

Legal Recourse to
Guards' Harassment,
Brutality and Rape



KEVIN "RASHID" JOHNSON, MINISTER
OF DEFENSE, NABPP - P

Don't Shank the Guards Handbook

Legal Recourse to Guards' Harassment, Brutality and Rape



By Kevin "Rashid" Johnson
Minister of Defense
New Afrikan Black Panther Party
Prison Chapter



June 2006



"The purpose of the chief repressive institutions [prisons] within the totalitaria capitalist state [Amerika] is clearly to discourage and prohibit certain activities and the prohibitions are aimed at very distinctly defined sections of the class and race - sensitized society. The ultimate expression of law is not order - it is prisons. There are hundreds upon hundreds of prisons, and thousands upon thousands of laws, yet there is no social order, no social peace... Prisons were not institutionalized on such a massive scale by the people. Most people realize the crime is simply the result of a grossly disproportionate distribution of wealth and privilege, a reflection of the present state of property relations. There are not a few wealthy men on death row, and so few in the general prison population that we can discount them altogether. Imprisonment is an aspect of class struggle from the outset... The masses must be taught to understand the true function of prisons. We must educate the people in the real causes of economic crimes... even crimes of passion are the psycho-social effects of a [decadent] economic order... Prisons must be reached and made to understand that they are victims of social injustice... The law and everything that interlocks with it was constructed for poor desperate people like me."

- George L. Jackson, 19;

Introduction

Having been raised as we are with the idea of "an eye for an eye and a tooth for a tooth," getting even deeply ingrained in us, but in a society based upon inequality, getting even carries a high price and is, in fact, impossible. At least it is impossible by individualistic retaliation.

The only way for us to protect ourselves from bullying and abuse by corrections officers is by holding the system itself accountable not only on a case by case basis, but by building a broad mass movement in defense of humyn rights. This is in fact the next step that must be taken in the ongoing Humyn and Civil Rights Movement.

Since 1970, there has been a 375% increase in the number of people locked up in American prisons and jails. Blacks, Indians and Latin Americans make up well over half of these prisoners. According to the 13th Amendment to the U.S. Constitution, which "abolished" slavery, the government can still treat convicts as slaves.

In the ten former slave states, anyone convicted of a felony is permanently denied the right to vote, which amounts to being stripped of the most fundamental of democratic rights and the very foundation of citizenship. If you don't want to be denied citizenship rights and be treated as a slave, we have got to build a mass movement to amend the 13th Amendment to abolish slavery once and for all!

And while we are at it, we have to redefine what "cruel and unusual punishment" is. Being made a slave of the state is *cruel and unusual punishment*. Being legally lynched is *cruel and unusual punishment*. Being shipped far from one's family and loved ones, making visitation difficult or impossible, is *cruel and unusual punishment*. Being beaten, tortured or raped by guards or their henchmen is *cruel and unusual punishment*. Being confined to a dog kennel-size cage 23 hours a day for months or years on end is *cruel and unusual punishment*. Any and all of the humyn rights abuses common to the American criminal justice system constitute *cruel and unusual punishment*.

It is a blatant contradiction for the U.S. Declaration of Independence to state that we possess "certain inalienable rights, among which are the right to Life, Liberty and the Pursuit of Happiness," while the State claims the right to legally alienate us from these rights, to take our lives, our liberties and even the most mundane pursuit of happiness. This is nothing but sheer *hypocrisy* in the guise of democracy.

As citizens, we have the right to be judged by our peers, to be ordered to pay restitution and/or be penalized in other ways for wrongs committed against the people, and if this is done fairly and equitably, it is a valid social contract. But in no way does this describe or justify what passes for Justice in this society. One's basic civil rights as a citizen and humyn rights as a persyn need not, should not and *must not* be violated or denied by the State or its employees!

Only an imbecile would believe that there are not social causes of crime stemming from the political-economic system. This doesn't mean that individuals should not be held accountable for their actions, but that this is *only* a part of the solution, and it is the lesser part. The greater part is holding the political-economic system to account and effecting the necessary corrections.

To win citizenship rights and to get into a position to effect necessary changes in the criminal justice system and to change the political-economic system, prisoners must stop thinking and acting as slaves and start thinking and acting as citizens - as citizens of the future we need to create!

So don't lose your cool! Don't riot or set your cells on fire! Don't shank the guards - organize!

Yesterday's Prison Movement and its Decline

Those who know my history will probably look at my writing this with puzzlement and suspicion. For over a decade I have distinguished myself as a likely poster child for retaliatory violence against prison guards, which I practiced in persistent response to their bullying and brutality, whether against me directly or any prisoner in my vicinity. But time and experience sometimes bring insight. And insight allows one to see the bigger picture.

Guard abuses, like crime in general, are the result of a dysfunctional political-economic system - that is dysfunctional from the perspective of *We the People*. Our reactionary violence can no more correct guard abuses than the reactionary violence of the police and courts against the poor in the oppressed communities can solve the problem of crime. We must hold the political-economic system accountable in both cases and create people's power to bring about change.

Many would point to the Attica Rebellion in 1971 as the watershed that led to many prison reforms and the federal courts finally abandoning their "hands off" policy towards prisoners' lawsuits and their granting rulings in favor of prisoners' civil and humyn rights. While this is partially true, it cannot be looked at in a vacuum. There have been thousands of prison riots since Attica, and prisoners flood and set fire to their cells and shank guards all the time. But what has it changed overall?

These acts have only provided prisonrats with ammunition to demonize us and turn public opinion against us and concern away from prison reform issues and the way we are treated. This has, in turn, enabled all of the gains won since the early 1970s to be taken back while the courts and legislatures have restored the old "hands off" doctrine through passage of bills like the Prison Litigation Reform Act of 1996 and rulings like *Turner v. Safley*, 428 U.S. 78 (1987), which allows prison officials to violate prisoners' rights any time their imaginations can show a "valid penological objective" for their actions. The result has been a return to the pre-Attica levels of abuse and inhumane prison conditions in a system that has expanded eight-fold.

The Attica uprising simply caught them off guard, and it took place during a time when, thanks to a nationwide prison movement, public awareness and concern about prison conditions was widespread and growing. It also was a time when there was great social and political unrest and mass organized opposition to the system and its many injustices. Indeed, the prison uprising at Attica and the State's heavy-handed and sadistic response polarized public opinion in support of the demand for change.



"The purpose of the Marion Control Unit is to control revolutionary attitudes in the prison system and in society at large."

— Stephen Whitman, "The Marion Penitentiary — It Should be Opened-Up Not Locked-Down," *Southern Illinoisian*, August 7, 1968, p. 25.

Arona's statement reveals the true political agenda behind super-maxes as being to repress even revolutionary thought, not only in the prisons but society at large. And how does this stack up next to the professed ideals of the Declaration of Independence? Yet this admitted agenda of political persecution and thought-policing is seldom so candidly revealed to the public, who are instead bombarded with hysterical and racist anti-crime and anti-drug propaganda to justify, rationalize and win support for the vast proliferation of prisons (including super-max prisons) to dispose of the superfluous elements of the population — particularly the urban youth, ethnic minorities, oppressed nationalities, and the poor in general.

These are the very groups that were the political activists and energy behind the social-political movements of the 60s and early 70s. Meanwhile, the mainstream media never intelligently discusses, much less mentions, the underlying social problems of poverty, inequality and racism being perpetuated by the political-economic system which are the source of the crime problem and the dissatisfaction that is the impetus of these groups demanding revolutionary change.

Prisons also became a government (that is taxpayer) subsidized industry, the increasing growth of which generates continuing investment and profit opportunities for enriching corporate America. Consequently, corporate power has continuously financed and pressed the politicians to create a greater and greater expansion of the prison industrial complex. Instead of a social problem to be resolved, crime and punishment has become a condition to be proliferated and profited from as the expense of the oppressed communities and the public at large.

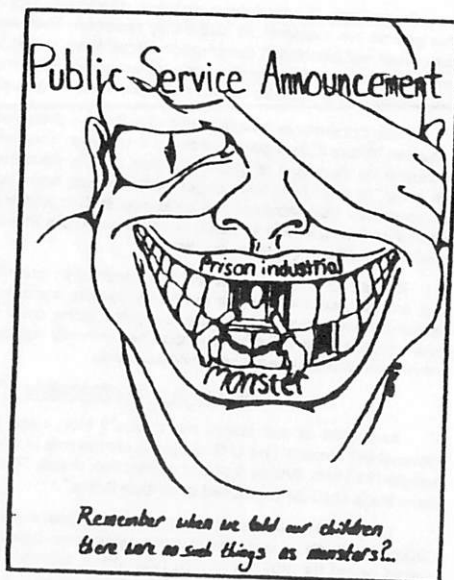
As a result, an average of 24 new prisons have been built per year in remote, economically depressed, mostly white-populated, rural areas since the 1980s. While the vast majority of those imprisoned in them are poor, urban people of color. The resulting division of staff versus inmates along such racial and cultural lines creates an obvious recipe for conflict and abuse, duplicating the conditions of chattel slavery in pre-Civil War America where poor whites were armed and empowered to have free reign over unarmed and disenfranchised Black slaves on the plantations — the very system that created the racial ideology of white supremacy which generated horrible abuses of Blacks continuing to this day.

5

The concessions made to prisoners at that time were actually part of a larger strategy to pacify and neutralize a broad movement that was shaking the foundations of the American imperialist system. Various popular movements from the Civil Rights to the Anti-War movements; Black Liberation, Chicano and Indian Rights movements, the Puerto Rican independence movement, Womans Rights and the Gay and Lesbian movements, Youth Empowerment, Students, Farmworkers and others were all coming together into an overall united front against imperialism.

But along with certain liberal reforms (the carrot) came measures designed to turn the public against prisoners and suppress future political organizing and political activism within the prisons (the stick). Thus began the proliferation of super-oppressive control units, with the first super-max, the U.S. Penitentiary at Marion, Illinois, opening just months after the Attica Uprising in 1972. Also political organizing and activism became increasing mislabeled as "gang activity" to justify suppression of prisoners' civil rights.

The actual purpose of the control unit prisons as weapons of persecution and suppression of political activism was admitted by Ralph Arona, a former warden at Marion, who testified in federal court:



These control unit prisons were designed to effectively isolate, control, and punish prisoners' reactionary violence against abuse - while provoking it - so prison officials could effectively use these events to demonize us as "violent animals" thus playing up self-fulfilling prophecies and stereotypes to justify the construction of more of these super max prisons. 6

By isolating us from sympathetic communities and maintaining total control over public opinion, prison guards and officials have been free to torture, brutalize and bully us out of sight and oversight of the public. Those who are hired to work in these slave pens are quickly whipped into line to carry out or keep silent about these abuses occurring inside these prisons. The economic necessity which drove them to work in these hell holes prevents them from speaking out. Besides, who are they going to tell?

But there is a hidden cost on the communities where prisons are located. The systematic abuses inflicted upon us eventually spills over into the local communities in the form of spousal and child abuse and general violent behavior. Desensitized to violence and accustomed to inflicting it, the guards take home this reactionary behavior and inflict it on family and neighbors. As with slavery in the past, the whole community is drawn in to the cycle of brutality.

The money used to finance the building and maintenance of this proliferation of prisons is taken from public coffers, diverting it from the building of schools, hospitals, colleges and public housing and from funding badly needed social welfare programs. These prisons cause immense environmental degradation, especially in waste water management, to local communities. Economic development brought by prisons usually works to the detriment of the local communities. Purchasing goes to large corporations not local businesses. Employment draws on a wide area not the local community. Increased traffic strains local road maintenance. And other potential job creating investment shies away from locating in a "prison town."

Crime rates go up, and the smuggling of drugs by guards brings them into contact with local organized crime and tends to increase drug use overall in the prison town and surrounding communities. And studies have shown that prisons do nothing to decrease the national crime rate. (See Alfred Blumstein, et al. [eds.] *Deterrence and Incapacitation: Estimating the Effects of Criminal Sanctions on Crime Rates*, Washington, D.C.: National Academy of Sciences, 1978; Christy A. Visher, "Incapacitation and Crime Control Does a 'Lock 'Em Up' Strategy Reduce Crime?," *Justice Quarterly*, 4, 1987, pp. 513-543; Kevin Krajick, et al., *Overcrowded Time*, New York: The Edna McConnell Clark Foundation, 1982.)

Even prison officials have admitted this reality. As stated by a Director of the Alabama Corrections Department:

"We're on a train that has to be turned around. It doesn't make any sense to pump millions and millions into corrections and have no effect on the crime rate."

- quoted from Scott Ticer, "The Search for Ways to Break Out of the Prison Crisis," *Business Week*, May 6, 1989, p. 80.

So not only is reactionary violence counterproductive to our interests, but it fails to take into consideration that guards are expendable and easily replaced. They are mostly poor and economically disadvantaged people like ourselves. Economic desperation forced them to seek out a job in corrections, and it is this same desperation and sense of social insignificance and powerlessness that is the source of the need for dominance and power that underlies the sadistic brutality of many abusive guards.

Their behavior is symptomatic of a failed political-economic system. Their racism stems from the sense of failure to "make it" in a society tilted in their favor. They view Blacks and other people of color as being somehow to blame for their lack of social standing, lack of education and poverty, believing their opportunities for a better life were "stolen." And their anger and violence, once unleashed and given free reign within the context of the prison cannot be contained and spills over to their family life and relations in the outside community. Many turn to alcohol and drug abuse to numb these feelings, but this only accelerates a downward spiral. Some will end up as prisoners themselves, or as suicides.

Reactionary violence, whether committed by guards or by us, is not a solution to these common problems that are engendered by the political-economic system. It is only a fruitless back and forth cycle played out between poor people who've been divided along color and cultural lines. These conditions and divisions have been created by a wealthy, manipulative, minority ruling class who run this system and build these dungeons to serve their class interests and frustrate ours.

Building a Sustainable Prison Movement Today

And what of our status as "slaves"? How does the State validate denying us our "inalienable" right to citizenship? It can't! The U.S. played a central role in drafting the Universal Declaration of Human Rights, which it adopted in 1948. Article 4 of that declaration states: "No one shall be held in slavery or servitude, slavery and the slave trade shall be prohibited in all their forms."

Tens of thousands of mostly Black voters were kicked off the voting rolls in Florida in 2000, allowing George W. Bush to steal the election, upon false claims that they were convicted felons. By how much greater a margin would he and his politics have been defeated had actual convicted felons and the more than 2 million then confined to the slave plantations been allowed to vote? If prisoners and those others denied voting rights then confined to the slave plantations had to go into the prisons to campaign, politicians

7

Incarceration without representation is a far worse tyranny than taxation without representation. Yet this, are told, was fair grounds for revolution. Bush justifies the invasions and ongoing military occupations Afghanistan and Iraq on the grounds that he is giving these people "democracy" and the right to vote in election. Yet, this very right is denied to millions of people right here in America; in many cases the very brothers and sisters of the soldiers sent to kill and be killed in his wars.

There is a major contradiction between our disenfranchisement and status as "slaves," and the idea promoted by America's politicians, U.S. founding documents and international law. More and more people are being made "slaves" and for longer and longer periods of time while the crime rate stays pretty much the same. "Corrections" and "rehabilitation" are mere catch words intended to put a false face on what is really going on. One is being "rehabilitated" Tortured? Yes! Being driven to madness and embittered against society? Yes! Being exploited for the profit of privately owned corporations? Yes!

In the past, I felt myself and my peers to be powerless, therefore fighting with the guards and treating the with open contempt was in a sense therapeutic. And even now, when I witness abuse, my inner rage boils over and I have had outbursts which have taken me to the brink of violent reaction. But I have learned to check myself and stand as witness to testify against these outrages.

Prison is a hard school, but it offers opportunities to learn valuable lessons. One of the most important that have learned is the necessity to build organized unity and the power this creates. Before one can be a hero one must learn the lessons of the anvil and become strong and disciplined enough to stand and organize, build alliances and win outside support. To have a strong and lasting effect our struggle must be political - we must win our main battles in the court of public opinion. It has been by winning public opinion that the prison official took back the gains of the past, and we must regain this lost ground and then some. Riots and shanking guard won't advance this struggle.

This is not to say that we ought to be pacifists - when it comes down to the extremity of self-defense, no one expects anyone to lay down and let themselves be killed. The right to self-defense is a basic human right indeed all of Nature demonstrates it to be inalienable. Even a mouse will fight when cornered. But as a political movement, we should be unprovokable and stand on the moral high-ground. We can't out fight them, but we can out organize them and use their unprovoked oppression and violence to indict them.

Individual guards are of no more value to the system than the cost of training their replacements. And they can be replaced from the unemployment lines tomorrow. The system will gladly sacrifice any number of them if the opportunity to throw the book at us, kill us and paint us as "animals" and "terrorists." They need to justify their SHU's and extreme measures by provoking retaliatory violence against staff and violence between prisoners which we also have to bring under control. (But that's another handbook.)



Simply filing paperwork and relying on the courts is also a dead end. But it is useful to create a paper trail and document patterns of abuse. No one knows better than us that in the grievance procedure the guard's word is always taken over the prisoner's. The unwritten doctrine of protectionism virtually gives the guards a free hand to violate prisoners' rights. Similarly, the courts are inclined to accept the official version of events over any other evidence and particularly the testimony of a prisoner. With virtually no resources, we must contend with the State's well-oiled legal machinery and a judiciary inclined to turn a blind eye and deaf ear to prisoner complaints or pleas for justice. Two cases illustrate the point:

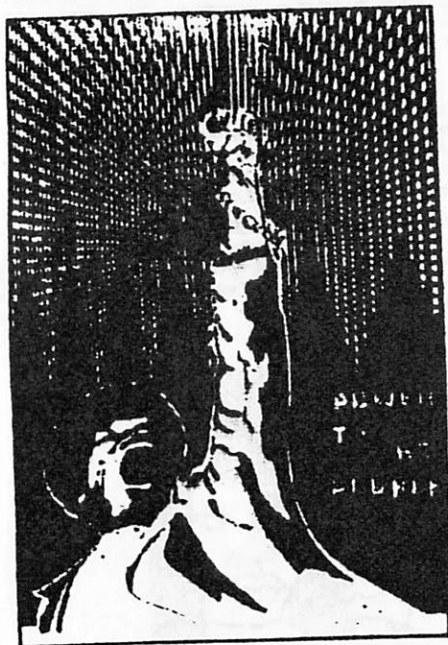
In *Bruscho v. Carlson*, Marion prisoners sued behind attacks they suffered during the October 1983 shutdown and the conditions under the ongoing lockdown. The district court ignored 50 prisoners who testified to beatings and brutality as unreliable, but found one prisoner credible who testified that no beatings occurred. On appeal, the Fifth Circuit Appeals Court found Marion's conditions "ghastly," "sordid and horrible" and "depressing in the extreme," but found them to be justified for security reasons and not in violation of prisoners' constitutional rights. Similarly, in the mid-1980s, in *Madrid v. Gomez*, prisoners at Pelican Bay, California, sued against the brutal conditions there, that included psychological torture and injury inflicted through sensory deprivation in its control unit.

In this suit, Dr. Stuart Grassian, a Harvard Medical School faculty member, conducted a study of 50 Pelican Bay control unit prisoners and found 40 of them suffered mental injury and impairment as a result of control unit confinement. The results of Grassian's report were handed over to federal and state officials, who, instead of correcting the conditions of mental torture and injury caused by control unit confinement, pushed through the

Prison Litigation Reform Act the next year. The PLRA, in addition to creating a multitude of hurdles to block prisoners' law suits, specifically bars any incarcerated person from suing for any "mental or emotional injury suffered while in custody" unless s/he can show a prior physical injury suffered as a result of the conditions or treatments sued about.

Mental torture, by definition, causes no prior physical injuries. The courts and legislators have given the prison officials license to freely torture and mentally injure prisoners in control units provided they leave no physical marks. And they can physically torture and injure prisoners provided some quelling inmate will say it never happened. In short slaves have no rights the overseers are bound to recognize.

As experience from the 1980s till now shows, prison officials, judges and legislators are only responsive to the pressure of public opinion. This is because they know that no power can rule over any people without some level of consent by the people. We must therefore tie our political interests and demands in with those of the broad masses of people. Our demand to end our status as "slaves" and asserting our civil and human right to be treated as citizens in the face of the growing trend towards mass incarceration and undermining of the people's civil rights and liberties is a valid and practical way of doing this.



The very foundation of capitalist society is the robbery of the value of the worker of the value of his/her labor beyond that necessary to keep him/her working. The wealthy and powerful get away with murder and every other crime (against the law or humanity) because they are wealthy and powerful, while the poor and powerless cannot even afford to defend themselves when they are falsely accused of breaking the law. But prisoners (and our class) need not be powerless. Our strength is in organizing and building our unity. Our power can be built through organization. First, we must awaken ourselves and those around us to the potential of effecting change through political activism.

We can build a mass movement in support of prisoners' rights, for amending the 13th Amendment, for abolishing the racist death penalty, for freeing our political prisoners/POWs, and extending suffrage to all. And that's just for starters! We can carry the fight against racism and national oppression, against the destruction of our natural environment, against neo-colonialism and imperialism, and against all oppression - all the way and bring about the dawning of a new day of peace and social justice for all. That's the potential of peoples' power!

Peoples' Power is Our Most Powerful Weapon

In building this movement, our families should link-up with the communities around the prisons and win their support. They should marshal support for prisoners' rights and extending suffrage to prisoners as well as assisting prisoners' families. They should speak in the churches, schools and to community service organizations. The worst guard offenders against human rights in the prisons should be exposed locally. People should be challenged to take a stand against injustice.

We agree that these proposals are reformist, but they are a necessary and integral step in building a movement towards fundamental change. They will help us to draw masses of people, and particularly prisoners and their families into political life. They will open the door to discussions among the masses concerning who should be considered a criminal and what should be considered a crime. In this society, where work unavailability and job insecurity are rampant and on a downward spiral, where unequal distribution of wealth and opportunities are the rule, where anxiety, depression and emotional and mental breakdowns are prevalent among all classes, where millions turn to drugs and alcohol to self-medicate and take the edge off the pain that has no name, where the poor use drugs to maintain their own addictions, where the desperate turn to robbery or burglary or to selling their bodies on the street, where youth pick up guns and gang bang with other youth over turf or respect, where women pushed to the edge by abuse strike back and kill their husbands or boyfriends, where untold victims of sexual abuse grow into abusers, were for any number of reasons people run afoul of the law and end up in jail or prison - while at the same time others commit crimes like massive pollution of the environment, or sending miners to their deaths in unsafe mines, or causing cancer to the consumers of their products, or instigating wars where masses of people die or are maimed to advance their business interests - these criminals do not go to jail or prison, they are lauded as pillars of the community.

These efforts should appeal to the families of guards and to the guards themselves to take a stand and stop sticking their heads in the sand. The connection between violence against prisoners and spousal and child abuse should be drawn out. We must expose and challenge the wrongful practices of female guards and staff who use their sex to manipulate prisoners and male guards to provoke violence and cause trouble. And we must expose and oppose the trafficking in drugs by guards and staff in the prisons and explain how this spills over into the community and breeds a criminal sub-culture. Everybody's security can be improved by this movement.

by building a mass movement to expose and confront abuses and promote respect for human rights, we can win public support and pressure to bear to win our civil rights and effect changes in how the prisons are run. We can transform them into schools of liberation! As one writer opposed to torture in America's prisons recently wrote:

"In the typical American prison, designed and run to maximize degradation, brutalization, and punishment, overt torture is the norm. Beatings, electric shock, prolonged exposure to heat and even immersion in scalding water, sodomy with riot batons, nightsticks, flashlights, and broom handles, shackled prisoners forced to lie in their own excrement for hours even days, months of solitary confinement, rape and murder by guards - are all everyday occurrences in the American prison system.

The use of sex and sexual humiliation as torture in Abu Ghraib and the other American prisons in Iraq is endemic to the American prison. Psychological and physical sexual torture is exacerbated by the underlying policy of denying prisoners any vocational sex, making the only two forms of sexual activity that are physically possible - homosexuality and masturbation - both offences subject to punishment. Strip searches, including invasive and often intentionally painful examination of the mouth, anus, testicles and vagina, frequently accompanied by verbal and physical sexual abuse, are part of the daily routine in most prisons. A 1988 Amnesty International report documented the commonplace rape of prisoners by guards in women's prisons.



Each year, numerous prisoners are maimed, crippled, and even killed by guards. Photographs could be taken on any day in the American prison system that would match the photographs taken at Abu Ghraib that shocked the public. Indeed, actual pictures from prisons in America have shown worse atrocities than those pictures from the American prisons in Iraq. For example, no photos of American abuse of Iraqi prisoners has yet equaled the pictures of dozens of prisoners savagely and mercilessly tortured by guards and state troopers in the aftermath of the 1971 Attica rebellion. (See for example the 64 pages of photographs included in Attica: The Official Report of the New York State Commission on Attica (New York: Praeger Books, 1972)). Even more appalling images are available in the documentary film Maximum Security University, about California's state Corcoran Prison. For years at Corcoran, guards set up fights among the prisoners, bet on the outcome, and then often shot the men for fighting, seriously wounding at least 43 and killing eight - just in the period 1989-1994. The film features official footage of five separate incidents in which guards, with no legal justification, shoot down and kill unarmed prisoners. (Maximum Security University (1997) is available from California Prison Focus, 2940 16th Street, San Francisco, CA 94413 or e-mail info@prisons.org.)

"The prison system... institutionalizes isolation and secrecy - the prison walls are designed not only to keep the prisoners in but to keep the public out, thus preventing observation or knowledge of what is going on inside. Unknowable to all but prisoners and guards, the prison thus becomes a physical site where the most unspeakable torture can continue without any restraint. And as an unknowable place, the prison can thus become a prime site for cultural fantasy.

"The modern prison was devised by American reformers who believed that people should not be tortured and that criminals could be 'reformed' by incarceration, labor and 'penitence.' But with the rise of industrial capitalism, unpaid prison labor became a source of superprofits, a trend accelerated by the Civil War, and the 'penitentiary' became the site of industrial slavery conducted under the whip and other savagery.

"Prior to the Civil War, the main form of imprisonment - African-American slavery - was, like the penitentiary, not to be regarded as torture. Slavery, indeed, was never legitimized by any claim that the slaves were being punished for crimes or anything else. A main cultural line of defense of slavery even maintained that the slaves were happy. This changed in 1865 when Article 13, the Amendment that abolished the old form of slavery, actually wrote slavery into the Constitution - for people legally defined as criminals: 'Neither slavery nor involuntary servitude, except as punishment for crime whereof the party shall have been duly convicted, shall exist within the United States...'

"At this point, tortures routinely inflicted on slaves, especially whipping, became a standard feature of the main site of penal incarceration: the prison plantation. The antebellum plantation was merged with the 'penitentiary' to create the modern American prison system. Ironically, the sexual deprivation of the prison plantation, was an additional torture not characteristic of the old plantation, where slave breeding was a major source of profit, while the old pathological fear of Black sexuality became a prime source of the sexual tortures endemic to the modern American prison system, where people of color are not a 'minority' but the majority.



"The true nature and functions of the American prison started to become known through the tremendous surge of prison literature in the late 1960s and early 1970s. The river of prison literature poured into public culture in books, songs, journals, and movies, dramatically influencing the political movement of that period. In response came a massive suppression. Most states enacted laws making it illegal for convict authors to receive money from their writing. Creative writing courses in prisons were defunded. Almost every literary journal devoted to publishing poetry and stories by prisoners was wiped out. Federal regulations were drafted explicitly to ensure that prisoners with 'anti-establishment' views would 'not have access to the media.' (Dennie M. Martin, et al., Committing Journalism (New York: W.W. Norton, 1993, pp.127, 212), prisoners were largely isolated and silenced.

"The silencing of prisoners was a precondition for the astonishing next stage of the American prison. Launched simultaneously was the unprecedented and frenzied building of more and more prisons, soon filled and overfilled with the help of harsh mandatory sentences, 'three strikes - and - you're - out' laws, and the so-called 'War on Drugs' (a metaphor for an onslaught against the poor about as accurate as the 'War on Terror' is for the invasion of Afghanistan and Iraq.)

"How is it possible that the American public, so revolted by glimpses of Abu Ghraib, seems to accept, even enthusiastically sponsor, the hundreds of Abu Ghraibs that constitute the American prison-industrial complex? Intimately and intricately related to the boom in prison construction has been a boom in imagined images of prison, with the prison's walls of secrecy validating a complex set of supportive cultural fantasies that ultimately function as agents of collective denial.

"Even superficially realistic representations, such as the Oz TV serial, end up masking or normalizing America's vast complex of institutionalized torture. Perhaps the dominant image, promulgated by the very forces that have instituted the prison-building frenzy, envisions prison as a kind of summer camp for vicious criminals, where convicts comfortably loiter around watching TV and lifting weights. Just as false images of the slave plantations across the South encouraged denial of their reality, false images of the Abu Ghraib strewn across America not only legitimize denial of their reality but also allow their replication at Guantanamo, Baghdad, Afghan desert sites, or wherever our government and culture may build new citadels of torture in the future."

The American Prison and the Normalization of Torture, Bruce Franklin

In responding to and confronting this crazy system, we need to be the voice of reason that raises and empowers awareness inside and out. In challenging a system built on cruelty and exercise of absolute and hidden power against the disempowered, there will be attempts to provoke and bait us to incite reactionary violence from us or against us. But we must stick to our strategy and not get pulled into theirs. //

Indeed, as I write this, the administration of the control unit prison where I am confined is waging a struggle to use my past to demonize and stereotype me, and by extension, the New African Black Panther Party - Prison Chapter (NABPP-PC) as a promoter of violence against guards and prison staff. This is a desperate ploy by these officials, who run a prison that has an extensive history of racist brutality, to undermine our work to build disciplined unity among those they brutalize, to build public support for our legitimate demands, and organize peoples' power to change the conditions here and in prisons across America. But their efforts to distort our message will fail and only lead to greater exposure of the truth, which objectively serves to build our struggle.

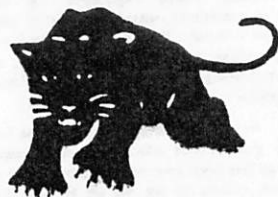
Comrades like George L. Jackson of the original Black Panther Party (BPP), who was assassinated by San Quentin prison guards in 1971, had trouble dealing with his rages that witnessing and experiencing abuse brought on, he even tried to give it theoretical justification. In the end, the Establishment used this to justify murdering him in cold blood, thus depriving our movement of a great spokesman and leader.

We must not be foolish like bulls. The bullfighter waves his cape and the bull charges and eventually runs onto the bullfighter's sword. But a smart bull wouldn't do that. He'd wait for the bullfighter to charge him and face his horns. When an intelligent person act a fool, that's funny (a comedy), but it is also potentially tragic. Over the years enough tragic comedies have been played out in the prison arena. Too many good comrades and potential ones have been wasted. We must organize to win!

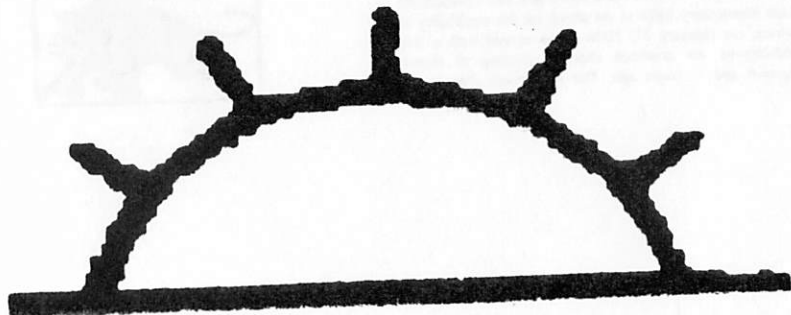
All Power to The People!



Kevin Rashid Johnson
#185492
Red Onion State Prison
PO Box 1900
Pound, VA 24279



NABPP-PC
PO Box 4362
Allentown, PA 18105



12

Recent Indictment of Comrade Rashid, Defense Minister of the New Afrikan Black Panther Party Prison Chapter

From Right On #4, Newsletter of the New Afrikan Black Panther Party - Prison Chapter, Spring '06

Since last year, the Virginia Department of Corrections (VDOC), and especially its highest security level prisons located in rural southwestern Virginia, have been waging a battle to whitewash abuses occurring, and to demonize prisoners housed at these remote prisons. Routine torture and abuses occur at these prisons - Red Onion and Wallen's Ridge State Prisons (ROSP and WRSP) which differ very little from the scenes exposed in the scandals surrounding U.S. military prisons at Abu Ghraib and Guantanamo Bay. At these Virginia prisons, prisoners routinely suffer racially motivated beatings and usually while handcuffed and shackled, which result in broken bones and teeth and need of outside emergency room care. Many times no care is given to them at all.

Because Virginia prison officials at all levels have acted every turn to conceal and deny these abuses, and to maintain strong relations with local communities and media outlets, so as to neutralize local concern and exposure about our treatment, I along with an outside contact, founded an organization called Fed Up!, with the aim of collecting and publicly exposing reports of our actual treatments at these remote prisons, and to bring prisoners families out in protest against these abuses.

Within a short period of coming into existence, Fed Up! was flooded with many complaints and accounts of prisoner abuses, tortures and beatings at ROSP and WRSP. Copies of this information was made public, turned over to prisoners families and supporters and to top level Virginia Government officials. These exposures led to outside rallies and demonstrations outside of ROSP, and demands for answers from officials. Within Red Onion I was a principal source of spreading the word about Fed Up!, and collecting facts and articulating reports on the routine abuses. My activities did not escape attention of prison officials.

In response to my activities I've been routinely threatened by guards with attacks and destructions of my property, my mail has been routinely destroyed and mishandled. There have been efforts to set me up to have feces thrown on me by inmates who work with guards to carry out such attacks on select prisoners, etc. My activities continued. Meantime I was appointed as a leading member of the New Afrikan Black Panther Party - Prison Chapter, an autonomous political organization that is working to develop self-help initiatives for oppressed black communities and people. I've also been working in collaboration with various other social support and prisoner advocacy groups. Prison officials have been as much and more opposed to and obstructive of these activities as well.

Because of my refusal to back down and so to project me in a certain derogatory light as on attack on the credibility of my activities, on January 27, 2006 I was served with a five count indictment on criminal charges relating to events occurring two and 1/2 years ago. The indictment charges me

with one count of attempted capital murder of a prison guard, three counts of felony assault and battery on three other guards and one count of possessing a weapon. These charges stem from incidents involving guards having beaten a fully restrained black prisoner inside the cell next to me, which was followed by confrontations with myself and five other prisoners by several teams of guards in full riot armor, and yet another confrontation with me by armored guards while I was shackled. Any actual injuries suffered by any guards were the result of my defending against their actions and unprovoked attacks, and in an environment where beatings and abuses of defenseless Black prisoners by white guards are routine; where local courts refuse to prosecute white guards for brutalities and systematically slam their doors in the faces of prisoners attempting to litigate against abuses; where prison grievance and investigative officials frequently invalidate, cover-up and refuse to process abuse complaints; and where guards abuses and overall conduct are protected and condoned, giving them complete license to abuse us free of all accountability.

This license to abuse given to politically empowered and armed poor whites against disfranchised and powerless blacks duplicates the historical divisive conditions created by the wealthy whites who monopolized high political offices, which produced the most heinous and sadistic violence against Blacks during America's chattel slavery system. Indeed many of the abusive guards at ROSP and WRSP are known to be active members and supporters of white supremacist hate groups.

This recent indictment brought against me is a strategically timed act of political violence calculated to attack prisoner dissent, self defense, and exposure of corruption and duplicity, and deter challenges and organizing against institutionalized racism and governmental excesses. This political attack is also calculated to send a message that oppressed classes and races have no right to resist abuse, that the political institutions with protect their abusers and punish their resistance against abuse. It is because the pretended democracy under capitalism is inherently oppressive of the common working class people, and oppression breeds resistance that America's political economy inevitably produces multitudes of outlaws. And it is because of this fundamental contradiction that the common people must seize and themselves control political and economic power.

ALL POWER TO THE PEOPLE!

Kevin "Rashid" Johnson, Minister of Defense, NABPP-PC



SHOCKING TORTURE

of our Minister of Defense!

From Right On #4, Newsletter of the New Afrikan Black Panther Party - Prison Chapter, Spring '06

In the first week in May, while in transport, in the middle of the night, from one prison to another, guards shocked Comrade Rashid with 50,000 volts of electricity through a stun belt around his waist. They did this two times. He's been urinating blood ever since then.

Allegedly, they were transporting our comrade, Kevin "Rashid" Johnson, from Red Onion State Prison to Wallen's Ridge, the other super-max prison in Virginia, so he could be x-rayed to see if he had a weapon concealed in his rectum. He didn't. But this "routine search" gave them an excuse to search his cell and inflict torture upon his person.

According to Terror Trade Times, a publication of Amnesty International:

"A stun belt is a weapon that is worn by its victim. The prisoner is physically in contact with the stun belt the whole time it is used against them, which may be for hours on end. Amnesty International believes that the mental anguish caused by just wearing the belt and the fear of its activation is in itself cruel, inhuman and degrading treatment. For this reason alone the belt should be banned immediately.

"One US company, Stun-Tech, promotes its belt to law enforcement officers as providing "for total psychological supremacy... of potentially troublesome prisoners", stating that: "After all, if you were wearing a contraption around your waist that by the mere push of a button in someone else's hand, could make you defecate or urinate yourself, what would you do from the psychological standpoint?"

"Stun-Tech and another US company, Nova Products, are two companies which have produced shock belts now widely used in the USA. Wendell Harrison, who received electric shocks from a stun belt during his trial in August 1998, described an "excruciating pain as if a long needle had been inserted up through [my] spine and into the base of [my] skull". Two years later Wendell Harrison was still suffering from nightmares and sleep loss as a result of the incident.

"The electric shock can be set off by a guard flicking a switch up to 300 feet away. On activation, the belt delivers eight-second, 50,000-volt shocks through the prisoner's left kidney. The shock causes incapacitation

in the first few seconds and severe pain rising during the eight seconds.

"In 1997, evidence emerged that a US-supplied remote control electroshock belt was being tested in South Africa, a country with persistent problems of torture and ill-treatment of detainees held in police custody and in prison. Recent information from South African prison officials has confirmed that a belt has been used at CMAX maximum security prison in Pretoria during the transportation of some prisoners."

"Electricity speaks every language known to man. No translation necessary. Everybody is afraid of electricity, and rightfully so." Dennis Kaufman, President of Stun-Tech.

- Stun Tech Inc, 23800 Miles Road, Suite C, Cleveland, Ohio 44128
- Nova Products Inc, 4861 Old Sparta Road Cookeville, Tennessee, 38506

URGENT RESPONSE REQUESTED FOR OUR PRISON TORTURED COMRADE

SATURDAY, MAY 12, 2006

PLEASE BE ADVISED THAT OUR COMRADE "RASHID" JOHNSON, OFFICIAL ARREST FOR THE SAFFRA BROWARD-ALBERT HAN WASHINGTON FOUNDATION, WAS BRUTALLY TORTURED BY GUARDS LAST WEEK DURING A VIRGINIA TRANSFER BETWEEN "WALLEN RIDGE" AND "RED ONION" STATE PRISONS.

AN ATTACK WHICH WOULD BE DIVORCED RESPONSE TO RASHID'S COMPLAINT LAID SUIT AGAINST WALLLEN RIDGE FOR ILLEGALLY REFUSING HIM MEDICAL CARE AND AS RETALIATION FOR HIS HISTORY AS A PRISON ORGANIZER.

OUR RASHID WAS REPEATEDLY ASSAULTED WITH THE 50,000 VOLTS GENERATED FROM THE BARBARIC "ELECTRIC SHOCK BELT" PLACED AROUND HIS WAIST

HE IS CURRENTLY URINATING BLOOD AND VIRGINIA STATE PRISON OFFICIALS ARE ONCE AGAIN REFUSING TO PROVIDE HIM WITH ADEQUATE MEDICAL TREATMENT

ADDITIONALLY, THEY HAVE SUSPENDED AND/OR RESTRICTED HIS TELEPHONE VISITATION AND MAIL PRIVILEGES SINCE THE NEWS OF HIS TORTURE GOT OUT FROM BEHIND THE WALLS.

OUR RASHID IS A FEARLESS WARRIOR WHO UTILIZES HIS TALENTS TOWARDS THE FOUNDATIONS MISSION TO "SUPPORT THE HEALTH, FAMILIES AND LEGAL CAMPAIGNS OF U.S. HELD POLITICAL PRISONERS, POLICE OFFICERS AND FALLEN COMRADES."

IN STRUGGLE.

OUR SADDU "SHEP" OJORE OLLIBALA (S/O SHEPARD PAUL MCDANIEL)

A Modest Proposal for the Abolition of Slavery in America in the 21st Century 14

"Single acts of tyranny may be ascribed to the accidental opinion of a day; but a series of oppressions, begun at a distinguished period and pursued unalterably through every change of ministers, too plainly prove a deliberate, systematic plan of reducing [a people] to slavery." —Thomas Jefferson: Rights of British America, 1774.

United States Constitution, 13th Amendment

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

Universal Declaration of Human Rights, Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

With the ratification of the Thirteenth Amendment to the U.S. Constitution in December of 1865, it would seem that slavery was officially abolished in all areas of the U.S., but for the seemingly minor exception of punishment for a crime. Yet, notwithstanding the occupation of the South by the Union Army, the ink was not dry on the parchment when the dreaded "Black Codes" began to be enacted to put the newly freed slaves back into chains.

Ex-slaves who could not prove they had regular employment were arrested and ordered to pay a stiff fine. If they could not pay, they were hired out in involuntary servitude. Black children were condemned to serve as apprentices in local industry. The chain gang and contract labor became a regular feature of the political economy, alongside sharecropping, Jim Crow segregation, lynching and KKK terror. Deprived of the vote, citizenship was an empty cup. Despite the gains of the Civil Rights Movement, the chain gang is back and so is contract labor for prisoners. In the ten former slave states, those who have ever been convicted of a felony are denied the right to vote, as are all of the more than two million prisoners throughout the U.S. All across America, we have witnessed the rise of a new era of slavery, as prison populations have more than trebled in the past three decades. The lines between the criminal justice system and free enterprise have been blurred with the rise of the prison-industrial complex.

The mostly Black, Hispanic and Native American prison populations are ground down by cruel and unusual punishment while being denied a political voice and basic human rights and dignity and are subjected to exploitation by the multinational corporations as a captive labor force. This has nothing to do with rehabilitation. You can't teach citizenship through slavery!

To put an end to this cruellest of oppressions and violation of the inalienable rights of the People, we call for the immediate amendment of the 13th Amendment to end slavery for all, and the extension of universal suffrage to all, including prisoners. We declare all elections not based upon full universal suffrage to be invalid and powers not derived from the consent of the governed to be usurpations.

**NO INCARCERATION WITHOUT REPRESENTATION!
BOYCOTT THE ELECTIONS!
ALL POWER TO THE PEOPLE!**

The New Black Panther Party – Prison Chapter (NBPP-PC)
The Red Heart Warriors Society (RHWS)

**DEMONSTRATE
APRIL 1st**



*Universal Declaration of Human Rights
 Article 4. No one shall be held in slavery or servitude; slavery and
 the slave trade shall be prohibited in all their forms.*

*American slavery
 under the guise of
 Criminal
 Justice*

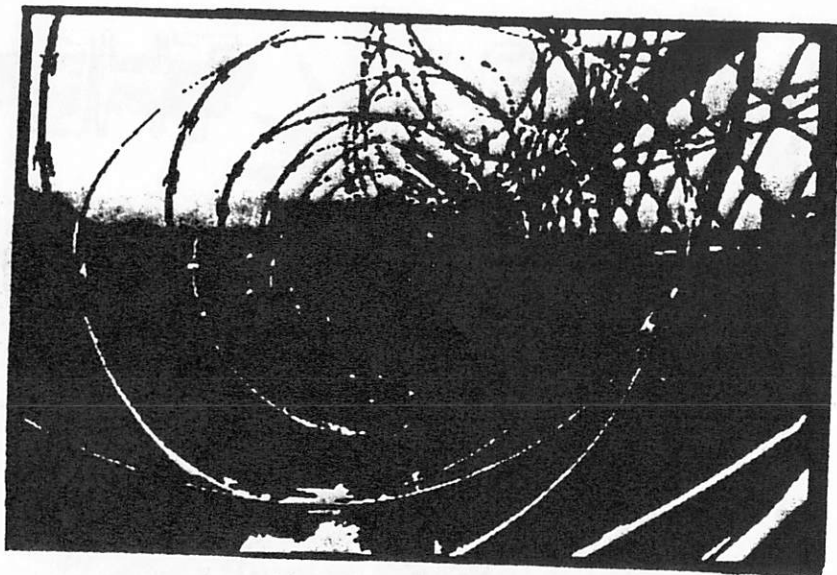
Universal Suffrage

**ABOLISH
 SLAVERY
 FOR ALL**

**PASSED
 7-27
 08**

No Incarceration Without Representation.

**No Fooling! End Slavery in Amerika!
 Amend the 13th Amendment!**



**If recent incarceration rates remain unchanged,
an estimated 1 out of every 20 persons (5.1%) will
serve time in a prison during their lifetime.
-U.S. Dept of Justice**

On Line Petition

Whereas Slavery in any form is expressly forbidden by the International Declaration of Human Rights and is moreover an abomination well recognized throughout the ages as a crime against humanity,

And Whereas the 13th Amendment to the U.S. Constitution perpetuates this abominable institution as regards those convicted of a crime and has colored the American criminal justice system as an inhumane extension of the slave plantation, where the basic rights accorded to citizens are denied, including the right to vote, to be paid a fair wage for labor and to collectively bargain the terms of employment, as well as other basic civil and human rights,

And Whereas the inalienable rights promised in the Declaration of Independence are yet denied to the American people and most grotesquely so to those convicted and reduced to the status of slaves,

We The Undersigned do hereby call for the immediate amending of the 13th Amendment to strike the language perpetuating slavery.

Signed: _____



**Rising Sun Press
PO Box 4362
Allentown, PA 18105**

**SOUTH CHICAGO ABC
ZINE DISTRO
POB 721 HOMEWOOD IL 60430**