



Life Matters Journal

V. 7, ISSUE 2 — APRIL 2019



THIS ISSUE'S THEME:

Life and Death Sentences

LETTER FROM THE EDITOR

Dear Reader,

In 1864, discussing treatment of Confederate prisoners of war who had violated parole, Abraham Lincoln remarked that while justice to his own soldiers might suggest these men be put to death, "On the whole, it is my impression that mercy bears richer fruits than any other attribute." The interplay of justice and mercy is always essential, particularly when dealing with criminal justice. How do we balance justice, the need to assist victims and protect communities, with mercy and the reality that criminals still possess basic humanity that must be respected?



Unfortunately, in criminal justice systems, the focus remains primarily on the justice side, and those in the system suffer dehumanization to varying degrees. This issue of Life Matters Journal focuses on this problem. Moving personal testimonies to the hardships faced by prisoners are provided by Robert Saleem Holbrook — who served part of a life without parole sentence for a crime he committed as a youth and was only released after such sentences for juvenile offenders were abolished — and in Mark Perrott's photo essay book *E Block*, reviewed by Maria Pane. International contexts are treated by John Whitehead, who writes about ethnic minority groups facing government repression and surveillance in China, and by Stephanie Hauer, who examines the legal status and usage of the death penalty worldwide. These and other pieces highlight the suffering of prisoners and the complexities of balancing justice and mercy. I hope this issue will give you a clearer sense of the humanity of the incarcerated and inspire you to always remember mercy when dealing with or discussing criminal justice issues.

Yours for peace and life everywhere and at every stage,

Kelly Matula

P.S. Hi, I'm Kelly, the new Executive Editor. I look forward to working with our great writers to explore many life, peace, and justice-related issues.

This journal is dedicated to the aborted, the bombed, the executed, the euthanized, the abused, the raped, and all other victims of violence, whether that violence is legal or illegal.

We have been told by our society and our culture wars that those of us who oppose these acts of violence must be divided. We have been told to take a lukewarm, halfway attitude toward the victims of violence. We have been told to embrace some with love while endorsing the killing of others.

We reject that conventional attitude, whether it's called Left or Right, and instead embrace a consistent ethic of life toward all victims of violence. We are *Life Matters Journal*, and we are here because politics kills.

Disclaimer

The views presented in this journal do not necessarily represent the views of all members, contributors, or donors. We exist to present a forum for discussion within the Consistent Life Ethic, to promote discourse and present an opportunity for peer-review and dialogue.

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Executive Editor Kelly Matula, PhD

Deputy Editors John Whitehead, Paige Kubenka

Layout Editor Maria Oswalt

Managing Editor Herb Geraghty

Staff Writer Christy Yao

Contributors

Herb Geraghty, John Whitehead, Josie Setzler,

Maria Pane, Lilianna Meldrum, Christy Yao,

Robert Saleem Holbrook, Anna Zimmerman,

Stephanie Hauer

Executive Director of Rehumanize International Aimee Murphy

REHUMANIZEINTL.ORG



Verdict Reached in Michael Rosfeld Case

By Herb Geraghty

On June 19, 2018, Michael Rosfeld shot 17-year-old Antwon Rose II three times in the back, killing him. That night, a cell phone video of the shooting was uploaded to the internet and spread like wildfire. In it, you can clearly see Antwon running away from Rosfeld, who was a police officer. It was later confirmed that Antwon was unarmed.

As Pittsburghers called for justice last summer, we knew that it was a long shot. With so many high-profile cases of police violence against young black men and boys being determined “just use of force,” the odds were not in favor of any type of retroactive justice for Antwon or his family. In fact, according to research from Dr. Philip M. Stinson, a former police officer and current professor at Bowling Green University, police officers are very rarely brought to trial for killing citizens in the line of duty, and even in those rare cases they are almost never convicted.¹

However, in this case, the state could not ignore such clear video evidence. On June 26th, prosecutors charged Rosfeld with criminal homicide, citing inconsistent statements from Rosfeld about his frame of mind when fired his weapon.² In the several months between the shooting and the trial, Pittsburgh media dug deeper into both Rosfeld and Antwon. Rosfeld, it turns out, was only sworn in to the East Pittsburgh Police Department a few hours before he released three bullets into the unarmed teenager’s body; however, he wasn’t new to police work. His previous job was with the University of Pittsburgh Police Department, where he was suspended, and ultimately resigned, two days after an incident in which he was accused of using excessive force.³ Antwon Rose II, on the other hand, had no reported history of violent crimes before his death and was remembered by many for his volunteer work in the community and work ethic as well as for his love of skateboarding.⁴

Once the trial began, though, a very different story was put forward. A casual observer just listening to much of the testimony couldn’t be faulted for assuming that Antwon Rose II himself was on trial for his own death. This is because the defense attorneys chose to shift the focus from Rosfeld’s actions to information that he couldn’t have possibly known before he pulled the trigger. The jury was told about a non-fatal drive-by shooting that involved in a jitney that Antwon and another person, Zaijuan Hester, were in

before they were pulled over by Rosfeld. Hester is now in prison for the shooting.⁵ The public will likely never know exactly what Antwon’s involvement in the shooting was, because he will never get a trial. Regardless, a person’s presence during or potential involvement in a separate act of violence should never justify lethal violence against them, whether or not their killer wears a badge. To be clear, this is not a call to abandon self defense or defense of others. If someone is an active threat, it is within reason to attempt to stop them; however, an unarmed teenager with his back turned to you and not moving in the direction of anyone else is not a threat.

Despite this, whether or not Antwon was a threat to Rosfeld or anyone else wasn’t something the jury was tasked with deciding. Rather, all the defense had to assert was that there was reasonable doubt that Rosfeld felt that Antwon was a threat; according to the

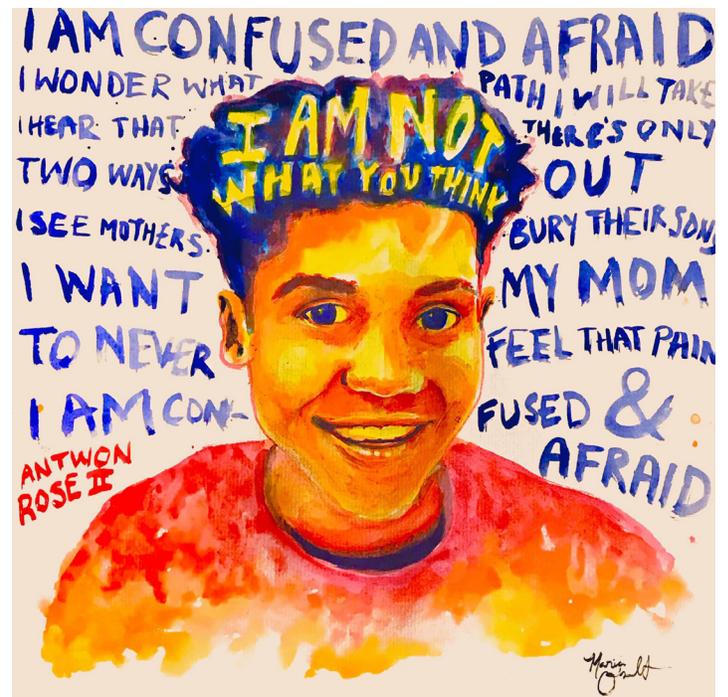


Image source: Maria Oswalt

jury, they were successful, as on March 22nd, 2019 Michael Rosfeld was found not guilty on all charges.⁶ For activists and anyone who was deeply disappointed with this ruling, it can be hard to grapple with the idea that this isn't simply an example of the criminal justice system getting it wrong — this is exactly what the system was designed to do. "It isn't what I hoped for, but it's what I expected," were the first words Antwon's mother, Michelle Kenney, said to reporters when the news of the verdict was announced.⁷ The reality is that within our legal system there are entirely different standards for justice that often depend far too much not only on the identity of the person who commits the act of violence but also on who the victim was. In this case, a use-of-force expert was called to the stand to testify on behalf of Rosfeld. He claimed that the officer followed proper procedure when he shot Antwon Rose II three times in the back, describing his actions as "textbook."⁸ This testimony was used to justify a not guilty verdict but in actuality it should be viewed as an indictment of the entire system. If Rosfeld's actions were "textbook," as the use-of-force expert claimed, then we need a new textbook. We must work to change the entire apparatus that allows for such violence to go unchecked in whatever way we can.

It would be remiss of me not to mention the role that race played in this shooting. Antwon, like so many victims of state-sanctioned violence before him, was African American. As a white person, as much as I may seek to empathize with and rehumanize the black people in my life, I know I will never understand what it is like to grow up in this country being viewed as a threat because of my skin color. I want to end this by sharing a poem, written by Antwon two years before his death, that shows just how well he understood this feeling. His mother has expressed that she wants it to be shared.⁹

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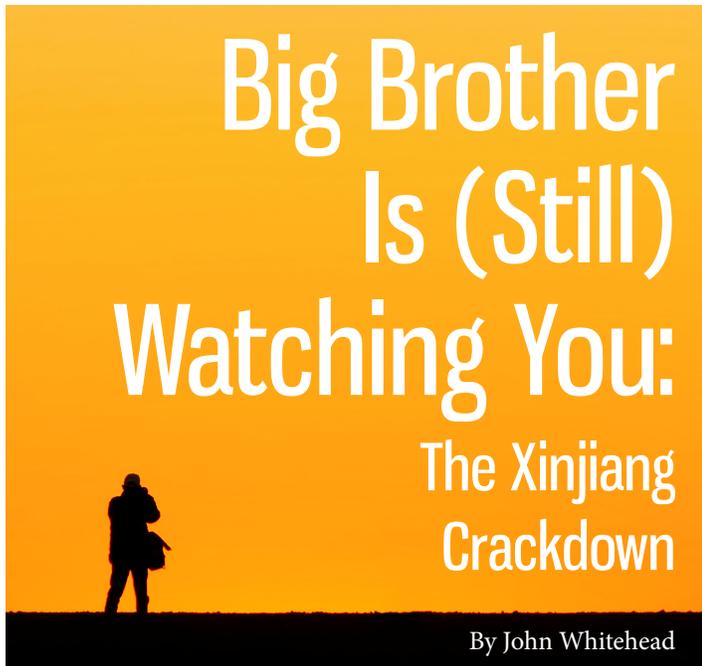
I AM NOT WHAT YOU THINK!

By Antwon Rose II

I am confused and afraid
I wonder what path I will take
I hear that there's only two ways out
I see mothers bury their sons
I want my mom to never feel that pain
I am confused and afraid

I pretend all is fine
I feel like I'm suffocating
I touch nothing so I believe all is fine
I worry that it isn't though
I cry no more
I am confused and afraid

I understand people believe I'm just a statistic
I say to them I'm different
I dream of life getting easier
I try my best to make my dream true
I hope that it does
I am confused and afraid



Xinjiang is China’s westernmost province, inhabited predominantly by Muslim ethnic minorities, the largest of which is the Uighurs. For several years, this province has been the target of a wave of Chinese government repression that is apparently motivated by fears of terrorism and separatism. This repression has turned Xinjiang into something approaching a giant prison.

The relationship between Xinjiang’s Muslim population — which consists of Uighurs, Kazakhs, and Kyrgyz — and the Han Chinese who make up the country’s majority ethnic group has been occasionally marked by violent conflict. A new round of conflict began in July 2009 when a Uighur protest against discriminatory treatment, held in Xinjiang’s capital city of Urumqi, led to rioting and bloodshed that killed almost 200 Han. The following years saw other violent attacks by Uighurs, including terrorism against civilians.¹ The authorities decided to crack down hard in response.

Chen Quanguo, who had previously overseen Tibet — another restive region dominated by an ethnic minority — became the Chinese Communist Party (CCP) secretary for Xinjiang in August 2016.² The following March, Xinjiang’s regional government issued a “de-extremification ordinance,” which can be taken as inaugurating the current repression campaign.³ The repression has taken three significant forms:

Widespread surveillance: Chinese authorities restrict travel by Xinjiang’s residents, often withholding or confiscating passports. Within the province, security patrols, checkpoints, and other types of police presence are common.⁴ Facial recognition technology is widely used to track people: when Xinjiang residents visit places such as markets or the central bus terminal in the capital city of Urumqi, they are reportedly required to submit to facial scans. This practice alerts authorities if targeted people travel outside designated areas.⁵ Also, Xinjiang residents have been required to download software onto their cell phones that tracks suspicious files and alerts authorities if such content appears on the devices.⁶

As one resident put it, “1984 was child’s play compared to the technological capabilities of [the] real 2019.”

The government also has used low-tech surveillance — CCP members go to Xinjiang and live with Muslim households, generally for days at a time, so as to monitor them and promote the CCP ideology. As Maya Wang of Human Rights Watch observed, “Muslim families across Xinjiang are now literally eating and sleeping under the watchful eye of the state in their own homes.”⁷

Cultural Suppression: Schools are now prohibited from teaching in the Uighur language. Various behaviors identified with Muslim religious practice or Uighur culture are classified as “extremist” and viewed with suspicion. These include regular prayer, long beards or veils, the Arabic greeting *Asalaam Alaikum* (“Peace be with you”), or the star and crescent symbol. More general “suspicious” activities include travel abroad or possession of questionable books or cell phone content.⁸

Mass Imprisonment: Enormous numbers of Xinjiang residents are being incarcerated in one way or another. In 2018, two non-governmental organizations, Chinese Human Rights Defenders and the Equal Rights Initiative, provided estimates of criminal arrests and indictments in Xinjiang in recent years, based on official government figures. Over 200,000 people were arrested and indicted in Xinjiang in 2017. Since the vast majority of indictments lead to convictions in China, this implies a comparable number of Xinjiang residents have been imprisoned. These Xinjiang arrests and indictments account for over one-fifth of all arrests and almost 13 percent of all indictments in China as a whole in 2017 — despite Xinjiang accounting for less than 2 percent of the country’s population.⁹ Moreover, these estimated numbers are dramatically higher than reported arrest and indictment figures for 2016 (and previous years), indicating that imprisonment has skyrocketed in Xinjiang since the start of the “de-extremification” campaign.¹⁰

Even these figures might be only the tip of the iceberg, however. Untold numbers of Uighurs — and members of other groups — may also be imprisoned in a network of “re-education” centers, which exist outside the formal criminal justice system. Some prisoners have been released from these centers and relocated to neighboring Kazakhstan, where they have spoken openly about their experiences. Kayrat Samarkand describes being forced, while in a re-education center, to study CCP ideology and policies and to praise Chinese President Xi Jinping. Samarkand’s “crime” was apparently previously traveling to Kazakhstan.¹¹

Omir Bekali, an ethnic Kazakh, was detained by police while a trip to see his parents in another part of Xinjiang. His detention ended up lasting almost eight months, including 20 days in a re-education center. While in the center, he and other detainees had to learn Communist songs and slogans, including a denunciation of “separatism, extremism and terrorism.”¹² As Bekali recalled “There were so many things to recite, and if you couldn’t recite them, they wouldn’t allow you to eat, sleep or sit...They brain-wash you; you must become like a robot. Listen to whatever the party says, listen to the party’s words, follow the party.”¹³ Another detainee remembers having to sing pro-CCP songs for hours, a refrain being “The Communist Party is good. The Communist Party is good.”¹⁴

Food in the re-education centers was poor and some detainees would be forced to eat pork or drink alcohol, in violation of Is-

lamic practice. Samarkand says that detainees who did not follow rules or acted out would be punished by being put in handcuffs and ankle cuffs for 12 hours. Worse punishments were possible: Samarkand was tied to a metal device meant to inflict pain known as the “tiger chair.”¹⁵ Another former detainee, Orynbek Koxebek, says he was waterboarded while in a re-education center.¹⁶

Despite such testimonies, details about the re-education centers are murky, as Chinese authorities have been reluctant to acknowledge them. In a February 2018 interview, Zhang Wei, China’s consul general in Kazakhstan, denied the centers existed, saying “we do not have such an idea in China.”¹⁷ Later that year, Zhang denounced those who were “inventing unfounded accusations with the evil intent of staining Xinjiang’s image, grossly interfering in China’s internal affairs and baselessly criticizing the Chinese government.”¹⁸ Some Chinese officials have responded to criticism by saying that the government is providing vocational training as part of measures to counter extremism.¹⁹

Notwithstanding such official statements, some evidence, supports the camp’s existence, in addition to exiles’ testimony. In China, regional and local governments tend to post bids for construction or equipment procurement on public or private websites. Adrian Zenz of the European School of Culture and Theology in Korntal, Germany, studied such government bids, looking for phrases associated with re-education centers, such as “transformation through education.” He found 78 such bids, which surged starting around March 2017, at the start of Chen’s “de-extremification campaign.”²⁰ Almost all these bids were for regions with notable Uighur or other Muslim populations. Some were facilities over 10,000 square feet in size, indicating they were intended for large numbers of people. Most significantly, many bids called for adding security features: “surrounding walls, security fences, wire mesh, barbed wire, reinforced security doors and windows, surveillance systems, secure access systems, watchtowers, guard rooms, police stations or facilities for armed police forces.”²¹

How many people may be detained in these re-education centers is a matter of guesswork. An Istanbul-based Uighur exile group released information supposedly leaked from within Xinjiang public security agencies that placed the number of detainees at approximately 892,000 as of spring 2018.²² These numbers are impossible to verify, although the CCP newspaper *People’s Daily* made the rather ominous announcement that 461,000 Xinjiang residents had been relocated in early 2018, ostensibly as part of an anti-poverty program.²³ If this announcement is taken as merely a cover story for imprisoning or otherwise relocating people as part of the security crackdown, then this at least suggests that hundreds of thousands of people in Xinjiang are being affected by repressive measures.

Doubtless Chinese authorities could justify such draconian methods according to a realpolitik logic. Suppressing any kind of violent (or even nonviolent) rebelliousness in Xinjiang might be seen as necessary for controlling a region that holds one-fifth of China’s oil, contains its largest natural gas reserves, and is crucial to China’s economic ambitions. Moreover, as a province at China’s western edge, dominating Xinjiang could be understood as part of securing the nation’s borders.²⁴

Whatever its realpolitik benefits, however, the crackdown’s human costs are inescapable. A *Financial Times* reporter who visited

Urumqi described seeing deserted neighborhoods, with stores and houses sealed or otherwise abandoned. A Uighur businessman living in Turkey says he received word that two of his brothers were detained for traveling within China (“We do not know the exact charges”) and he has not been able to reach them since then. (“We do not know the exact charges.”)

Dilnur Ana, a Uighur who went to Turkey to study, found herself unable to contact her family, including her two children — possibly because they are afraid to communicate with someone outside China. Of her situation, she said, “You cannot know the pain that I feel as a mother at not being able to see my children. I have not heard their voices in more than a year.”²⁵

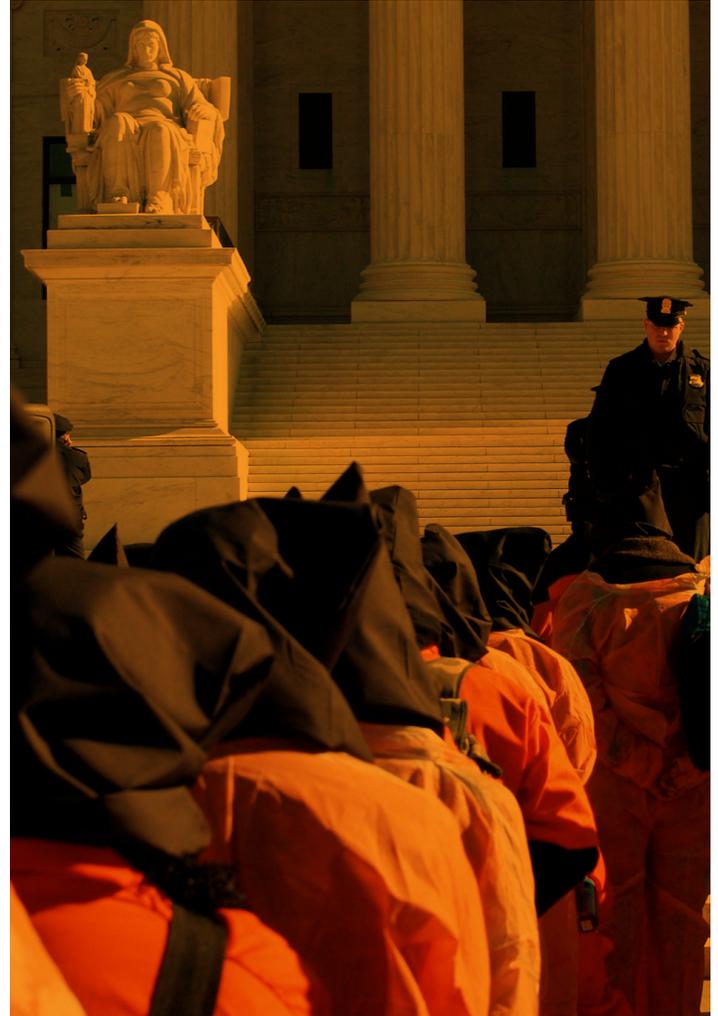
A resident summed up Xinjiang’s silent suffering: “The west doesn’t understand... They figure if someone is oppressing you, you will scream [or] yell, but we can’t. It will get us killed. And everyone ignores this place, because we are not screaming.”

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Trapped At Guantanamo: Rehumanizing the Face of Injustice

By Josie Setzler



On a frigid January afternoon in DC, human rights advocates rallied in front of the White House to mark yet another year of the U.S. prison at the Guantánamo Bay naval base in Cuba. There, 40 men remain captive, most of them having never been given a trial. The assembled crowd was smaller than it was a decade ago, when hopes to close the prison ran high. With the Trump administration now having shut down pathways to release these men, activists struggled for ways to hang on to that hope.

Seventeen years ago, on Jan. 11, 2002, the U.S. military flew the first captives, hooded and strapped to the floor of a transport plane, to Guantánamo, thousands of miles away from the theater of war in Afghanistan. The Bush administration opted to move all Arab men swept up in the early months of the War on Terror to the offshore prison, where the administration hoped to interrogate them beyond the reach of the U.S. Constitution and other legal protections. Many of the men endured torture methods that were dubbed “enhanced interrogation” and approved in the Bush administration’s infamous “Torture Memos” in 2002.

Of the 779 men who have passed through Guantánamo’s cells, only eight have ever been tried and convicted. Among the 40 men who remain, five were cleared for release years ago by government agencies at the highest levels. The government claims that 26 men

are “too dangerous to transfer,” yet it maintains that it has insufficient evidence to put them on trial.¹ Seven of the men are stuck in interminable pre-trial proceedings in a military commission established to bypass the U.S. federal court system with its inconvenient restrictions against evidence obtained by torture or hearsay.

How did these men end up at Guantánamo? Only 5% of the detainees were captured by U.S. forces. 86% were arrested far from the battlefield by Pakistan or the Northern Alliance and turned over to U.S. forces at a time when the U.S. offered large bounties. Leaflets dropped over the impoverished mountainous region between Afghanistan and Pakistan carried a message offering villagers “enough money to take care of your family, your village, your tribe for the rest of your life.”² After turning people in, bounty hunters often disappeared, leaving little opportunity for authorities to verify their stories.³

These shaky grounds for detention cried out for examination, yet in the first years, the detainees had no access to legal representation in the courts. Later, Supreme Court victories gave the men access to attorneys and habeas corpus rights in U.S. federal courts. The men began winning their habeas cases until the D.C. Circuit Court largely shut down this avenue when the court lowered the bar for government evidence. In effect, the court accepted as reliable almost any evidence provided by the government, no matter how flimsy.

A woman passing by the White House rally became distraught at the sight of protesters who dramatized the detainees by wearing orange jumpsuits and black hoods. She asked how they could defend these “terrorists.” A British tourist reminded her that detainees cannot legitimately be called terrorists if they haven’t been tried and convicted of acts of terror. She became even more distressed. She maintained that there must be some reason they are still at Guantánamo.

Indeed, why is a country that prides itself on its democracy holding men outside the rule of law? Perhaps it is all too easy for the rule of law to succumb to prejudice and fear when black hoods and prison garb hide human dignity, while war narratives collapse individual prisoners into a collective labeled dark, foreign, and dangerous. Yet the Universal Declaration of Human Rights, developed by the United Nations in the aftermath of World War II, reminds us, “Everyone has the right to recognition everywhere as a person before the law.” If we are to protect the rule of law, we must hold fast to the humanity of each person who comes under government’s power.

Growing Islamophobia in this country has contributed to the longevity of this prison, which holds only Muslim men. Muslims have become associated with allegations of terror in the public discourse. Congress responds to perceived constituent fears by prohibiting the transfer of detainees to American soil for any reason.⁴ It has also made it extremely difficult to release these men to other countries. While the allegations against the men have never been proven, the fact that these men remain imprisoned reinforces their guilt in the minds of many Americans and stokes further bigotry against Muslims.

Former Guantánamo detainee Mohamedou Slahi, author of *Guantánamo Diary*, released a statement on the prison’s anniversary. He addressed the xenophobia that erodes protections for the accused:

It was never, and it still isn’t, popular to stand up for human rights if the accused is considered an ‘other,’ and much less if the accusation is terrorism-related. However, I would say that precisely for that reason, government violence should not be given free reign just because of the nature of the accusation and the background of the accused. Lynching was condemned and eventually abandoned for a reason.⁵

In the face of such long-standing injustice with no resolution in sight, how do we maintain a sense of hope? Members of Witness Against Torture, who helped organize the rally, seek to foster hope by bringing the humanity of these men into public awareness. They began this task in 2005 when 25 members walked from Santiago de Cuba to the base at Guantánamo Bay to visit the imprisoned as both a corporal work of mercy and a protest against the men’s torture. They were denied entry, but their vigil and fast at the gates of the base attracted widespread media attention. Perhaps even more importantly, the detainees themselves became aware of their visit.

Detainee Fayez al Kandari told his attorney Tom Wilner that he was grateful for the visit. Surely most Americans “must not know who we really are or what is really happening down here,” he said.⁶

Ever since that trip, Witness Against Torture members have been going to Washington year after year for the January anniversary of the prison’s opening. There the activists lift up the names, faces, and stories of the men at Guantánamo in street theater, public events, and direct action. This year’s events included a congressional briefing on Guantánamo, organized by Amnesty International. The briefing opened with Mohamedou Slahi speaking by video link from his native Mauritania, where he has lived since his release from Guantánamo in 2016. At his side was his former prison guard, Steve Wood, whom Slahi befriended during his long imprisonment, insisting that he could not succumb to hatred of his captors. He ignores the risks of speaking out, he said, because he wants the same freedoms that Americans take for granted.

Slahi continues to bear the mark of Guantánamo. Mauritania, citing U.S. pressure, recently denied him a passport to travel abroad for medical treatment.⁷ Guantánamo is a concept, not just a place, he said, its effects difficult to escape.

Later in the briefing, Pardiss Kebriyai, senior attorney with Center for Constitutional Rights, told the audience that the long years

of imprisonment have caused accelerated physical decline in the men, adding perhaps 15 years to those in their 40’s and 50’s. Her client, 44-year-old Sharqawi Al Hajj, who was tortured in CIA prisons and has spent 14 years in Guantánamo, now weighs only 108 pounds and suffers chronic pain. While the public is allowed

to see only his military mugshot taken 17 years ago, Kebriyai said his face now shows the decay. She added that one of the detainees is brought to the proceedings in a hospital bed. Because attorneys are the only ones who are allowed in to see the men, Kebriyai feels an urgent responsibility to report their condition to the public. She asserted that two major issues threaten the physical and psychological health of the men: they need both access to good medical care and family contact.

The men at Guantánamo have not waited passively for their advocates in the United States to speak for them. Over the long years of their confinement, they have lifted their voices in whatever ways they can find.

When their desire to have their cases heard has been frustrated at every turn, many of them have chosen to go on hunger strike. Refusing to eat is the last means available to them to assert their own dignity as a human person. Authorities force-feed them to keep them alive rather than examine the grounds for their protest. After the men are strapped down, a feeding tube is thrust up the nose and into the stomach. It is an excruciatingly painful procedure that the international community condemns as cruel, inhumane, and degrading. The World Medical Association holds that forcible feeding of mentally competent hunger strikers is never ethically acceptable.⁸ In 2013, nearly two-thirds of the detainees joined the hunger strike, capturing the attention of the world and sparking many solidarity fasts.⁹ In the face of this public scrutiny, the U.S.

If we are to protect the rule of law, we must hold fast to the humanity of each person who comes under government's power.



In the early days when little information could escape from the prison, detainees wrote poems on the Styrofoam cups in which they were served tea.

military stopped releasing information about hunger-strikers. Attorneys report that some detainees continue to hunger strike in order to assert their own personal agency, a fundamental part of their humanity.

In the early days when little information could escape from the prison, detainees wrote poems on the Styrofoam cups in which they were served tea. They furtively passed these cups to their attorneys, who submitted the lines of verse to Pentagon scrutiny. Eventually, 22 poems were collected in a volume entitled, *Poems from Guantánamo: The Detainees Speak*. Their moving words continue to be read aloud in venues around the country.

Late in the Bush administration, prison officials began making art classes available to the detainees. Attorneys brought some of the men's artwork back to the U.S. In 2017 the work of eight current and former detainees was displayed in an exhibit entitled "Ode to the Sea" at the John Jay School of Criminal Justice in New York City. In response to the exhibit, the Pentagon decided to claim ownership of all artwork created by the detainees and no longer allows the artwork to leave the prison.¹⁰

Erin Thompson, one of the exhibit's curators, remarked that this government response was "just another way to crush the humanity out of detainees."¹¹

Shelby Sullivan-Bennis, an attorney for Reprieve representing several detainees, said of the men, "Showing the world what Guantánamo really is, and who they are, what their thoughts and dreams are, and that they are men and not monsters — that was the purpose of having the world see their art."¹²

At the White House rally Sullivan-Bennis spoke about the significance of the art exhibit to her clients. "Not being forgotten is their pre-eminent concern," she told the crowd. She quoted one of her clients who said, "I want to be known not as an anonymous human rounded up illegally, paid a bounty for, brutally tortured and never given a trial, but to be known for who I am." Sullivan-Bennis knows them as men who are "creative, humble, bright, loyal, kept from their families for decades, and who frankly have made families amongst themselves."¹³

When a prisoner's freedom is so severely restricted, finding a way to assert his personal agency is a vital source of hope for him. We in turn can find our own sense of agency by acting in concert with the prisoners to lift up their human dignity in the public arena and in front of the seats of power.

To close the congressional briefing, Daphne Eviatar of Amnesty International USA, laid out three actions Congress can take, even in the face of intransigence from the executive branch:

Hold a congressional hearing about releasing those detainees who have been cleared.

Lift restrictions on transfer to the United States for trial and for medical care.

Do not fund transfers of any new detainees to Guantánamo.

Political turmoil these past two years distracts attention away from issues like closing Guantánamo. Yet the Guantánamo prison remains a dangerous blight on the rule of law and its protections for the accused. The Trump administration periodically hints it will send more captives to Guantánamo.¹⁴ As long as the prison remains open, the threat that people can be secreted away without charge or trial for the rest of their lives remains an ever-present reality. It matters not whether its closing is 'probable'; it is crucial that we continue to speak out to close Guantánamo, find justice for its prisoners, and seek accountability for the crimes perpetrated there. Our best efforts will start with "rehumanizing" the face of this injustice and lifting up the dignity of all the men who have passed through its cells.

Notes

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E Block:

A Look at the Thoughts and Feelings of Incarcerated People

By Maria Pane

I have never been to prison.

I don't have close friends who have been incarcerated. The closest I have ever come to prison was in 8th grade when I visited a county jail with members of my confirmation class. I was horrified by the putrid smells, small spaces, and grotesque words we overheard the individuals in solitary confinement speak to each other through the pipes. From that experience, I witnessed a small aspect of the dehumanization of prisoners, but I chalked up the conditions to the fact that they were being punished. I thought that these conditions or worse were okay because the people living in them had committed a crime. In reality, I had no idea why some of these prisoners were incarcerated, and until recently, I had no idea how the system worked. I was not educated about the differences between a jail and a prison. I did not know the history of how the United States prison system was established (directly from the abolishment of slavery). I was not aware of the existence of the private prison industry, or of the fact that black men and women have a greater rate of incarceration in general and of both life and death sentences in particular. I could not imagine how someone must feel when they are sentenced to life, to death, or to any time in prison at all. *E Block* by Mark Perrott sheds some light on the inner workings of newly incarcerated humans as they wrap their heads around the sudden dehumanization they face in prison.¹

E Block, a nonfiction photo essay book, highlights the thoughts and feelings of prisoners when they first enter Western State Peni-

teniary in Pittsburgh, Pennsylvania. Perrott toured the institution during its final days as a maximum security prison in 2005, taking photos of different rooms — including the graffiti on the walls of cells. Starting in 2007, the penitentiary reopened as a minimum to lower-medium security facility; it has since closed in 2017. By taking photos of the graffiti, Perrott archived the personal history of many unnamed, previously unheard, humans who — justly or unjustly — were sentenced to time in the prison.

Perrott begins the book with historical information on the Western State Penitentiary, including the unique history of the *block* of cells this book follows — *E Block*. The Department of Corrections dedicated this group of cells on the ground floor as temporary placements for housing returning parole violators and individuals who were first entering a state correctional facility (until they were classified into the system). The cells were second tier, only “five feet wide, eight feet deep, with a low metal bed, a sink, a toilet, and four whitewashed walls.” The graffiti that completely covers the cells is the most unique part of the small holding areas. It features the voices of the thousands of past inmates. These voices echo the cells as their raw and unfiltered words of “shame, rage, bravado, advice, hate, humor, confession, and contrition”² depict the intimate histories of the individuals who were once housed within these walls.

The introduction of the photo essay is an excerpt of Adam Gopnik's article “The Caging of America: Why do we lock up so many people?” previously published in *The New Yorker*. This essay presents an in-depth history of the United States justice and prison

systems, giving further context to the bigger problems at hand within the system. Gopnik presents theories about why the prison system may be the way it is, primarily citing William J. Stuntz, who published the work “The Collapse of American Criminal Justice.” Stuntz analyzes the immediate causes of the incarceration epidemic and gives the reader a deeper look at American history and the Bill of Rights. He argues that the Bill of Rights “emphasizes process and procedure rather than principles.”³ By including this introduction, Perrott juxtaposes the more complex problems of the *institution* behind the prison system that dehumanizes with a more intricate and intimate profile of *who* the prisoners were (and probably still are). He emphasizes their thoughts and feelings upon separation and incarceration through his records of their words and drawings. This perspective is particularly unique when comparing it to academic thought processes on the prison system. By reading the prisoners’ own words, we receive first-person accounts of experience within the system.

In the end, the heart of the book is the photos of graffiti. Reading the words of prisoners — their desperate pleas, stark meditations, cold truths or harsh realities — is chilling, to say the least. Some words and drawings were pornographic and extremely uncomfortable to read or view. Others were simply horrifying for how they revealed how unsafe these people felt entering prison and the hopelessness they expressed. Some saw no hope in reform or change. They saw prison as an epidemic that they were not going to be able to leave. One person wrote, “Write your name on these walls and you are sure to return one day! For I have returned!”⁴ Another expressed the thought that it was their destiny to be in prison, writing “This is my family tree” above a drawing of gallows.⁵ Others express the despair of prisoners who are sentenced to life. One inmate wrote, “R.I.P. Shane, sentenced to death for life and hung up first night here.”⁶ Whether the words written express regret, advice, despair or hatred, they all represent the humanity behind the prisoners — something we can all empathize with.

Frankly, as one inmate expressed on a wall near drips of paint, “these walls are crying from the pain they’ve felt.”⁷ Perrott depicts a truthful and well-rounded record of the inmates of Western State Penitentiary through his photographs. The archive accurately depicts the humanity of those convicted. Readers are left to wonder what justice is really about.

Notes

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3. Perrott, *E Block*, 18
4. Perrott, *E Block*, 25
5. Perrott, *E Block*, 57
6. Perrott, *E Block*, 26
7. Perrott, *E Block*, 12





Efficiency

By Lilianna Meldrum

*“If there are signs of life, check vital signs
Until signs cease.”* Patience is tantamount
To the slow wheels of justice; justice bends
For none but those who bend it. Ready, count:

Now, up to 60, no signs. It’s complete,
A collection of parts: foot’s sole, jaw’s hinge,
Scars from a thousand brushes with the ground.
Efficiency, measured in time: with a syringe,

Up to two hours. Unfortunate. A squad
Requires sandbags (blood), but it is quick
And ordered, provided the shots are true,
All goes as planned and the heart is hit.

Electrocution, unwise. You don’t need guilt,
Not like this: death in ear and skin and hair.
Smoke rises like a Vatican cloud, and our
Reflected lust an inconvenient terror.

What’s wanted: cruelty, manageable. We like
Our spectacle excusable, polite,
Playing at reason: *“If the statement exceeds
two minutes, the execution shall proceed.”*

*Quoted lines closely adapted from Montana State
Prison Execution Technical Manual (Effective date
1.16.2013)*

Life After *Roe*: A Restorative Justice Proposal

By Christy Yao

One of the most often-heard arguments from pro-choice advocates is that they don't want women who have abortions to end up in jail. The pro-life response is that we don't want that either. But what do we want?

Despite the (untrue) commonly held belief that pro-life people want to oppress women, you'd be hard pressed to find a pro-life person who wants to fill up jails with post-abortive women. In fact, many in the pro-life movement are post-abortive women, or people inspired by the stories of post-abortive women. Surely these people do not want to be locked away or to see their friends or family treated that way. For many years now the group Silent No More has been hosting an event in front of the Supreme Court, after the March for Life, where women who have had abortions tell their stories. These stories often tell of desperation on the woman's part, a pressuring boyfriend, or a persuasive clinic. There were many factors driving them to abort, at a time when they were most vulnerable. No woman who has had an abortion should ever be called a "murderer", for they are also victims themselves.

Seeing the woman as a victim helps answer the question of what should be done if *Roe v. Wade* were to be overturned and states were to start establishing more abortion restrictions or banning abortion altogether. I propose we use a Restorative Justice model to create a truly pro-life and pro-woman society.

Restorative Justice is healing in a community setting, which involves the victim, offender, and community.¹ The process acknowledges and addresses the harm caused; the needs of the victim, offender, and community; and the obligations of both the offender to the victim and the community to the victim and the offender. Restorative Justice usually includes mediation and conflict resolution, with an opportunity to apologize for the harm done, make reparations, give compensation, and perform acts of community service.

Restorative Justice can have a range of formality and structure. Restorative Justice can either directly respond to the crime or promote positive future behavior by both the offender and the community.² If the offender does not want to participate in the Restorative Justice process, the offender can do mandatory community service instead. Restorative Justice can include material, emotional, and spiritual assistance. It looks at crimes comprehensively, and sees that the offenders do not only harm the victims and communities, but also harm themselves. Success is measured when the harm is repaired or further offenses are prevented.³

There are different methods to Restorative Justice, and I think the two most applicable to abortion would be "Family or Community Group Conferencing" and "Peacemaking or Sentencing Circles." Family or Group Conferencing is when the family and friends of the victim or offender are included in deciding what should be done. The goal of this Conferencing is to raise awareness of the consequences of the behavior and present an opportunity to take

responsibility for it. This method can be used with both juveniles and adults, and there is a high success rate. Conferencing is quite common in New Zealand, being adapted from traditional Maori practices and is now operated by Social Services. This program has also been modified for Australian use. Now Conferencing is used in European, North American, and South African countries as well.⁴

Family or Community Group Conferencing for abortion would see the woman and the child as the victim and the abortion provider as the offender. The woman would be offered healing with family and friends. In an ideal situation, family and friends would say how they would support the woman if she ever found herself in a crisis pregnancy again. The provider would have the opportunity to see how they hurt the woman and make reparations. Community members would have the opportunity to explain which services would be provided to help the provider and the woman.

Peacemaking or Sentencing Circles includes many members of the community. The victim and their supporters, the offender and their supporters, counsel, prosecutors, judges, and court workers may all take a part in finding the best solution. Two benefits of Circles are that it addresses what causes the criminal behavior and bolsters community among those finding a solution to the behavior. Two criminal justice sanctions are used in Circles: restitution and community service. Restitution is money paid to the victim by the offender. A price cannot be put on human life, but the abortion provider should at least pay for the counseling for the woman, as well as any health complications that can be traced back to the abortion, whether physical or mental. Community service in Circles is when the offender does work to benefit the community they harmed. This can also be used as a means to rehabilitate the offender. In African countries, community service is used to integrate offenders back into the community. This would have to be done in a way that does not cause trauma to post-abortive women, of course. Circles in North America have been adapted from traditional Native American practices.⁵

Peacemaking or Sentencing Circles would be a great alternative to our current criminal justice system in matters of illegal abortion. It would allow a variety of voices — the woman, the doctor, family and friends who might have supported or opposed the abortion, and the larger community — to speak to why and abortion happened and what should be done about it. Restitution and community service are also great options compared to time in prison or traditional fines that are paid to the state rather than the victim.

No one knows when or if *Roe v. Wade* will be overturned. But what we do know is that, no matter what, we need to provide loving and compassionate justice to those hurt by abortion, which is the whole community. We need to send the message loud and clear that we are not looking to imprison people, but rather to show them a better way. We are not here to condemn, but to show the truth about life.

Notes

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Human, From the Inside Out

by Robert Saleem Holbrook

Editor's Note: The following piece is a combination of two pieces that were written during Saleem's incarceration. One was first published with the title "From Public Enemy To Enemy of The State" on 4StruggleMag.com on March 2, 2010; the other was written as a Statement for Decarcerate PA Action Day, April 5, 2013. He has included a post-script at the end of this piece with further developments and more information about his work.

Children are the most vulnerable segment of any society because their lives and rights are entrusted to the society they belong to. Children are also the most preyed-upon segment of the so-called criminal justice system by both those claiming to uphold the law and by those who break the law, especially in Pennsylvania. In Pennsylvania, there are more prisoners serving Life without parole sentences for crimes they committed or participated in as child offenders than in any other state in the United States. According to Human Rights Watch and the Pennsylvania Department of Corrections statistics, the number has well exceeded 400. In the United States, there are over 2,000 prisoners serving Life Without Parole sentences for crimes they committed or participated in as child offenders while in all the other countries of the world there are ZERO. Consider the absurdity of that for a moment. A child offender in Pennsylvania who makes a terrible decision that tragically results in a homicide would receive a more balanced sense of justice and leniency in an authoritarian regime; such regimes are habitually cited for human rights abuses by the United States, and yet they extend more compassion to child offenders than the world's self-proclaimed defender of human rights and democracy.

Sentencing a child offender to Life Without Parole is a violation of a child's human rights. No matter what language the state employs, often the language of vengeance, a child does not cease being a child because of a terrible decision she or he makes that runs afoul of the law. We also must ask ourselves what type of society needs protection from its own children to the extent that they must be locked away for life? The fact that Pennsylvania, and the United

States as a whole, sentences more of its children to Life Without Parole than the rest of the world combined speaks volumes about the nature of our society, because in the end children are reflections of their societies.

There are many who question why child offenders sentenced to Life Without Parole should ever be considered for release. For a moment, try and put yourself in an offender's shoes. Just imagine what it is like to be a 35-year-old man or woman condemned to die in prison for a terrible decision you made as a child. Imagine being denied the opportunity to demonstrate that the person you are at 35 is not the child you were at 16. A life under a cloud of hopelessness perpetually drifts over the head of a prisoner serving Life Without Parole for a crime they committed or participated in as a child. They are forever condemned to their past despite the accomplishments and maturity he or she has developed as an adult. Only a justice system predicated on vengeance could justify such a sentence that holds children to the same accountability standards as adults.

It is always healthier for a society to incline towards justice and away from vengeance. The state of Pennsylvania and the United States in general must dispense with and abolish this draconian sentence that rests in vengeance as opposed to justice. Undertaking this measure would provide child offenders sentenced to Life Without Parole the ability to demonstrate that despite the mistakes of our pasts we will not be defined by the past and are human beings worthy of redemption who can contribute to society and help mentor and work with at-risk children, to help prevent them from making the same mistakes we made. Otherwise, to continue this practice of sentencing children to die in prison not only constitutes a travesty of justice but also encapsulates the inhumanity of a system that sacrifices its children on the altar of vengeance.

Now envision me as a child, growing up in Philadelphia, my brain and my body still immature and growing: I used to often walk past the old Eastern State Penitentiary on Fairmount Avenue in North Philadelphia and stare in awe at its high walls and ramparts seemingly towering into the sky, believing naively that the old prison was an ancient castle from the days of knights and kings. There were times other kids my age and I used to try and scale the walls

to get a glimpse of what was inside; how ironic it is that now for the past 18 years I've been trying to figure out how to scale out of the numerous prisons I've been imprisoned in since the age of 16.

I've often sat in my cell in total isolation and solitude attempting to figure out what brought me to this point in my life, where at the age of 34 I've been imprisoned for 18 years with the rest of my life destined for the same thing — I'm one of those 400+ children in Pennsylvania who was sentenced to Life Without Parole. During 3 years of confinement in the state's control unit (Special Management Unit) at SCI-Greene I had the unique opportunity to actually backtrack practically every poor decision I made in my life that eventually culminated in my imprisonment. When you are locked down for 23 hours a day 7 days a week, you have the ability to engage in such personal adventures in discovery.

The pivotal decision that culminated in my imprisonment occurred when I was 14 years old, hanging out with some friends on the corner, admiring a car an older guy from the neighborhood had.

He sold drugs and seemed to have it all, and that's what I wanted: the girls, the clothes, the respect, etc. It wasn't until years later while in my early 20s that I came to understand the distinction between my wants and my needs, but at that moment I suffered from "reckless youth" and could only see the benefits that selling drugs provided. That admiration led me to compliment his car and we struck up a conversation that culminated in me agreeing to sell drugs for him. It was that decision, combined with a series of other poor decisions and circumstances that resulted in a LWOP (Life Without Parole) sentence 2 years later for being an alleged lookout to a drug-related murder. There was a time in this country when it was said that "youth were generally allowed mistakes." However that is not the case anymore — unless we're talking about President George W. Bush, who could blame his early cocaine addiction on "being young and a little irresponsible."

Little did I know that that decision to become involved in gangs and the drug trade put me on a collision course not only with other gang members and law enforcement but also with the federal government's war on drugs. Overnight I had unknowingly transformed from a "kid" to a "public enemy" in the eyes and perception of the public and government. For in order for the government to wage a war on drugs, it must define someone as the enemy. It must identify and create public enemies for the people to vilify and fear in order to justify its war and multi-billion dollar budgets to Congress. The enemies were identified. The government had declared war on a substantial segment of its citizenry, in particular youth of color, so-called gang bangers.

Since I was a "public enemy" it was easy for the state to impose a Life Without Parole sentence on me and on countless other juvenile offenders caught up in the street wars. Despite our age, we were the expendable casualties of the war on drugs. From my arrest, conviction, and sentencing, I was a statistic on the policy charts of briefings to the media, politicians, government committees, and others, in which law enforcement demonstrated its "imminent" victory against street gangs and drug lords. Like the "body count" tallies in Vietnam and now Iraq, my imprisonment was a slogan or prop for public consumption, demonstrating that the war is being won and the "bad" guys are losing.

Initially content with the government-imposed "public enemy"

label, I unwittingly played into the stereotype while imprisoned, accepting and conforming to the dog-eat-dog environment of prison. I didn't care about anything and sought to adopt, hone, and sharpen the criminal and predatory traits that dominate the prison system and contribute to the criminality of its inhabitants. I saw no need to change or evolve beyond my perception. This was part of the game, and on another level beyond my perception, part of the government's script for young public enemies.

In the controlled environment of prison, the script is even more predictable. Act out, break the rules, be "disciplined" via the hole, be released, and replay script. Like the script on the streets, both sides pretty much accepted their roles in the script of prison. Those of us who were incarcerated were society's "public enemies," and in the eyes of the guards it was their patriotic duty to imprison, since they had been conditioned to believe they were/are manning the walls in the nation's war on drugs. The institution of justice in this country, from the police to the courts to the Department of Corrections, is built on a war model and its target is youth of color, i.e. "gangbangers."

Somewhere in or around the 10th year of my imprisonment, at the age of 26, I decided to stop playing out the script. No one single event or incident brought about this decision; instead, it was a culmination of events, maturity, and experiences. For one, I started to question why the white kid received 5 to 10 years for the same role in a murder for which I received a Life Without Parole sentence. Why did the white man that murdered a childhood friend of mine in 1989 by penetrating his skull with a tire iron receive only 5 years probation? There were a million other "whys" that started to bombard my mind and subconscious that I could not escape by falling back into the script. I started to read to satisfy my questions. I had always read during my imprisonment, but now I started to take what I read seriously. I became angry as I became more aware of the injustice around me, and the feelings of anger and rage that at one time had been directed at opposing neighborhoods and prisoners were now directed at the injustices of the state that imprisoned me.

It became impossible for me to play the script once aware of the injustice of my imprisonment and of the criminal justice system in general. I also could not just sit still and rage and condemn the system. I had to challenge and confront it as best I could from within the confines of the prison. I decided to become involved in activism against imprisonment and against the government's "war on drugs." My politics and activism sprang forth from an

Overnight I had unknowingly transformed from a "kid" to a "public enemy" in the eyes and perception of the public and government.

oppositional perspective. The state and I were opponents and the script was tossed out the window. This decision gave me a first-hand experience of the response of the institution of government when its legitimacy is challenged and questioned by those it attempts to marginalize, define, or ignore. Once again, I embarked on a transformation based on a decision that set me on a collision course with a government campaign or policy. Overnight I went from “public enemy” to “Enemy of The State” in the eyes of the Department of Corrections.

The consequences of this shift in personal consciousness and institutional classification were substantial and were a lesson in the art of institutional self-preservation. Since tossing the script that prisoners are expected to conform to out the window, I have remained misconduct-free since 2001. In the 11 years preceding 2001 I had been kicked out of 7 different prisons, done 2 tours in the state’s Supermax Control Unit for incorrigible behavior, and incurred dozens of misconducts.

Normally the D.O.C. would reward or encourage such a turnaround in behavior, but in the eyes of the D.O.C., the behavior I was engaging in was far more serious misconduct than if I was running wild in the system breaking every rule on the books. What was this serious misconduct I was engaging in? Networking with activists on the outside, challenging the injustice of the so-called criminal justice system, writing articles and pamphlets exposing the injustices of prison, and — most serious in the eyes of the D.O.C — articulating a perspective of prisoners and prisons that is in opposition to the false perception of prisoners and of the need for prisons that the D.O.C. is articulating to the public. I have seized control of my image from the D.O.C. and dared to define myself, fellow prisoners, and the D.O.C. itself. No longer can the D.O.C. define me as a gang-banger, murderer, public enemy, etc. without a response.

The D.O.C.’s reaction has been a lesson in the fact that you cannot challenge or protest government injustice, repression, etc. without suffering the foot of the state wherever you are. In the past couple years, my custody level has been upgraded to a “High Risk Prisoner” despite years of misconduct-free behavior. All my mail is monitored and read due to “radical beliefs” and involvement with “questionable” publications (i.e. publications critical of the government’s wars on drugs and terror). In 2002 I was placed in the hole for 14 months without charge because the prison thought that, because of my grievances /complaints challenging institutional racism, I expressed sympathy with the terrorists the United States is fighting.

How was a connection to the “war on terror” made with prison activism? In response to a question I poised to a D.O.C. Security Captain about the need to monitor my mail, I was candidly told “we live in a new world since 2001 and the government and the D.O.C. are concerned about this type of activity.” So, not content with being on the front lines of the “war on drugs,” the D.O.C. has found a way to muscle into the “war on terror hustle” by monitoring and containing prisoner activists and their supporters on the outside, just as the government has used the “War on Terror” to

stifle anything outside of the “acceptable bounds of dissent” (e.g., writing or calling your congressman, writing a letter to the editor of your local newspaper, venting and get over it.). The D.O.C. has manipulated the war on terror to suit its own ends of stifling internal dissent and criticism of its policies and practices.

Despite the repression and personal difficulties imposed by the D.O.C., in the end the transition from “public enemy” to “enemy of the state” has been worth it and I have no regrets other than that I wish I had made the connection between the drug trade, the government’s failed war on drugs, and these two commonly-accepted categories prior to coming to prison as a juvenile offender. Life is about transitions and transcending one’s limitations. Sooner or later, for better or worse, we all make or miss the transition that will define who we are and, most importantly, who we choose to be. No longer will the state define me. I will dare to define myself.

Post-script:

A lot has happened since I wrote “From Public Enemy to Enemy of the State” a little over ten years ago. The biggest thing is that I am now free. On February 20th, 2018 I was released from SCI-Greene in Western Pennsylvania after serving 27 years of a Life Without Parole sentence. My freedom came about as a result of two monumental United States Supreme Court decisions, Miller vs. Alabama in 2012 and Montgomery vs. Louisiana in 2016. The first case, Miller, ruled that child offenders cannot be sentenced to a mandatory Life Without Parole sentence, and the second case affirmed that the decision is retroactive and applies to all child offenders sentenced before 2012.

There is not enough space in this publication for me to write how great it is to be free or how freedom has impacted my life. Freedom is relative; what I mean is that what the average person takes advantage of in their day-to-day travels or lives has a completely different feeling for me. For me, to wake up in the middle of the night and take a walk under the stars to the nearest Wawa to grab a late-night snack is one of the greatest sensations. It is just that ability to walk under the sky unencumbered by barbed wire and gun towers that makes it so great.

Being free also has allowed me to transition to another phase of my life: being an Agent of Change. Since I was released, my work has revolved around ending Death By Incarceration Sentences, and around Restorative Justice, Criminal Justice Reform, and empowering communities disenfranchised by a racist and oppressive state. Having done this work on the inside, it was only natural that I would entrench myself in the work on the outside. For me, I have learned the hard way that when it comes to Life, Family and Politics there is no neutral ground, you either have to pick a side or get the f#@k out the way!!! I am choosing the side of justice, with no reservations.

For me, to wake up in the middle of the night and take a walk under the stars to the nearest Wawa to grab a late-night snack is one of the greatest sensations.



Prison Reform vs. Abolition

Rehumanize International (and by extension, *Life Matters Journal*) is dedicated to ending aggressive violence against human beings. There are myriad acts of aggressive violence that are addressed in this magazine because of that central principle. However, there are also issues which fall in the periphery of the causes for peace and life; on these topics, Rehumanize International doesn't take an official stance, but we still find them important and worthy of discussion. This section of *Life Matters Journal*, "Opposing Views," aims to highlight varying perspectives on such issues.

By Anna Zimmerman

The First Step Act, passed in Congress with bipartisan support this past January, has kick-started a national conversation about prison reform. For too long, the U.S. judicial system has dehumanized incarcerated prisoners and expanded governmental power unnecessarily.

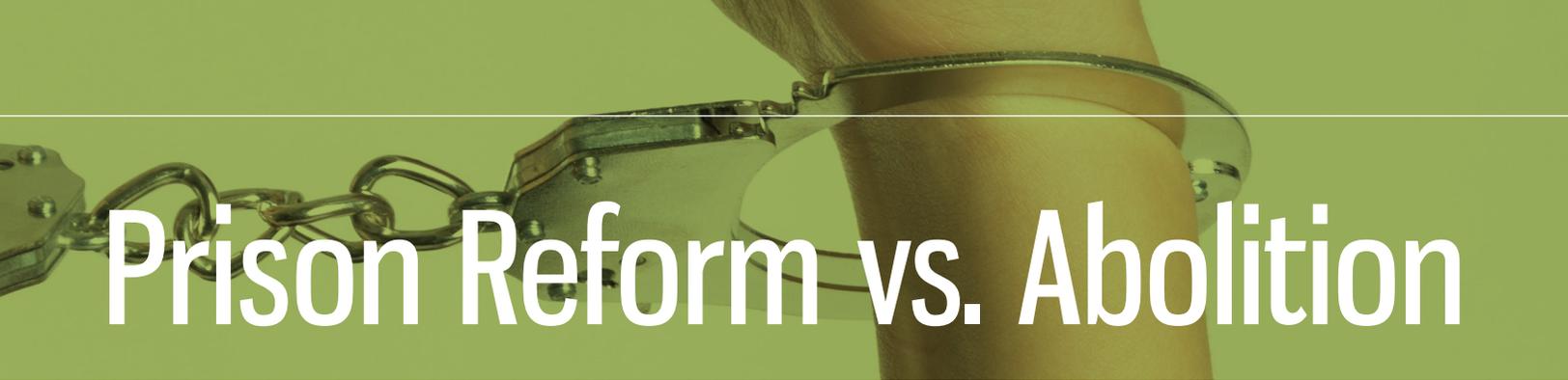
The assurance of public safety is considered a legitimate use of governmental power by virtually all voters, therefore rendering the prison system an acceptable use of force and funding. Beyond that, incarceration as negative reinforcement for the most heinous of crimes is generally considered a just consequence. However, our prison system is currently overrun with nonviolent offenders, serving decades-long sentences in inhumane conditions. Nearly half of federal¹ and 20% of all inmates are serving sentences for nonviolent drug charges.² Furthermore, even though violent offenders deserve a prison sentence and should be housed away from the general public, the conditions and treatment they encounter deny them their basic humanity.

The high incarceration rate in America (we house 25% of the world's prison population³) destabilizes families, the bedrock of a thriving society. 7% of American children have had an incarcerated parent at some point⁴; this statistic drastically increases for minority children — 1 in 9 African-American children have an incarcerated parent.⁵ Children with incarcerated parents are more likely to experience psychological and social problems; they are more likely to not finish school and may be more likely to be incarcerated themselves.⁶ Furthermore, having an incarcerated parent makes it more likely that the family will stay in or fall into poverty.⁷

Instead of continuing to imprison Americans for decades at high costs without providing a chance for real rehabilitation, we should look to reduce the number of inmates by decriminalizing certain behaviors and providing alternatives, such as community-based treatment and electronic detention. We should decrease or abolish mandatory sentencing and expand the opportunity for parole. We should provide more rehumanizing rehabilitation, such as greater access to education and mental health resources, and abolish dehumanizing practices such as solitary confinement. These solutions will not only reduce government overreach and taxpayer spending (the prison system in 2017 cost \$182 billion⁸), but also reintegrate offenders into their communities, reduce recidivism, and stabilize families. With these types of solutions, we can massively reduce incarceration and the myriad problems that accompany it while retaining the prison system (albeit with greater rehabilitation programs) for serious, violent offenders.

Notes

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Prison Reform vs. Abolition

By Herb Geraghty

While many reforms may be beneficial in the short term, it is not enough to simply attempt reform American prisons — they must be abolished. Prisons, by their very nature, dehumanize those who are held behind their walls. By separating people accused of crimes, regardless of their perceived threat to others, from their families and communities prisons foster an extreme alienation that both inhibits rehabilitation and ultimately causes a domino effect of harm against entire communities; particularly, low income black and brown communities of color.

Prisons, like many other violent institutions, aim to slap a band-aid on society's problems without addressing the root causes. The majority of states have at least one prison that houses more people with severe mental illnesses than any psychiatric hospital in the country.¹ A person experiencing homelessness is 11 times more likely to be incarcerated at some point in their life compared to the general population.² Mass incarceration serves as an expensive non-solution to the serious crises of housing and healthcare.

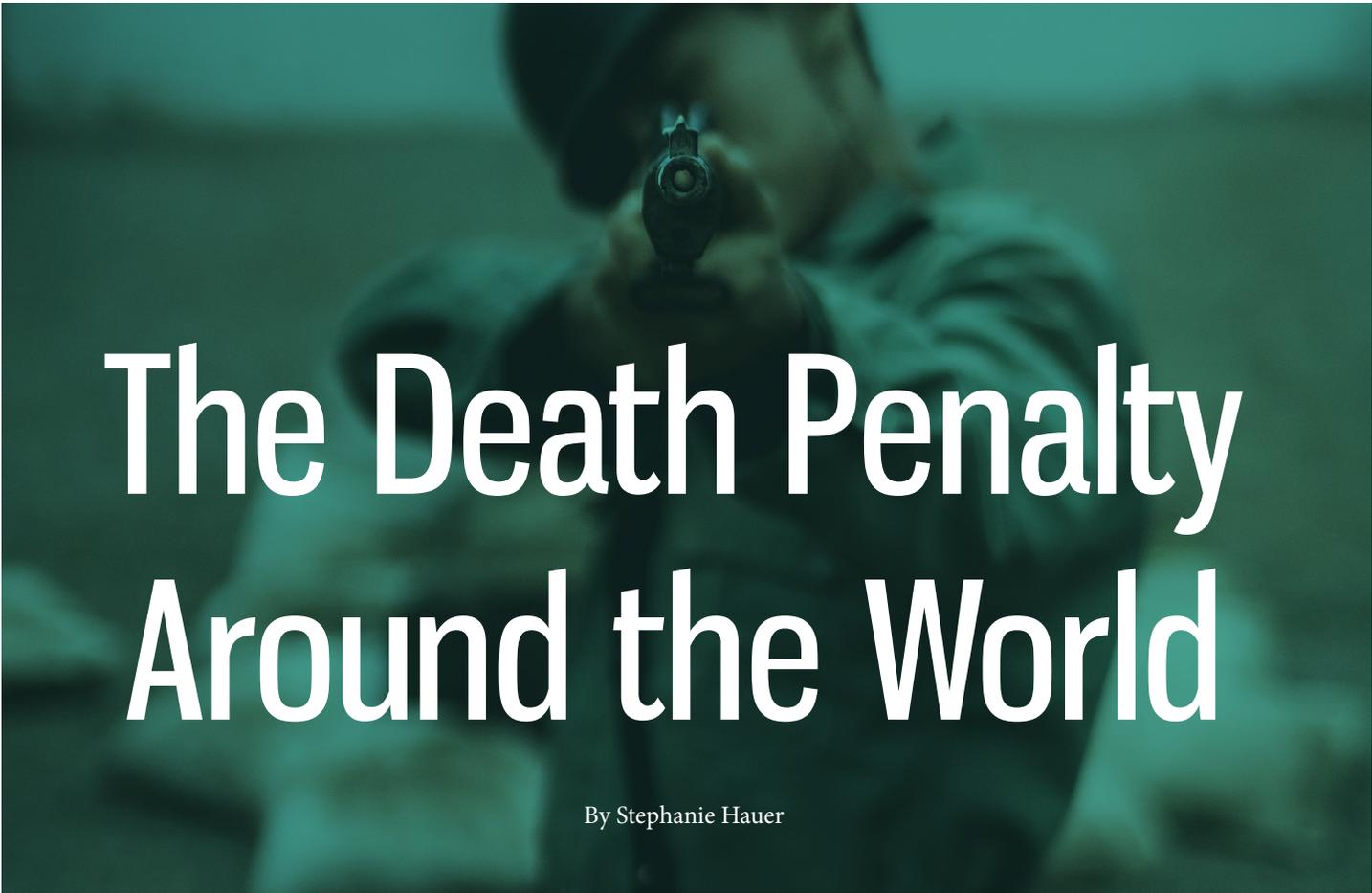
Furthermore, unpaid and severely underpaid prison labor — frequently referred to simply as slave labor by incarcerated and formerly incarcerated activists — creates a conflict of interest for both states and private companies that seek to profit off of the continued exploitation that further incarceration brings.³ Additionally, physical and sexual abuse is rampant in prisons and despite decades of attempted reform, such as the Prison Rape Elimination Act, the numbers of reported instances of sexual assault are only rising.⁴ Statistics about LGBT people in prisons, particularly transgender women, consistently paint a picture of widespread abuse with little to no recourse for victims of prison violence.⁵ Although nothing could justify the brutality inherent in our modern carceral system, the potential for reduction in violent crime is alluring; however, studies continue to show that prisons are not even effective at reducing recidivism.⁶

A form of incarceration, at its absolute best, can serve as a tool to decrease the likelihood of future crime and protect the safety of citizens to live free from violence; American prisons, as institutions of violence themselves that show little to no evidence of preventing crime, achieve neither of these goals.

Notes

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The Death Penalty Around the World

By Stephanie Hauer

The use of the death penalty is a vile and reprehensible violation of human rights. Every human being is unique and has innate dignity that affords that person certain rights. These include the right to live and the right to be free from torture and cruel punishments.¹ No one deserves to be tortured or killed: these are perversions of justice. Punishments for actions must be equitable, humane, and just; killing is none of these things. In addition to the objectionable underlying principles that inform capital punishment, there are practical problems. Innocent people are regularly wrapped up in mistakes that lead to their wrongful execution.² Malicious governments and skewed justice systems apply the death penalty to crimes to advance their own goals.³ This can lead to executions for minor offenses such as drug possession and the killing of particularly vulnerable groups such as the young and the intellectually or developmentally disabled.⁴ The application of the death penalty can be a vehicle for discrimination and political manipulation and should be condemned across the globe.

In 2017, the United States carried out twenty-three executions and imposed forty-one death sentences.⁵ Eight states completed those executions: Texas, Virginia, Florida, Missouri, Georgia, Alabama, Ohio, and Arkansas.⁶ This total of deaths is lower than in recent years. The death penalty has existed in America since its earliest days, but it was not nationally regulated until 1972, when the Supreme Court suspended its use in *Ferman v. Georgia*.⁷ Four years later, in *Gregg v. Georgia*, the death penalty was reinstated.⁸

Over the next eight years, minimal executions were completed — usually one or two annually.⁹ But in 1984, the number of executions spiked to 21 and followed an upward trend in the United States until the peak of 98 executions in 1999.¹⁰ Since that point, the number has steadily decreased, averaging in the twenties for the last four years.¹¹

The United States is one of only three countries in the Americas region who imposed death sentences during 2017.¹² Many countries in Latin America still technically permit the death penalty, but it is only used for severe crimes against the state, and no one has been sentenced to execution in years.¹³ In fact, the most recent executions in Latin America happened over fifteen years ago, in 2003.¹⁴ Venezuela was the first country to outlaw the death penalty back in 1863.¹⁵ Guatemala continued that legacy in 2017, becoming

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the 142nd country in the world to ban the death penalty in law or practice.¹⁶ (The phrase “in law or practice” encompasses countries who have declared the death penalty illegal, and those who still have capital punishment on the books but have not enacted it in several years, so it is effectively banned.¹⁷)

Of the countries who still use the death penalty, the United States ranks as the 8th highest executioner.¹⁸ Iran, Saudi Arabia, and Iraq are the highest ranked countries.¹⁹ Iran killed at least 507 people and Saudi Arabia, 146.²⁰ Death penalties increased dramatically in Palestine, Singapore, and Somalia in 2017.²¹ And there is no way to know how many people China executed in 2017, or in any year, because they treat the execution statistics as state secrets, so there is no reliable information available.²² Amnesty International suspects thousands of people are executed there.²³

Despite these atrocities, there is still hope. On a global scale, executions decreased by 4 percent in 2017.²⁴ Some countries, such as Botswana, Indonesia, Nigeria, Sudan, and Taiwan, did not carry out death sentences in 2017 even though they had in the previous year.²⁵ A total of 106 countries have banned the death penalty for all crimes, and 142 have banned it in law or practice.²⁶ In September, the Gambia joined an international treaty against the death penalty known as the “Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.”²⁷ Madagascar ratified their agreement to the same treaty the next day.²⁸ Twenty-one countries commuted death sentences or pardoned people sentenced to die, and a total of 55 prisoners were exonerated in six countries.²⁹

There are several organizations, such as Amnesty International, that exert their best efforts to advocate for the end of the death penalty. While some countries are still entrenched in their ways, many countries are growing and changing to reject this cruel punishment. It is through the effort of activists that awareness can be raised and further progress can be made. We each have a voice, and we can advocate for the respect of human life by justice systems around the world.

Notes

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