

Coalition For Prisoners' Rights Newsletter

Vol. 39-tt, No. 11

PO Box 1911, Santa Fe NM 87504

November 2014

A Step in the Right Direction

Proposition 47, the Safe Neighborhoods and Schools Act, passed in California on election day November 4. It reclassifies drug and theft crimes that involve less than \$950 from felonies to misdemeanors. It is thought that the greatest effect will be in street drug possession cases. This makes California the first state in the country to downgrade those cases from felonies to misdemeanors. And this makes thousands of people convicted of felonies eligible for immediate release from prisons and jails.

Another immediate result is that it may well make it more difficult for those who voluntarily seek drug treatment to find available programs, at least initially. The Los Angeles city attorney wants the city council to fund the hiring of 15 lawyers and assistants to process an anticipated increase of 13,500 misdemeanor cases a year, mostly involving street drug charges. Los Angeles county jails do not typically hold those charged with misdemeanors.

In California as a whole, predictions are for about 40,000 people a year to receive misdemeanor convictions instead of felonies. We have not yet seen any mention about how Prop 47 will affect plea bargains. The prison system reports 4,770 people with existing felony convictions who are eligible to seek re-sentencing. Prosecutors in Los Angeles alone say there are almost 4,000 people between arrest and sentencing who might qualify for more lenient treatment under the new law.

For release to be approved, those currently imprisoned must prove to the courts' satisfaction that they are not a "threat to the public."

Prop 47 will also give a fresh chance to some of the 118 three-strikes prisoners with life sentences who failed to obtain reduced sentences under 2012's Proposition 36 and have been declared a risk to public safety. The new definition specified "as likely to commit serious or violent crimes that include homicide and sexual assault..."

California, with a population of 38 million people, is the largest, but not the first state to implement similar sentencing reform recently. States that have enacted sentencing reform include: Arkansas, Delaware, Georgia, Hawaii, Kansas, Kentucky, Louisiana, Missouri, New Hampshire, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Texas, Vermont, Virginia, and West Virginia.

Some more details about several of these states: Arkansas reduced its prison population by 9% in 2012, but then implemented harsher sentences for parole violations. Georgia's prison population dropped by 14% in 2013. In Kentucky, after 2011 legislation which allowed minor drug convictions' to result in probation and treatment, its prison population increased by 9%. Texas allocated money treatment oriented programs for those with nonviolent convictions in 2007. By 2008, there was a 4.5% decrease in its incarceration rate.

Back to California--its Center on Juvenile and Criminal Justice has compared total charges filed in 2012 to the estimated number of convictions to be affected by Prop 47. (Note: the categories are theirs.)

	<u>In 2012</u>	<u>After Prop 47</u>
"dangerous drugs"	65,355	16,050
burglary	41,678	9,727
narcotics	32,631	8,099
theft	32,014	5,517
marijuana	11,020	487
forgery	6,092	117

Again, that's 40,000 fewer charges resulting in incarceration per year.

For example, just two days after Prop 47 was passed, about 25 people being held at the Sacramento County jail were simply released. That sure beats the over four years that California has been resisting the U.S. Supreme Court order to reduce its prison population.

Resource: Three Strikes Project, Stanford Law School, Crown Quadrangle, 559 Nathan Abbott Way, Administration Bldg, Stanford CA 94305

DISARM THE POLICE!

What would happen if we disarmed the police in America? How would disarming the police affect police-community relations? These questions are absent from the conversations triggered by the daily examples of police brutality and murder of those the police are hired to serve and protect.

Of the 4,743 lynchings that are documented between 1882 and 1968, Blacks accounted for 3,446 of them.

When you think about the recruits attending the police academy, remember that you are seeing children embarking on a career. They have no life experience and few, if any, tools to resolve conflicts or enforce rules and regulations. Upon completing their training/robotization at the police academy, they are given a gun and a badge and dumped into poor communities of color to "break them in"-- people who have never been in charge of anyone in their lives and have no idea of how to handle people in every day situations.

What if new recruits had to work community patrol without guns? Unimaginable? They have been doing it in Great Britain since the 19th century. From 1936 on, only trained officers at the rank of sergeant or above were issued guns, and even then only if they could demonstrate a good reason.

If we are going to end the daily slaughter of Black youth in this country we are going to have to hold the police civilly and criminally liable for all of their actions. And, we are going to have to disarm them. Let's come together!

--Jazz Hayden at: jhayden513@aol.com

To receive the Newsletter by postal mail each month, send us self-addressed, stamped envelopes (with the CPR return address) -- up to 12 at one time.

Please continue to send us address changes and renewal requests, in order to be sent the yearly holiday card/new calendar each January.

Also, please note that the *only* address to use to be sure to reach us continues to be: PO Box 1911, Santa Fe NM 87504. Some resource lists, unfortunately, use an incorrect address. Remember: NONE OF US ARE LAWYERS OR LEGAL WORKERS. Please do not mark any envelopes as "legal mail."

Many, many thanks to the Real Cost of Prisons Project for making our monthly Newsletter available on-online for free downloading and distribution. It is at: <http://www.realcostofprisonsproject> site. we depend on our readers' donations & thank you for your support. ¡Mil gracias!

Boehner advierte a Obama que no tome medidas ejecutivas en materia de inmigración

John Boehner, el presidente de la Cámara de Representantes, ha advertido al Presidente Barack Obama que no tome medidas ejecutivas en materia de inmigración, un día después de que Obama dijera que lo haría a finales de año. Obama previamente había retrasado estas medidas para después de las elecciones de mitad de mandato, lo que condujo a una ola de triunfos republicanos el 4 de noviembre. En su intervención de su primera conferencia de prensa desde la victoria, Boehner amenazó con no cooperar si Obama procedía.

Boehner declaró "Yo creo que si el presidente sigue actuando por su cuenta va a envenenar el pozo. Si uno juega con fósforos, corre el riesgo de quemarse, y él se va a quemar si sigue en ese rumbo."

Boehner también se comprometió a priorizar votos para aprobar el oleoducto Keystone XL y derogar la emblemática ley de cobertura de salud promulgada por Obama. Los republicanos de la Cámara de Representantes ya han votado más de 50 veces para derogar "Obamacare."

Former Prisons Chief Arraigned in For-Profit Prison Bribery Scheme

The former head of prisons in Mississippi, Christopher Epps, has been charged with a massive corruption scheme that included accepting about \$1 million in bribes in exchange for state contracts to for-profit prison firms. An newly unsealed 49-count indictment accuses Epps of directing contracts to the Management & Training Corporation that operates the infamous East Mississippi Correctional Facility, via a former state legislator.

Epps had been president of both the Association of State Correctional Administrators and the American Correctional Association until his resignation November 5.