

United States of America

Submission to the United Nations

CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN, AND DEGRADING TREATMENT OR PUNISHMENT (CAT)

53rd Session of the Committee on the CAT
Human Rights Council 12-13 November 2014 Geneva

I. COINTELPRO/U.S. Civil Rights Era **Political Prisoners - No Access to Justice - Political Repression:** **IMPRISONED COINTELPRO / U.S. Civil Rights Era HR Defenders Political Activists, And Other Persons at Risk**

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II. Reporting Organizations:

Malcolm X Center for Self Determination¹

American Friends Service Committee Prison Watch Project²

National Jericho Movement to Free for All U.S. Political Prisoners³

III. SUMMARY OF THE ISSUES

1. As the United States government celebrates the rise of its first President and Attorney General of African Decent, the 50th anniversary of the passage of the 1964 Civil Rights Act and prepares for next year's anniversary of the now gutted 1965 Voting Rights Act⁴, it continues to criminalize, imprison, and isolate COINTELPRO/Civil Rights Era racial justice activists and human rights defenders.⁵ The imprisonment of these indigent, aged, frail, and infirmed human rights advocates reflects continued persistent virulent systemic racial discrimination, pernicious suppression of dissent, and federal, state, and local government and law enforcement commitment to the disgraced and outlawed policies and practices of COINTELPRO, its predecessors and current configuration. Instead of preventing further victimization of these survivors of COINTELPRO's⁶ massive human rights violations, found by the U.S. Senate's 1976 Church Committee,⁷ the United States continues to criminalize them, impose, at a minimum, cruel, inhuman, and degrading treatment and punishment (CIDT), if not torture; attached "in their own words" summaries tell some of the story.

2. Federal, state, and local governments, working under COINTELPRO, precipitated

hundreds of arrests, false prosecutions, incarceration, maiming, murder, destruction and mayhem throughout the country. It infiltrated every organization and association that aspired to bring about social change or self determination, whether sought through peaceful means or armed resistance. Prosecutors and the courts were complicit in the destruction meted out by the FBI and local law enforcement. Prosecutors routinely over charged and withheld exculpatory evidence. Courts handed down punitively long, draconian sentences.⁸

3. The United States' use of its criminal punishment system for surveillance and suppression of African (African American/Black) people dates back to our forced migration and enslavement, 1619. It was institutionalized with the first state-sponsored police forces---"slave patrols" enforcing slave and Black codes, Jim Crow segregation come drug and, now, terrorism laws. Today, U.S. law protects vigilantism under "Stand Your Ground" statutes which results in the deaths of Black children, women, and men every 28 hours--- Operation Ghetto Storm.

4. The modern day surveillance and suppression of Africans and the U.S. freedom struggle began with the FBI assault on the Honorable Marcus Mosiah Garvey and the Universal Negro Improvement Association (UNIA), 1919. Activists in the modern Civil Rights Movement (for racial justice) were primary targets of Federal, State, and Local law enforcement and suffered massive human rights violations based on race, political ideas and affiliations. They were targeted under the covert program popularly known as COINTELPRO, mid-50's into the 1970s, when it assumed another name.

5. In an official FBI memorandum, dated March, 1968, the U.S. government specifically set out to "... (1) prevent the "coalition of militant black nationalist groups;" (2) prevent the rise of a "messiah" who could "unify and electrify" the movement, naming specially Martin Luther King, Stokely Carmichael, H. Rap Brown (Imam Jamil Al-Amin (currently held in Florence (Colorado) federal, super max prison, subject to medical neglect for cancer), Huey P. Newton, Max Stanford (Muhammad Ahmed), Malcolm X and Elijah Muhammad; (3) prevent violence on the part of black nationalist groups, by pinpointing "potential troublemakers" and neutralizing them "before they exercise their potential for violence;" (4) prevent groups and leaders from gaining "respectability: by discrediting them to the "responsible" Negro community, to the white community and the "liberals" (the distinction is the Bureau's), and to "Negro radicals"; and (5) prevent the long range growth of these organizations, especially among youth, by developing specific tactics to "prevent" these groups from recruiting young people."

6. Although some political prisoners have been exonerated, after serving years for crimes they did not commit, the majority still remain behind bars. They are subject to cruel, inhumane, and degrading conditions, including indefinite prolonged cellular isolation⁹. Several have died in prison¹⁰, most are aged and chronically or critically ill¹¹, others have endured years of solitary confinement, suffer poor to no medical health care, and various other forms of abuse. They are given perfunctory parole hearings resulting in routine denial of statutory and/or compassionate release--- despite exemplary prison records.¹² Requests for new trials have been frustrated at every turn by law enforcement

and the prosecution. Statutory release is denied despite having maxed out; even when court ordered. Most recently, the State of New Jersey, U.S. Department of Justice, and the FBI doubled the bounty on the head of former Black Panther Party member and Cuba exile, Assata Shakur to \$2 million Dollars and retroactively declared her a “terrorist.”

7. COINTELPRO / Civil Rights Era Activists and human rights defenders, Political Prisoners/Prisoners of War (PP/POW), are or have been confined in “prolonged Isolation” or “control units” due solely to their status as political prisoners or prisoners of war, not because of disciplinary infractions, a violation of Article 7, as well as The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

8. Solitary Confinement as applied to, COINTELPRO / Civil Rights Era Activists and human rights defenders, violates CAT and ICCPR Article 7 (protection from torture and cruel, inhuman or degrading treatment or punishment); Article 10 (right to be treated with humanity and with respect for the inherent dignity of the human person when deprived of their liberty)) In addition to abuse of political prisoners, the American Friends Service Committee Prison Watch Project shows that the United States falls way short of its obligations to those in custody, “Speaking Truth to Power: A Collection of Testimonies From Prisoners in United States Prisons, Documenting Uses of Physical, Chemical, and No-Touch Torture, Among Other Human Rights Abuses,” August, 2014.

9. In 2006 and 2007, the Federal Bureau of Prisons (BOP or “Bureau”) secretly created the Communications Management Unit (CMU), a prison unit designed to isolate and segregate certain prisoners in the federal prison system from the rest of the BOP population. The Bureau claims that CMUs are designed to hold dangerous terrorists and other high-risk inmates, requiring heightened monitoring of their external and internal communications. Many prisoners, however, are sent to these isolation units for their constitutionally protected religious beliefs, unpopular political views, or in retaliation for challenging poor treatment or other rights violations in the federal prison system, among them are the COINTELPRO/Civil Rights Era political activists.

10. The newly enacted 2012 National Defense Authorization Act (NDAA), which contains provisions authorizing the U.S. military to pick up and imprison people, including U.S. citizens, without charging them or putting them on trial expands the specter of solitary confinement to again include ordinary unpopular citizens.

COINTELPRO 21st CENTURY: Tanks in the street in Ferguson, Missouri, Department of Justice to “train community leaders to spot 'radicals,'

<http://m.theweek.com/speedreads/index/268143/speedreads-the-doj-to-train-community-leaders-to-spot-radicals>; Ritchie, Andrea J, Mogul, Joey L. ,” *In the Shadows of the War on Terror:*

Persistent Police Brutality and Abuse of People of Color in the United States,” [file:///F:/9-](#)

[11%20%20In%20the%20Shadows%20of%20the%20War%20on%20Terror%20%20Persistent%20Police%20Brutality%20and%20A](#)

11. Specifically, the legislation “affirms the authority of the President to use all necessary and appropriate force pursuant to the Authorization for Use of Military Force (Public Law 107-40) includes the authority for the Armed Forces of the United States to detain covered persons (as defined in subsection (b)) pending disposition under the law of war.”

12. It specifically authorizes “Detention under the law of war without trial until the end of the hostilities authorized by the Authorization for Use of Military Force,” referring to the bill passed by Congress more than ten years ago that authorized an endless “war on terror.”

IV. Concluding Observations

13. The UN Human Rights Commission has specified “prolonged solitary confinement” is prohibited as a form of torture under the CAT. Despite their excellent prison record, PP/POWs are placed in “control units.” The men’s federal prison in Marion, Illinois, which includes several political prisoners among its 400 inmates, has been condemned by Amnesty International for violating international standards on the minimum treatment of prisoners. The men in Marion and other “supermax” prisons are locked in their cells 23 hours per day and are sometimes chained spread-eagle to their beds for days at a time.

14. The United States, despite recurring evidence, denies that it engages in torture. In its current report, it points to the Obama administration’s 2009 ban on torture to persons in custody outside of the United States. But it continues to ignore claims of Human Rights violations against PP/POWs. These claims go back to December 11, 1978, when the National Conference of Black Lawyers, the National Alliance Against Racist and Political Repression and the United Church of Christ’s Commission on Racial Justice filed a Petition to the United Nations Commission on Prevention of discrimination and Protection of Minorities – raised the plight of political prisoners and victims of racist repression.

15. In, 1981, Amnesty International issued a “Proposal for a Commission on Inquiry into the Effect of Domestic Intelligence Activities on Criminal Trials in the United States of America.” Amnesty urged an investigation in to the plight of political prisoners.

16. Independent examiners, such as Yale Law Professor Thomas I. Emerson, could not avoid the “inescapable message of [such material] that is the FBI jeopardizes the whole system of free expression which is the cornerstone of our society...At worst it raises the specter of a police state...In essence, the FBI conceives on itself as an instrument to prevent radical social change in America...The Bureau’s view of its function leads it beyond data collection and into political warfare.” Yet not only were the FBI personnel involved in the activities which so concerned Dr. Emerson rewarded rather than punished, the bureau itself was left essentially unchanged in the wake of public

revelations concerning COINTELPRO. The most that can be said is that, in 1979, it was subjected to a “rechartering,” the terms of which it itself had taken a most prominent role in formulating.

V. U.S. Government Reports

17. The U.S. Government’s Reports are entirely silent on its treatment of its imprisonment of COINTELPRO/Civil Rights Era political activists. However, the 1976 U.S. Senate subcommittee, popularly known as the Church Committee, was formed to investigate and study the FBI’s covert action programs. In its report, The Church Committee concluded that the FBI had “conducted a sophisticated vigilante operation aimed squarely at preventing the exercise of First Amendment rights of speech and association, on the theory that preventing the growth of dangerous groups and the propagation of dangerous ideas would protect the national security and deter violence.” It went on to report that “Many of the techniques used would be intolerable in a democratic society even if all of the targets had been involved in violent activity. “

18. The herein referenced political prisoners, prisoners of war, and exiles are the survivors of this official misconduct. The Church Committee made factual findings which amounted to massive human rights violations against US citizens based on race, political ideas, and political affiliations. In the final reports of the Committee permanent means of congressional review was recommended. But, none of the recommendations addressed the human rights violations suffered by dozens of political prisoners who were victimized by the U.S. government’s political repression against African-Americans, Puerto Ricans, and Native American communities. Such repression resulted in murders, injuries, false arrests, malicious prosecutions and lengthy imprisonments of scores of political activists. Many of these political prisoners and prisoners of war languish in prisons throughout the United States. U.S. political prisoners have languished in U.S. prisons for decades under conditions cruel and inhumane conditions. Several have died in prisons, others have endured years of solitary confinement, poor medical health care, and profunctorary parole hearings resulting in routine denial of release. To this day they remain without remedy.

VI. Legal Framework

19. ICCPR Articles 1,2,4,7,10,15,16, and 26 apply to issues of criminalization of dissent in the United States which has result in long term incarceration of political activists and their subjugation to torture and solitary confinement. Criminally punishing individuals for resisting often time brutal and violent racial oppression when no meaningful legal alternative existed or exists is cruel, inhuman and degrading. Disparate enforcement of facially neutral laws against imprisoned political activists often discriminates on multiple, intersecting grounds, including race, gender, social origin, property and disability status and results in denial of medical care, parole, or compassionate release when terminally ill. For domestic advocates, it is important to establish the norms under ICCPR Articles 1,2,4,7,10,15, 16 and 26 for potential use in

litigation. The United States' imprisoned political are otherwise without adequate remedies or protection.

VI. Human Rights Committee General Comments

20. General Comment No. 3 (2012)

Clarifies that under CAT Article 14 the States parties have a duty to provide substantive process and compensation, and to ensure meaningful stakeholder participation in the resolution.

VII. Other UN Body Recommendations

21. During the November 2010 Universal Periodic Review (UPR) of the United States called for the release of all imprisoned U. S. political activists. Six of the historic 228 Recommendations referred to U.S. held political activists, particularly Recommendations 92-153 - 154.

22. At the 2014 ICCPR Review of the United States, Committee members expressed concern regarding the conditions of confinement of COINTELPRO/Civil Rights Era political Activists and human rights defenders, especially those of poor health, being held in super max prisons, “prolonged cellular isolation, and those without access to family and attorneys. Particular concern was raised regarding the ill-treatment of Herman Wallace who had been held in solitary confinement for over forty (40) years and died 4 days after his court ordered released and reversed conviction. Consequently, the ICERD COMMITTEE requested further information, as reported on page 12, point 26: “The Committee requests the State party to provide, in its next periodic report, detailed information on: (d) the current status of political activists from the Civil Rights era who reportedly continue to be incarcerated.”

Human Rights Committee

23. Concluding observations on the fourth report of the United States of America to Committee on CERD Conditions of detention and use of solitary confinement The Committee is concerned about the continued practice of holding persons deprived of their liberty, including juveniles and persons with mental disabilities under certain circumstances, in prolonged solitary confinement, and about detainees being held in solitary confinement also in pretrial detention. The Committee is furthermore concerned about poor detention conditions in death row facilities (arts. 7, 9, 10, 17, and 24).The State party should monitor conditions of detention in prisons, including private detention facilities, with a view to ensuring that persons deprived of their liberty be treated in accordance with the requirements of articles 7 and 10 of the Covenant and the UN Standard Minimum Rules for the Treatment of Prisoners. It should impose strict limits on the use of solitary confinement, both pretrial and following conviction, in the federal system, as well as nationwide, and abolish the practice in respect of anyone under the age of 18 and prisoners with serious mental illness. It should also bring detention conditions of prisoners on death row in line with international standards.

24. In 2006, the Committee Against Torture recommended that the U.S. investigate, prosecute, and punish perpetrators of torture as well as “senior military and civilian officials authorizing, acquiescing, or consenting, in any way, to acts of torture committed by their subordinates.”

25. The Committee also recommended victims of torture have access to mechanisms to obtain full redress, compensation and rehabilitation, and stated that the U.S. must not “limit the right of victims to bring civil actions.” These issues will come up again in the U.S. Third Periodic Report to the Committee Against Torture, which was due in July 2011 and—as of this writing—has not yet been submitted.

26. The United States has ratified the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which obligates it to refrain from participating in torture or cruel, inhuman, or degrading treatment, even in states of war or public emergency. Furthermore, the Convention obligates the United States to investigate any potential acts of torture and provide full redress to victims.¹³

27. Under ICERD Article 1.4 General Recommendation #32¹⁴, the Obama Administration should and can take corrective action. It can engage the Department of Justice, the U.S. Institute of Peace,¹⁵ and imprisoned activists/ representatives to form a South Africa-like National Truth and Reconciliation Commission.¹⁶ He can use executive powers to release COINTELPRO survivors in federal custody and incentivize states to release or fairly retry state held political activists.¹⁷ The Department of Justice Cold Cases and Special Prosecution Unit should be tasked to investigate all COINTELPRO/ Civil Rights Era political activists’ convictions and deaths¹⁸ for human rights violations.

28. Under CAT and ICERD, the Obama Administration is obliged and urged to take corrective action. It can, for instance, engage the Department of Justice, the U.S. Institute of Peace,¹⁹ and imprisoned activists/ representatives to form a South Africa-like National Truth and Reconciliation Commission.²⁰ He can use executive powers to release COINTELPRO survivors in federal custody and incentivize states to release or fairly retry state held political activists.²¹ The Department of Justice Cold Cases and Special Prosecution Unit should be tasked to investigate all COINTELPRO/ Civil Rights Era political activists’ convictions and deaths²² for human rights violations.

29. The United States has ratified the International Covenant on Civil and Political Rights (ICCPR), Article 7 of which forbids torture and cruel, inhuman, or degrading treatment or punishment.²³ General Comment 20 interprets the prohibition as applying to acts that cause mental suffering in addition to physical pain.²⁴ Article 9 forbids arbitrary arrest and detention, requires those in detention to be informed of the reason for their detention, and promptly tried when charged.²⁵ General Comment 8 requires those in preventative detention settings also receive the protections afforded in the treaty.²⁶ Article 10 protects the inherent dignity of those detained and Article 14 provides standards of due process to those in criminal proceedings.²⁷

VIII. RECOMMENDED QUESTIONS

1. What steps have or will the Obama administration take to resolve this matter, e.g. form a National Truth and Reconciliation Commission, and close the book on this shameful chapter of U.S. history?.
2. What steps will the Obama Administration take or direct to be taken for immediate and unconditional release of all aged, critically or chronically ill COINTEL PRO – Civil Rights Era political activists?
3. What steps will the Obama Administration take to ensure that the Church Committee safe-guards are restored, remain in place to avoid a recurrence of these events?.
4. What steps will the States party take to train personnel in CAT and other human rights standards and to cease the use of solitary confinement as a disciplinary tool?
5. What steps to ensure criminal prosecution of all personnel who abuse persons in custody.

IX. SUGGESTED RECOMMENDATIONS

1. That the United States and its state governments immediately and unconditionally release all COINTELPRO-Civil Rights Era political activists?
2. That the Obama administration direct the Justice Department, the State Department and the U.S. Institute for Peace, join with COINTELPRO/ Civil Rights Era political activists and form a South Afrika-like National Truth and Reconciliation Commission to resolve these matters and close the book on this shameful chapter of U.S. history.
3. That the Obama Administration take or direct to be taken steps necessary for the immediate and unconditional release of all aged, critically or chronically ill COINTEL PRO – Civil Rights Era political activists.
4. That the Obama Administration take steps to ensure that the Church Committee safe-guards are restored, remain in place to avoid a recurrence of these civil and human rights violation not re-occur.
5. That the a Special Prosecutor be named to investigate the deaths and imprisonment of al l COINTELPRO/Civil Rights Era human rights defenders and political activist to identify human and civil rights violation and right to compensation.
6. That a special program be designed and funded to train all levels of law enforcement of CAT and other human rights standards and prosecute those who violate them.

¹ Malcolm X Center for Self Determination (MXC): founded in 1991, is a multi-issue, volunteer, grassroots, community based resource and action center. It serves as a public space for developing, testing, training and implementation of approaches to community capacity building, popular education, strategic planning, technical, artistic and communications skill enhancement for self-determination and human rights advocacy of people of Afrikan descent.

² The American Friends Service Committee (AFSC) is a Quaker organization that promotes lasting peace with justice, as a practical expression of faith in action. Drawing on continuing spiritual insights and working with people of many backgrounds, we nurture the seeds of change and respect for human life that

transform social relations and systems. AFSC works to end mass incarceration, improve conditions, stop privatization, and promote a reconciliation and healing approach to criminal justice issues.

³ National Jericho Movement: founded 1998, is the official international, multi-movement prisoner organized voice of imprisoned U.S. political activists and human rights defenders (political prisoners). Noted are the COINTELPRO/Civil Rights Era survivors who fought for Black, Latino/a, and Native American social, economic, political, racial justice and in support and defense of freedom and self-determination.

⁴ The Voting Rights Act of 1965 - http://www.justice.gov/crt/about/vot/intro/intro_b.php

⁵ Jericho List of Political Prisoners, <http://www.thejerichomovement.com/prisoners.html>

⁶ FBI's illegal Counter Intelligence Program. US Senate Church Hearings <http://unwittingvictim.com/Cointelpro.html>; <http://www.npr.org/templates/story/story.php?storyId=516181>; Churchill, Ward and Wall, Jim Vander, The COINTELPRO PAPERS: Documents From the FBI's Secret Wars Against Dissent in the United States, South End Press Classics, 1990 and 2002); Glick, Brian and Smith, Abbe, "Covert Action against U.S. Activists and What We Can Do," (South End Press, 1989), p.11, <http://whatreallyhappened.com/RANCHO/POLITICS/COINTELPRO/>

⁷ <http://en.wikipedia.org/wiki/COINTELPRO>

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⁹ TORTURE: CRIMINALIZATION OF DISSENT, Malcolm X Center for Self Determination National Jericho Movement for Amnesty and Freedom of All (U.S.) Political Prisoners, List of Issues Submitted, United States Compliance with the ICCPR, 107th Session of the Human Rights Committee, Geneva 11-28 March 2013 http://www.ushrnetwork.org/sites/ushrnetwork.org/files/16_malcolm_x_center_for_self_determination_and_national_jericho_movement.pdf

¹⁰ Deaths include: Safiya Asya Bukari, Albert "Nuh" Washington, Teddy "Jah" Heath, Kuwazi Balagoon, Merle Africa, Celetayo Tabor, Herman Wallace, Bashir Hameed, Richard Williams, Eddie Hatcher, Marilyn Buck, Geronimo Ji Jaga, Dr. Alan Berkman; National Jericho Movement for Amnesty and Freedom of All US Political Prisoners, <http://www.thejerichomovement.com/images17/safiya-poster.pdf>

¹¹ Health conditions,

¹² Perfunctory hearings, routine denials,

¹³ **Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, G.A. Res. 39/46, U.N. GAOR, 39th Sess., Supp. No. 51, U.N. Doc. A/Res/39/46 (Dec. 10, 1984),**

<http://www.un.org/documents/ga/res/39/a39r046.htm>; COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION, Seventy-fifth session 3 - 28 August 2009, General recommendation No. 32, <file:///C:/Documents%20and%20Settings/Efia%20Nwangaza/My%20Documents/Downloads/G0945147.pdf>, CERD/C/GC/32, 24 September 2009

¹³ U.S. Institute of Peace, <http://www.usip.org/>; Lyman, Princeton N., "Partner to History: The U.S. Role in South Africa's Transition to Democracy, 2002, <http://www.usip.org/publications/partner-history>; South Africa and other commissions http://www.usip.org/search/apachesolr_search/truth%2520and%2520reconciliation%2520%2520south%2520africa;

¹⁴ COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION, Seventy-fifth session 3 - 28 August 2009, General recommendation No. 32, <file:///C:/Documents%20and%20Settings/Efia%20Nwangaza/My%20Documents/Downloads/G0945147.pdf>, CERD/C/GC/32, 24 September 2009

¹⁵ U.S. Institute of Peace, <http://www.usip.org/>; Lyman, Princeton N., "Partner to History: The U.S. Role in South Africa's Transition to Democracy, 2002, <http://www.usip.org/publications/partner-history>; South Africa and other commissions http://www.usip.org/search/apachesolr_search/truth%2520and%2520reconciliation%2520%2520south%2520africa;

¹⁶ Dr. Mutulu Shakur, Towards a Truth and Reconciliation Commission for New African/Black Political Prisoners, Prisoners of War and Freedom Fighters: A Discussion Paper by Dr. Mutulu Shakur (May 5th, 2010); Justice and Amnesty: Applying the South African Truth and Reconciliation Process to the North American Black Liberation Movement by Dr. Mutulu Shakur (January 1st, 2011) <http://mutulushakur.com/site/truth-reconciliation/>

¹⁷ Presidential pardons, commutations; Pardon Power: The President...shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment. U. S. Constitution ARTICLE II, SECTION 2, CLAUSE 1; Department of Justice grants, awards, and conditions

¹⁸ Department of Justice Cold Cases Division, Office of Special Prosecution

¹⁹ U.S. Institute of Peace, <http://www.usip.org/>; Lyman, Princeton N., "Partner to History: The U.S. Role in South Africa's Transition to Democracy, 2002, <http://www.usip.org/publications/partner-history>; South Africa and other commissions http://www.usip.org/search/apachesolr_search/truth%2520and%2520reconciliation%2520%2520south%2520africa;

²⁰ Dr. Mutulu Shakur, Towards a Truth and Reconciliation Commission for New African/Black Political Prisoners, Prisoners of War and Freedom Fighters: A Discussion Paper by Dr. Mutulu Shakur (May 5th, 2010); Justice and Amnesty: Applying the South African Truth and Reconciliation Process to the North American Black Liberation Movement by Dr. Mutulu Shakur (January 1st, 2011) <http://mutulushakur.com/site/truth-reconciliation/>

²¹ Presidential pardons, commutations; Pardon Power: The President...shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment. U. S. Constitution ARTICLE II, SECTION 2, CLAUSE 1; Department of Justice grants, awards, and conditions

²² Department of Justice Cold Cases Division, Office of Special Prosecution

²³ International Covenant on Civil and Political Rights, G.A. Res. 2200, U.N. GAOR, 21st Sess., Supp. No. 16, U.N. Doc. A/6316 (Dec. 16., 1966), Art. 7 [hereinafter ICCPR], <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>.

²⁴ UN Human Rights Committee. General Comment No. 20 (Article 7), UN Doc. CCPR/C/21/Rev. 1/Add. 13, 2004.

²⁵ ICCPR, supra note 2, at Art. 9.

²⁶ UN Human Rights Committee. General Comment No. 8 (Article 9). UN Doc. HRI/GEN/1/Rev. 6, 1982.

²⁷ ICCPR, supra note 2, at Art. 10 and 14.

APPENDIX

CAT 1 List: CRITICAL, CHRONIC, AGED, NEGLECTED MEDICAL CASES

CAT 2 Cases of Medical Neglect

**CAT 3 Ruchell Magee, Case Update:
World's Longest Held Political Prisoner
51st year (Angela Davis', Co-Defendant)**

**CAT 4 Political Prisoner Survey: In Their Own Words
(Note additional instances of medical neglect)**

CAT 5 SPEAKING TRUTH TO POWER:

Testimonies from Prisoners in United States Prisons, Documenting Uses of Physical, Chemical, and No-touch Torture, Among Other Human Rights Abuses

CAT 6 Framing the Omaha Black Panther Party

"The only White House article on COINTELPRO" from 1977. The free breakfast program at the Vivian Strong Liberation School was a particular target of the FBI before the bombing.

http://www.n2pp.info/print/OWH_12-06-77.jpg

AMNESTY INTERNATIONAL CALLS FOR NEW TRIAL

http://www.n2pp.info/print/Amnesty_International_11-2009.pdf (And in German.)

http://www.n2pp.info/print/Amnesty_International_2011.pdf

Articles and the National Jericho Movement press section.

<http://n2pp.info/commentary.htm>

<http://sfbayview.com/tag/linda-kennedy/>

<http://www.thejerichomovement.com/omaha2.html>

CAT 1

CRITICAL, CHRONIC, AGED, NEGLECTED MEDICAL CASES

Imam Jamil Al Amin 71 yrs old; 10 yrs., and counting, ad max solitary confinement; has Cancer; monitoring and treatment required at medical facility, nearer family;
<http://sfbayview.com/2014/08/biopsy-results-released-for-imam-jamil-al-amin-h-rap-brown/> ;
www.danielpipes.org/97/the-curious-case-of-jamil-al-amin;

Bill Dnn 61 yrs old; Imprisoned 35yrs, has Degenerative disk disease, basal cell carcinoma, cataracts;
<http://denverabc.wordpress.com/prisoners-dabc-supports/political-prisoners-database/bill-dunne/>

Sundiata Acoli (Clark Squire) 77 years old; Imprisoned 41 years Deteriorating health, including poor eyesight, hearing, teeth, and blood circulation) <http://prisonradio.wordpress.com/2012/04/29/sundiata-acoli-political-prisoner-for-39-years-wins-appeal-and-is-up-for-parole-again/>; <http://www.thejerichomovement.com/prisoners.html> ;
<http://www.assatashakur.org/poem3.htm>

Abdul Maumin Khabiir 67 yrs old; Imprisoned 19 yrs, has Mandela's Disease (COPD); wheelchair bound; Lung transplant needed; <http://www.thejerichomovement.com/prisoners.html> ; [Black Talk Radio News: August 19, 2012 blacktalkradio.blogspot.com/2012_08_19_archive.html](http://blacktalkradio.blogspot.com/2012_08_19_archive.html)

Mondo we Langa (David Rice), 67 yrs old; Imprisoned 44 yrs, has Mandela Disease (COPD); significant lung capacity loss) <http://denverabc.wordpress.com/prisoners-dabc-supports/political-prisoners-database/mondo-we-langa/>

Dr. Mutulu Shakur, 64 yrs old; Imprisoned ;stroke, inadequate rehab; <http://mutulushakur.com/site/> ;
<http://www.biography.com/people/mutulu-shakur-507004>.; en.wikipedia.org/wiki/Mutulu_Shakur

Jalil Muntaquin, 63 yrs old; Imprisoned 43 yrs, stroke (inadequate rehab, brain damage, hypertension, weak right ventricle heart valve) <http://www.freejalil.com/>; <http://rense.com/general88/parole.htm> ; <http://rense.com/general88/parole.htm>

Robert Seth Hayes, 66 yrs old ; Imprisoned 41 years, Uncontrolled Diabetes, frequent black outs
<http://denverabc.wordpress.com/prisoners-dabc-supports/political-prisoners-database/robert-seth-hayes/> ;
<http://kersplebedeb.com/sethhayes/>; nationinside.org/.../release.../robert-seth-hayes-deserves-to-be-released/

Edward Poindexter 71 yrs old; Imprisoned 43 yrs; Uncontrolled Diabetes nebraskansforjustice.org/;
<http://n2pp.info>; <http://omahatwo.wordpress.com>

Abdullah Majid, 65 yrs old; Imprisoned 32 years, recent back surgery; <http://denverabc.wordpress.com/prisoners-dabc-supports/political-prisoners-database/abdul-majid/>; <http://www.thejerichomovement.com/prisoners.html>

Tom Manning, 68 yrs old; Imprisoned 29 yrs [http://en.wikipedia.org/wiki/Tom_Manning_\(prisoner\)](http://en.wikipedia.org/wiki/Tom_Manning_(prisoner))
<http://denverabc.wordpress.com/prisoners-dabc-supports/political-prisoners-database/thomas-manning/>;

Russell Shoatz 71 yrs old;Imprisoned 44 yrs (22yrs solitary confinement), need cataract surgery (3 yrs)
<http://russellmaroonshoats.wordpress.com>

Sekou Odinga 70 yrs old; Imprisoned 41 yrs, respiratory inflammation, <http://sekouodinga.com/>

Hugo Pinell 69 yrs old; Incarcerated 51 years, 43 yrs in solitary confinement;
<http://www.hugopinell.com/>

Mohammad Koti 88 yrs old; Imprisoned 36 years, scheduled release 9 / 2014;
http://www.nytimes.com/2013/10/09/nyregion/hes-over-80-but-a-convict-gets-no-parole.html?_r=0

CAT 2: CASES OF CIDT BY MEDICAL NEGLECT

Urgent call To Action

**URGENT CALL TO ACTION!
DO NOT SEND Jamil Al-AMIN BACK TO
SUPERMAX**

Justice For Imam Jamil Al-Amin Formerly H. Rap Brown



Add star Justice For Imam Jamil Al-Amin Formerly H. Rap
Brown<noreply@blogger.com> Thu, Sep 18, 2014 at 4:32 PM

**DO NOT SEND Jamil Al-AMIN BACK TO
SUPERMAX**

Update: September 17, 2014

For two months, Imam Jamil Al-Amin #99974-555 has undergone tests at Butner FMC in North Carolina.

Imam Jamil has smoldering myeloma, which is an inactive form of multiple myeloma. Individuals with smoldering myeloma generally are monitored without receiving treatment, although there are studies that indicate early intervention with medication could prevent the progression to active multiple myeloma.

The physicians at Butner FMC have not recommended that Imam Jamil receive any medication for his smoldering myeloma. They agree that he should be monitored and tested every two to three months to determine any progression of his condition. Imam Jamil has other medical conditions, which have not been addressed adequately at the Butner FMC.

- 1. Ask that Jamil Al-Amin is NOT returned to Florence ADX, and Request that he is NOT placed in solitary confinement because of his chronic medical state.**
- 2. Request that Jamil Al-Amin is held - pending his appeals - at Butner, NC or a Georgia state facility to have access to his team of attorneys.**
- 3. Request close monitoring and exploration of treatment for Jamil Al-Amin's medical conditions.**

Charles E. Samuels, Jr., Director, Federal Bureau of Prisons, phone:202-307-3250

**Dr. Newton E. Kendig, FBOP Medical Director
phone: 202-307-3055 e-mail: nkendig@bop.gov**

Eric Holder, Attorney General, DOJ 202-514-2001 DOJ public comment line, 202-353-1555, or AskDOJ@usdoj.gov

Office of General Counsel, Kathleen M. Kenny, phone: 202-307-3062

**The White House phone: 202-456-1414 www.bop.gov/inmates/concerns.jsp.
Select Butner FMC and #99974-555**

THANK YOU! Nancy Lockhart, M.J.

*workers.org <http://www.workers.org/articles/2014/07/08/free-imam-jamil-al-amin/>

Free Imam Jamil AI-Amin!

Workers World Party, without hesitation or compromise, demands along with many others the long-overdue freedom for Jamil Abdullah AI-Amin (formerly H. Rap Brown who is currently housed at the U.S. Penitentiary, Administrative Maximum Facility in Florence, Colo.

Known as ADX, this federal prison has been dubbed one of the 10 worst prisons in not just the U.S., but the world. It is a super-maximum security facility Where AI-Amin has spent 23 hours a day in solitary confinement since he was transferred from Georgia's Reidsville State Prison in 2007.

There is growing concern about the deteriorating health of the 70-year-old AI-Amin, Who has been pre-diagnosed multiple myeloma cancer of the plasma cells - and multiple maladies like swollen legs, feet, ankles and jaw, along with significant loss of weight.

According to his spouse, Attorney Karima AI-Amin, only a bone marrow biopsy can 100 percent confirm this diagnosis, Which was made by a regional medical examiner in the prison. Both Karima AI-Amin and former U.S. Attorney General and human rights activist Ramsey Clark, who visited the ailing A-IAMin on June 22, are calling on the movement to demand that prison officials in Colorado and on a federal level immediately transfer AI-Amin to a medical facility, either in Butner, N.C., or Rochester, Minn., so he can get the necessary treatment he deserves and desperately needs.

Deliberate torture

Jamil AI-Amin should not have spent one day in jail, much less the 12 years that have been stolen from him since he was convicted of killing a W'lite Georgia deputy in 2002. Just like Mumia Abu-Jamal, Leonard Peltier, the Cuban 5, the MOVE 9, Oscar Lopez and hundreds more, AI-Amin is a political prisoner and a prisoner of war.

This war was in full sv.Ang in 1967, at the height of the Black Liberation movement in the U.S. and worldwide, when H. Rap Brown succeeded the late Kwame Ture (aka

Stokely Carmichael) as chairperson of the militant Student Nonviolent Coordinating Committee. SNCC, like other formations, was fighting against racist state repression on the part of the U.S. government, especially the "counter intelligence" program known as COINTELPRO.

In 1968, Brown became minister of justice for the Black Panther Party for Self-Defense, targeted by COINTELPRO for extinction. An advocate for Black Power and the right to self-determination for African-Americans and other oppressed peoples, Brown was falsely arrested and harassed on numerous occasions. He converted to Islam while imprisoned at New York's Rikers Island in 1971 and eventually became Imam

Jamil Abdullah AI-Amin. Upon his release in 1976, he moved to Atlanta and helped form a Muslim community there in 1977, where he preached self-reliance.

AI-Amin has remained a target of the government due to his radical beliefs, especially in the 1960s and 1970s.

He was framed for the shooting death of the deputy in 2000, even though he did not fit the description provided by a supposed eyewitness during the sham of a trial that was very reminiscent of what happened to Mumia at his 1982 trial in Philadelphia.

The U.S. government has a consistent, shameful record of punishing veteran freedom fighters like AI-Amin, who dared to expose and challenge the racist status quo. If it doesn't execute them outright, like George Jackson or Malcolm X, the government and its repressive apparatus will force them into exile, like Assata Shakur, or falsely imprison them for life, like AI-Amin.

An attack on AI-Amin should be viewed as a political attack on all progressive activists and revolutionaries who are fighting to rid humanity of the rotten system of capitalism and imperialism. Not only does Imam Jamil Abdullah AI-Amin deserve humane health care, he should be released immediately in order to be embraced by his family and by the movement that continues to be inspired by his courage. To demand adequate medical care for him, contact ADX at 719-784-9464 and Bureau of Prisons Medical Director Newton E. Kendig, M.D., at nkendig@bop.gov.

Free Jamil AI-Amin and all political prisoners!

A BLACK LIBERATION SOLDIER NEEDS HELP

FinalCall.comNews.com May 22, 2014

Former U.S. Attorney General Ramsey Clark was once asked at a National Press Club press conference about Imam AI-Amin, the "war in Afghanistan," and then-mounting civil liberties concerns in the U.S.

"Let me say first, I remember Rap Brown well from the 60s, and I thought that he was a splendid human being and leader of the civil rights movement, with a strong touch of nobility and commitment I remember when Congress passed the H. Rap Brown law, just to try to get people like him; and finally he was indicted under the law that he honored with his name ... There can be no question that the United States government, through its intelligence agencies and most of its appointed leadership, and a great deal of its elected leadership, considers Islam-not just militant Islam, but Islam-to be the greatest threat to the domestic and international security of the United States," Mr. Clark reportedly said.

Abdul Jabbar Caliph and the Jericho Movement want recognition of political prisoners and prisoners of war inside of the United States. "These people belonged to organizations like the Black Panther Party, La Raza Unida, FALN, Los Macheteros, North American Anti-Imperialist Movement, May 19th, AIM, the Black Liberation Army, etc., and were incarcerated because of their political beliefs and acts in support of and/or in defense of freedom," said the Jericho Movement.

The Imam has been suffering and it needs to end, said the activist. But the key to ending suffering is Black America organized, galvanized and willing to take a stand. For more information or to get involved, call Abdul Jabbar Caliph 610-621-0699.

Imam AI-Amin has been denied the constitutional right to free speech through a media blackout, supporters add."Imam Jamii-AI-Amin is a Political Prisoner who by all International and Human Rights Standards and by aU standards of decency and common sense should not be housed and treated in the manner in which he is presently housed and treated,"they said.

Imam AI-Amin has stood for you and me, and a letter or phone call showing support should not be too much for us to do. A man has lost his freedom and now sits suffering in prison. We are free to act, but will we?

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Mafundi Lake Support Committee

P. O. Box 12152 Birmingham, AL 35202 (205) 326-3204 mafundi.lake@yahoo.com

:

June 6, 2014

Friends and Supporters of Richard Mafundi Lake
Carolyn Weyni Njeri Lake, Chairperson MLSC

Re: Richard Mafundi Lake, Alabama Political Prisoner, has 1st Stroke

On Saturday, April 19, 2014, my husband, Richard Mafundi Lake, was admitted to the infirmary at Donaldson Correction Facility where he is a prisoner. Unfortunately, there is no doctor at this facility on weekends, which could mean that prisoners who have health issues on the weekend may not receive proper care, especially if it is a serious medical problem. {As a matter of fact, two (2) prisoners recently died at Donaldson during a weekend when no doctor was present.} Not only that, Mafundi had been without his regular medication for four (4) weeks prior to this incident because the medical staff had not ordered his medication when needed. This GROSS INCOMPETENCE and NEGLECT could have contributed to his having another stroke.

The attending nurse took vitals and blood pressure and called the doctor by phone who decided to admit him to the infirmary. Since Mafundi had experienced two (2) prior strokes, he was sure of what it was. His right side was affected and he was not able to walk normally or use his right arm and hand.

Fortunately he was able to call out from the infirmary to let his family know what was going on. Once we got the word that he'd had a stroke, we began calling the facility to inquire about his condition and whether or not he was going to be sent to an outside hospital for care. One thing I do know is that the first hours are critical in diagnosing, treating and reversing a stroke and its effects. Also a certain protocol needs to be followed when a stroke happens. Needless to say, none of this occurred.

stroke) that Mafundi was sent to an outside hospital to have a CT Scan done. He was returned to the prison infirmary the same day. The stroke was confirmed, but he has yet to receive the detailed information in terms of the type of stroke, etc. from the doctor or the hospital. The physical therapist did some exercises with him for his leg and gave him some exercises to do on his own for his arm. No additional medication was prescribed. He is only taking the medication he took before the stroke occurred.

Mafundi was released from the infirmary on Monday, May 5th and sent back to his cell. He's doing his best to get around, sometimes having to use a wheel chair. He's having a hard time writing but is trying. If you haven't heard from him in a while it's because of this stroke which has limited him in writing letters.

Our daughters, Assata Shakur and Maio Nefertari, and I were allowed to visit with him on April 26th with the doctor's permission. He was still in the infirmary, but was brought to the visiting yard in a wheel chair. We visited again on May 24th. He was better.

I apologize to all who I did not contact to let you know what was going on with us. I hope you understand. We still need your help in complaining about the poor health care for Mafundi as well as prisoners in Alabama and across America. I will be letting you know soon how we plan to proceed regarding this incident. If you have any information that might help us, please send it. I'm so thankful that it wasn't worse. The threat of these strokes continuing to occur is however frightening. The Alabama prison system doesn't seem to care about the healthcare of its prisoners. But, we are holding them totally responsible for Mafundi's health care while he's incarcerated. Furthermore, prisoners are now being charged for medical care at Donaldson. Mafundi discovered this when he was charged \$4.00 for his stroke which is another injustice.

You may send donations and stamps to the above address to help us in our plight. Thank you for your past, present and future support. We must continue to fight for those who are imprisoned and especially for those who are unjustly incarcerated for their political beliefs.

THIRTY ONE YEARS IS MUCH TOO LONG TO BE LOCKED UP!!! FREE RICHARD MAFUNDI LAKE AND ALL POLITICAL PRISONERS!!!

- 0 -

KEVIN HILL: CALL FOR HELP: STOP THE ABUSE

"Come together, understand the reality of our situation, understand that fascism is already here, that people are already dying who could be saved, that generations more will die or live poor butchered half-lives if you fail to act." George Jackson

Kevin "Supreme" Young is a 25 year old Politicize Prisoner, who is currently housed in the Restrictive Housing Unit (RHU) (solitary confinement) at the corrupt state correctional institution, SCIAlbion located in western Pennsylvania, a prison known for its frequent abuse and torture of prisoners. Kevin's time has been devoted to the empowerment of disenfranchised people and fighting for human rights in prisons. Mr. Young does this by writing articles on prison conditions, creating campaigns/petitions, striving to form a Think Tank called People's Progressive Solutions, etc. His advocacy has enraged the prison authorities who have taken action with repressivtactics against him in a desperate attempt to eradicate him and his voice.

Mr. Young is suffering from chronic medical and mental health problems; hyperthyroidism, sensory deprivation, asthma, PTSD and is being denied adequate treatments for his illnesses. Kevin's incoming and outgoing mail is sabotaged, his property is often destroyed or confiscated, denied meals etc. These are only a few of the methods used by the prison authorities to attempt to break his will to resist.

Kevin is asking for you to /I give a voice to the voiceless who are buried alive/' by calling officials and demanding that prison authorities immediately stop all forms of repression by:

1. Provide adequate medical and mental health treatments
2. Stop tampering with the mail
3. Stop all forms of oppression (I.E. denying yard, meals, destroying property etc.)

Senator Shirley Kitchens 215-227-6161* Secretary of Corrections John E. Wetzel: 717-728-0312; Governor, Tom Corbett: 717-787-2500

Your time and efforts are greatly appreciated, together we can make a difference, letting freedom, and justice and humanity become a reality in our world.

Send some love & light to: Kevin Young #JC-65 55, SCI Albion, 10745 Route 18, Albion, PA 16475

CAT 3: RUCHELL CINQUE MAGEE, CASE UPDATE

World's Longest Held Political Prisoner, 51st year (Angela Davis' Co-Defendant)

President Barack Obama 1600 Pennsylvania Avenue
Washington, D.C. 20510

Re: APPLICATION FOR PARDON, OR PRESIDENTIAL RECOMMENDATION
FOR ABOLISHMENT OF SLAVERY-PRACTICING UNDER COLOR OF
JUSTICE

Date: February 23, 2014

1. Name: RUCHELL CINQUE MAGEE
2. Social Security Number: N/A

2. Date Of Birth 3/16/39
4. RACE: African American

5. person Incarcerated under Federal judge Sentence.
5. Sex: male • Age: 72.._
8. Place-of Incarceration: California State Prison-Lancaster.
9. Offense: Vexation Litigant, in the case of Acquittal.

a) March 23, 1963, applicant was arrested, and charged with kidnap to rob Mr. Brown for \$10. (Los Angeles Countv. Ca). During arraignment April 16, 1963, applicant entered his Plea of Not Guilty.

b) Duririg jury trial May 27, 1963, after the jurors was in the process of acquitting Applicant for lack of evidence to support the charge, the prosecution entered its personal guilty plea to the charge, in the applicant's behalf, over his objection, which led to prejudicing the jury to convict.

c) Second trial, same offense, July 26, 1965, applicant attempted to Plea Once Jeopardy to the Charge. The Prosecution entered its Plea of Insanity, to the charge, in my behalf. My objection to the Plea, led to my being chained/muzzled in presence of the jury who convicted 'me on the Insanity plea. Life sentence issued August 23, 1965.

d) Timely appeal was filed Sept. 1965. Prosecution Placed its gag rule on the trial Court Records, obstructing appellate review. Federal Habeas was filed, after state Courts failed to allow habeas relief. Applicant was resentenced by federal judge Audrey B. Collins to life with no rights to access to court regarding the conviction in case entitled:

Magee vs- Ayers , No.Cv-09-00205-ARC (RC), Gen. District Calif.,

(Gag Rule on disclosure of trial Court records, Mar.3, 1999)on-going Feb uary 2014

10. FRAMEUP WITHIN A FRAMEUP:

State Court pending litigation deal with appeal delayed since September 1965 based on suppression of the trial court records; if disclosed will prove sentence and federal gag rule without legal force and void:

In r--R-U-C-H-E-LL -C-I-N-Q-UE--M-A-G-E-E--No. S215661) Supreme Court of California reflecting evidence of Actual Innocent, i.e. Evidence of the crime of kidnap :o rob could not have had occurred prior to applicant being arrested March 23, 1953.

Wrongful conviction in statCourt was read into the federal judge Collins gag rule (Sentence) in #Cv-99-00205-ABC, Supra.
(Enclosure-One .)

August 7, 1Q70, applicant was taking from a San Quentin Prison dungeon cell, to the Marin County Superior Court where the Judge Haley permitted evidence (testimony)documented against the frameup by the Los Angeles Police; Judge and Lawyers (Mob}.

The Court was seized by One James McClain and Jonathan Jackson who took hostages (the judge, three jurors and a District Attorney. Upon told of his chances to reach TV News and expose the frameup/coverup complained of(than ?-years), applicant went along

...

In the Court yard, the San Quentin prison guards firing guns killed four persons- One including the judge, and injured the District Attorney, the three jurors and the applicant. Applicant was charged by indictment November 10, 1970, with murder, kidnap and conspiracy. (He pleaded not guilty ...)

During jury trial in San Francisco County January 1973, the applicant presented evidence of the Los Angeles Police frameup which made him a target intended for wrongful death.

The twelve jurors acquitted applicant, but was hung on the lesser included offense (P.C. 20i) simple kidnap, and gave their acquittal to the trial judge (Morton Colvin) who failed to allow the acquittal read in open Court as mandated by law, as showing by the declaration of acquittal by the jury (Mr. Bernard J. Soares) stating: "during deliberations (which commenced March 26, 1973) all twelve jurors agreed that the defendant was not guilty of violating P.C. 209 (kidnapping for purpose of extortion ... [Enclosure – Two]

By not allowing jurors acquittal read in open court; the mob used long term Double Jeopardy Prosecution methods which includes federal judges (Samuel Conti and D. Lowell Jensen, and others) oppressive gag rule - which consist of sentence in the case of acquittal (since May 10, 1995), in violation of Title 18 U.S.C. Section 3731, and the Fifth Amendment Prohibition against twice tried for the same offense.

The acquittal on the murder and conspiracy indictment charges was allowed recorded by the Court. However, each acquittal has been read into federal judges arbitrary gag rule's which consist of sentence to life imprisonment with no right to be heard as to the acquittal verdicts.

Each judge involved, was Republican appointed, and connect with JIM CROW organization's who refer to themselves as "The American Chosen."

Said group was reported by trial jurors in the case of People vs Grant, Superior Court of Santa Clara County, California in the early 1970's (Jury tampering in the juryroom showing racist writing)

" Our country is being literally taken before our eyes by the niggers, Jews, Communist and other inferiors. We of the America For The Chosen believe that imprisonment is Sophiscated Genocide that can destroy these people unnoticable. We have been very successful in the past with the help of the courts and the District Attorneys Office. Most (sic) recent was April 7th in Dept.#16 where we had some of our people on the penal.

In view of you Anglo, your cooperation to vote against these people in the near future would greatly ba contribution. These People are mongroals and must be completely removed from our society. Your patrotism is highly solicited in the coming verdict and decision..."

In the sane Santa Clara County jury tampering was reported to the Court, the mob carried out staged Double Jeopardy Prosecution against the Applicant: 1) Presented

False Affidavit's projecting the jurors as impeachin themselves (May 1973 through
Januacv 23, 1975); 2) Entered a forced guilty plea .io 1970 defective indi

was presented to the California Governor. The Governor demonstrated fear to take
action contrary to the mob1 s wish despite evidence of Innocent applicant suffering false
imprisonment on judgment s being void, without legal force, in violation of
the Eighth AMendment Prohibition against Cruel and Unusual punishment.
Pardon relief will restrore applicant life to which a racist elimertt taking over four
decades ... based soldly on color of skin.

Pardon relief will eliminate all federal court restrictions regarding access to court.

Pardon relief will lift all rest ictions dri the trial court records - including the jury's
acquittal in the case of innocent applicant.

PRESIDENTIAL PARDON IS SO REQUESTED.

I certify under penalty of perjury that the foregoing is true and correct to the best of my
knowledge and belief.

Executed: February 23, 2014

NOTICE TO APPLY FOR PRESIDENTIAL PARDON

To The President's Pardon Attorney,
Washington, D.C.

Please take Notice that I, Ruchell Cinque Magee is a Political Prisoner incarcerated in state Prison on federal slave or Jim Crow law (sentence by: Judges Samuel Conti and D.Lowell Jensen, federal Court, Northern District, San Francisco, Ca., Judge Audrey B. Collins, and others, federal Court, Central District. Los Angeles, Ca •

I will submit this application to the President of the United States for Pardon.

S/ ROCHELL CINQUE MAGEE

Date February 3, 2014

PARDON ATTORNEY FOR THE PRESIDENT

I, _____, Pardon Attorney for The President of the United States of America, do hereby acknowledge receipt of Notice from _____ that he intends to apply to the President of the United States of America for a Pardon or abolishing of slavery

Signed

Dated-----

Pardon attorney Please Return this notice to the President's Office (Whitehouse) 1600 Pennsylvania Avenue, Washington. DC 20510

EXHIBIT A

DECLARATION OF: BERNARD J. SOARES

I, Bernard J. Soares, over the age of 18, state as follows:

I will testify in a Court Of Law to the facts herein, if called upon. I was elected jury foreman in the trial entitled

PEOPLE OF THE STATE OF CALIFORNIA vs RUCHELL MAGEE
Case Number 83668, in the Superior Court of San Francisco

As I have presented in previous complaints to several Courts and the U.S. Department Of Justice, at Washington, DC:../

" That during deliberations (which commenced March 26, 1973, and which terminated April 3rd, 1973) all twelve jurors agreed Ruchell Magee (defendant) was not guilty of violating Penal Code 209 (Kidnapping for the Purpose of Extortion)..."

Each Juror's note's (verdict's) reading not guilty showing by attached page documented was gave to the trial judge Morton Colvin with or reading of the juror being hung on the lesser included offense (simple kidnap) (P.C. 207)(vote of 11 to 1).

The juror (Mr. Moses Shepherd) standing alone, stated he favored an acquittal of defendant on all charges. At no time did the prosecution attorney's convince the jury that the defendant guilty of kidnap (P.C. -209) charged., beyond a reasonable doubt.

In previous complaint's regarding the jurors verdicts(acquittal) in the Court records (notes gave trial judge Colvin) the records was called for review to prove all twelve jurors reached a unanimous not guilty verdict.

To reach verdicts on the lesser included offense (Simple Kidnap), the jurors first had to eliminate the greater charge (P.C. 209-Kidnap), which the jurors did so upon discussing and examining both the evidence and the law. As to the charge of murder (P.C.187), it was foundation on the testimony of the prosecution's witness Mr. Gary Thomas.

As showing by testimony of the jury Mr. David F. Smith of May 1973, in the Court record's, the witness Gary Thomas testimony and reports was so riddled with such inconsistencies and impossibilities that the jury was virtually forced to disregard his account.

No reasonable jurist would have convicted on the Evidence presented by the prosecution in this case.

Had this writer knew than during deliberations about how Magee got to prison 1963/1965, he would have acquitted on all charges, as the jury standing alone.

Since jury deliberations terminated, I have been following the case, and I believe if the appropriate authority take a look for the Los Angeles County trial Court records (case Number 272227), Mr. Magee will be released from prison based on the finding of a vicious and malicious frameup on falsehood which Magee have been trying to get heard for almost a half century.

His testimony January 1973, during trial went to the Los Angeles County misconduct on part of of officers of the Court entering false guilty pleas to trick unaware or misinformed jurors to convict. A conviction resting on a deliberately and intentionally false guilty plea by officers of the Court who chained and muzzled the man in the presence of the jury for objecting to what was happening to him should tell any reasonable jurist reviewing the records that the Los Angeles frameup also connect with prosecution tampering with jury acquittal of the 1973 trial in this case.

In previous complaint this writer requested the District Attorney of Los Angeles County to investigate into the frameups connection. (But to no Avail.) It appears that the government, from the lowest, to the highest has extremely fear of the truth of the case of the man (Ruchell Magee) who was acquitted. The acquittal rest on face of records presented in court.

There exist a clear PATTERN OF JURY TAMPERING by the prosecution obstructing access to court by use of vicious, reckless and racketeering influence, including concealing a know jury acquittal.

I am in hopes that this declaration reach attorney Ramsey Clark, and he will return to this case and get it before the appropriate authority for correcting the outrageous miscarriage of justice complained herein.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. My expression of belief as to each specified fact are based on the reasons W have given, as to such fact. I would be willing to testify to same in a Court of Justice. I so swear; on the 26th day of October; 2010 at San Francisco, California
;-

STATE OF CALIFORNIA,

COUNTY OF SAN FRANCISCO

s/Bernard J. Soares

NOTARY

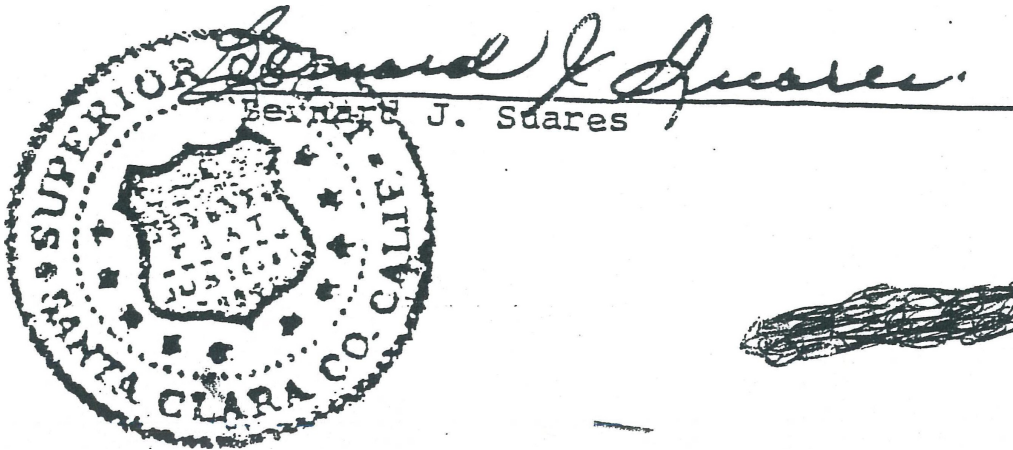
EXHIBIT B

SUPERIOR COURT OF SAN FRANCISCO COUNTY, CA.

People Vs- Ruchell Magee
NO. 83668

DRAFTED NOTES (VOTES) OF THE JURORS APRIL, 1973 ON P.C. 209 KIDNAP

- 1) David F. Smith, "NOT GUILTY."
- 2) John Chalmer "NOT GUILTY."
- 3) Mosses Shephard, "Not Guilty."
- 4) Kenneth R. Jason, "NOT GUILTY."
- 5) Bernard J. Soares, "NOT GUILTY."
- 6) William Irwin, " NOT GUILTY."
- 7) Jacqueline Buckley, "NOT GUILTY."
- 8) Raynell McGee, "Not Guilty."
- 9) Barbara Giddis, "NOT GUILTY."
- 10) Ruth Feifer, " NOT Guilty."
- 11) Lucy Johnson, "• NOT GUILTY."
- 12) Jimmie Davis, "NOT GUILTY."



CAT 4 : POLITICAL PRISONER SURVEY, In Their Own Words

Documenting the Existence of Political Prisoners in the United States and their Conditions of Confinement

JANET HOLLOWAY AFRICA . . .

1. Where were you born? (City and State) •-\Plainfield, New Jersey
2. Date of Birth? April 13, 1951
3. Are you a u.s. veteran? (What branch of service?) No
(Awards?)
4. What is/was your primary political affiliation (BPP, RNA, SNCC, Anti-Imperialists, etc.) THE MOVE ORGANIZATION
5. In what city did you work most? Programs, e.g. breakfast, afterschool, clinics, voter registration, journalism, etc? Philadelphia, PA; Worked with children, with gang members to encourage them. to stop the. fighting.
6. What if any was your title in your organization?
Minister of Communication
7. Describe the relationship between your organization and the police at the time of your arrest. (100 words or less)
SEE ATTACHED
8. Describe the relationship between the police and the community where you resided and/or worked as an activist, in ludwhere, when;cc9n1tp.unity r sponse. (100 word or less). A very poor relationship between police and thE.;community.Racial tension because of the blatant racial profiling, intimidation, coercion and the brutality from the police.

9. Are any of your co-workers or community persons known to have been killed by the police? Where? When? How many? Community response?

SEE ATTACHED

10. When were you arrested? What was your initial charge(s)?

SEE ATTACHED

11. When and Where was your trial? Length of trial?

Pretrial motions 9/78- Trial 12/11/79 Found guilty 5/8/80 Sentenced 30-100 years 8/4/81

12. What were the charges on which you were convicted? Sentence?

Convicted on all charges, see attached.

-

13. What is the average length of a sentence for a conviction like yours at the prison where you are?

SEE ATTACHED

14. How many years have you served as of today?

August 8, 2014 makes it 36 years that I've been in prison.

15. How many weeks, months, years have you spent in isolation (23 hours per day or more in your cell). When?

I was put in solitary confinement when we were first put in prison, 8/78 (House of Correction) Was put in solitary when sent to MUnct prison 1981, kept there for 3 years.

16. Name the allegations of incidents of administrative punishment that you have experienced (dates and punishment). Was there a hearing? Appeal?

17. How many times have you been invited to a parole hearing or been up for parole? Length of time between eligibility?

5 times- 2008, 1 year hit- 2009, 1 year hit, 2010, 3 year hit 2013, 3 year hit. I'm not eligible to see the Parole Board until 2016.

18. How many times have you been denied parole? Dates? Any "reason" given?

Answer above.

19. Briefly describe your experience with Parole Hearings (length of advance notice, understanding of the process, availability of counsel, personal or video appearance, etc.)100 words or less).

SEE ATTACHED

20. Do you know of any of your movement co-workers who have died in prison, please give the location and number. OUR sister Merle Africa in Cambridge Springs Prison. under suspicious circumstances. WE BELIEVE THE PRISON KILLED MERLE.

21. What is the current state of your health? Please briefly discuss any unmet health needs? good.

JANET HOLLOWAY AFRICA ADDENDUM

7. THE MOVE ORGANIZATION surfaced in Philadelphia in the early 1970's, we worked to keep peace and stop gang warfare, we initiated hundreds of peaceful demonstrations against institutions that exploit, abuse and murder children, the elderly, animals and the environment. The police would come and physically assault MOVE people. They would beat us up, lock us up, put us in jail on outrageous illegal sentences. We exposed their vicious, racist brutality and successfully brought attention and focus to Philadelphia police brutality in Philadelphia.

The police began a concentrated campaign of harassment and abuse on MOVE. Between 1973, up until the day of our arrest August 8, 1978, MOVE people were arrested and beaten hundreds of times. MOVE women were beaten into miscarriages and five of our babies were murdered by Philadelphia police.

9. Move had 11 of our family members killed, (5 of them children) May 13, 1985 the City of Philadelphia in PA. dropped a bomb on the MOVE house and allowed the fire to burn. When MOVE MEMBERS tried coming out of the house, they were shot back into the house by police gun fire. Ramona and Birdie Africa were the only MOVE MEMBERS to make it out alive.

In 1974, 1975, We had MOVE women beaten into miscarriage. March 6, 1976, three week old Life Africa was trampled to death by police. In 1974, two MOVE women were beaten into miscarriage by Philadelphia police. All total we have had 5 babies killed by Philadelphia police.

On March 13, 1998, Our sister Merle died under suspicious circumstances in the hands of prison guards. People were outraged about all of the deaths of our family members. Protests came about as a result of these murders.

10. Over 600 heavily armed police came out to our house to exterminate MOVE. In their attempt to kill MOVE, the cops shot and killed their own officer and railroaded MOVE for Murder.

Arrested August 8, 1978 - Charges; 8 counts Aggravated Assault, 8 counts Simple Assault, 8 counts Recklessly Endangering another person, 8 counts Possessing an

instrument of crime, 8 counts possessing a prohibited offensive weapon, 8 counts of conspiracy, 8 counts Attempted murder; Murder in connection with the death of police officer James Ramp.

12. Sentenced on; 3rd Degree Murder, 10-20 years - 8 counts Attempted Murder, 2 - 10 years on each count - Criminal Conspiracy 2 -10 yrs.
Total Sentence 30-100 years. Our sentence runs consecutively instead of concurrent.
Meaning we have to do the total time on each count.

13. I have seen women come in, sentenced on robbery murder charges, Murder charges, that have spent less time in prison then MOVE women has gotten in hit time from the parole board. Plus most people who have had long time sentences together, the courts have run them consecutively, only having to do the lesser time of the sentence. Example 2to 10 years 8 times would mean just doing 2 -10. Because everything would run together.

19. The Parole hearing have proven ill-concluded as the invalidability, exploitative, and enslaving inevitability was apparent through injustice and unfounded of TRUE LAW, as the commencing disability of the Parole Board, with bias, prejudicial conduct, concluded the end as the hearing began; Appealing to hostility, mustering pre-judgement by promoting the partial, the exploitation to preference through contrived division, openly breeding dissension, to arouse resentment, blinding the observing subjects of neutral intentions to the purpose of justice through defame and deception that the decision they made can appear just and lawful.

MICHAEL DAVIS AFRICA SUBMITTED THE FOLLOWING ARTICLES

Five children died; do you remember?

By Greg Johnson

An Open Letter to Philadelphia:

I was not born here and I do not plan on dying here. I was not raised here, but I am here now, a resident of Philadelphia. I have been many places in this city and have listened to many people, watched their actions, dissected their words. There is a sickness here, that I do not understand. It is more than a sickness, it is a disease. A cancer. A plague. An apathetic plague. An apathetic plague has afflicted Philadelphia, and infected every man, woman and child.

It started 20 years ago today, on a narrow street in Cobbs Creek. What caused it was horrendous; it was so horrendous it was unimaginable. Unconscionable. This city, this storied city with its claims of freedom, justice, and liberty, dropped a bomb on a bunch of little kids. Katricia, Delitia, Zanetta, Phil and Tomasa. Katricia, Delitia, Zanetta, Phil, and Tomasa. Katricia, Delitia, Zanetta, Phil, and Tomasa. Katricia, Delitia, Zanetta, Phil, and Tomasa. These children had names, they still have names, but they are so easily forgotten.

What happened to those children on that day was unholy, ungodly. It was the work of Satan. Death in a fiery hell, a fiery, bullet-riddled hell. This city went to hell on May 13,

their murder. A lot of you blame MOVE. You people are a disgrace to everything God created.

"It's the past," they say, "Nobody remembers MOVE," or as one misguided daily said in its pathetic special marking this dark day, "We've MOVED On."

"We've MOVED On," they say. The sad part is, I think they are right.

I see no remorse in this city, no compassion for their suffering. God, did they suffer! The most horrible death imaginable. But "We've MOVED On." Picture Germany saying, "We've moved on" from the Holocaust. Picture Rwandans saying, "We've moved on" from the 1994 genocide. Picture Americans saying, "We've moved on" from 9/11. Do you see the sickness? It is crystal-clear. They are so very proud of what they've done. They turned their grave into a police station. **THEY TURNED THEIR GRAVE INTO A POLICE STATION.**

Where is the caring for these children? Where is the Katricia Africa Playground or the Phil Africa Highway or the Tomasa Africa Drive? Where is the statue of the Five Murdered Children of Philadelphia in front of City Hall? Where are our morals? Our humanity? It is absent, nonexistent. I include myself with you now because I have become one of you, a Philadelphian, so I am just as guilty. I did nothing to stop it. We are cowards. We are all cow-

into teenagers, grow into adults, have children, watch their grandchildren grow, die of old age. I want these five children to live, and if I leave, nobody will remember them. They would be murdered all over again. Because nobody else gives a damn.

There have been many individuals in this city who have disgusted me. Rizzo. Rendell. Sambor. Richmond. Brooks. Powell. Street. God willing, our soon-to-be outgoing district attorney. There is one that I despise. He did this to us. He murdered a piece of us all. He dropped a bomb on a bunch of little kids. You could have done so much for this city, Mr. Goode; you could have saved us, brought us into the light. But you killed us. You killed us all when you dropped that bomb. And you said you would do it again.

How can you live, Mr. Goode, knowing that five children were murdered? Burned alive. How can you breathe and eat and see, show your face in public? But we are so proud of him. We reelected him. We put him on the board of the Free Library. We let him teach our children. We've given him 14 honorary degrees.

Someone once asked me, "What punishment do you think he should suffer?" You may be surprised to hear that I wish Mr. Goode no physical harm whatsoever. I hope no one or no thing touches a hair on his body. It is his psyche that should suffer.

No MOVEment toward parole for Philly cop killers 34 years ago

Members of 'MOVE 9' convicted in killing of Philadelphia police Officer James Ramp 34 years ago today still plead innocence Eligible for parole since 2008, they were denied again in May

The 1985 MOVE bombing will forever be seared into Philadelphia's collective memory as the day police bombed a neighborhood, killing 11 and decimating dozens of homes in West Philadelphia. But seven years earlier, on Aug. 8, 1978, Philadelphia police first laid siege to the radical black group at its Powelton Village headquarters.

Amid the tear gas and hail of bullets, city Officer James Ramp was killed. Nine MOVE members were eventually convicted of third-degree murder and conspiracy and sentenced to between 30 and 100 years. The eight remaining (one died in prison in 1998) are still behind bars 34 years later after being denied parole in May.

The most recent reasons for the denials range from "failure to accept responsibility for the offenses committed" to "failure to demonstrate motivation for success," but family members claim they are political prisoners and continue to push for their release.

"Guilt or innocence is not an issue with parole," said Ramona Africa, a survivor of the bombing. "They're making an issue that my family repeatedly tells them that they're innocent because they are... They just make up these reasons, so-called justification, to deny MOVE people parole."

Leo Dunn, a spokesman for

Quoted

"They were a radical terrorist group and there's got to be some type of guidelines ... the guidelines are 30 to 100. I'd be happy if they did the full 100 (years)."



Ramona Africa, seen here in 2011, said "guilt or innocence is not an issue with parole," arguing that the state parole board rules against MOVE members who still declare their innocence.

the Pennsylvania Board of Probation and Parole, responded by saying, "... the board weighs all the information and does a face-to-face interview with every offender before making a case-specific decision."

But the rationale does not hold much water with Linn Washington, a longtime journalist with the Philadelphia Tribune and Temple University professor, who covered both the 1978 incident and the bombing. He described the police investigation as "shoddy" and "incomplete."

"Clearly, these individuals have served their minimum term, which makes them eligible for parole. To demand that they accept responsibility for it really is extralegal and should not be a parole consideration," he said. "Other people who have done far more in terms of criminality have been paroled



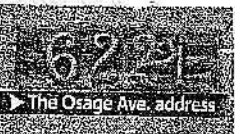
Timeline

Aug. 8, 1978: Confrontation between Philadelphia police and MOVE members results in the death of Officer James Ramp.
1980: Chuck, Debbie, Delbert, Eddie, Janet, Jamina

murder.
1985: Police dropped a bomb on 6200 Osage Avenue in West Philadelphia, killing 11 people and destroying 61 homes.
2008: First time the eight surviving MOVE inmates were eligible for parole.

Legends of

MOVE 9



Some observers have concluded that Ramp was killed by friendly fire based on testimony that the bullet struck him from a "downward trajectory" and testimony that MOVE members were stationed in the basement.

Another issue that raises questions about the investigation's credibility was the demolition of the MOVE Powelton Village headquarters hours after the final arrest. MOVE members insist it was an intentional act to destroy a crime scene. Judge Edwin Malmed, who presided over the 1981 trial, has been criticized for his handling of the case. Shortly after sentencing, journalist Mumia Abu Jamal called into a radio show and asked Malmed who killed James Ramp, to which Malmed replied, "I haven't the faintest idea," according to reports.

Quoted

"These parole officials have been keeping our family in prison under the guise of justice like we[re] guilty of murder and they[re] the ones that should be guilty."

For MOVE, law uses double s

On May 13, 1985, a firestorm erupting from a bomb dropped by Philadelphia police on a fortified rowhouse killed six adults and five children and gutted 61 residences, leaving 250 people in lack West Philadelphia neighborhood homeless.

All of those killed by this ice bomb-sparked blaze belonged to the MOVE organization.

The raging inferno — with temperatures reaching 2,000 degrees resulted from the unconscionable decision by Philadelphia's then-police commissioner to "...let the fire burn..."

Compelling evidence uncovered by a blue-ribbon mayoral commission appointed to investigate the devastating confrontation indicated that police gunfire wounded many MOVE members from fleeing their burning site. That mayoral commission excused the children's deaths as the appearance of "unjust homicides."

However, local prosecutors refused to file criminal charges against any police or city officials involved with the deadly incident.

Prosecutors refused to charge police commissioner with reckless endangerment or risking catastrophe charges.



Prosecutors even refused to file charges against police officers caught lying to their grand jury.

Federal prosecutors refused to file civil rights violation charges arising from the deaths of those five innocent MOVE children.

Federal authorities even praised the FBI for its investigative assistance despite members of that agency having secretly supplied Philly police the powerful military C-4 explosive used in the 1985 bomb.

The mayoral commission found racism in city actions, concluding officials would not have allowed events to fester into the fiery May 13 culmination "had the MOVE house and its occupants been situated in a comparable white neighborhood."

Fully understanding the horrific events of May 13, 1985 requires understanding events surrounding a MOVE-police clash on Aug. 8, 1978.

That incident left a Philadelphia policeman dead and nine MOVE members serving long prison sentences for third-degree murder.

MOVE's efforts to gain release of these nine imprisoned members laid the foundation for the May 1985 confrontation.

A key to understanding that August 1978 clash lies in listening closely to a plea made by a MOVE member during a 1976 trial in Philadelphia's City Hall...a plea local authorities dismissed then and continue to ignore today.

This MOVE member, Conrad Hampton Africa, then facing trial for assault on police, demanded that authorities address the "injustices...poured down on" MOVE.

"Masochistic sheriffs and police officers beat me...slammed my face against concrete walls," Conrad Africa cried out in open court.

"When are these maniacs, these criminals going to be on trial?" asked Africa, one of the six adult MOVE members incinerated in the 1985 confrontation.

A driving force behind the series of violent confrontations between MOVE and Philadelphia police, from 1972 through May 1985, was MOVE's belief that it was consistently victimized by a racist double standard of justice which quickly penalized them for any infraction but failed to punish law enforcement personnel for acts of illegal brutality.

A key to understanding that August 1978 clash lies in listening closely to a plea made by a MOVE member during a trial in Philadelphia's City Hall...a plea local authorities dismissed then and continue to ignore today.

A legal definition of double standards is a set of principles that permit greater opportunity for one class of people than another.

Double standards fill the contentious history between MOVE and Philadelphia authorities.

A dramatic example of double standards arose from a Feb. 24, 1978 fracas inside a Philadelphia prison that left Conrad Africa and two other MOVE members with serious injuries and facing criminal charges of attacking guards.

A probe by Philadelphia's district attorney's office determined that one of the MOVE trio had been assaulted by the guards.

Despite finding no wrongdoing by the MOVE members in the fracas, Philly's then-D.A., Ed Rendell (Pennsylvania's current governor), refused to bring charges against the guards and merely dropped the charges (falsely) lodged against the MOVE members.

"Typically, we were

charged...in an attempt to obscure the truth and extensive injuries," stated in a press release from May 2, 1978 announcing no prosecutions.

"We see the deceptively enticed prejudice of the attorney's office as being different than the abusive behavior of the guards are trying to protect."

MOVE's belief it was victimized by double standards of justice aggravated the events that culminated in the August 1978 clash and May 1985.

While MOVE in the 1970s and early 1980s was certainly an imperfect messenger, the message of the inherent injustice of the officials excusing brutal actions and sanctioned universal poignancy. Unjust procedures in court proceedings of the "Nine" imprisoned for the August 1978 clash. (*One of the nine was imprisoned a few years ago.

DEBBIE SIMS AFRICA

Documenting the Existence of Political Prisoners in the United States and their Conditions of Confinement

QUESTIONS:

1. Where were you born? (City and State) Philadelphia Pennsylvania
2. Date of Birth? August 4, 1956
3. Are you a u.s. veteran? (What branch of service?)
(Awards?) No
4. What is/was your primary political affiliation (BPP, RNA, SNCC, Anti-Imperialists, etc.) I am a MOVE member

16. How many years have you served as of today?
36 years .
17. How many weeks, months, years have you spent in isolation (23 hours per day or more in your cell)When?

3 years at Muncy SCI 23 hours a day in 1981

18. Name the allegations of incidents of administrative punishment that you have experienced (dates and punishment). Was there a hearing? Appeal?

19. How many times have you been invited to a parole hearing or been up for parole? Length of time between eligibility?

7 times. Given a 1 year hit for 6 times in a row . The last time, which was in May of 2014 I got a 2-year hit.

20. How many times have you been denied parole? Dates? Any "reason" given? .

Every year since 2008, up to and including in 2014, June of this year. (Lack of remorse, failure to take responsibility for crime, and D.A.'s negative response.

21. Briefly describe your experience with Parole Hearings (length of advance notice, understanding of the process, availability of counsel, personal or video appearance, etc.)100 words or less).

Parole board seems very hostile in most of my interviews, especially, the 2014 interview. PB says: this is not a trial, but then ask you about nothing but the case, SEE ATTACHMENT

22. Do you know of any of your movement co-workers who have died in prison, please give the location and number. Merle Austin Africa 006306

23. What is the current state of your health? Please briefly discuss any unmet health needs?

Signature DEBBIE SIMA AFRICA (Date) August 12, 2014

DEBBIE SIMS AFRICA ATTACHMENT, P. 1

Jericho Amnesty Movement
C/O Malcolm X Center
P.O. Box 16102
Greenville SC 29606

11. Are any of your co-workers or community persons known to have been killed by police? Where? When?

Police murdered 11 Move .people, including 5 children, babies, in May 13, 1985.

Ramona Africa filed a law suit against cops, who murdered 1family, they were found guilty, appealed the decision, and no cops did any time in prison for the murder.

Prior to that in the early 1970ies, there were Move women, who were stopped and assaulted by cops in Philadelphia, an miscrried.

In 1976, a Move infant was killed by Philadelphia cops. The mother was holding the baby, 3-weeks-old, and during an attack by cops, police trampled the mother, and killed the baby :in her arms.

The next morning a cop bloody night stick, and cap were found on the ground right on our side walk. Nothing was ever done about it, when we complained to the city about it.

20. How many times have you been invited to a parole hearing or been up for parole? Length of time between eligibility?

2008- Lack of Remorse

Failure to demonstrate motivation for success
Negative recommendation made by the prosecuting attorney
refusal to accept responsibility for offense committed.

(1 year hit)

2009- Same thing

(1 year hit)

2010- Same thing

(1 year hit)

2011- Failure to accept responsibility for the offense failure to demonstrate motivation for success.

2012- SAME 2011 (1 year hit)

2013- Minimization/denial of the nature and circumstances of offense.

Negative recommendation made by the prosecuting attorney

(1 year hit)

2014- Minimization of nature and circumstances of offense
refusal to accept responsibility of offense

20. 2014- Lack of remorse

Negative recommendation mad by prosecuting attorney

(2-year hit) Next interview will be in 2016

*Being arrested in 1978, the parole stipulation was to maintain clear conduct in prison, and have the institution's recommendation. This is still supposed to apply to us now, but the parole board does not adhere to this.

They ask you everything about the crime itself, and nothing about your prison record. We have had the institution's – recommendation all 7 times.

All requirements for parole have been met there is no reason I should not be paroled.

15. What is the average length of a sentence for a conviction like yours at the prison where you are?

The average length of sentence at the time I was convicted in 1978 for 3rd degree murder was 2-5 years, at the most.

**Kathy Boudin, a member of the Weather Underground was convicted of the murder of 3 men in an armed robbery of an armored truck. She was convicted, spent 22 years in prison, paroled after the 2nd time. This was in New York.

Many family members of the victims opposed her release, but the parole board released her anyway. (She was not involved in the killing, but was there.) The same as I was there, but not involved in any killing.

Thank you for your time, and dedication.

JANINE PHILLIPS AFRICA

1. Where were you born? (City and State)_Philadelphia, Pa.
2. Date of Birth? - April 25, 1956
3. Are you a u.s. veteran? (What branch of service?)_ No (Awards?)
4. What is/was your primary political affiliation (BPP, RNA, SNCC, Anti-Imperialists, etc.) - Until Move I had no interest in politics.
5. In what city did you work most? Programs, e.g. breakfast, .afterschool, clinics, voter registration, journalism, etc? The above ground chapter of Move is in Philadelphia. We worked with pregnant teens, gangs, protecting the elderly in state homes. We fed hungry children and starvin animals.
6. • What, if any, was your title in your organization?
I am the minister of education for the Move organization.
7. Describe the relationship between your organization and the police at the time of your arrest. (100 words or less)

Move was exposing the corruption and brutality of the Phila. gov,t. They sent their cops to shut us up, this resulted in over 500 arrests, brutal beatings of Move and the murder of our babies.
8. Describe the relationship between the police and the community where you resided and/or worked as an activist, include where, when, community response. (100 word or less), SEE ATTACHMENT
11. Are any of your co-workers or community persons known to have been killed by the police? Where? When? How many? Community response?
SEE ATTACHMENT
12. When were you arrested? What was your initial charge(s)? -
I was arrested August 8, 1978. I was charged with 1st degree murder, attempted murder, aggravated assault, gun charges. The 1st degree murder was dropped to 3rd degree and the gun charges gone,
13. When and Where was your trial? Length of trial?

Our trial was held in Phila. and lasted a total of three years.

14. What were the charges on which you were convicted?

Sentence(s)? - I was convicted on 3rd degree murder, attempted murder, conspiracy.
Sentenced 10-20 years for the murder charge, 2-7 years
on each of the attempted murder charges running consecutively-30-100 yrs.

15. What is the average length of a sentence for a conviction like yours at the prison where you are?

There is nobody else in this prison that was in the position Move was in, confronting this government, but if Judge Malmed wasn't being vengeful, the 10-20 would have been the sentence. He made each sentence run separately so that we would spend the rest of our lives in prison.

16. How many years have you served as of today?

The Move 9 have been in prison for 36 years.

17. How many weeks, months, years have you spent in isolation (23 hours or more in your cell). When?

Me and my Move sisters spent a total 3 years in isolation. We were
Put in isolation the day we arrived at Muncy State Prison.

•18. Name the allegations of incidents of administrative punishment that you have experienced (dates and punishment). Was there a hearing? Appeal?

SEE ATTACHMENT

19. How many times have you been invited to a parole hearing or been up for parole? Length of time between eligibility?

I have seen the parole board 5 times, the first four times from 2008 to 2012, they gave one year hits. In 2013 they gave me a 3 years hit.

20. How many times have you been denied parole? Dates? Any "reason" given? I've been denied parole every time I've seen them. They say I refuse to take responsibility because I refuse to say I'm guilty for a crime I didn't commit.

21. Briefly describe your experience with Parole Hearings (length of advance notice, understanding of the process, availability of counsel, personal or video appearance, etc.) (100 words or less)

SEE ATTACHMENT

22. Do you know of any of your movement co-workers who have died in prison, please give the location and number. My sister Merle Africa mysteriously died in Sci-Cambridge Springs in 1998. The guards took her out to the outside hospital and she never came back.

23, What is the current state of your health? Please briefly discuss any unmet health needs?..

Thanks to my belief, John Africa's teaching, I am in good health.

Signature s/Janine Phillips Africa (Date) August 18, 2014

ATTACHMENT

8. There was no relationship between the police and the community. The police treated the area like a concentration camp. They brutalized the black teenagers and men when they felt like it, which caused move to demonstrate at the police precincts known for their cruelty.

11. 1972, my three week old baby, Life Africa, was killed by police when they attacked us as we were greeting our family in front of our headquarters. Rhonda Africa was slammed belly first into tables in the holding cell at City Hall, her baby boy was born with bruises and died. Alberta Africa was held Down by female police and kicked in her vagina causing her to miscarry. May 13, 1985, our family was attacked and bombed by Philadelphia, PA police, killing 7 of our brothers and sisters and 5 of our children. The community was outraged but ignored by officers.
18. We were taken to SCI-Muncy, August, 1981. When we arrived at the prison, we were taken straight to isolation (RHU) and told we have 30 – 100 years. We were in the RHU a total of 3 years. At one point, we were put in a section called the "Torture Chamber," no windows, no bed. The doors were 4" thick, solid wood with a small wickie that was only opened to slide your food in. The lights were kept on 24-7. It was meant to break us.
21. The parole hearings is always one agent present on the television. They treat us like we're on trial. It's clear they have no intentions of paroling us. The hearings are just a formality to give the appearance that we are being treated fairly. They want us to lie and say that we are guilty because they are getting a lot of public pressure on them for keeping us in prison. We've already been tried, convicted, and sentenced. We should not be punished for declaring our

innocence especially when there is no proof and that the u.s. government has innocent people in prison. DNA tests has forced them to release 100s of people, but what about those of us who can't use DNA tests?

WILLIAM PHILLIPS AFRICA

8/20/14 ..

. I:0N G .LIVE . -J 0H-N - A f.-R I-C A F 0R E V-E-R-!-

on The MOVE Jericho, .

This letter is in response to your letter RE: Documenting the Existence of Political Prisoners in the United States and their Conditions of Confinement.

As to participating in the audio/video project, the Penna DOC does not any longer allow us to do video/film interviews. We do at times do 'call ins' to people who record and play the tapes. This is done without getting the prisons consent and has to be done with care.

ANSWERS TO QUESTIONS:

1- I was so' call born in Philadelphia,. Penna..

2- Ik:lte of so call birth is May 11th,1951.

3- No, I've never been in any government .service;.

4- I an a Committed member of THE.MOVE ORGANIZATION based in Phila. PA.

5. I worked mostly in Phila. I worked with MOVE with Phila gang members, checked on people in the old folks/senior citizens hares to make sure they were being cared for long before the city ever started programs to do so. We ran a 'fruit program' for children on their way to school to get them to eat healthy. instead of candy & junk stuff on their way to school. we had a coffee & hamburger set up for the down & out in the community, where people could stop by and get a meal. We opened our own school house teaching the principle of JOHN-AFRICA. We protested against every police station in Phila and most in New York. We worked with the homeless & squatters. assisted the street vendors. We gave family assistance. We bailed people out of jail when ever we could afford to.. We confronted every politician that came to Phila trying to trick the masses with their lies of false hope. We set the example for people to stand up for their GOD given rights and not let the police ride herd over them. We set the example that people can fight this system and win. We were in the fight for Black history to be

taught in schools, We worked with run away homeless children. We took in & cared for abandoned & abused animals and a long list of other needed activities to make the world a better place for All of LIFE with True Freedom & Justice for ALL.

6- I am a Minister of Defense and Underground Coordination .for. THE MOVE ORGANIZATION!.

7- There has never been a good relationship between the police and THE MOVE ORGANIZATION; At the time of my arrest the Phila politicians along with the Federal Government were using the Phila-Police to try stop our founder .JOHN-AF-RICA .from generating LIFE'S REVOLUTION by attempting to assassinate JOHN-AF-RICA and murder MOVE members. He had. just been.in a year • long stand off with the city .of Phila police & officials that :exposed them for the racist criminal killers they are in the end. The police under orders fran ex police chief and then ilayor Frank Rizzo were out for revenge and hod publicly vowed to kill us upon• being informed that only Block MOVE rrauers would be in our headquarters. on August 8th,1978. The police- supplied with military weapons from the FBI & National Guard.Anmry, came to murder us and hate that we survived their murderous attack•. LONG-LIVE.JOHN.AF-RICA!

8- The relationship between the police and the community where our headquarters was at is called the Black Bottom and it was never good. Police brutality in the. Black community was rampant. The hate the police. had' for the comrunity, for its support of MOVE was vicious. Comrunity response to MOVE. was welcome and. MOVE much loved by those in the Black Botcm.. ' .

11- To this date this government has murdered• 18 member of THE: MOVE- ORGANIZATION. Our sister Merle Africa made.18 years when she. suddenly passed at Carbridge Springs. prison after this system stole 20 years fran her life with this .unjust irrprisonment for crimes this system know she/we are innocent of. Before August 8th,1,978, this system murdered Janine Africa & my 3 week old son Life Africa on march 29,1976 and beat 4 of our sisters into miscarriages. On May 13th,1985,this system murdered 5 of our children and 6 of our brothers, & si.sters. All . these things took place in Phila. Penna, USA. Comrunity response was much like you're seeing right now with the police murders of Black; youth & poor folks. angry at first and then with time and system diversions(tricks like putting a fake blackman in top office)and the heavy focus of daily survival, along with fear of the police, causes people anger to fade over time. A problem we must fix. Need for people to get mad about this crap, and stay focused on bringing a end to it, before moving on to anything else.

12- I was arrested on: August 8th,1978.Even though the judge had stated that being in the MOVE house was a base for guilt, of the 12 people in our house on 8/8/78only the 9 caarrdtted members ID'd by the FBI & Phila police were charged with 54 charges of which when we were representing ourselves in court, was knocked down to 9 charges.

13- Our trial was held in Phila and lasted for 1 year, which was the longest trial in Philo history at the time.

14- All of the MOVE...9. which I an one of, were all found guilty and all given the sare sentence of 30 to 100 years in prison. we were given 10 to 20 years for 3rd degree murder.9 counts of ottenpted murder with 2!s to 10 years for each count and 2!s to 10 years for one count of conspiracy.

15- The judge could have run all our time toether for a single sentence of 10 to 20 year flat sentence, which is done in most cases. In our case the judge ran our time'wild' meaning he let it add up to 30 100 years, instead of running the time "together" as is done it most cases. Ex-lawyer Michael Coord spoke at the African Museum in Philly on August 8th at the FREE,THE MOVE 9 program, on how he has represented drug dealers who had killed people and only got sentences of 5 to 10 or 10 to 20 years. He said here we go sitting in, prison for 36 years with NO evidence against us, no videos, no witnesses, nothing that proves we guilty and its cause our case is purely political.

16- To this date we have now served 36-yegrs in prison and could have and should have been released on parole 6,years ago.

17- I have spent about 5 years all total in 'the hole'isolation.

18- I've done a year in the hole for refusing to cut my hair.3 years for what started out as 'for the security of the prison'which turned into'refusing to cut my hair after I appealed the security allegation,' when it was the system that murderedfamily 5/13/1985, yet it was me being locked down as• punishrent for a•.crime this system committed.

19-, I've been up for parole 4 times and been denied each time, with the same excuse being used each time - that I did not show remorse for the crime and did not take responsibility for the crime. Things I'll never' do as I am innocent of the•crimes I'm Charged with and :have no reason. to feelL remorse for those. who tried• to murder' self& family. I am not responsible for the cops &. firemen who got shot or the cop killed on August' 8,1978; their fellow cops are.

20- I have been denied parole 4 times, even though I've had :the recommendation of: the prison staff each time. I & the rest of THE MOVE .9 exceed all the requirements to be paroled.

21- All the •parole hearings. I've' been to have been. clear before even starting that the decision had already been made to deny me.. parole before I walked in the room.We: do not play games with these enslaving bastards and with some of .us going•.to•see•the porole board; and all of us being denied each time we see the board, we know when one of us is denied then the rest of us will be denied. The judge said when he sentenced' us that 'we are a Family so he was sentencing us as a Family.' and proceeded to give.all. 9••of. us, the same sentence• of 30 to 100 years. It didn't matter that some of the

women had never been arrested before in their lives. • It didn't matter • that it was clear we are innocent of all • charges; we were sentenced to prison any way •. Only the 9 committed MOVE MEMBERS were sentenced to the 30 to 100 years sentence. One sister who was just visiting was released before trial in an attempt by the DA to get the other sisters to lie on the men and be released, which of course the MOVE women refused to do. Two other women who were just supporters of the Organization were given lesser sentences and released many years ago. • Our Case is clearly one where the only goal of this system was to kill or jail committed MOVE MEMBERS in its attempt to try to stop the influence of JOHN • AFRICA that we • represent.

22- • Our loved Sister, Merle Africa died at Cambridge Springs Prison on March 13th, 1998, after spending 20 years of her life unjustly in prison • for crimes this system know she was not guilty of.

23- My health is good after having been hit with an illness in December 2012. Once I was able to determine the cause, I went to work at applying JOHN AFRICA'S teaching to put things back in balance that this system had caused to be out of balance from all these years of unjust imprisonment. I've had no problems since then.

Signature William Patrick Africa (Date) AUGUST 20, 2014

SUNDIATA ACOLI (aka CLARK SQUIRE)

1. Where were you born? (City and State) Decatur Texas
2. Date of Birth? January 14, 1937
3. Are you a u.s. veteran? (What branch of service?) No
(Awards?)
4. What is/was your primary political affiliation (BPP, RNA, SNCC, Anti-Imperialists, etc.) CIVIL RIGHTS MOVEMENT; Black Panther Party, Black Liberation Army
5. In what city did you work most? Programs, e.g. breakfast, afterschool, clinics, voter registration, journalism, etc? Batesville, MS / Voter Registration; Harlem, NY / Community organizing; Rural Selma, AL / Community organizing
6. What if any was your title in your organization?
Black Panther Party Finance Officer
7. Describe the relationship between your organization and the police at the time of your arrest. (100 words or less). The relationship was extremely hostile. Several of my comrades had been shot/killed on sight by police and my passenger at the time of my arrest was on the FBI's 10 Most Wanted List.

8. Describe the relationship between the police and the community where you resided and/or worked as an activist, in what place, when; community response. (100 word or less). The relationship between police and the community. Where I worked/resided was very hostile.

10. Are any of your co-workers or community persons known to have been killed by the police? Where? When? How many? Community response? My male passenger was shot and killed at my arrest and the female passenger was shot and critically wounded. I was shot and wounded at DUN New Jersey Turnpike ambush.

11. When were you arrested? What was your initial charge(s)?

1973; murder (2 counts), assault (4 counts), weapon possession, armed robbery

12. When and Where was your trial? Length of trial?

January, 1974, Middlesex Superior Court, New Brunswick, NJ, 3 month trial

13. What were the charges on which you were convicted? Sentence?

The felony murder count on my male comrade was, Zayd Shakur, was dropped at the end of the trial and I was convicted on all remaining charges.

-

14. What is the average length of a sentence for a conviction like yours at the prison where you are?

The average sentence is 15 to 21 years at the time of my arrest in the state of New Jersey. I was soon transferred to the Federal Prison System where I remain today. The average federal length of time at that time was 30 years where one usually did 1/3 of the sentence before being released on parole.

14. How many years have you served as of today?

41 years that I've been in prison.

15. How many weeks, months, years have you spent in isolation (23 hours per day or more in your cell). When?

12 years, between 1975 and 1987.

16. Name the allegations of incidents of administrative punishment that you have experienced (dates and punishment). Was there a hearing? Appeal?

I had approximately 20 disciplinary in State custody that averaged 30 days each and approximately 20 disciplinary punishments in Federal prison that averaged 20 days each.

17. How many times have you been invited to a parole hearing or been up for parole? Length of time between eligibility?

I've been up for parole 4 times. The length of time between eligibilities were 20 years, 12 years, 6 years, 3 years, and now an 8 year hit.

18. How many times have you been denied parole? Dates? Any "reason" given?
I have been denied 4 times; 1992, 2004, 2010, 2012. Each time the reason for denial was “ substantial likelihood that [I] would commit a new crime.”

19. Briefly describe your experience with Parole Hearings (length of advance notice, understanding of the process, availability of counsel, personal or video appearance, etc.)100 words or less).

Notice 30 days , “No understanding of the New Jersey State process since I had been banished to federal prisons 1300 miles away from family, friends, attorneys for decades. The hearings consisted of 1 by telephone, 2 video, 2 personal hearings.

20. Do you know of any of your movement co-workers who have died in prison, please give the location and number.

Albert Nuh Washington in Auburn, NY prison, James Hameed York, Kuwasi Balagoon (Donald Weems) in New York State prison, Merle Africa in PA Women’s Prison, Baba Odinga in New York State Prison.

21. What is the current state of your health? Please briefly discuss any unmet health needs? POOR HEALTH: poor eyesight, poor hearing, poor teeth, poor blood circulation.

s/ Sundiata Acoli / C. Squire July 29, 2014

ALVARO LUNA HERNANDEZ

1. WHERE WERE YOU BORN ? (City and State)

ALPINE, BREWSTER COUNTY, TEXAS.

2. DATE OF BIRTH ? May 12, 1952

3. ARE YOU A U.S. VETERAN ? (What branch of service?).Mwards)
NO.

4, WHAT IS/WAS YOUR PRIMARY POLITICAL AFFILIATION (BPP, RNA, SNCC, Anti-Imperialist, etc.)

CHICANO MEXICANO social justice movement and for self determination and national liberation, anti-imperialist, in the occupied territories of Southwest United States.

5. IN WHAT CITY DID YOU WORK MOST ? PROGRAMS, e.g. Breakfast, after-school, clinics, voter registration, journalism, etc ?

HOUSTON, TEXAS,,and throughout Soufuwest u.s., related to community organizin?..community empowerment, fight against police brutality, prisoners •solidarity work, and other grassroots and human rights work with other ethnic groups in my capacity as human rights activist and delegate of NGO groups (INTERNATIONAL INDIAN TREATY COUNCIL, NAT'L CHICANO HUMAN RIGHTS COUNCIL). See www.freealvaro.net; [http://bit.ly/ alvaroimages](http://bit.ly/alvaroimages).

Executive Director of the National Movement of La Raza, not to be confused

with NATIONAL COUNCIL OF LA RAZA), Nat'l Coordinator of the RICARDO

ALDAPE GUERRA DEFENSE COMMITTEE, Board Member, NATIONAL CHICANO HUMAN RIGHTS COUNCIL, and human rights worker and affiliated with other national liberatiort;anti-imperialist groups. I was also a DELEGATE TO THE 49TH SESSION OF THE UNITED NATIONS COMMISSION ON HUMAN RIGHTS, FOR THE NGO INTERNATIONAL INDIAN TREAY COUNCIL/NATIONAL CHICANO HUMAN RIGHTS COUNCIL, AND ADDRESSED THE U.N. GENERAL ASSEMBLY ON VIOLATIONS OF HUMAN RIGHTS IN THE UNITED STATES IN MY GENERAL ASSEMBLY INTERVENTION IN PERSON AT GENEVA, SWITZERLAND, ON MARCH- APRIL 1993.

7. Describe the relationship between your organization and the police at the time of your arrest (100 words or less)

When I left Houston and returned to my hometown of ALPINE, TEXAS, (small rural community in far Southwest Texas in the area called the BIG BEND NATIONAL PARK COUNTRY), ALPINE POLICE began a program of suveillance to monitor my movements and activities due to my

past and current history of physical confrontations with regional and local police that involved in past shootouts with police, my escape from the Pecos County Jail and capture in Mexico, the federal criminal civil rights convictions of 2 Pecos County Sheriff's Deputies for brutal beatings administered to me and 3 other jail prisoners after our capture after our jail escape, where we overpowered the jailer, locked him in a jail cell, freed all jail prisoners, took the jailer's vehicle and the Sheriff's arsenal and escaped into Mexico; later being captured after a police shoot-out with U.S. and Mexican federal police near Santa Elena Canyon in the Big Bend National Park. Upon return to ALPINE, police began targeting me, using informants to try to entrap me, that eventually led to my confrontation with ALPINE POLICE after I was framed on a bogus "aggravated robbery" charge later dismissed• when I proved my innocence, but in the interim which led to aggravated assault charges on the ALPINE SHERIFF and a ALPINE POLICE SGT. and my trial by jury, guilty verdict on one count, and sentence of fifty years' imprisonment. ALPINE POLICE WERE ON A MISSION TO STOP ME FROM BEGINNING TO ORGANIZE THE CHICANO COMMUNITY IN RESPONSE TO POLICE BRUTALITY, AND OFFICIAL CORRUPTION, AND MY EFFORTS TO BRING FEDERAL CRIMINAL CIVIL RIGHTS CHARGES AGAINST FORMER ALPINE POLICE BUD POWERS, FOR THE POLICE MURDER OF MY 16 YEAR OLD FRIEND ERVAY RAMOS, WHO I WAS WITH THE NIGHT POLICE POWERS [WHO HAD A KNOWN HISTORY OF RACIST ABUSE AND BRUTALITY AGAINST CHICANO YOUTH], AND HAD WITNESSED THE COLD-BLOODED MURDER OF RAMOS AS I WAS WITH RAMOS THAT NIGHT DURING THE POLICE CHASE OF US BY POLICE POWERS, THAT ALPINE POLICE WANTED TO STOP ME FROM "ORGANIZING AND AGITATING" THE OPPRESSED CHICANO COMMUNITY TO STAND UP AGAINST SOCIAL INJUSTICE AND POLICE BRUTALITY IN ALPINE. The ERVAY RAMOS case was cited by the U.S. COMMISSION ON CIVIL RIGHTS, IN THEIR 1970 REPORT ENTITLED: MEXICAN AMERICANS AND THE ADMINISTRATION OF JUSTICE IN THE SOUTHWEST, Library of Congress, 1970. My defenses at my trial in Odessa, Texas, on June 1997 raised said police frame up and my actual innocence based on the police conspiracy to silence my CHICANO MILITANCY AND DISSENT.

8. Describe the relationship between your organization and the police at the time of your arrest. (100 words or less).

SEE NUMBER 7 ABOVE.

But, ever since the Mexican-American War of the 1800's and the military annexation of over half of my homeland, during the white settler colonial war of plunder and conquest, that supposedly ended the war hostilities with the cedeing of said land mass and the signing of the illegal and treacherous INTERNATIONAL TREATY OF GUADALUPE HIDALGO of February 2, 1848, the TEXAS RANGERS, the U.S. ARMY, DOMESTIC POLICE and other RACIST VIGILANTE GROUPS have continuoa ly waged war against CHICANOS, MEXICANOS through a culture of colonial "ethnic cleansing," land grabs, lynchings, includipg mob lynchings, police murders of young Chicano youth, political imprisonment of militant leadership, such as activists of LA RAZA UNIDA PARTY, MAYO GROUPS, THE CRUSADE FOR JUSTICE, THE BROWN BERETS, THE NATIONAL CHICANO MORATORIUM COMMITTEE TO END THE VIETNAM WAR, and the total ann·ihilation of our grassroots social justice/farm workers movement organizations, and the political imprisonment of those who oppose U.S. YANKEE COLONIALISM and IMPERIALISM.

11. Are any of your co-workers or community' persons known to have been killed by the police ? Where ? When ? How many ? Community response ?

My best friend ERVAY RAMOS was murdered in cold blood by ALPINE POLICE BUD POWERS on June 12, . 1968 of which I was with RAMOS that tragic night that the racist police gave chase in his patrol car. I witnessed the murder and because of my continued protest of that police murder, where the racist cop went free and never served a day in jail, I have always been targeted by the local ALPINE POLICE. In fact, my arrest in 1996 was the result of my continued efforts to seek justice for ERVAY RAMOS and my efforts at community organizing that the ALPINE POLICE wanted to stop and to silence me with my arrest on "bogus" criminal charges, later dismissed, but after I had "disarmed" the ALPINE SHERIFF in self defense and I get charged with aggravated assault against the Sheriff. SEE NUMBERS 6, 7 and 8 ABOVE.

12. When were you arrested ? What was your initial charge(s) ?

Initially, I was arrested and charged with capital murder of the night clerk at the RAMADA INN in Alpine, Texas, alleged to have occurred on September 16, 1975. I was framed by the ALPINE POLICE. I was found guilty and sentenced to life imprisonment after a jury trial in January 1976. I was paroled in March of 1991. Efforts are currently underway to re-open that case by the proposed filing of a writ application for habeas corpus on actual innocence, and police and prosecutorial misconduct [suppression of DPS Crime Lab Reports, plaster casts footprints that did not match with my shoeprints, bribery of state witness, etc.]. I was re-arrested in June 1996 on a bogus charge of "aggravated robbery," which said charge was later dismissed after I proved my innocence. However, in the interim the Alpine Sheriff attempted to kill me and I disarmed him and I was charged with aggravated assault against the Sheriff, and another count of allegedly shooting a Alpine Police Sgt. during my capture.

13. When and Where was your trial ? Length of trial ?

I was tried in ODESSA, ECTOR COUNTY, TEXAS, on a change of venue from ALPINE. My trial lasted approximately 8 days.

14. What were the charges on which you were convicted ? Sentence(s)?

I was charged and convicted of one count of aggravated assault against the ALPINE SHERIFF [the Sheriff alleged that after I disarmed him and took his weapon I had threatened him with the gun, which were all lies - ongoing investigation is continuing to this day to locate the audio/video news broadcast recordings of the day of the incident when the ALPINE SHERIFF told the news reporter of KOSA TV CHANNEL 7, ODESSA, TEXAS, that I had only disarmed him and took a gun but later charged that I had pointed the gun at him and threatened him with it (the difference between a misdemeanor and felony charge under Texas law then). The jury found me "not guilty"

on count two and guilty on count one. I WAS SENTENCED BY THE JURY TO 50 YEARS' IMPRISONMENT [with use of the old 1976 conviction to increase the severity of the current charges and punishment]. I CONTINUE TO INVESTIGATE MY CASE AND SEEK OUT NEWLY DISCOVERED EVIDENCE TO RE-OPEN MY CASES (both the 1976, and 1996 charges),

15. What is the average length of sentence for a conviction like yours at the prison where you are ?

My sentence is grossly disproportionate to the offense as there are many people convicted of murder that are not sentenced in such a harsh manner. PLUS, I AM TOTALLY INNOCENT OF THESE CHARGES, STEMMING FROM THE 1976 CHARGE, AND THE POLICE USED THE "CRIMINAL JUSTICE SYSTEM" AS A PRETEXT TO JUSTIFY REMOVING ME FROM MY COMMUNITY IN ORDER TO SILENCE MY MILITANCY AND DISSENT.

16. How many years have you served as of today ?

I have served a total of 33 years combined [both 1976/1996 sentences].

17. How many weeks, months, years have you spent in isolation (23 hours per day or more in your cell). When ?

I have spent a total of 12 years in total isolation in this Texas control unit prison.

18. Name the allegations of incidents of administrative punishment that you have experienced (dates and punishment). Was there a hearing? Appeal ?

Under the "pretext" of being an alleged "prison gang member," I was relegated to administrative segregation in August 1, 2002, where I have remained. Yes, bogus, "superficial" hearings were held, as well as "appeals," and my filing of federal civil lawsuits, protesting the same, all to no avail. I have also been sentenced to multiple.

19. How many times have you been invited to a parole hearing or been up for parole ? Length of time between eligibility ?

Under Texas' harsh "aggravated sentenceing laws" where there is alleged "use of a deadly weapon," and my 50 years' sentence, I have to serve one half calendar time, of 25 calendar years, and I AM NOT PAROLE ELIGIBLE UNTIL THE YEAR 2021.

20. How many times have you been denied parole ? Dates ? Any "reason" given ?

I AM NOT PAROLE ELIGIBLE UNTIL THE YEAR 2021.

21. Briefly describe your experience with Parole Hearings (length of advance notice, understanding of the process, availability of counsel, personal or video apparence, etc.) (100 words or less).

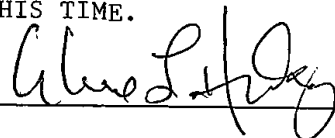
INAPPLICABLE.

22. Do you know of any of your movement co-workers who have died in prison, please give the location and number.

INAPPLICABLE.

23. What is the current state of your health ? Please briefly discuss any unmet health needs ?

NONE AT THIS TIME.

Signature  Date AUGUST 21, 2014 *

ALVARO LUNA HERNANDEZ, # 255735
Allred Unit
2101 FM 369 NORTH
IOWA PARK, TEXAS 76367

* IN MEMORY OF ALL BLACK AUGUST MARTYRS, AND IN SPECIAL MEMORY OF COMRADE GEORGE JACKSON, MURDERED BY SAN QUENTIN PRISON PIGS ON AUG. 21, 1971, AS WEALL AS IN MEMORY OF THE CHICANO MORATORIUM MARTYRS KILLED BY LOS ANGELES POLICE DURING THE VIETNAM WAR PROTEST MARCH IN EAST LOS ANGELES ON AUGUST 29, 1970 !!!

BILL DUNN

RE: Documenting the Existence of Political Prisoners in the United States and Their Conditions of Confinement

✓ I am interested in participating in the audio/visual project. Audio would have to be via phone. Video is not permitted by this prison.

QUESTIONS:

1. Where were you born?

Brooklyn, NYC, NY

2. Date of birth?

August 3, 1953

3. Are you a U.S. veteran?

No. I was in the "Hell, no! We won't go!" faction.

4. What is/was your primary political affiliation (BPP, DNA, SNCC, Anti-imperialist, etc.)?

My politics are not so simple as to fall under any single sobriquet of which I'm aware. I seek to replace imperial (+ domestic!) capital with an anarcho-communism in which all people will have the greatest possible freedom to develop their full human potential + no one will be exploited or oppressed. It will be characterized by an absence of political, social, economic, geographic, class, orientation, + other borders + exist as a collective of collectives.

5. In what city did you work most? Programs, e.g. breakfast, after school,

(2)

clinics, voter registration, journalism, etc.?

As a young person, I participated in the anti-Vietnam war movement + attendant leftist counterculture promotion in southwest Connecticut + western Oregon. I continued my political (+ other) education + engaged in prison work as a prisoner in the 70s, eventually associating with a radical leftist collective (Wellsprings Communion) in San Francisco. I continued that association on the streets where we focused on community organizing + preparing for armed struggle. We also worked on launching a general aviation mechanics' labor union in the San Francisco Bay Area centered on Oakland Intl. Airport's North Field. The agencies of repression captured me in Seattle in 1979 during an operation to free a comrade who had fallen while on a mission for the collective. I was banished into internal exile in the federal prison system from the Washington state system for producing a news service + alleged affiliation with anarchists. In numerous federal prisons, my subsequent practice has been writing, litigating, educating other prisoners, + trying to stay alive + healthy + sane.

6. What, if any, was your title in your organization?

Whether my involvements amounted to an "organization" is arguable, but within them I was sometimes called "comrade", occasionally "editor" where applicable, + probably some less complimentary things.

7. Describe the relationship between your organization + the police at the time of your arrest.

Gunfire. Shootout.

8. Describe the relationship between the police + the community where you resided +/or worked as an activist. Include where, when, community response.

In southwestern Connecticut + western Oregon in the late 60s/early 70s the police generally viewed protesters + counterculture types as "long-haired, hippie type, pinko fags", + not in a complimentary sense. This was even true in more affluent communities, though the treatment the attitude motivated was less draconian there. In the lower socio-economic areas of San Francisco I frequented in 1979

(3)

the police attitude was that of an occupying army. Everyone sought to avoid them. In the Seattle of that era, police were not as hostile or divorced from the community, & the community had some influence in controlling them.

9-10. There was no question 9 or 10 on my copy of the form.

11. Are any of your co-workers or community persons known to have been killed by the police?

One of the escapees who also came out of the jail as my codefendant sought to liberate our comrade was killed by the police during the escape. (Seattle, 14/OCT/79) There was no community response; mainstream media treated it as collateral damage to the police fighting crime.

12. When were you arrested? What your initial charges?

I was arrested on 14/OCT/79 in Seattle, WA. My initial charges were conspiracy to effect the escape of prisoners, possession of a machine gun, & auto theft by the state of Washington in late 1979. In 1980, the feds added charges of conspiracy to effect the escape of a federal prisoner plus three armed bank robberies & various weapons & explosives offenses in furtherance of the conspiracy. In 1983, I was charged with attempted escape from & conveying a weapon within USP Lewisburg.

13. When & where was your trial? Length of trial?

Two state trials were held in early 1980 in the King County Courthouse in Seattle. The courtrooms shared the 10th floor with the jailbreak jail. The first trial ended in a mistrial after the police were discovered hiding evidence. A federal trial in the federal courthouse in Seattle in the spring of 1980 followed the second state trial. I don't recall exactly the trials' lengths, but my impression is about two weeks for the first one & three weeks each for the other two. My trial for the 1983 Lewisburg self-parole attempt was held in the federal court in Lewisburg, PA, in 1984; I'm guessing it took about two weeks.

(4)

14. What were the charges on which you were convicted? Sentence(s)?

I was convicted of conspiracy to effect the escape of prisoners, possession of a machine gun, + auto theft in state court, for which I was sentenced to 15 years in 1980. Also in 1980, I was convicted of conspiracy to effect the escape of a federal prisoner + three armed bank robberies in federal court. I was sentenced to 80 years, 75 consecutive to the state sentence, with a recommendation that the five years on the conspiracy count be concurrent with the state sentence. The government needed the conspiracy count to make the argument I was vicariously liable for the robberies done in furtherance of the conspiracy. It could not prove I had actually participated in the robberies but had pretty good evidence I was actually involved in the conspiracy. I got another 15 consecutive years for the Lewisburg escape attempt in 1989.

15. What is the average length of a sentence for a conviction like yours at the prison where you are?

I don't know what the average sentence is for offenses comparable to mine. I don't see enough comparable offenses to average. Only the BOP + the parole commission + the BOP know how long people with comparable offenses are made to serve. Bank robbers + conspirators generally generally do significantly less time than I've already done.

16. How many years have you served as of today?

As of 29/JUL/14, I have served 34.575 years.

17. How many weeks, months, years have you spent in isolation?

I have spent approximately 16 years locked down: a year in King Co. Jail + Washington state prison system "reception" center (OCT/79-OCT/80); 4 months in the Washington State Prison + Special Offender Center SHUs while being banished into internal exile for editing a newsletter (charges characterized this as advocacy of violence, unrest, + rebellion (MAR/82-JUN/82)); 9 months in the USP Lewisburg SHU after an unsuccessful auto-emancipation attempt (JUL/83-MAR/84); 5 months in USP Lumpac SHU on escape paraphernalia charge (SEP/84-FEB/85);

5

7 years in USP Marion on above escape paraphernalia charge (FEB/85 - MAR/92); 6 months in USP Terre Haute SHU on subsequently dismissed escape paraphernalia charge (JAN/85 - JUN/94); 9 months in USP Leavenworth SHU for resisting forced labor in Unicar (on + off from JUL/94 - OCT/95); 9 months in USP Leavenworth SHU on escape paraphernalia charge (NOV/85 - JUL/96); 3 years in USP Marion on escape paraphernalia charge (JUL/96 - AUG/99); 11 months in USP Leavenworth SHU for fighting with rat (DEC/00 - OCT/01); 5 months in USP Terre Haute SHU for allegedly testing security (not prosecuted) (OCT/01 - MAR/02); 4 months in USP Atwater SHU for allegedly threatening security (not prosecuted) (APR/06 - AUG/06); 4 months in USP Big Sandy SHU for allegedly instigating work strike (not prosecuted) (MAR/10 - AUG/10); miscellaneous lockdowns + SHU placements of various shorter durations such as 2 months each in transit going out to court in 2008 + to FCI in 2014 + bits + pieces totaling one-third of 2013 at USP Pellock.

18. Name the allegations of incidents of administrative punishment you have experienced. Was there a hearing? Appeal?

I've had about 30 infractions (incident reports) over the 34 plus years, mostly in the 1980s. Lately, I've had two: one for being late for a call-out (25/JUN/14) (I misread it as for dental - print small + light, eyes old); the other for being late twice for "two hour watch" (7/MAY/14) (retaliatory requirement that disbarred prisoners notify a staff member of their whereabouts every two hours; 98% on time is not good enough). These were charged as "unexcused absence from work or program assignment" + "refusing to program". My previous incident reports were more than three years earlier -- two for not standing for count (I fell asleep). I've had no DHO level (non-trivial) infractions since 2000 + no greatest severity since 1995. The trial infractions generally get a mere rubberstamp by the "unit team". I contest them all because I've found them all to be retaliatory or otherwise inappropriate.

19. How many times have you been invited to a parole hearing or been up for parole? Length of time between eligibility?

(6)

I have been to U.S. Parole Commission hearings seven times. My initial hearing was in 2000, with interim hearings in 2002, 2004, 2007, 2009, 2011, & 2013. I have appealed them all administratively, & took several of them to court. My next hearing is a reconsideration hearing in December of this year. After that, I am eligible for interim hearings no less than every 24 months, though the parole commission treats that requirement loosely, unless the commission fixes a release date less than two years off.

20. How many times have you been denied parole? Dates? Any "reason" given?

I was denied parole on all of the above occasions. In 2000, the parole commission said, essentially, that I was a greater risk than indicated by my "salient factor score" (a purported prognosis of the likelihood of recidivism). It claimed to have concluded this from some of the alleged details of my offense such as that I burglarized explosives, exchanged shots with police, was attempting to aid a killer of a federal agent, & discharged a firearm in a bank. It claimed the same reasons for all the subsequent denials as well.

21. Briefly describe your experience with parole hearings (length of advance notice, understanding of the process, availability of counsel, personal or video appearance, etc.) (100 words or less).

My first two hearings were in person, the next five via video. I had advance notice. Indeed, the next hearing was scheduled at each hearing, though I did have to submit a form via the BOP requesting the hearing or it would have been deemed waived. I was also allowed to view the non-FOIA exempt parts of my file in advance of the hearing, though not the board file, the subset of the C-file the hearing examiner actually uses. I understood the process. The hearings were late twice: the 2006 by five months, the 2011 by two months. I had no counsel at any hearing. A BOP case manager attended each hearing except the 2004.

22. Do you know of any of your movement co-workers who have died in prison?

7

If so, please give the location + number.

That depends on how broadly one defines "movement co-workers." Naone with whom I worked directly on the streets has died in prison to my knowledge. Ron Del Raine, #85462-132, died of a stroke in USP Victorville in the spring of 2013 at the age of 81. Under a broader interpretation, all my sisters + brethren in stir who resist their + our oppression are my movement co-workers. Far too many of them have died on this side of the razor wire

23. What is the current state of your health? Please discuss any unmet health needs.

My health is generally good except for an untreatable growth in the number of calendars on the equipment. I have degenerative disk disease with radiculopathy in my neck + lower back + osteo-arthritis in several joints. I'm supposedly on the list for an MRI for that + perhaps attendant shoulder pain. My vision is deteriorating from age + cataracts, but I'm not allowed new glasses yet. I need some dental work BOP dental has been telling me it's gonna do but is not getting around to. I've also got a dark spot on my back BOP medical has been telling me has to come off but has not been getting around to. (I've had a squamous cell + two basal cell carcinomas removed.) I take no medications except an occasional ibuprophen 800. Everything still works well enough that I can run, work out, play handball, + haggle with the agents of repression about their corruption.

William Dunne
William (Bill) Dunne
Fed. Regn. 10916-086

FBI Herlong
29 July 2014

JALIL MUNTAQUIN

1. Where were you born? (City and State) Oakland, CA.
2. Date of Birth? October 12, 1951
3. Are you a u.s. veteran? (What branch of service?) (Awards?) No
4. What is/was your primary political affiliation (BPP, RNA, SNCC, Anti-Imperialists, etc.) Black Panther Party
5. In what city did you work most? Programs, e.g. breakfast, afterschool, clinics, voter registration, etc?
San Francisco, distribution of BPP paper, breakfast program.
6. What, if any, was your title in your organization?
No title, just a member...
7. Describe the relationship between your organization and the police at the time of your arrest. (100 words or less)
The BPP was in the middle of a domestic war between law enforcement, subject to a BPP split caused by the FBI Cointelpro.
8. Describe the relationship between the police and the community where you resided and/or worked as an activist, include where, when, community response. (100 words or less).

I was recruited into the Black underground known as the Black Liberation Army. The BLA sought to resist and counter police armed repression and brutality against the BPP and the Black community in general.
11. Are any of your co-workers or community persons known to have been killed by the police? Where? When? How many? Community response?
Lil Bobby Hutton was killed by Berkeley police to name one of many; like Fred Hampton and Mark Clark in Chicago.
12. When were you arrested? What was your initial Charge(s)?
August 28, 1971 in San Francisco, originally charged for a shoot-out with S.F. police officers. Then charged with S.F. federal Bank Robbery and and NYC killing of two police officers.
13. When and Where was your trial? Length of trial?
Two trials in S.F., approx. 1 1/2 month in each trial. And four (4) months in the NYC trial, first trial a hung jury second trial conviction.

13. What were the charges on which you were convicted? Sentence(s)?
All of the above mentioned charges.

14. What is the average length of a sentence for a conviction like yours at the prison where you are?

The S.F. trial was sentence to 5 years to Life, parole after . 5 years. The bank robbery was 25 years, but had it run concurrent to NYS sentence, which was for 25 years to Life.

16. How many years have you served as of today?

Since my arrest in 1971, I have been imprisoned 42 years.

17. How many weeks, months, years have you spent in isolation (23 hours per day or more in your cell). When?

In NYS I have spent the accumulated 2 years in isolation.

18. Name the allegations of incidents of administrative punishment that you have experienced (dates and punishment). Was there a hearing? Appeal?

1) For organizing prisoners for a strike, 9 months, appeal denied, 5/28/95 - 3/24/96. 2) Literature on Explosives, 3 months, appeal denied, 12/18/99 - 3/18/00.

19. How many times have you been invited to a parole hearing or been up for parole?

Length of time between eligibility? I appeared to the parole board 8 times, and told to return after 2 years, next parole in 2016.

20. How many times have you been denied parole? Dates? An "reason" given?

Denied 8 times, all for the same reasons---"Release at this time would be incompatible with the welfare of society."

21. Briefly describe your experience with Parole Hearings (length of advance notice, understanding of the process, availability of counsel, personal or video appearance, etc.) (100 words or less).

Every two years appearance before the parole board, personal appearance w/no counsel. I sit before 2 or 3 parole commissioners, and answer questions.

22. Do you know of any of your movement co-workers who have died in prison; please give the location and number. Yes, I wasi Balagoon, Albert Nuh Washington, Teddy Jah Heath, at Cocksackie Prison in NYS. Bashir Hameed.

23. What is the current state of your health? Please briefly discuss any unmet health needs? Had a stroke January 3, 2013, causing mild brain damage; hypertension, and weak right ventricle heart valve.

Signature s/ Jalil A. Muntaquim aka Anthony Bottom Date: July 28, 2014

Russell Shoats/z
AF-3855
Box 244 Graterford, PA 19426-0246

Jericho Amnesty Movement
C/O Malcolm X Center
P.O. Box 16102
Greenville, SC 29606

RE: Documenting the Existence of Political Prisoners in the United States and their Conditions of Confinement.

Dear Jericho Amnesty Movement:

Answers to questions in PP survey

1. i was born in Philadelphia, Pennsylvania.
2. August 23,1943.
3. No.
4. BPP.
5. Philadelphia, PA, in all of the BPP and my parent organizations related community based programs. That parent organization being the Black Unity Council, which i was a co-founder of in the year of 1967 (also in Phila. PA), and which mergedj with the Phila. BPP in 1969.
6. No title, but recognized coordinator of sensitive security matters of both groups-in as far as the Phila.PA area was concerned -from the merger until my capture and arrest in January of 1972.
7. From the 1969 merger of the Black Unity Council and the Phila. PA section of the BPP, we all were in a state of extreme tension because BPP Chapters and Branchs all over the United States were being attacked, not discounting earlier attacks that had occurred in Philadelphia, Pennsylvania.
8. The community we served and lived in conditions for as long as anyone alive at While during the middle 1960s many in forcefully resist this economic, political had suffered under these that time could remember. our community began to

and social oppression.

11. More than one community member were killed under questionable circumstances, though I cannot provide the name at this time. While the community was outraged, and our BPP and Black Unity Council workers moved aggressively to further mobilize and organize the community in response to the same.

12. January, 1972. Charged with Sedition, Murder, Attempted Murder, Aggravated assault; and battery, Possession of Machine guns, Possession of explosives, Possession of instruments of a crime and other offenses.

13. Phila. PA. Trial lasted the better part of two weeks.

14. The Sedition and Possession of Machine guns and Possession of explosives charges were suppressed, while I was convicted of all of the other already mentioned charges. And I was sentenced to a Natural Life and more than 20 more years to be served afterwards . . . 11

15. All First Degree Murder convictions in the state of Pennsylvania-like mine- are

16. 42+ years in prison, subject to a Natural Life sentence.

17. SOLITARY CONFINEMENT: Thirty plus years... While the last stretch was from June of 1991, until Feb. 2014 (Twenty two plus years).

18. Too much to detail here, but from June of 1991, until Feb. 2014, I was always told that I was being held in the hole because I was an escape risk. Yet my Legal Team discovered that the true reason was the fear that I would organize other prisoners; and that discovery forced my release from the hole.

A train of unlawful and oppressive actions on the part of the Pennsylvania Department of Corrections that account for Thirty of the years they forced me to spend in isolation-23 hours daily-that all began after I was elected the President of the prison approved Pennsylvania Association of LIFERS in 1983, on a platform of pledging to aggressively lobby the states law makers and citizens to change the law and allow the states LIFER prisoners a opportunity to be released on parole.

19. None. LIFERS are not eligible for parole in Pennsylvania.

20. Same answer as # 19.

21. Same answer as #s 19 and 20.

22• Three: Captain Richard Stewart died in the Pennsylvania system in the 1970s; Wayne Musa Henderson was killed by guards at the State prison in Huntingdon, PA in 1977; and, Meryl Africa died from medical neglect in a Pennsylvania state prison in the 1990s.

23. In need of CATARACT SURGERY IN THE RIGHT EYE, something that eye specialists been recommending but prison system has been refusing to allow, for three YEARS .

Including one of the first pictures that i have been allowed to take with relatives-or anyone else- in over twenty two years. The picture shows my daughter, Sharon Shoatz, and grandson Hakeem Shoatz, who has been visiting me in prison isolation units since he was a infant ...

s/ Russell Maroon Shoatz

Date: July 27, 2014

Enclosure: one picture

MONDO WE LONGA aka DAVID RICE

Case Update: Mondo's Appeal in the Nebraska Supreme Court

By Timothy L. Ashford, Attorney (c) 2014- The Omaha Star Newspaper (4-18-14)

The appeal brief is due May 7 in the Nebraska Supreme Court in the case of Wopashitwe Mondo Eyen We Langa (hereinafter "Mondo"), formerly known as David Rice (It was incorrectly reported in an article by Michael Richardson on 3/21/14 that "Mondo we Langa" filed an appeal with the Nebraska Appellate Court.). The appeal was filed in the Nebraska Supreme Court which is the highest state appeals court in Nebraska.

As Mondo's attorney of record I will file the brief and I have worked on this case pro bono (without pay) for approximately 14 years. The court recently appointed (and will pay me) to represent Mondo in this appeal.

The major argument in the appeal is based upon the United States Supreme Court case of *Martinez v. Ryan* (2012) which holds that prisoners can argue their attorney was ineffective or did not do a good job representing that person on their first appeal.

Although Ed Poindexter argued the issue of ineffective assistance of counsel (attorney) in his appeal in 2009 which was before *Martinez* was decided, Mondo has not argued the issue of ineffective assistance of counsel.

The petition also alleges prosecutorial misconduct because the prosecutors violated Mondo's due process rights and right to a fair trial by failing to maintain and turn over to the defense certain police reports.

The petition also alleges the jury instructions were incorrect. Mondo's jury instructions stated the jury had to decide his guilt or innocence and at the same time make a decision of whether Mondo should receive the death penalty. Now, the first step in a criminal case

is all juries decide whether the defendant is guilty or not guilty. If they find the defendant guilty, they decide whether the defendant should receive the death penalty.

A brief summary of the appeal to the Nebraska Supreme Court is:

Mondo was convicted in this (Douglas County) Court in April 1971, through a joint jury trial with Edward Poindexter (Poindexter) of first-degree murder in the bombing death on August 17, 1970 of Omaha Police Officer Larry Minard at a vacant house at 2867 Ohio Street, Omaha, Nebraska.

The State's primary witness was Duane Peak, who was 15-years old at the time of the offense and 16- years old at the time of Mondo's trial. In essence, Peak testified that he was responsible for placing a suitcase bomb at 2867 Ohio Street during the early morning hours of August 17, 1970. He then claimed to call 911 to make a false report of a woman screaming and needing assistance in the vicinity of 2867

Ohio Street. Peak further implicated Mondo and Poindexter in orchestrating the plan and constructing the suitcase bomb. Mondo was sentenced to a term of life imprisonment, pursuant to the jury's verdict, on April 17, 1971. Mondo's conviction was affirmed on direct appeal to the Nebraska Supreme Court in 1972.

The major argument in the petition is that trial counsel (in 1971) failed to effectively cross-examine and impeach state witness Duane Peak regarding prior inconsistent statements and numerous inconsistent statements made at trial, all of which raise serious doubt as to the veracity of Duane Peak's testimony, and which would have led to an acquittal at trial.

In the preliminary hearing on September 28, 1970, Peak initially indicated no involvement by Mondo, but later that day, changed his testimony significantly and implicated Mondo, which circumstance strongly suggests inconsistent prior statements by witness Peak.

In 1971, trial counsel and appellant counsel failed to properly investigate and present evidence to the jury concerning the 911 tape recording of the alleged Duane Peak telephone call of August 17, 1970, which phone call caused Officer Larry Minard to respond to the scene of the crime, and which tape recording would have demonstrated to the jury that someone other than Duane Peak likely initiated said 911 call.

Also, trial counsel (in 1971) failed to effectively confront state witnesses Jack Swanson and Robert Pfeffer regarding conflicting police reports and inconsistent testimony about the location of dynamite found at Mondo's residence, 2816 Parker, in Omaha, Nebraska on August 22, 1970. For example:

Swanson testified that a box of dynamite was "found" in the basement of co-defendant Rice's house in plain view once he looked into a coal bin. In significant contrast, Pfeffer testified that he prepared a supplemental report which stated the dynamite was "hidden" under a wooden door.

Swanson testified at trial he found the dynamite in the basement and that Pfeffer was also in the basement when he found it. Pfeffer testified, however, that he was never in the basement.

Trial counsel failed to effectively investigate, research and offer testimony to discredit state expert witnesses Kenneth Snow and Roland Wilder, despite the fact that the state's expert witness testimony was completely speculative, and not supported by a reliable scientific basis.

Trial counsel in 1971 failed to interview, investigate and/or subpoena any of the following witnesses George McCiine. Patrick Jones, Anthony Sanders, Richard Gibson, Johnnie L. Bussby, Robert Cecil, Luther Payne, Lamont Mitcheii, Conroy Gray, Donald Peak, all of whom could have testified to the substance, surrounding circumstances, and propriety of the charges filed against the defendant, and whose testimony would have led to an acquittal of defendants Mondo and Poindexter at trial.

Trial counsel in 1971 and appeilate counsel in 1978 failed to preserve the error of a unified trial which violated Mondo's right to a fair and impartial jury, guaranteed pursuant to the Sixth and Fourteenth Amendments of the United States Constitution and Article I, §6 of the Nebraska Constitution.

Another argument in the appeal is co-defendant's Poindexter's voice identification expert, Thomas Owen, compared Duane (Gabriel) Peak's voice with the voice on the tape of the 911 call using spectrograms and testified with a "highly probable" degree of scientific certainty, that the voice on the tape is not Peak's.

After I file Mondo's brief on or before May 7, 2014, the Office of the Nebraska Attorney General has 30 days to file a response brief. After I receive the response brief, I have 14 days to file a reply brief. After the bneps are submitted, a date will be set for oral arguments before the Nebraska Supreme Court.

EDWARD “Ed” POINDEXTER

EXPLORING AND IMPROVING THE SELF-CONCEPT

By Ed Poindexter

1. What is the Self-Concept? Self-esteem? is self-worth? is Self-worth? Race-esteem? Self-image? Self-confidence?

EsteemQuest? (It's comprehensive, holistic and synergistic)
commonly asked questions about the self-concept are:

- a - What are some indications oa poor self-concept?
- b - The same question regarding self-esteem. c - The same regarding self-worth.
- d - The same regarding self-love.

-
- e - The same regarding race-esteem.
 - f - The same regarding the self-image.
 - g - The same regarding self-confidence.
 - h - Why are so many blacks in prison?
 - i - Why do kids bully?
 - j - Why do so many young girls want to have babies?
 - k - Will a better self-concept make me a more effective community organizer or political activist?
 - l - Does a poor self-concept cause addictions?
 - m - Why is there such a high rate of suicides among our youth?
 - n - Why does it seem that sudden wealth drives some people out of their minds, and make others big-headed?
 - o - Does the self-concept influence our values?
 - p - What's really behind people putting on a facade?
 - q - Is there a link between violence and anger and the self-concept?
 - r - Do those difficult to motivate have a poor self-concept?
 - s - Do arrogant people have a poor self-concept?
 - t - Can a better self-concept improve race relations?
 - u - Is there a religious or spiritual component to your self-concept model?
 - v - As a single parent of several small children, what can I do to insure they grow up with a strong self-concept?
 - w - Can a strong self-concept enable us to live longer?
 - x - Is there a link between the self-concept and creativity?
 - y - The same regarding depression.
 - z - The same regarding problem solving skills.

zz - The yy - The XX - The ww - Why
vv - Why

same regarding learning disabilities and ADHD. same regarding school grades?
same regarding criminal thinking and behavior. do street gangs appeal to so many of our youth? do we hate?

uu - Is a strong self-concept essential to success?

All of the foregoing, and more, is what I've chosen to speak on and write about exclusively since learning that most of our problems, be they personal or social, would not exist in the first place, or could be solved by ourselves were we to take more personal responsibility for them, instead of constantly placing blame on "the man," "society," etc.

Though I'm still in prison, I am able and willing to speak on all of the foregoing, and more, with anyone interested, and can be reached at:

Ed Poindexter #21767
NSP, P.O. Box 2500, Lincoln, NE 68542-2500

CAT 5

“Speaking Truth to Power”

August 7, 2014

To whom it may concern:

The American Friends Service Committee (AFSC) has worked tirelessly, advocating for not only prison reform, but a reform of the entire United States’ criminal justice system. Regarding American prisons, the AFSC works to end mass incarceration, improve conditions for people who are in prison, stop prison privatization, and promote a reconciliation and healing approach to criminal justice issues. One of the most rampant disturbing issues currently surrounding prisons is the use of torture on prisoners.

Despite the United States’ signature and ratification of CAT in 1988 and 1994, respectively, prisoners testify to being continuously beaten, raped, sprayed with chemicals, and denied medical care, among other atrocious human rights violations. Prisoners are also subjected to rampant and blatant racism, despite the United States’ signature and ratification of ICERD in 1966 and 1994, respectively. When prisoners report these heinous crimes, they only receive retaliation from prison guards. A vicious cycle of abuse and torture consumes prisons in the United States.

For the past year, the Prison Watch Program of the American Friends Service Committee, located in Newark, NJ, has been collecting testimonies in the form of letters from prisoners across the United States. These letters document various human rights abuses in US prisons, including, but not limited to, physical, chemical, and no-touch torture. Enclosed are excerpts from the countless letters we have received thus far, effectively proving that torture is not only utilized, but condoned at both the state and federal level.

On behalf of the American Friends Service Committee, we thank you for your time in reading and considering the following testimonies. We would also like to thank all of the prisoners who wrote to us with testimony and Prison Legal News for publishing our advertisement. If you would like any further information, please contact Bonnie Kerness at (908) 410-3978 orbkerness@afsc.org.

Sincerely,

Bonnie Kerness, Program Director
Casey Diaz, Intern, Ashiera Jones, Intern,
Prison Watch Project - American Friends Service Committee
89 Market Street - 6th floor, Newark, New Jersey 07102,
Phone: 973-643-3192 Fax: 973-643-8924

SPEAK TRUTH TO POWER

A collection of testimonies from prisoners in United States prisons, documenting uses of physical, chemical, and no-touch torture, among other human rights abuses.

Sent to: Human Rights Task Forces on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Elimination of All Forms of Racial Discrimination, as well as the Universal Periodic Review

SOLITARY CONFINEMENT

Derek Shaw, #1444224, Newark, NJ

The captive informed of is unjustly placed in solitary confinement prior to any attempt to substantiate the allegations against him/her, depriving them of access to school/religious programs, commissary, property, and visitation privileges.

Jonathan Williams, SBI 476388C, New Jersey State Prison, Trenton, NJ

I was beaten in Northern State Prison then shipped to Trenton. The officers, 2 of 6, who attacked me had a hearing I learned that nothing was done. This happened November 2011. They shipped me out and threatened me with street charges. There were over 50 witnesses to my attack. I was brutalized! During this 6 month period I suffered numerous anxiety attacks due to the long term torturous isolation. I've been in isolation for 6 months. I had to be placed on anxiety medication. While in solitary here at Trenton, an officer planted a federally controlled drug in my cell. He claimed on a "Blue Sheet" that the drugs were in a white envelope I challenged the "Blue Sheet" and had a cross examination refutation at the hearing with a Sergeant who was involved and the clearly mendacious employee. I wrote an extensive statement in my defense outlining and listing relevant case law. The "committee" illegally agrees to hand down orders to have me drugged by force. A Government Psychiatrist who met with me stated that she didn't agree with that order and expressed ethical concerns. She quickly removed/reversed the orders to drug me up. Shortly later Dr. Voutto moved on. She no longer works here; perhaps she's seen too much corruption.

Michael Caropresso #W83857, Massachusetts Correctional Institution Shirley, Shirley, MA

My urine sample has been in lab awaiting testing, meanwhile I've been kept in solitary. I was told it will likely be a year before they get to my sample. I have been in DDU (Disciplinary Detention Unit) for 30 months, I've witnessed inmates kill themselves, hang themselves, brutally cut up, cut major arteries, and tendons. I have been a part of illness and beaten up, often being gassed by "move teams" "SRT" extractions.

Duane Haley #1788854, William P. Clements Unit, Amarillo, TX

My cell door has not been opened for any reason since I arrived at this facility on 4-24-13. There are no windows, no sunlight, no nothing, no way to know the time or if it is night or day other the changing of guard shifts.

Harry Lee Boggs #1000672581, Hays State Prison, Trion, GA

1. I've been raped 16 times by Hays State officials
2. My incoming mail is being held in unit... Manager Reed's office for no lawful reason
3. 22 beatings and placed on 24-hour cell S.M.U. behind a two room glass and a reinforced steel door where you can't see any sunlight
4. Use of force by using chemical agents as a form of punishment on inmates
5. Deprived medical care, religious freedom, our food, placed butt naked and placed in a cell with nothing for 3 to 4 weeks at a time. Killing inmates and covering it up so that the outside world knows nothing at all. The following state officials are just a few that belong to the KKK as they state to inmates after raping or beating them...

Second letter:

- G-1-Unit and G-2-Unit are 24-hour lockdown 7 days a week, subjects me to punitive conditions of confinement, without due process, and on many occasions, simply for speaking out on violations of my rights
- Since I've been in SMU for 24 hours a day, the practice of instilling fear and using force for speaking out is common, where I've had physical force used against me without any justification and false reports created to cover up all their corrupt acts against me
- I have stayed in G-wing 7 months without property, physical exercise, denied food most of the time, mail destroyed or held in Unit Manager Reed's office, deprived showers for weeks at a time due to mold and black/green mildew on the ceiling and walls
- Ordering maintenance to spray paint the back window in and out, along with steel boxes over it, blocking all sunlight 24 hours a day at a rate of 365 days a year...
- The cell has extremely bright lights, too bright even to read and write in, which is proving to cause damage to my eyes
- ...The defendants [prison officials]... have ordered food service to decrease food portions significantly to the point of death to some inmates and long term digestive problems
- SMU/ ASU are deprived of all and any environmental or sensory stimuli

Gregory Thompson #C08011, Taylor Correctional Institution, Perry, FL

I've been in solitary confinement here at Taylor since Jan 9th 2014... They even went so far as to sexually harass me, in which I filed a report on the officer and was told that it was sent to inspector general Jeffery Beasley but I yet have not heard any kind of response back. That was almost two months ago.

Roy Talley #J-73098, Corcoran State Prison, Corcoran, CA

This term [solitary confinement] I have been in a little over 4 years straight, but overall most of the past 15 years... After doing a substantial amount of time inside alone, then being released is shocking. It is a blast for a few days then the people, colors, sounds, touching, movement, kids, cars, and social interactions become way too much, kind of like over-stimulation of the senses, it gets really uncomfortable around everyone and everything, so much that it usually takes alcohol or drugs to 'feel' comfortable.

David LaCouture #11884, Plymouth County Correctional Facility, Plymouth, MA

They called it a 23 hour lockdown, but during the hour out, you had no other human contact- not even staff... As you are aware we are made to eat and sleep in a concrete and steel bathroom... In my particular case they never turned off the light. My window was covered on the outside with some type of white plastic so that we could not attempt any type of visual communication with whatever may have been out there.

Patrice Daniels #B-70662, Pontiac Correctional Center, Pontiac, IL

Up until April 17th of this year, I'd spent a total of 17 years in disciplinary segregation (solitary confinement)... I am freakishly severely scarred on my arms, thighs, and even my calves and genitals from the years of self-mutilation... I was routinely retaliated against by not being fed- due to my "assaultive" behavior (which led to severe malnourishment)... I grew to loathe physical contact. It hurt to be touched. Or in the reverse- any physical contact with anyone would provoke the urge to be extremely violent... It's not conducive to identifying with others humanely.

Christopher Gerlach #DB-5261, State Correctional Institution Greene, Waynesburg, PA

I am currently in solitary confinement here at SCI Greene (since 2005). I have been repeatedly sexually harassed/ threatened by guards here multiple times... Col Moore who is the leader of inmate brutality (brags about "finding" by himself 4 inmates hanging dead- has to be a record!) here at SCI Greene, repeatedly has threatened to hang me in my cell with a "black bag over my head" in front of the whole block... Also, Col Moore told the whole block that they needed a good "beat down" and he'd march us all to yard naked in our socks and he'd start sodomizing inmates... He threatened to "execute" all the long term inmates... Guys here getting fingers, wrists broken by guards too- legs too- I have already been assaulted by another C.O for reporting abuses.

Second letter:

We are forced to be totally naked in front of staff constantly as well as other inmates- there are also some inmates who work for the staff of whom we are threatened with rape and forced to be naked in front of them when we dress, wash, do bodily functions... I had

Nurse Fleming and Srg. Champman on 6-22-14 smear feces inside a nasal medication and laugh “he just blew shit up his nose.”

Edward Campbell #AT2982, North Kern State Prison, Delano, CA

[After being released from solitary confinement the first time] I didn't like to be touched or hugged. Socializing for the first few months was pretty much a no-go. Just opening up to people in a conversation was hard, sometimes I would just clamp-up... It's more of them (the administration) trying to break us down mentally.

Xavier Clark #1138318, Hays State Prison, Trion, GA

It's 5 of us back here and our cell has feces, bug/insect infested, toilet bowl filthy, feces on door and walls, showers are extremely hot, showers are bug infested [and] unclean, cold food, locked in cell 24 hours 7 days a week, no yard-calls at all, not allowed to buy hygiene off store, insect and bug infested vents of heat in rooms that give off a distinctive smell, very few cell clean outs, and no cleansing just straightening up by cart team and etc.

Marlon McCarthan #N03096, Florida State Prison, Raiford, FL

Sleep deprivation, paranoia, fear, and mild hallucination I deal with daily.

Gilbert J. Pailotta #46244, Ely State Prison, Ely, NV

I have been in solitary since 1998. From 1998-2005 I was held on “High Risk Potential”... which in part includes zero staff and/or inmate contact, no group activities, no program participation, stripped of privileges (e.g. phone, canteen, contact visits, hobby craft, inter alia), and escorted with arm and leg restraints that have a dog leash attached to them during any movement. In 2005 I was removed from the “HRP” status and Disciplinary Segregation, but placed on Administrative Segregation. I'm still stripped of privileges, staff and/or inmate contact, no group activities, no program participation and in-cell confinement for 23 hours a day. I also only get to shower every 3 days.

James Watkins # 01702234, Clements Unit, Amarillo, TX

First off I'm in Segregation Lockdown 23 hours a day... The officials here commonly use chemical agents on inmates with documented asthma then leave you in your cell naked, no property at all, no blankets, sheets, or mattress for 24 hours and no shower or soap to wash off the tear gas or pepper spray. Just last summer in 2013 an inmate named Wolverton, I think, here the ECB High Security Seg building died of chemical agents. He was left on his cell floor covered in feces, he had a colostomy bag, and he was found dead the next day after several counts... We are woken up at every count, every 1 to 2 hours round the clock for count. You can never sleep more than 2 hours at a time.

Charles Morton #198189, Staton Correctional Center, Elmore, AL

First and I feel most importantly is the solitary confinement at the last prison I was at. It is a dungeon like setting. Dark, no windows, you go weeks and months sometimes not seeing light. These are dangerous and unsupervised for the most part. Men are put in these cells with other men which fight and get injured without anyone knowing for hours on end... I have seen several times inmate getting beat while in cuffs or ganged up by a number of officers... Last is I work in the infirmary and while there are lots of times men go weeks with broken bones, the worse is I reported that one of the men had died and it was almost an hour before anyone came and checked on him.

Randy Watterson #0427985, Central Prison, Raleigh, NC

I was frequently stripped naked and searched for no reason... I have been maced, beat, and sustained emotional tortures by prison guards in way I cannot semantically voice on paper... In there [solitary] and after weeks, months, or years, your body begins to hurt in places all over from laying around so much and the depression sets in like a disease... We eventually don't seek normal communication, we interact with violence that has been bred from aloneness... I watched a man brutally stabbed to death right before my eyes... I've had my share of being stabbed and robbed.

Glenn E. Conroy, Jr #447096, Waupun Correctional Institution, Waupun, WI

I have basically been in seg housing unit and while being here the guards have tormented and encouraged me to cut myself and even specified jugular, carotid arteries, and have taunted me every time I have cut my wrist arteries, saying that I did not do it to their satisfaction and have threatened to beat me to a pulp.

Daniel Alvarez #73277, Central New Mexico Correctional Facility, Los Lunas, NM

A suicide attempt. That's what happened to me during my time in solitary. A serious, legitimate suicide attempt. I suffer of schizophrenia and while I was in segregation all I had to talk to was the voices in my head... While in solitary I was electrocuted due to faulty wiring. After that everything just went downhill for me. Every day I talked to delusions more and more. It got to the point that I did whatever the voices told me. Eventually I decided that was no way to live and chose to try to kill myself. I was found in my room passed out and cover in blood. The next morning I went right back into trying to kill myself as soon as [I] woke up. I tried to kill myself by diving into a metal stool... I suffer of brain damage... If I would [have] had daily conversations with other people, I would have not interacted with delusions. Delusions that led me to try to kill myself.

Ismael Acevedo Ortiz #FY3422, SCI Frackville, Frackville, PA

Solitary Confinement Conditions: Well it's basically like living in a gas chamber. No fresh air, gaseous smells and mold and other horrible smells coming out of the ventilation

system, making myself and others sick and loss of appetite. Flies in all cells and on the unit bugs all around as if living in the open mountains. The water is a very light brown and bubbles when you pour in a cup and with the nastiest taste... Constantly being sexually harassed by numerous of strip searches in which one I have to bend over and spread my glutes to show them my rectum and this can happen 2 to 3 times in one day Mon-Fri... Cell lights on all day and guard flashing flash light in face when sleep.

Jeffrey Mondell #445502, New Jersey State Prison, Trenton, NJ

They offer a yard every 2-3 days and that is for about 2 hours and you go by yourself in a caged in area no larger than a large dog pen without any ability to walk or get proper exercise... I witnessed firsthand a female officer SCO Mason-Watts having sex with inmate Julian in the control booth on my previous unit... She still works here, and has inappropriate relations with inmates still.

Jeffrey Gardner #1122076, Pocahontas State Correctional Center, Pocahontas, VA

Sometimes inmates die due to neglect... During that week in the strip-cell, I received no shower, no soap to wash my hands, wasn't allowed to brush my teeth, write a letter, make a phone call, and I was given 21 squares of toilet paper... Sometimes K-9's were picked up by the handler and thrown onto inmates... I make \$4.05 a week at \$0.27 an hour for 15 hours.

Joseph Hall Jr. #1139963, Hays State Prison, Trion, GA

None of the locks on cell doors work which resulted in the death of 5 prisoners in one month... We are supposed to get an hour a day outside our cell but that's not true in Georgia. We gone months without seeing the sunlight with nothing to read but a bible. Prisoner suicide has tripled and it's a medical fact that everyone has lost weight in this program.

Tony L. Mutschler #FK9033, SCI Frackville, Frackville, PA

In this housing unit the windows are welded shut... They had one fire and used CO2 gas twice. The fire, we were taken out one by one and when they sprayed the gas we went nowhere. The hole unit was forced to breath it and it made a lot of guys feel sick including myself. And there is no fire suppression in this unit so we were forced to breathe in smoke because windows don't open.

Khalid Awan #50959-054, FCI Mendota, Mendota, CA

During said 11 months, one time I was placed at the end of the SHU cell for 6 weeks. I can't see anyone except CO, who come to give a food and all SHU windows also shut, you can't see outside.

Pontell Bryant #311381C, New Jersey State Prison, Trenton, NJ

I was assaulted four different times by correctional officers (excessive force) once in 2008, 2009, 2012, and 2013... I have endured consisted of sleep deprivation, screeching sounds, extreme silence, extreme cold and heat, intentional situational placement, humiliation- a systematic attack on all human stimuli... Prisoners are constantly being bitten and could possibly become infected with diseases such as MRSA.

RACISM

Gilbert J. Paliotta #46244, Ely State Prison, Ely, NV

Administration is biased and racist towards me, a Polynesian inmate. They (Ely State Prison Administration) have continuously re-classified former "HRP" [High Risk Potential] inmates back to general population- all white or Hispanic inmates.

Marion Singletary, SBI 484723D, South Woods State Prison, Bridgeton, NJ

A white guy that came into the trailer at 12 a.m. drunk with a distinct odor to his body, he was yelling at us, calling us dumb ass niggers for not eating... I still have nightmares from my experiences and I still live with the fear of being sent back there and beat or killed just for being black

Thomas Dudley #K02759, Santa Rosa Correctional Institution, Milton, FL

I tried to explain the cuffs were extremely too tight and that my hands were numb, he [Sgt. Broughton] laughed and stated something akin to "I thought you niggers were used to shackles by now"... He stated something akin to "you haven't felt pain yet faggot Write another grievance against me and the next time I'll stick my key up your black ass nigger"... As he locked the cage he again threatened me that "next time I'm going to say 'stop resisting' then slam your punkass on your head. So if you even think about writing this up or to report me to Lt. Mitchell again I'll have my boys take care of your nigger faggot ass!"

Cesar Martinez #1195387, Crossroads Correctional Center, Cameron, MO

...they both slammed me into the corner of the door, causing undue pain and suffering. They did this one more time. Then they picked me up and carried me to the cell I was assigned to, all the while tormenting me with racial slurs such as "we should have hit this piñata harder" and "I think we cracked this taco shell."

Ismael Acevedo Ortiz #FY3422, SCI Frackville, Frackville, PA

The racism, well even though I was born in Brooklyn, New York, my parents are from Puerto Rico so I'm called names like "bean eater, spick, dirty Mexican, immigrant" and other nasty words.

Mykeal Rowland #1227589, Crossroads Correctional Center, Cameron, MO

There are also several acts of racism towards inmates at the facility. Whenever violations are given, the inmates of color are guaranteed to get a worse range of punishment than the white inmates.

Tony L. Mutschler #FK9033, SCI Frackville, Frackville, PA

I've been threatened by staff (COs) and I've heard them threaten others as well or torment inmates about their crime, race, mental urges, and religion.

Kenyon Smith #243134, William E Donaldson Facility, Bessemer, AL

COs refer to us Asiatics, Europeans with racial slurs i.e. nigga, cracka

SEXUAL ABUSE

Jose Santos, SBI 107218B, Northern State Prison, Newark, NJ

On June 11, 2013 I was sexually abused and rob by another inmate in S.S.C.F. Delmont, NJ. On June 12, 2013, I was in such a RTS and this Post-Traumatic Stress Disorder which was cause by the RTS i.e. Rape Trauma Syndrome took me into a point where I really wanted to kill myself. When I told Sgt. Thomas, he called me a "freak" and I was placed in psychiatric watch. I continued to report the abuse to Dr. Glassermen, Sgt. Gel Dr. Gracias and Officer F. Martinez. The Medical Team i.e. mental health team, reported the abuse to SID and documented. Now I find myself housed in isolation unit heavily medicated for RTS and PTSD.

Juan Garcia #09A5409, Southport Correctional Facility, Pine City, NY

Officer Wheoton and Chopman touch my genitals, I file complain they take away my insulin for three days.

Roy McMahon AKA Rachel Anne #1103546, Mark W. Stiles Unit, Beaumont, TX

He [Sgt Briscoe] constantly harasses gay and trans inmates... There have been three counts in which Sgt. Briscoe has harassed me, and the third account, he threatened to hit me with his fist, while I was in cuffs.

Then [he] pulled out the gas (pepper spray) and starts shaking it up. Did I shut up? No, I kept on, and on, reading him. He sprayed the whole can right in my face –account from McMahon’s friend, another trans prisoner.

Gertavia Thompson #1008525, Mountain View Unit, Gatesville, TX

My bodily privacy was violated. Every day I was watched shower, use my toilet, and at any time I was naked not only did officers watch, but make comments, “I bet that pussy tight, clean that asshole good, or fat nasty body.”

Mykeal Rowland #1227589, Crossroads Correctional Center, Cameron, MO

Us offenders are also punished for inappropriate reasons. For example, I was sexually harassed by a female guard here at Crossroads Correctional Center. The officer told me to “uncover my window,” I then told her that I was “using the bathroom” and she gave me a second directive so I uncovered the window. Then I asked “why do you want me to uncover the window? Are you trying to see my genitals or something?” And then she stated “well I am a girl, ya know.”

Shi’Quon Fowler #215978, Union County Jail, Elizabeth, NJ

In or about April 2012, Former Detention Center Officer Sherrie Brown-Braswell began to sexually assault and demand sexual acts from me which were non-consensual and against my will. Braswell threatened me with physical abuse should I resist her sexual assaults or report this activity to another employee. Braswell continued the sexually assaults and threats until approximately November 2012... This is humiliating considering the fact I was raped at the Detention Center.

Brian Turner #15686-078, FCI Mendota, Mendota, CA

All this started with letters from the staff member... which she insisted on trying to get me where no cameras to perform oral sex on me... I woke up one night with her next to me fondling my penis and looking at me. I tried to sit up but she pushed me back down and I didn’t know what to do... She began to suck on my penis and then when she was done she tried to kiss me and I turned my head... The second time I was awake and I told her through the door window to please don’t come in. She unlocked the door again and pushed me onto the bed and pulled my pants down again and began sucking my penis, at the end giving me the same threats.

BRUTALITY

Maurice Gay, #512588B, New Jersey State Prison, Trenton, NJ

These people have taken me hostage with some serious abuse and torture. I am crying out for some help in getting a free form this state of bullying and suffering I can't even rest without some officers creeping in my cell hitting me upside my head and mouth.

William Thomas, #267620C, New Jersey State Prison, Trenton, NJ

I have to beg for water and food. We are being killed slowly. If you were to come here you would find us in this "dry cell" naked, cold and hungry. We are being cut off from all avenues of recourse. I was removed from special needs and placed here. Please can you get somebody, anybody to get us out of these torture chambers? We are doing nothing wrong and have no intention of doing so. I'm having serious problems with the staff and administration here. I'm getting threatened to be physically assaulted by staff as well as other inmates, I don't eat much either, this started after I filed my lawsuit. I don't feel safe, I don't eat or sleep, nothing. The staff wants me to withdraw my complaint. They won't even give me paper to write on any more. It's two other people on this Unit scared for their lives due to staff misconduct and misinformation. They will kill us.

Marion Singletary, SBI 484723D, South Woods State Prison, Bridgeton, NJ

I was shipped to BSP [Bayside State Prison] in September 2010, upon entering the prison that day I witnessed a prisoner being beat while in handcuffs in the intake area... On the compound there is a red line called the "Baker Line." If you step a foot on this line or cross this you will be beat... It was no secret that the helicopter would airlift someone to the hospital at least once a week due to the severe beatings. In 2011 I personally was involved in an incident where an officer assaulted an inmate on the walkway in the blind spot... Inmates were beaten to death, inmates were refused medical treatment because the medical staff were a part of the problem... Female COs would lie on inmates and say an inmate pulled out his penis, grabbed his crotch area, or made sexual advances at them. Then they would laugh while that inmate was beat viciously... By this time it was evident the only resolution to the COs was to beat us into submission... I watched 7 COs run into an inmate's room and beat him until they broke his arm... He beat an Indian guy at night then the next day the guy was beat right in the day room space.

James Lindsey #256676, Baraga Correctional Facility, Baraga, MI

My A-wing C/O officer intentionally deprived me my breakfast and lunch meal due to retaliation of numerous complaints I've filed on him recently.

James Dehler #489703, Waupun Correctional Institution, Waupun, WI

I got cuts on my face scars from a electric shock Taser gun that shoots wires (2 wire shoot, each 20 seconds long) and O-C burn spray with gases in my eyes.

Thomas Tanner #100396, Lansing Correctional Facility, Lansing, KS

I was severely beaten by the black suits here in March 2014 for no good reason- they didn't have to beat me- I wasn't threatening them, nor was I aggressive or resisting them. Now I have permanent injuries to my left hip and left rotator cuff... Black suit Gill repeatedly hit me with his fists over and over again, yelling "Stop resisting! Stop resisting!" I wasn't resisting- I froze up when they rushed me.

One guy was in the infirmary here at LCF not long ago and as he fell to the floor in his cell, clutching his chest in severe pain of a heart attack- nurse Suzy told him to shut up, quit whining, and get off of the floor and up on his bunk. The poor chap died on the spot, right then and there- due directly to nurse Suzy's neglect.

My good friend Miguel Jiminez was put "in the hole" on around June 15th, 2013 for no good reason and he hanged himself and he died.

Donald A Lock #13119, Pendleton Correctional Facility, Pendleton, IN

Male and female guards helping me out of my wheelchair and trying to life me by hand, in my full trip, hand cuff, belly chain, black box, pad lock and leg iron trip gear actually did cause my left arm to be hurt as well as my back and both legs to suffer great twisting pain to be fitted into said 4 x 4 x 5 stainless steel 18" van box.

Goes on to repeatedly describe the pain resulting from this trip in a non-handicapped van, despite him being in a wheelchair for several years.

G.D. Escalante (Gilbert Daniel) #569711, Alfred D. Hughes Unit, Gatesville, TX

In the early morning of Friday 11-23-12 the inmate in the "seclusion cell" next to me, I heard, covered himself in feces. And they left him like that for around 5 hours. On 11-26-12 Monday, at around 5:35 p.m., 3 C.O. brought me mattress. 1 of them pinned me to my bunk, punched me at least twice in right side of ribs, semi-choked me, while the other 2 watched... Afterwards, before lunch, 3 C.O. entered my cell again, pull me off bunk, punch on me, but intentionally avoid punching my face.

Sheldon Simmons #1588486, William P. Clements Unit, Amarillo, TX

On 8-21-13 I was beaten by a Lieutenant and his 5 man team. The Lt. actually suited up and ran in with the team which is very rare and shouldn't be legal. They tried to gouge my eyes out and everything.

Alton D. Brown #DL4686, State Correctional Institution Graterford, Graterford, PA

I was attacked while in restraints approximately 30 days later after a transfer to the "receiving center"... They jumped me time I stepped off the bus, took my dentures, glasses, property, and placed me in a strip cell, where I was denied everything (including food).

Jon Cox #R23562, Menard Correctional Center, Menard, IL

I was physically beaten without justification by three cook county deputy sheriffs while another deputy simply watched.

John T. Vance #923106, Wabash Valley Correctional Facility, Carlisle, IN

At age 16, I was sent to Indiana's most notorious, maximum security prison. I was placed into the general population and into an open dormitory... During my 23 years of incarceration, I have been beaten, raped, and robbed. I have been slandered and ostracized by both staff and prisoners... I have watched as guards have allowed prisoners to be killed. I know of instances in which they have caused prisoners to be beaten and killed too.

Mark Teas #09964-010, Federal Correctional Institution, El Reno, El Reno, OK

I was being extradited from AR to WV and locked in the back of a van in a cage for 13 days straight by a private transport company called PTS (Prisoner Transport Services). 13 days (only 1 time day 8) was we allowed out the van to sleep and shower. The rest of the time we had to urinate, defecate, and vomit on ourselves, 8 of us in a 6 ft by 4 ft cage. Below freezing temps, the water was freezing inside with us, no heater, no medications, they gave everyone cigarettes to "stay calm." Handcuffed, shackled, belly chained 13 days. 90+ mph the whole time my head was swollen up, it was so rough. I about died.

William Krieg #1366694, Ellis Unit, Huntsville, TX

In 2004 at the Smith Unit I was sexually assaulted by a Crip Gang Member... Upon receiving a custody change I was sent to the Robertson Unit in 2010 and upon being placed back into General Population where I was again harassed by the Mexican population and the Crip Gang members. I decided to pay the required extortion payments to a white Crip gang member for the protection I need to keep from harm. Then I was sexually assaulted and physically assaulted by this same Crip, and forced to perform sexually for his other Crip homeboys... They were going to place me back into the General Population of the Robertson Unit when I attempted to take my life... In November 2011 while at the Montford Unit Psychiatric Hospital I reported that my life was in immediate danger from one of my cellmates whom had been refusing his psychotropic medications for 3 weeks and was psychotic, and TDCJ did not remove me from the cell. That night I was severely beaten, and have sustained tremendous brain injuries. I have been diagnosed with Traumatic Brain Injury, which I am told there is no cure. I have a loss in hearing, vision, the sense of taste and smell, severe headaches, severe ear ringing that is very painful, the loss of equilibrium to where I am falling down several times a day, I have a loss of the ability to think properly, to formulate sentences, answer questions in a timely manner or at all. Things seem to be getting worse, but I am receiving absolutely no type of treatment for any of these ailments... In October 2013 I

started receiving sexual harassment in my workplace by a TDCJ Food Service Manager. It was ongoing until I had had enough and refused to continue to perform homosexual acts to shame me for his pleasure.

James Lindsey #256676, Baraga Correctional Facility, Baraga, MI

On 6/12/14 Thursday... Hyatt took me to the floor and Wartanin [?] started kicking me in the face on my left side and splitting my eye open and blood began to spill on the floor. Next he began on my right eye hitting me 3 times and began to spray my face with gas while saying, "this will teach you to write a grievance on me, little bitch!"... On 6/13/14 Friday Wing Officer Wartanin deprived me my lunch... On 6/14/14 Saturday Wartanin deprived me breakfast and ripped up 2 of my medical kites... Later C/O Clement deprived me lunch... On 6/15/14 Sunday Wartanin deprived me breakfast and lunch and influence RN Casper to deprive me morning and afternoon meds... On 6/16/14 Monday Wartanin deprived me lunch and influence RN to deprive me meds.

Randy Lee Sherrouse #1748502, Stiles Unit, Beaumont, TX

I've seen from inside the chowhall, looking outside and seeing the Sgt. Brisco hit an inmate in the mouth with the pair of big brass keys they have.

Billy R. James #92847, Ely State Prison, Ely, NV

I too was a victim of retaliation, solitary, push down on stairs by officer, and medical malpractice in the High Desert State Prison and Ely State Prison. I was retaliated against and sent to a maximum prison due to filing grievances about unfair due process in the prison AR and OP regulations... The prisons are covering up murder, contraband, coercion, staff beating inmates, and illegal funds taking.

Thomas Dudley #K02759, Santa Rosa Correctional Institution, Milton, FL

I am an openly gay African-American who for the past several months or so have been subjected to hate crimes, physical abuse, sexual harassment, and ethnic and sexual discrimination, am treated unfairly, being singled out, and am in constant fear of what Sgt. Broughton will do next, or have done to me next... In my situation specifically, Sgt. Broughton has been relentlessly retaliating against me by way of some of the aforementioned tactics not to excluding antagonism, bigotry, harassment, verbal, and physical assault with the realistic threat of physical and sexual abuse... The words "DIE FAG" were written in toothpaste on the cell floor which clearly constitutes a hate crime and sexual discrimination and those same words Sgt. Broughton has told me several times... Several inmates were gassed with chemical agents and moved out of the dorm that day... While he (Sgt.) begrudgingly escorted me to rec on Lt. Mitchell's orders, his right hand vised gripping my left bicep, he maliciously dug his fingers into my bicep causing me severe and acute pain throughout my arm. When I told him he was hurting me not only did he dig his fingers in even harder causing my whole arm to go numb but he stated something

akin to “you haven’t felt pain yet faggot... write another grievance on me and the next time I’ll stick my key up your black ass nigger!”

Derek King #1286300, Jester IV Unit, Richmond, TX

My cell mate started to beat me and stomp on me about October and he beat and rape me for 11 days and he broke both sides of my jaw, deformed my left ear and swole my nuts 2 times their normal size. Then he shoved a plastic spoon up my ass... Now I suffer from paranoia and constant fear of others and always feel that people are going to hurt me or kill me. Now I am a victim of rape and a brutal beating and suffer from Post-Traumatic Stress Disorder.

Cesar Martinez #1195387, Crossroads Correctional Center, Cameron, MO

As I was kneeling down to submit to leg restraints, CO Baker grabbed me around my neck in a choke hold position and pulled me, attempting to get me into the cell out of the view of cameras and witnesses. The cuff strap prevented this, and in addition to being choked, my wrists were cut from the cuffs being unable to move from the door. CO Baker then proceeded to hide, still having me in a choke hold position, slammed my face and forehead into the ground, causing severe excruciating pain and a brief blackout. While I was on the floor, CO Best struck me forcefully in the testicles and CO Baker struck me in the head with this hand, both causing severe pain and suffering to the areas being struck... The other unknown CO twisted my leg and CO Pashel stomped on my knee, both causing severe pain and suffering to the areas and impaired walking... I attempted suicide by trying to hang myself and I was found by CO Godley and Pashel, hanging with a pants around my neck. After spraying me with chemical agent, removing me from the cell and cuffing me to the bench... I was then placed in cell 1.A.130 without being given a shower to wash off the chemical agents. I was made to walk naked all the way to cell 130. In addition the cell was filthy and had fecal matter smeared on the walls and floor. I was left in this cell for three days without being allowed to wash off the chemical agents... Baker lunged at me, grabbed me by the wrists and twisted so hard I was forced to stand due to the pain. He then slammed me into the wall, knocking the wind from my lungs, which CO Best then entered, took hold of one side of my body while Baker had the other side and they both slammed me into the corner of the door, causing undue pain and suffering. They did this one more time.

Marvin Hernandez-Lopez #18783380, Federal Correctional Institution, Butner, NC

While been at the Val Verde County in Del Rio, Texas I was harassed, sexually harassed, spitting on my food, and really tortured by mostly all the staff... Just a few days ago I got beat up by a Lt. R. Wright and one of his officers name: J. Delossantos. They came to my cell and told me and my cellmate to come to the door so they can put hand cuffs on me and him. Well they started threatening me and cellmate. That today was our day and that we were going to learn messing with them. So as soon as they put the hand cuffs on my cellmate, they told me to put hand cuffs too. But I told them no because you are going to

do something to me. So once I did not want to put the hand cuffs they supposed to bring a video camera. But instead they open the door and put my cellmate outside the cell. Then the officer J. Delossantos came into the cell while I was just sitting on my bunk bed, without making any aggressive moves. He just pull me off the bed from my right arm and put his arms around my neck really hard. Then he lifted me off the ground while his arm was around my neck. He pick me up off the ground and was choking me... Then he slam me against the concrete wall of the cell... They handle me really bad. Then he put hand cuffs on me and the ranking officer punch me on the right side of my face with force.

Eric Payne #1000800105, Austry State Prison, Pelham, GA

7/10/14 Robbed by 4 Crips gang members on Thursday night... 7/12/14 Assaulted and robbed at knife point at approximately 10:30 a.m.

Richard Molnar #12710698, Two Rivers Correctional Institution, Umatilla, OR

The cell was covered in spots of blood, fecal matter, urine, spit, snot and boogers, old and rotten food remnants... Every fifteen minutes or when I fell asleep, whichever came first, the COs would yell and kick the door making threats of using a shock shield or pepper spray. This deprived me of sleep along with the bright lights being on all along.

Keith Powell #292553, Northern State Prison, Newark, NJ

This sgt. Put his hands on me and told me why did I make false accusations on him while he was beating me in the back and choking me.

Prisoner wishes to remain anonymous, Sing Sing Correctional Facility, Ossining, NY

I've witnessed an inmate get beat up by a gang of officers for allegedly sticking his mirror out his cell to look at a nurse. He was sent to a hospital where he died. I've witnessed an inmate get denied medication for his heart, threatened by an officer if he didn't stop complaining, and returned to his cell. He died in his sleep that very night. Just recently I witnessed an officer physically abuse an inmate during a routine pat frisk. When the inmate fought back, at least twelve other officers came running to restrain him, and then kick him while he lay on the floor with handcuffs on. The sergeant was overheard yelling, "Break his arm!" The inmate went into a coma.

Kenyon Smith #243134, William E Donaldson Facility, Bessemer, AL

Staph infection, scabies, spider bites, TB, hepatitis (A, B, C) is present among the brothers... I've witnessed COs beating other incarcerated citizens unjustly (excessively).

Louis Rimmer #093789, Santa Rosa Correctional Institution, Milton, FL

I've been assaulted by prison officials which resulted in my left hand and forefinger partially impaired... I was assaulted by prison official smashing my hand in the food trap.

Jimmy Harris #184624, Oaks Correctional Facility, Manistee, MI

As I looked to one [OC] to try to comprehend what was occurring, the other one shot me with a Taser twice for no reason known to me.

John Vance #923106, Wabash Valley Correctional Facility, Carlisle, IN

The guards stopped the elevator in between floors and beat me while I was in handcuffs... The men in segregation are often on a leash, which the guards can pull. The shackled prisoner falls face first to the floor... Prisoners are often sprayed with chemical agents because they are being loud and arguing with stuff. Despite the fact that they are secured in a cell and pose no threat or danger, they are sprayed as a means of control and as a display of power.

James Calhoun-El #160083, Western Correctional Institution, Cumberland, MD

Upon my arrival on August 8, 2013, I was beaten and pepper sprayed when I asked for my cane. I was placed in cage for 55 minutes without decontamination and proper ventilation... I was then forced out of the cell and taken to the same area that does not have videotape recording and beaten into semi consciousness... When Warren Fletcher refused to double cell staff broke one of his teeth and beat him... I witness him being taken to the isolation cell beaten where staff broke his left leg... Numerous inmates have been pepper sprayed and medical providers refuse to clean the pepper spray. Inmates are placed into hot shower causing a burning sensation.

CHEMICAL TORTURE

Brian Keith Barnett #AS-7182, Wasco State Prison, Wasco, CA

The lead building seven officer was not satisfied with the normal squat and cough procedure and decided that he wanted me to bend over at the waist and "spread my cheeks" as he called it with his smirk on his face so I simply stood my ground and looked at him like he was a pile of mule excreta so he pulled out his MK 9 oleo resin capsicum spray and emptied it in my face where I stood passively while the control booth officer covered me though the gun port with this mini-14 as the other correctional staff stood by watching. However I withstood stubbornly the effects of the officer's MK 9 so I obtained each can from each officer in succession and emptied a total of 4 MK 9 canisters into my face and due only to my glasses the substance did not get into my eyes. This enraged the officer and he then decided to pull his expandable baton to hit me with however the tower officer activated the building alarm so I dropped to the floor so that overzealous responding officers would not misconstrue the situation. Yet I was still hit multiple times with the officer's expandable baton. When the sergeant arrived, staff as is typical

followed the rogue officer's lead and became bobbleheaded yes men to the scenario that was painted while I was cuffed and shackled and carried to the patio with a canvass "spit bag" over my head even though no one had been spit on but I had a head and face full of "orange crush" MK 9 which the canvass bag held inside. While on the patio a water hose was directed at the canvass bag on my head and I being handcuffed, shackled with a strap tied to the chains effectively hog tying me. Water and canvass over one's head was nothing nice. This was the CDCR's new form of torturous waterboarding without the board. I could not breath through the pepper spray and water mixing on canvass bag over my head and if not for the arrival of another supervisory staff arriving and directing first the building 7 officer who started the problems in the first place to remove the canvass off of my head to which the officer refused, so one of the facility S+E's removed the bag and I was then able to breath.

Christopher Campbell #R52448, Northwest Florida Reception Center- Annex, Chipley, FL

I began logging, with times and staff names, the rampant chemical treatment that took place while I was back there [solitary confinement]. I personally witnessed 7 men, 2 of whom were handcuff in back as well.

Danny Shaffer #K43077, Pleasant Valley State Prison, Coalinga, CA

I was sent to ad-seg and on 2/4/10 I was given a six month SHU term, which I guess wasn't so bad. But apparently along the way someone decided that was not enough. I was taken back to committee on 4/29/10, about the time that six month SHU was to come to an end and given an "indeterminate" SHU term for the same write up... While I was doing the above mentioned SHU term, I and other inmates were routinely paraded naked from our cells to the "dog run" cages that serve as our "yard" while guards did cell searches. I was once left in one of these cages soaked in OC spray for hours. I would have rather had them beat me with their night sticks that to have been left covered in that stuff. I burned for 4 days after that, I had blisters on my face, I think from the spray and the sun... I have seen prisoners get all of their teeth knocked out for the high crime of speaking to the guy next to him on the bus while being transported to another prison... I mean I have seen a guy get beat to the ground and stomped on because he kept asking the guard for a bar of state soap.

Telly Royster #EL2245, SCI Mahanoy, Frackville, PA

After beginning my hunger strike it was noted that administration made a "mistake" when they removed my z-code (single cell status) but this problem that took less than a week to create took approximately (45) forty-five days to correct while I was on a hunger strike and eventually being forced fed by order of the county court. During this time there were ripple effects from this "mistake" that adversely affected me and because of my hunger strike I wasn't receiving my medication for my mood swings and the voices I hear... I was ordered to have my hands placed in cuffs to be placed in the restraint chair for my evening force feeding and I didn't comply. I was then sprayed with "OC." The

OC was all over my body and within minutes began to burn, the worst being my testicles and penis... When the officers finally returned I allowed my hands to be cuffed and without placing me in the shower or otherwise washing the OC off my body I was placed in the restraint chair, force fed by the nurse the left in the restraint chair inside a cell with the heat blasting about 95 degrees on July 1, 2014. I remained in the restraint chair for about (6) six hours with the OC burning my entire body as the hot air blew directly on me. Once I was removed from the chair I still was not provided a shower or otherwise allowed to wash off the OC and I was placed back into the cell with the heat still blasting at 95 degrees. The pain is indescribable and there's nothing you can do for relief. I was forced to endure this excruciating pain and it was non-stop as there was no chance of taking a nap to get relief. I was awake the entire night despite being dead tired. So along with the pain there was sleep deprivation. In the morning after my force feeding I was finally given a shower... a hot shower which only intensified the pain I was already feeling.

Christian McMillan #1651635, Polunsky Unit, Livingston, TX

Major uses of force when conducted in cell-extraction: excessive chemical agents used in confined area, crowd-control dispersing canisters of OC or OC/ CS blend, sometimes used in contradiction to manufacturers' directed use, applied at close range directly to exposed skin, inadequate or no ventilation, over-exposure by excessive application- over-saturation, majority of time prisoner is extracted using gas is placed back into undecontaminated cell with no decontamination of body if over-exposed (i.e. when drenched head-to-toe while naked or wearing boxers or paper gown only), use of violent force by extraction team on prone incapacitated prisoner, major use of force when conducted in dayroom or rec yard, excessive chemical agents used even on prone unarmed prisoner- crowd-control spray, 37 mm CS teargas, teargas grenade, pepperball launcher all used consecutively before extraction team uses violence to extract prisoner, no decontamination if grossly exposed, even though dictated by policy... If they say you're not eating, put you on suicide watch, psych comes to interview, you say they're starving you, they say you're not eating, psych says you're playing games or are in with the ones starving and know what's going on, this happens repeatedly for weeks meanwhile gassed, naked, starving, sometimes beaten. Some kill themselves, some self-harm serious enough to go to hospital, some get through it barely sane if that... Being gassed, beaten, stripped naked, left burning without decontamination, hour later they return to gas, beat, drag out, "search" cell, drag back in cell in puddles of gas on floor, unchained, hour later they return.

Fred D. Douty #43219, Mount Olive Correctional Complex, Mt. Olive, WV

On September 2, 2013, I witnessed two inmates being sprayed with chemical agents, both mentally ill, in solitary confinement, after their water supplies were shut off, for requesting to speak with medical- one did try to commit suicide the next day by cutting his wrist... Guards shut off the entire pod's water supply and when I questioned this I was sprayed with chemical weapons and left in that state for 40-50 mins with only toilet

water left in the bowl to help wash my face and body with. As I remained in pain and pleaded for help guards threatened to shoot me with a 37 mm riot control gun. I was securely locked inside a single man cell the whole time too as I was sprayed, etc. I did sustain first degree chemical burns from the amount of spray and the length of time it covered my body.

MEDICAL CARE

Kofi Bay-e-te, #47542A, Northern State Prison, Newark, NJ

Administrators Michelle Rice and Donald Mee gave an order that during the lock down NO inmates can be let out of their cells for any reason. The lock down has lasted about three weeks now. I came down with a bacterial infection of the skin call cellulites. If this remains untreated it can cause septicemia, a potentially fatal condition. Now, I was sick with cellulites in my foot for three weeks. After three weeks the cellulites got so bad that the Prison had to call 911, I was taken to St. Francis Hospital for 7 days with one day in the ICU.

Matthew Goforth #07B2008 (most recent) or #92B0147, Green Haven Correctional Facility, Stormville, NY

I am currently in a control special housing unit. I have a tumor in my body that was supposed to be removed by 10-18-13 through surgery, then suffered retaliation threats and harassment by guards and civilian personnel for standing up to prison abuse. I still have this tumor and no operation and care isn't being provided by this medical personnel at Southport. I am due to leave the SHU February 21, 2014 but I am in pain and nothing is being done.

Nakiea Sutton #R4655, Eastern Mississippi Correctional Facility, Meridian, MS

Around 2006 I witness also other inmates witness a inmate name Thomas Lee going to the protocol med. station standing in line in the hallway. Once his turn, he inform the nurse that he was having heart related pains- so the nurse told him (in so many words) she couldn't do anything to fill out a sick call form, so later that night after lockdown time, Thomas Lee died inside his cell.

Presently I have 2 heart related medical conditions, I've been misdiagnosed as having high cholesterol, a Dr. Faulk says I don't need no meds- where I'm having health complications from taking 600 mg of Lopid twice a day- for 9 years. Also I've been misdiagnosed as having high blood pressure, but a Dr. Edwards do no have me on no meds... When I have a history of abnormal blood pressure readings, also complaints of heart pains where presently I'm having needle sharp pain inside my heart going on 2 weeks, I've filled out numerous sick calls, ARP asking to call me to medical or send me to the hospital, still this medical staff here at EMCF would rather show negligence towards me similar to my testimony in the beginning of this letter.

James H. Guss #97327, Cummins Unit, Grady, AR

1. In January 2014, without being seen by any medical person, APN Griswold discontinued my Propranolol 20 mg. Notefully, at that time, the Unit did not have an actual doctor assigned to it. According to a Physician's Desk Reference, a beta blocker, such as Propranolol, must not be stopped suddenly as I was because there can be severe medical complications (e.g. a heart attack)
2. In February/ March of 2014 an inmate laid in the infirmary complaining of severe pains on his right side. They did not send him out to a hospital but let him lay in the infirmary. There he died of appendicitis.
3. In April of 2014 inmate Eugene Lilly went to the infirmary complaining of chest pains. They gave him aspirin and sent him to his barracks. He went to his barracks, laid down for a nap and died. Two nurses were fired for falsification of records.
4. In May of 2014 inmate Ridling fell out in the exercise yard. Infirmary staff finally responded, however, it was inmates who brought him back from his heart attack. He was taken to the infirmary and there he died.

Robert Knee #083581, Cummins Unit, Grady, AR

Over the years that I have been here many people have died here that had gone over a month without their heart medications. It is a shame that I and many others in here cannot get any medical treatment for our medical problems. The infirmary nurses are fond of saying "you are not worth the cost."

Sherrie Stevens #1112083, Florence McClure Women's Correctional Center, Las Vegas, NV

On 4-9-14 I suffered my 2nd seizure since being incarcerated here on 12-9-13. My first seizure was on 1-22-14. Upon my arrival to FMWCC the staff were notified of the severity of my condition and that I also suffer from Relfex Sympathetic Dystrophy which can cause a number of my seizures. On both occasions 1-22-14 and 4-9-14 medical took 8-10 minutes to respond and the latter day it took 15 minutes to figure out how to operate the g???? ... Medical is not giving all medications or proper doses that I have been on for years to treat my conditions.

Kenneth Lee Taylor #J-89634, Pelican Bay State Prison, Crescent City, CA

On 2-14-2013 I was rushed to the community Sutter Coast Hospital in Crescent City, CA to prevent my death of "years of internal bleedings" my PBSP and prior prisons medical staff neglected and refused to treat, refer, correct, repair, and cure as required and needed for me to "sustain life"... I've developed a deadly and vital heart abnormal rhythms conditions to sustain daily life, from my untreated years of internal bleedings... I have deadly high blood pressure and cholesterol conditions. I'm becoming physically paralyzed day by day as my spinal injuries worsen day by day due to my daily 22 ½ -24 hours daily solitary confinement.

Antonio J. Williams-Bey #0705543, Alexander Correctional Institution, Taylorsville, NC

First incident is death of an inmate name Michael Kerr, 53 years old. Died at this prison in a holding cell waiting to be transported to another prison... I cleaned up blood, piss, feces in cells. Another example of a mental health patient smear blood or feces on cell walls. I clean it up. I make 1.00 dollar a day off this job... It was [????] throw on floor with food all over the floor. It was a puddle of piss on the bed, feces smeared on wall and bed. It look like Michael Kerr mental health illness got the best of him. Being locked up in a cell, his mental state deteriorated. You either turn into claustrophobia... or you turn paranormal schizophrenia... Another prisoner name Daniel East 57 or 58 years old. He died an unexpected death. Me and other inmates who was housed with him was witnessing how he kept falling out in the dayroom and outside. You get to be alert around him cause he was fainting anywhere and this was his 12th time fainting on the mental health unit. He died in prison infirmary without being rushed to public hospital... Another mental health prisoner committed suicide up in these cells... I received a black eye from prison officials, guards stomped me while I was on the ground cause I wouldn't let them take my finger prints... Sensory deprivation was going on at that prison.

Tina Iozzo #847332, Crain Unit, Gatesville, TX

The medical care is bad here and the heat kills several people (inmates) a year... Back in 2001 I had a stroke on Father's Day after getting a shot in the back of my head for chronic headaches. The medical staff ignored me and didn't get me to hospital till Tuesday.

Mark Brock #10554-084, USP Terre Haute, Terre Haute, IN

I suffer from a rare form of benign tumors called Aggressive Fibromatosis... At my sentencing my primary care physician Timothy McBride testified that without proper medical care my health would deteriorate and could eventually lead to death if I was forced to do a lengthy sentence... I was sent to USP Big Sandy in Inez, KY. While there I continuously complained of a tumor in my chest and the Avascular Necrosis in the left head of the humerus... It took 14 months from the time I first reported these tumors until they were finally removed... I had a clinic with prison physician Dr. Roger Jones. On this date I reported another knot in my chest. I suffered through 27 months of misery before this tumor was removed. The tumor was so big it looked like a softball in my chest... If I'm forced to stay here and not sent to a proper federal medical center I may not survive those 8 years.

Dennis Giddings #1490002, Neal Unit, Amarillo, TX

There was one guy in my dorm a few months ago that had been taken to the civilian hospital, and then brought back. He complained of chest pain early on a Saturday morning, we called for the guards and finally they came and got him and took him to medical, but brought him back after about 30 minutes and laid him on his bed and left him unattended. He died within another 30 or so minutes.