scale level, attempts to use legal recourse as a path toward better prison conditions will face many obstacles. Of course, there are other approaches that do not involve the law, as seen by recent prison riots and uprisings.

Legal advocates should not lose sight of dismantling the PLRA as a goal. Despite the barriers, it's clear that prisoners – from jailhouse lawyer to strike organizer – have found ways to fight for the humanity they deserve. In turn, they will continue to need as many outside supporters in solidarity as they can get. ■

This is an adaptation of an article originally published Jan. 15 on the NLG Blog. Read the original and other blog pieces at [nlg.org/blog](#).

See p. 16-17 for a *Beyond Bars* piece on prison litigation/PLRA.

NLG Buffalo Demands Answers from County Sheriff Misclassifying Inmate Suicides

By Dominick Roa '19 & Suzanne Starr '19, NLG Buffalo
SUNY Buffalo Law Civil Liberties and Transparency Clinic

In February of this year, the New York State Commission on Correction named Erie County's two jails among the five "worst offenders" in the State when it comes to inmate mental health treatment, suicide prevention, and excessive use of force. This black mark comes seven years after Erie County was sued by the federal Department of Justice for widespread constitutional violations at the jails and a suicide rate five times the national average.

Among the many disturbing practices at the jail is a pattern of concealing and mischaracterizing suicide attempts by inmates in the Sheriff's custody. When inmates were found hanging in their prison cells from bedsheets, the Sheriff's Jail Management Division classified the incidents as "inmate disturbances" or, perhaps, "manipulative gestures." By doing this, the Sheriff's staff evaded its legal obligation to report suicide attempts and inmate self-harm to the state Commission. Indeed, this is precisely what the Commission found when it investigated this issue last summer, following reports in the local press.

The NLG's Buffalo Chapter has long been working to improve conditions in the Erie County jails and caught wind of this practice even before it was reported in the press. The Chapter teamed up with student attorneys in the Civil Liberties and Transparency Clinic at the University at Buffalo School of Law to file freedom of information requests last spring, seeking to investigate the concealed suicide attempts. The Sheriff's Office simply ignored the request, failing to produce even a single document over the course of nearly 11 months.

Last month, the Buffalo NLG filed suit to enforce the freedom of information requests and demand genuine transparency about the full scope of the Sheriff's misreporting and concealment of attempted suicides. Even though local news reports and the Commission have now shone some light on the issue, there is still plenty of reason to believe that the Sheriff is not being candid about the horrors that transpire in the jail. For example, just a few months after the state Commission ordered the Sheriff's office to report all suicide attempts, a *Buffalo News* report revealed that Erie County Correctional Facility employees who summoned an ambulance for an inmate who had hanged himself described the incident to responders as an "airway obstruction," rather than a suicide, even though the inmate was found with no pulse, no respiration and was unresponsive. The inmate was declared dead at the scene.

Even more recently, the Sheriff himself suggested, in response to questions from a reporter, that he continues to believe that suicide attempts are often "manipulative gestures"—an effort merely to seek attention—and that he is not willing to label such incidents as attempted suicides. This directly contradicts the Commission's order that the Sheriff must report *all* suicide attempts and that the supposed intent of the inmate is irrelevant.

This Sheriff's Office is allergic to transparency and accountability. The Buffalo NLG hopes that the court will compel the Sheriff to do his legal duty, and thus be transparent and accountable to the people he is meant to serve. The Chapter also hopes that it will shed more light on the ongoing misconduct and mismanagement at the County jails. ■

Meet the Newest NLG Staff!



**Kimmie David - Office Manager
NLG National Office (with assistant,
Augustus Floof!)**

Kimmie David began her professional career as a collective member and co-owner at Bluestockings, a radical, feminist bookstore and event space in the Lower East Side of Manhattan. She has since made magic out of thin air (and a lot of coffee) at many

bookstores and restaurants, and at such varied places as Maker Faire, RightRides for Women's Safety, and the League of Extraordinary Penpals.

Kimmie has a soft spot for cocker spaniels, letter writing, and orange creamsicles. A lifelong New Yorker, she is a graduate of the Macaulay Honors College at CUNY Hunter College, and holds a B.A. in Creative Writing and Women, Gender, and Sexuality Studies.



**Jay Kim - Executive Director, NLG SF
Chapter**

Jay Kim joins NLGSF with over ten years of community lawyering experience. As a Co-Founder and Co-Director of Common Law, a non-profit organization in NYC that supported community organizing efforts through legal education and assistance, Jay helped grow a volunteer-run start-up to a fully funded organization. For over seven years, Jay defended organized

street vendors; represented low-income tenants; and created a foreclosure defense legal clinic.

Jay was also a founding member of O40, a city-wide organizing effort to actualize the human right to housing through direct action. With O40 and Common Law, she organized several large-scale actions. Jay also was an active member of Nodutdol, an organization of progressive Korean Americans working to build solidarity with other people of color.

Prior to joining NLGSF, Jay was a Supervising Attorney and Clinical Instructor at DC Law Students in Court. Jay received her B.A. from the University of Minnesota and is a proud alum of CUNY School of Law.

2018 WEEK AGAINST MASS INCARCERATION

This year's theme for the NLG's Week Against Mass Incarceration was the intersection of mass incarceration and immigration in this current political climate. Our student chapters delivered! Here are a few highlights from 2018!



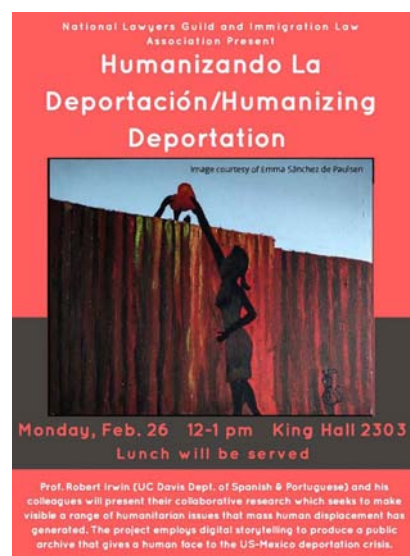
Above: Lewis & Clark NLG hosted a performance of scenes from "The Bucket," a play written and performed by people who have spent time in solitary confinement, followed by a Q&A with the playwrights/performers (pictured above and at bottom right).



NLG Loyola New Orleans hosted former Black Panther and Angola 3 member Albert Woodfox (center) for a discussion with Prof. Andrea Armstrong (far right), along with an exhibit of "Personal Effects" by artist Maria Hinds (far left). Also pictured: NLG Loyola President A'Niya Robinson (second from left) and NLG Loyola Events & Outreach Coordinator Caitlin Newsanger (second from right).

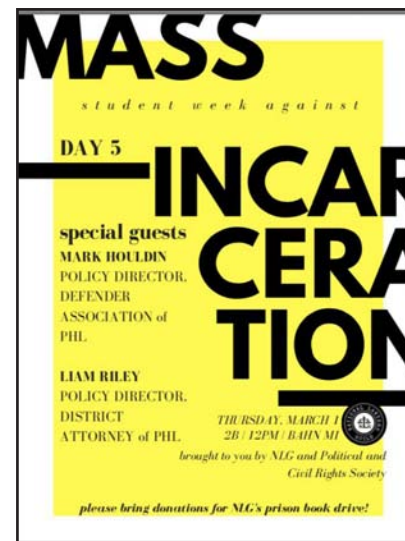


Western New England NLG held a "Jail-n-Bail" fundraiser that charged folks \$5 per warrant and \$5 bail to enter and exit this mock jail cell. Monies collected went towards helping students attend public interest conferences.



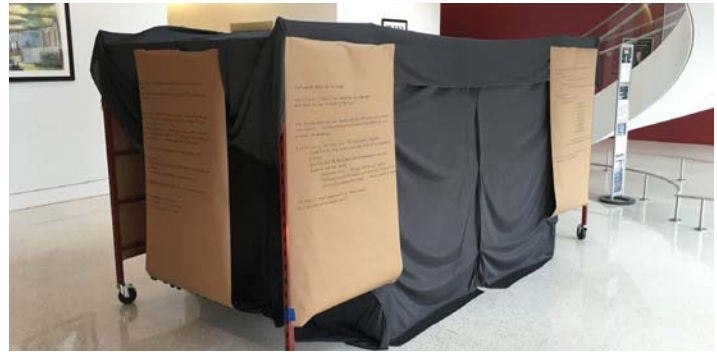
Above: UC Davis NLG flyer for a lunch discussion, "Humanizando La Deportación/Humanizing Deportation."

Below: A flyer for one of Temple NLG's WAMI events: a panel discussion and prison book drive.





Univ. of Florida NLG panel, "Humanizing the Incarcerated." From left: Panagioti Tsolkas, Karen Smith, Nick Livermont, & Jhody Polk. The UF NLG also hosted a screening of the film, "The Prison in Twelve Landscapes."



Above: Fordham NLG's annual mock solitary confinement cell. The chapter also hosted a discussion with Muallim-ask, a survivor of solitary confinement and leading voice for its abolition, and held a student-led lunchtime Critical Race Theory of the 1L Curriculum.



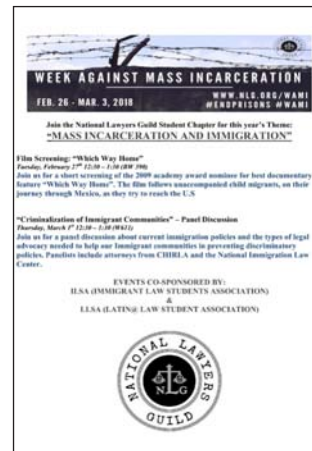
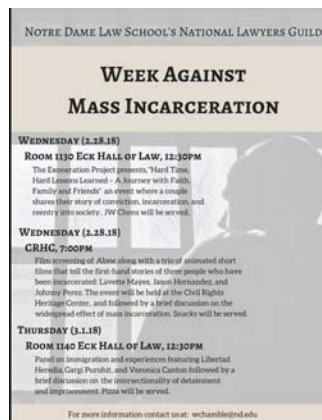
Above: An exhibit about mass incarceration by the Western New England NLG.



NLG Rutgers-Camden hosted Philadelphia District Attorney Larry Krasner (third from left) to give a one-hour talk on the impacts of mass incarceration.



Above: Wayne State NLG in Detroit tabled on campus to spread the word about their panel, "The Intersection of Immigrant Detention & Mass Incarceration," and collect donations for the NLG National Immigration Project.



From right: Flyers for WAMI events by the Northwestern, Notre Dame, and Pepperdine Law NLG Chapters.



The Chicago Kent NLG Chapter organized a panel on Chicago's Gang Database's role in deportations, moderated by 2L Rosie O'Malley and featuring Irene Romulo from Organized Communities Against Deportations, Northwestern Prof. of Law Sheila Bedi from the MacArthur Foundation, and Claudia Valenzuela from the National Immigrant Justice Center.

A Sanctuary Continent: Platform for Victims in Struggle against Impunity in the Americas

By Jose Luis Fuentes, Maria Elena Hernandez, Camilo Perez Bustillo and Judy Somberg, NLG Task Force on The Americas

The Mesoamerica Subcommittee of the NLG International Committee [Task Force on the Americas \(TFA\)](#) held a strategic planning session in Phoenix, AZ during the [NLG International Committee Weekend](#). The Subcommittee decided to hold a ten-day delegation to Mexico in August 2018. The delegation will travel to the states of Michoacán, Guerrero, and Oaxaca to meet with indigenous peoples in struggle, listen to their testimonies, and support their fight against impunity.

The NLG has a history throughout Latin America, and at the 2015 NLG Convention in San Francisco, the TFA began to frame our work in Mexico and Central Americas mainly around indigenous peoples in Mesoamerica and the role of the United States in their oppression.

Key activities of the NLG TFA have included:

- The [2015 International Tribunal of Conscience](#) in New York contextualized the magnitude of the international human rights violations in various cases in Mexico, including the disappearance of the 43 students from the Raúl Isidro Burgos Rural Teachers' College at Ayotzinapa, Guerrero
- Delegates of the 2016 follow-up investigative delegation to Mexico gathered testimony from Ayotzinapa students and family members of the 43 disappeared students and visited the migrant shelter "La 72" on the southern border, to interview migrants fleeing from Honduras, El Salvador, and Guatemala.
- Presented our visionary framework during the workshop, ["A Sanctuary Continent: Peoples' Tribunals and Migrant Rights in the Americas"](#) at the 2017 NLG Convention in Washington, DC.
- During 2017-2018, conducted several in-country consultations with Mexico's grassroots human rights communities, victims and advocates, plus meetings with US congressional offices, and US Embassy and State Department staff in Mexico and DC.

Through this work, the Mesoamerica Subcommittee has identified the Mesoamerica Project (formerly known as the Puebla-Panama project) promoted by the Inter-American Development Bank (IDB) as a major problem negatively impacting indigenous communities and campesinos (farmers) by creating the conditions in which drug cartels, military and security forces, and paramilitary units intimidate and kill indigenous leaders, environmental defenders, and farmers. The Mexican government's campaigns of terror and dispossession against these sectors in Guerrero,



2016 NLG delegation at Guatemala/Mexico border. (Photo courtesy of Jose Luis Fuentes)

Michoacán and Oaxaca further neoliberal policies that benefit the shareholders of the IDB through human rights crimes against environmental defenders resisting dams, logging, and related mega-“development” projects which produce and perpetuate poverty and forced migration.

Organized opposition to the Project include the Ayotzinapa school, the bishop of Chilpancingo-Chilapa diocese, the Counsel of Ejidos and Communities Opposed to the La Parota Dam and the Regional Coordinator of Community Authorities.

The neoliberal advocates of the Project include local paramilitary forces affiliated with UPOEG (Union of Peoples and Organizations of Guerrero State), local mayors, the local Public Prosecutor's Office, the local Secretary of State for Public Security, state Governor, and Mexico's federal government.

The Mexican government and the IDBs' quest for profits undermines funding and impedes the mostly indigenous communities' access to health, equality and a holistic approach to community-based strategies for education.

Mexico's historic July 1, 2018 elections will test the country's incomplete process of democratic transition for most of the 20th century from one party rule by the PRI (Institutional Revolutionary Party). The elections will determine the extent the current ruling elite, which devastated the country through the “drug war” and ravages of “free trade” pursuant to NAFTA in complicity with ruling sectors in the U.S. and Europe, will continue to dominate and exploit the environment and labor of ecological-sensitive regions such as Michoacán, Guerrero, Oaxaca, and Chiapas for another six years.

In addition to this work in Mexico, we will be participating in several forums around critical issues of migration that stem directly from these conditions in Mesoamerica. Please join us in this work by contacting Jose Luis Fuentes, jl499@gmail.com and visiting internationaltribunalofconscience.org. ■

Free Ahed Tamimi and All Child Prisoners

By Audrey Bomse, Palestine Subcommittee Co-chair

15-year-old Mohammad Tamimi was hit point-blank in the face with a rubber-coated bullet fired by an Israeli occupation soldier on December 14, 2017, in Nabi Saleh, a small Palestinian village in the occupied West Bank. The boy had to undergo six hours of surgery and was placed in a medically induced coma.

An hour later, Mohammad's 16-year-old cousin, Ahed Tamimi, slapped and kicked at an armed Israeli soldier, demanding he leave the family's property. Early the next week, [after video](#) of Ahed's actions went viral, Israeli soldiers raided the Tamimi home at 3 AM and arrested her.



Ahed Tamimi at a demonstration in 2016. Photo by Haim Schwarczenberg: schwarczenberg.com

Ahed has been charged with a range of offenses, including assaulting an armed Israeli soldier. Her real crime, however, is being a defiant young woman standing up for her people, the next generation of resistance. Israel wants to use Ahed's case to deter other Palestinian youth who might want to similarly resist Israeli colonialism.

Hundreds of children between the ages of 11 and 17 are arrested by Israeli soldiers each year, most in night-time raids. Israel systematically prosecutes as many as 700 children in military courts each year (see the May 2014 NLG delegation report at nlginternational.org). There are currently approximately 350 Palestinian children in Israeli custody.

Ahed will be tried by the same occupying military that shot her cousin, in a military court that is part of a system which denies basic due process rights and notoriously has a self-reported 99.74% conviction rate for Palestinian defendants. *Israel is the only country in the world that tries children in military courts.*

According to Defense for Children International-Palestine (DCIP), a group that has consultative status with the UN, three out of four Palestinian child detainees are subject to physical violence. And Israeli military court judges, who are either active duty or reserve military officers, "rarely exclude evidence obtained by coercion or torture, including confessions drafted in Hebrew, a lan-

guage most Palestinian children do not understand."

Only Palestinians are tried in this separate and unequal military 'justice' system. Israeli settlers who commit crimes in the West Bank are tried in civilian courts, with all the rights and privileges that entails. As Gaby Lasky,

Ahed's lawyer stated, "The real task of the military court is not to enact justice, but to perpetuate occupation."

An Israeli military court has denied bail and refused to release Ahed pending trial, calling her too dangerous. If convicted on charges that include throwing stones, incitement and assaulting and threatening a soldier, she could remain in Israeli prisons for up to ten years.

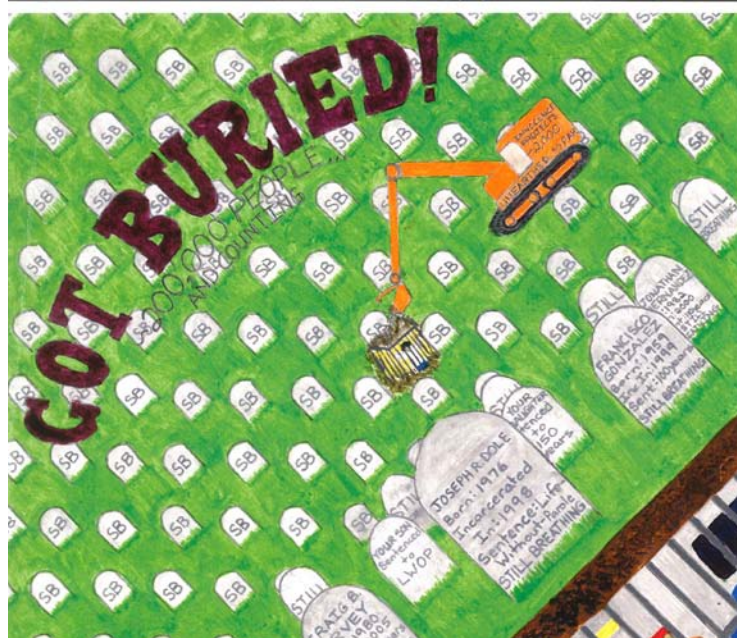
UNICEF charges Israel with subjecting Palestinian youth to "practices that amount to cruel, inhuman or degrading treatment or punishment, including

children "being aggressively awakened in the middle of the night by armed soldiers and being forcibly brought to an interrogation center tied and blindfolded, sleep-deprived" and being "threatened with death, physical violence, solitary confinement and sexual assault, against themselves or a family member."

Concerned about Israel's systematic abuses, 20 members of Congress are backing legislation, introduced by Barbara McCollum, H.R. 4391, which would prevent the use of US tax dollars for the Israeli military's ongoing detention and mistreatment of Palestinian children like Ahed Tamimi.

The NLG Palestine Subcommittee of the International Committee has been involved with multiple efforts to support Palestinian child prisoners, including advocacy for H.R. 4391. Demonstrations have been organized in cities around the world to support Ahed and her fellow Palestinian prisoners, and the NLG has been an endorser and co-organizer at protests in Fort Lauderdale, FL, New York City, and elsewhere.

NLG members interested in working to advocate for freedom for imprisoned Palestinian children and adults are invited to become members of the Palestine Subcommittee. Contact the author at audreybomse@hotmail.com for more information. ■



2018

Scandal after scandal getting exposed
Some men resign and others refuse
Spewing forth their beautiful, two-faced prose
But in life, win or lose, we all must choose

Hate continues to trump the right with might
I see no difference with the separatists
Inbreeding will not empower the white
So we must challenge the supremacists

The great divide continues to expand
It affects us all regardless of race
The rich get richer and the poor be damned
The American Dream I will still chase

One can only hope for a better scene
People, welcome to 2018

Dallas and Baton Rouge, July 2016

By Gary Hicks
Berkeley, CA

(for all of the fallen, no questions asked
for now)

mental disorders
a permanent feature
of colonial warfare

these days of spilt blood
consigning terror to verse
barely describes it

time of clarity
malcolm's chickens home roosting
specter of fanon

like a boomerang
what went around came around
from now on heads up!

Liberation from a Racist Bigot Global Body Politic

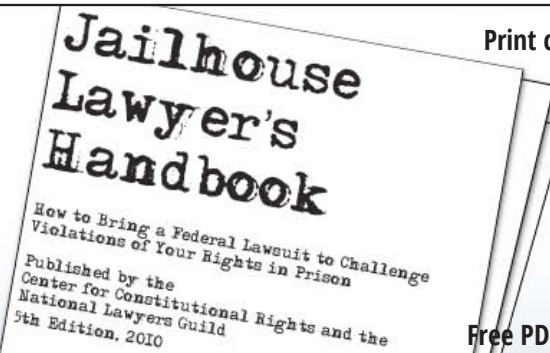
By Michael Forrest
Frackville, PA

how many times
have you attended private & public
schools
and felt like a fool
learning theories of lies & mysteries
brainwashed about a defacto history?
how many times
were you arrested by police
criminalized by their confessions
when you refused to acquiesce
then prosecutors
coerce questions
with deterrents of the worst
when you have the rights of the best in
reverse?
how many times
have you voted
for a hero or shero
to receive disappointed times demoted
below zero
how many times
have you faced
the case of gender, class, religion &
race
deceived not to resist
that it doesn't exist?
how many times
have you paid taxes
to i.r.s. officials you've never seen
realizing you financed butchers' axes
hatchetting citizens' necks on tv
screens?
how many times
have you been told by pimp politicians
your community will be safer
to learn using tv fiction
paid by corporations' cash and favors
then give you a taste
of their inhumane waste
to show how mad

and bad
corporate capitalism rearranges
modern diplomacy
with impromptu changes
in zoning
for budget cuts
in education
i.r.s. embezzling for mass
criminalization
the root of mass incarceration
defiled deficits in healthcare
inflation, recession,
official defacto depression
in a worldwide organized
chaotic deception
while all along created
right under our noses
by agents
of our own so-called government!
"attacked"
by crack
cocaine, heroin, and guns bombed &
sold in our neighborhoods
from south america, pakistan, vietnam
then cashed in on the goods
"attacked"
humans yellow, brown & black
some collateral pink & white
disaster capitalist targets set right
for millions of disappearances
without a trace!
u.s.a., china, yugoslavia, iraq, syria
yet they deny the case of race
worldwide human trafficking
in human flesh so violent
it's been silenced!
how many times
will we (as a people)
accept this fascist illegal
government robotic psychotic
and I'll show you how many times
we need liberation from racist bigot
global body politic

Have you read the *Jailhouse Lawyers Handbook*?

This Handbook is a resource for prisoners who wish to file a federal lawsuit addressing poor conditions in prison or abuse by prison staff. It also contains limited general information about the American legal system.



Print copies are provided to prisoners
upon request at no cost.

To get yours, write to:

NLG-Prison Law Project
132 Nassau St Rm 922
New York, NY 10038

Free PDF download at jailouselaw.org

Correctional Conceptual Medical Apathy: Is There Any Hope?

By William A. Larson
Licking, MO

Prison healthcare, for the most part, is exemplified by the well-known caveat concerning closing the barn door after the horses have escaped. Due to contractual monetary restraints, preventative medical care is nonexistent. Much too often, a prisoner's health care needs are ignored—except to assist the prisoner to die.

In the past few years, new “direct-acting, antiviral” (DAA) drugs have been developed that have a 95-99% cure rate for people who suffer from chronic Hepatitis C (HCU) viral infections. *Postawko v. MDOC* 2017 US Dist. Lexis 71715 and 11723.

There are approximately 5,000 prisoners known to have HCU within the Missouri Department of Corrections (MDOC). According to published cases, the individual cost of the full treatment has risen from \$84,000—when I assisted DS, who has “end-stage” liver disease, receive his Harvoni (DAA) treatment in 2015 (*Simrin v. MDOC/Corizon* CRA #6:15-cu-03198-DGK), to \$94,000 in 2017. *Bernier v. Trump* 242 F. Supp. 3d 31 (USDC DC 2017).

It will cost Missouri taxpayers \$470 million to treat all

of the MDOC known HCU-infected prisoners, which is almost twice the MDOC's total yearly budget. Of course, this doesn't include the undiagnosed prisoners with HCU.) There isn't any possible way Corizon Health could eat this expense.

In 1991, I was assisting a brittle diabetic prisoner who was attempting to receive a necessary diabetic diet/insulin regimen. I had procured statements from a diabetic specialist and several diabetic/dietetic associations, stating if WW did not receive a necessary diet/insulin regimen, he could die.

The State continuously delayed the case, going so far as to call up the diabetic specialist and threaten him not to get involved in the case. I was then deliberately transferred back to the Missouri State Penitentiary (MSP). WW died a few weeks later.

James (Jimmy) Bennett wasted more than two years attempting to get medical to properly diagnose/treat his cervical spondylotic myelopathy. He ended up being confined to a wheelchair. In 2010, Jimmy filed his CRA Sec. 1983, *Bennet v. CMS* 2001 US Dist Lexis 159083; *Bennett v. Miles* 603 Fed Appx. 507 (8th Cir 2015).

Unfortunately, Jimmy died in December of 2016, two

continued on following page

The Long View of Prisoners' Rights Litigation

By Jeremiah Phoenix
Dannemora, NY

Prisoners' rights litigation is a challenging area of law to participate in, especially from the inside. In a very real way it's a direct confrontation between prisoners and keepers of custody. Judicial review of prison conditions developed in part because hard-learned experience showed that ignoring significant issues can lead to outright rebellion. Everyone suffers if that happens. Intuitively, then, one might think that prison administrators would welcome a way to peacefully and reasonably resolve otherwise unresolvable disputes. But that's often not what happens at all. Instead litigation is often reacted to as if it's rebellion itself, with threats, retaliation, and in far too many cases, actual violence.

These challenges aren't easy to deal with. Retaliation and violence don't just injure the body. The mind suffers, too. When staff recruit crooked inmates to do their dirty work for them, the ability to trust people wavers. When papers and property are stolen, “lost,” or destroyed, speech itself can be lost. With a largely apathetic prison population and few willing to demand better lives, it can be hard to find support and encouragement.

In the face of all this adversity, it can be tempting to give in to that voice in the back of the mind sneakily whispering, “Give up. There's no point. You won't make a

difference in the end, anyway.”

But that voice has a small view of the world. It doesn't take the big picture into account. It doesn't take a long view. It looks only at the immediate difficulties and ignores how far-reaching a righteous act—like a lawsuit demanding better living conditions or seeking to hold the corrupt to account—can be. Time has a way of amplifying the good far beyond anything the initial actor can foresee. It builds on itself and on the work of those who come after. This is especially true in law, where principles of precedent can spread a single good argument into an entire network of enduring decisions. A good case can change the lives of the people who brought it in the first place, and of many people who come later and will never know it could have been otherwise.

Litigation matters, then, no matter how difficult it is. It's how we decide as a society how we'll behave toward each other when other democratic processes aren't enough. And the people who bring cases matter even more, because cases don't bring themselves. The people who strive for ideals, whether in prison or in the public square, are the people who drive society forward.

Obviously none of it's easy. Nobody should expect it to be. Making the world better is hard. But if we keep in mind that we are where we are because of all the people who came before us that didn't give up, it's easier to keep going ourselves. ■

Despite Complaints, Women at Virginia Prison Continue Pleas for Adequate Medical Care

By Chanell Burnette

Troy, VA

My name is Chanell Burnette and I am currently an offender at Fluvanna Correctional Center for Women (FCCW). I write to you in regards to the inadequate medical care that we women are receiving here at FCCW. I have been housed at this facility since 2006 and am aware of the class action lawsuit filed against FCCW, and to date have seen no improvement in the quality of care that we have been receiving. For some of us, this has only gotten worse. I, for one, can validate this claim.

Many of us suffer from chronic and debilitating conditions that are not being treated properly. Some of us experience severe pain and are not being administered adequate pain management. The doctors are minimizing our complaints regarding our pain levels. They are misdiagnosing our conditions and withholding vital information that could prevent detrimental effects on our health, or even, as seen in numerous cases, our deaths.

This facility contracts with the healthcare provider Armor Correctional Health Services, Inc. This corporation has failed us continuously and has contributed to the loss of lives of countless women here at this institution. Too many of them have met their untimely demise due to the negligence of medical staff members. Can you fathom having to make the call to a family member to inform them that their loved one has died inside of these cold, lonely walls? All because someone did not care enough to take the time to listen and render the help that was needed.

In addition to the class action lawsuit, several civil suits are pending as a result of the negligence and treatment that continues to occur here at this institution. This fa-

We are human
beings before we
are offenders

cility has been the subject of numerous television news reports. FCCW has been in a negative limelight for a number of years.

To represent our concerns, a Compliance Monitor was elected, Nicholas Scharff, MD. He reports directly to the Department of Corrections. Dr. Scharff visits the institution regularly to note our questions and concerns. However, I have yet to hear of any responses to the questions voiced at the forums we attend.

I was informed that Dr. Scharff rates each institution by the number of letters of complaint he receives. His last rating for this institution FCCW was high. This concerned me, so I sent him a letter informing him that he does not receive any letters of complaint because he does nothing to help us. I have yet to hear a response from that letter.

I submit this on behalf of the women suffering in this institution. I am only one, but I feel that our voices need to be heard. We are human beings before we are offenders and should be treated as equal. Should we not be offered the same healthcare as someone who has not made a mistake? None of us are perfect, and this should be kept in the forefront of the minds of those who took an oath to care for us. ■

Correctional Conceptual Medical Apathy cont.

months after defeating the State's continuous delaying of his case (*Bennett v. Corizon* 2016 US Dis. Lexis 187257.)

I am 78 years young. To my personal knowledge, I am the oldest prisoner in Missouri who has been under the loving care of the MDOC for more than 37 years. If I found it "necessary" to file a civil action over the State's refusal to provide a pacemaker to correct my well-known arrhythmia it would take a year or more in order to exhaust state remedies due to the draconian Prison Litigation Reform Act (PLRA)'s grievance exhaustion provision. Then another 6+ years to finally receive a trial date if I could get past summary judgment on the malpractice issue. This is not even considering appellate time, if needed. It is very doubtful I will survive another 9+ years, in order to benefit from federal action.

The State Courts are even more of a boondoggle. In order to file/prosecute a pro se malpractice case, an incarcerated prisoner is required to be examined by an

outside doctor. Then that doctor has to issue a written opinion that states your present treatment/non-treatment, amounts to malpractice. RSMo Sec. 538.225.1 which has to be filed with the court within 90 days. How many prisoners can afford this, surely, not me?

The only rational relief for this Conceptual Medical Criminal Recklessness is for the federal courts to set up a Special Master to review all life-threatening medical claims. When needed, appoint a doctor to make the determination if an emergency injunction is needed to preserve the life of the pro se petitioner, prior to the standard court delays.

Far too many prisoners are being allowed to die or suffer IRREPERABLE harm, in order to accommodate the State's denial of necessary medical treatment, solely to save the State money. *Revere v. Mass. Gen. Hosp.* 463 US 239, 245; 103 S. Ct. 2979, 2983 (1983). ■

Heal and Liberate Lifelines

By Michael Forrest

Frackville, PA

disaster capitalists
masters of disastrous
naturalness
nlg catalyst
never waning
weighing in
against banning
what u.s.a. endorse
standing lawyers 4 the peoples' force
global war cries
against u.s. saber rattling
nlg bourne ties
keep battling
along side
prisoners
students & worldwide missionaries
our faller soldiers
are the amounts
we stand on their shoulders
arsenal of victory
bank account
reclaiming defacto history
restoring censored
roots mystery
unnatural disasters
colonizers mass
destruction
our mass movements
work to end this
corruption
while juggling
charlottesville
struggling
preventing blood-hot
spills
slapping statements
by amy wax
trump race cards
vacant
questioning a peoples' tax
protecting our
rights to travel
joy in our fight
unravels
manifesto
probing UNESCO
who should be doing more
to protect Palestinian rights
injustice in this war
is injustice to human plight
as u.s. saber rattling
against peninsula
in Korea

babbling
its case of gonorrhea
a white racist
supremacist
disease
imperialists
sick degrees
super class purview
their hunting times
persistence
nlg mass defense continues
frontline resistance
trump is nothin but a con-man
his corp, marionette
master don plans
actors on the world
stage
targeting global folks
for cages
heather heyer's life
alerts heartbeat ultrasound
her spirit gives our fight
rebound
for water protectors
conscientious
objectors
legislation against
prejudiced prosecutors
decriminalization
of legal mobster
peculiars
no more homage crimes
of race to exploit
open doors for
homrich 9 case in Detroit
from rome to the
super powers capital
no more persecution
against foreign nationals
nlg's mltf guide
challenging military
sex violence
pentagon cannot hide
or keep predators silent
and never forget
the cradle of civilization
without africa's kismet
there can be no
true liberation
u.c.l.a.'s processor
euchice ho
students against mass incarcerations
going to blows
with imperialist domination
anti repression music band
san fran

globalization
colonization
corporate magnets
casting dragnets
and hurricane storm
cashing in on disasters
organized chaos scatters
some of us
while most won't settle
for nothing less than justice
we are the peoples' rebels
lawyers, prisoners & students
listeners
congruent
let us "scream" 2017
law 4 the people convention
celebrating 80
years standing tall
without vengeance
disaster capitalists
destroy
caribbean with
makeshift hurricane
oscar lopez employs
Last chance for puerto rico's name
while our president
natasha lycia ora bannan
presents
contentions
for peace
cannons
to new highland
the island
nlg's 2017 elections
& voting results
is our connection
to vitals heartfelt
we can never say goodbye
to legacy of john Thompson
while turning the tide
our strength remains constant
despite worthy opponents rancor
our choices don't fail to arouse
foyers
beyond bars
voices of nlg jailhouse lawyers
and all aboard who cares
this savior affair
with a peoples' fervor
savoir faire
our diatribes
heal & liberate lifelines

Children in Prison is Torturous

By Tyrone Reyes
Jackson, MI

Children in adult prisons is unconstitutional. It amazes me that the judicial system believes it's morally okay to put vulnerable children in adult prisons to be preyed upon. I came to prison when I was just 16 years old. I'll be 38 this year. Prison is nothing more than a torture chamber for our young kids. Nightmares that a normal kid may have about the Boogie Man in the comfort of their parents' home is nothing compared to the living nightmares children have to endure on a daily basis in prison.

I was truly blessed to survive physically and mentally. I had a strong support system that helped me grow into the man that I am today. Most children coming to prison are not as fortunate. Plus, they don't have the necessary skills needed to survive. No matter what state you're living in, children are getting tortured by prisoners and correctional officers alike. Parents and family are unable to help in these dire moments. Going to the officials will most likely become a death sentence or close to it. Number one rule: No telling.

My first taste of reality came within my first two weeks in prison. I was scared out of my mind. I witnessed a young kid my age getting raped and I couldn't do anything about it. Luckily for me, they didn't see me, because I silently ran away before they could. My heart went out to him, but there was nothing I could do. It pained me to see him walking around defeated because the unthinkable happened to him. This is a kid's worst nightmare.

Every night, I would dwell on this. It dawned on me that this could have easily been my fate. What could I

have done to prevent this from happening to me? It's easy to say "I wouldn't have let it happen." That's the tough guy in me. In reality, I was only 5'5", weighing only 133 lbs. I was no match against the two guys that had muscles all over. They were at least 5'10" or taller. Both of them weighed over 200 lbs.

I prayed to God thanking him for sparing me and prayed that he continue to watch over me. I told myself, "Something has to be done about this." Over the years, I became a huge advocate trying to abolish sending children to prison with adults. Honestly speaking, the system is catering to pedophiles by giving them children on a silver platter. Is this really justice and in the best interest of the public?

Yes, our children do time for committing a crime, but to treat them worse than adults by sending them to get tortured is unconstitutional. Progress is slowly being made. According to the Supreme Court, children can no longer be given mandatory life without the possibility of parole. In the name of humanity, we need to stop sending our children to prison with these hardcore adult criminals.

We need to stop spending \$35,000 on locking up children and spend that money on their education and preventing them from getting in trouble. They need guidance and treatment in order to assure that they can cope through seeing drugs and violence on a daily basis. Be proactive in our children's lives. When they see adults care, they'll start caring again.

Every state needs to take a stance, protect our children's dignity by not sending them to get assaulted or raped. ■

"Beyond Bars" Submission Guidelines & Instructions: Send us your writing, artwork, or poetry!

Submissions must relate to the issue of prison, prisoners' rights, or mass incarceration in some way. While we will not publish writing detailing the writer's own legal case, drawing upon personal experience as an illustration of a broader topic is encouraged. Hand-written submissions must be printed clearly and sent to: Guild Notes Submissions, 132 Nassau St. Rm 922, New York, NY 10038. Writings submitted via email may be sent to communications@nlg.org with the subject line: "Guild Notes Submission." Articles have a limit of 600 words. Always include a suggested title for your writing or artwork. Submissions may be written anonymously, or under a pseudonym. In addition to publication in *Guild Notes*, submissions may be considered for online publication (e.g. NLG blog, social media). While all submissions will be considered for publication, there is no guarantee of publication. Articles may be edited for grammatical accuracy and readability, but no substantive changes to content will be made. Anyone in prison, regardless of NLG membership status, may submit writing and/or artwork for publication consideration.

NOTE: In response to our rapidly growing jailhouse lawyer membership, and in addition to articles and artwork by people in prison, **we are expanding *Beyond Bars* to also include pieces by other NLG members** that are **specifically geared toward the needs of folks on the inside** (e.g. strategies to bring litigation against prisons, or stories of solidarity and survival).

national lawyers guild foundation



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New York, NY 10038

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