Waupun inmates begin hunger strike

By Tom Daykin of the Journal Sentinel
A group of inmates at Waupun Correctional Institution are refusing to eat food in an attempt to limit the use of solitary confinement, and to improve medical care for inmates with mental illnesses.

The food strike began this past week for at least seven inmates, according to organizers of a Saturday rally in support of the action. Most of those inmates began refusing meals on Friday. Additional inmates might be involved, said rally organizers Jason Geils and Bernie Gonzalez. But it's difficult to confirm that because the Wisconsin Department of Corrections restricts communicating with prisoners, they said.

At least one Waupun inmate involved in the food strike was transferred to Columbia Correctional Institution, while others were released from solitary confinement into Waupun's general prison population, Gonzalez said. He got his information Friday from inmate Cesar DeLeon, who began refusing to eat food on June 5. DeLeon believes corrections officials took those steps to prevent the food strike from spreading, Gonzalez said. "Several inmates have indicated to DOC staff that they are refusing meals," Tristan Cook, department communications director, said in a statement.

"DOC will continue to evaluate and monitor the situation to ensure the health and safety of inmates," Cook said. In Wisconsin, the maximum term of what the department calls "disciplinary segregation" is generally one year, and can be imposed only for certain offenses, under new rules that took effect in January.

Inmates who use "disruptive, destructive, or out of control behavior" while confined to disciplinary segregation can be moved to "controlled segregation," which is more restrictive. After an initial 72-hour placement, that time can be extended. But the inmate's conduct must be reviewed every 24 hours, according to the rules.

As of March 31, 827 Wisconsin prisoners were being held in restrictive housing, compared with 1,128 on the same date in 2014.

The rally in support of the striking inmates drew around 70 people to Clas Park, near the northwest corner of W. Wells and N. 9th streets, just south of the Milwaukee County Courthouse. The speakers included former Wisconsin inmates who said they spent portions of their sentences in solitary confinement. Solitary confinement is often used as punishment for what Alan Schultz and Carl Fields characterized as relatively minor prison rule violations.

A lengthy stay in solitary confinement can be disorienting and can lead to symptoms associated with mental illnesses, Fields said. "They're sending a lot of people home with these types of conditions who didn't have them previously," he said.

The rally was organized by groups that include WISDOM, a statewide coalition of faith leaders and activists. WISDOM wants the Legislature place a limit on the use of solitary confinement and to recognize the United Nations standard that considers more than 15 days in solitary confinement to be torture. The group also wants an oversight board, independent of the Department of Corrections, to monitor the conditions and use of solitary confinement; an immediate transition to less restrictive housing for inmates who've been in solitary confinement for more than a year; and proper mental health facilities and treatment for all who have been in solitary confinement.

Department officials "cannot be allowed to believe they can get away with this forever," said Chance Zombor, a former inmate.

Hunger strike continues in Wisconsin prisons/Posted: Jun 20, 2016 10:27 AM EST / MADISON, Wis. (AP) - A handful of Wisconsin inmates still won't eat in hopes of forcing an end to long-term solitary confinement. The Industrial Workers of the World, a labor union promoting the strike, has said seven inmates spread between the prisons in Waupun and Portage stopped eating on June 10. The union issued a news release Saturday saying the prisoners are still refusing to eat. One of the Waupun inmates, Cesar DeLeon, also has stopped drinking out of concerns the prison's water is contaminated with copper and lead. Department of Corrections spokesman Tristan Cook said in an email to The Associated Press on Friday that the agency was evaluating the situation to ensure the inmates' health. He didn't immediately respond to an email message Monday seeking information about the strikers' conditions.
Wisconsin prison officials begin force feedings as solitary confinement protest continues

The Department of Corrections has obtained court orders to force feed three inmates participating in a hunger strike aimed at ending long-term solitary confinement By Dee J. Hall

Chance Zombor, 36, leads a protest against the practice of solitary confinement at a rally in Madison Tuesday. Zombor has spent time in isolation at Waupun and Oshkosh correctional institutions. About 30 people marched to the Wisconsin Department of Corrections headquarters to deliver a letter arguing against the use of solitary confinement in Wisconsin prisons. Along the way they shouted "Our passion for freedom is stronger than their prisons!"

The state Department of Corrections is force feeding at least three inmates as a hunger strike aimed at ending a form of solitary confinement that can go on for years — even decades — continues for a third week. Although the DOC has detailed the medical conditions of the hunger strikers in publicly available petitions, the agency refuses to confirm that it has obtained court orders to force feed inmates, citing medical privacy issues. Spokesman Tristan Cook did not immediately respond to questions about how often and on whom the department has used force feeding.

Columbia Correctional Institution (CCI) inmate Norman C. Green, who goes by the name Prince Atum-Ra Uhuru Mutawakki, says he has been in a version of solitary confinement in Wisconsin for 18 years. In a 2012 blog post he said long-term isolation, known as administrative confinement, “incinerates the mind and spoils the soul.” On Wednesday, the Wisconsin Department of Corrections (DOC) obtained a court order to begin force feeding Green, who has been refusing food to protest the use of such long-term solitary confinement. Court records show the agency is now force feeding Waupun Correctional Institution inmates (WCI) Cesar DeLeon and LaRon McKinley Bey and CCI inmate Norman C. Green, who also goes by the name of Prince Atum-Ra Uhuru Mutawakki.

The food refusal campaign, dubbed “Dying to Live,” which about half a dozen inmates began as early as June 5, is aimed at pressuring the state to end the practice of holding inmates for lengthy periods of time in administrative confinement, which is intended for prisoners deemed a danger to the institution.
McKinley Bey, who escaped during a jail transfer in 1987 after shooting a sheriff’s deputy, has been held in this status for at least 25 years, according to a federal lawsuit he filed in Milwaukee. He alleges such unending isolation — at least 23 hours a day alone in a cell — violates the constitutional prohibition against cruel and unusual punishment.

Roughly 100 Wisconsin inmates are being held in this type of long-term solitary confinement. A top United Nations official has declared that such isolation beyond 15 days is tantamount to torture.

On Tuesday, 30 activists gathered in front of the DOC headquarters in Madison to protest the state’s continued use of administrative confinement, chanting “solitary is torture.” Protester Chance Zombor said he had spent many months in solitary confinement at Waupun and Oshkosh correctional institutions. Zombor said such isolation causes inmates to become “psychologically deranged.”

Protesters delivered a letter to Tristan Cook, Wisconsin Department of Corrections spokesman. The protesters presented Cook with a letter demanding an end to the “overuse and abuse” of administrative confinement, improved mental health services for inmates in solitary confinement and other steps, including allowing inmates in this “non-punitive” status to have the same access to property, such as canteen items and TVs, that general population inmates have.

“As the public becomes aware of the torturous effect of any kind of solitary confinement longer than 15 days, you can imagine the outrage and bewilderment when they learned that we have inmates who have been in solitary for decades,” according to the letter addressed to Corrections Secretary Jon Litscher.

Cook accepted the letter and told the group that corrections officials are working on possible changes to solitary confinement, which the department calls restrictive housing. But he did not respond to requests by the activists to participate in that process. In an email, Cook said the agency is studying several changes, including moving mentally ill inmates out of solitary and examining ways to increase out-of-cell time and increase programming and services for inmates in restrictive housing and administrative confinement. In June 2015, the state reduced the maximum stint in solitary confinement for violating prison rules from 360 days to 90 days, with longer stints possible under certain circumstances.

But those limits do not apply to inmates deemed to be violent or hard to manage who are in administrative confinement. The status of each inmate in administrative confinement is reviewed every six months. McKinley Bey, however, charges in his lawsuit that those reviews are a “sham.”

McKinley Bey said force feeding entails being strapped into a “restraint chair” and having a tube placed in his nose to deliver liquid nutrition while an officer films the process, according to a letter he wrote to advocates dated June 19. He wrote that he, DeLeon, Green and another inmate, Joshua Scolman, “are strong, and are in it for as long as it takes to make something happen.”

In the June 17 petition for a court order to force feed DeLeon, corrections officials said the inmate began refusing food on June 7 and had also begun refusing water and that he has a “history of serious hunger strikes.” The petition states that he is suffering from “moderate” malnutrition and dehydration.”He appears weak, gaunt and has an unsteady gait,” according to the petition. “Mucous membranes are very dry.” However, in a letter written after the order was issued, DeLeon said that “clearly the doctor exaggerated his medical report with the intent to force feed me, to dissuade me and other(s) to stop our strike.”

Inmate advocate Peg Swan said she is distressed that it took a hunger strike to highlight the problems with administrative confinement in Wisconsin’s prisons. Two states — Colorado and California — have discontinued such indefinite confinement in solitary.

“I will be rooting for them to stop,” Swan said. “They succeeded in getting the public to think about long-term solitary and we are pledged out here to keep the campaign going, but we don’t need them to get sick.”
About Dee J. Hall  Hall, a co-founder of the Wisconsin Center for Investigative Journalism, joined the staff as managing editor in June 2015. She worked at the Wisconsin State Journal for 24 years as an editor and reporter focusing on projects and investigations.

Dying to Live  
Demands from Hunger strikers, supported by petition signers


Prisoners in Waupun's solitary confinement will start “no food and Water” humanitarian demand from Wisconsin DOC officials.  
THE WHY: In the state of Wisconsin hundreds of Prisoners are in the long term solitary confinement Units AKA administrative confinement (AC). Some have been in this status for 18 to 29 years concurrently

The Problem: The U.N., several states, and even President Obama have come out against this kind of confinement, citing the torturous effect it has on prisoners.  
The objective: Stop the torturous use of long term solitary confinement (A.C.) by:

1) Placing a legislative cap on the use of long term solitary confinement (A.C.)

2) DOC and WIS legislators adopt/compliance with the U.N. Mandela Rules on the use of solitary confinement.

3) Oversight board/committee independent of DOC to stop abuse and over classification of prisoners to “short” and “long” term confinement.

4) Immediate transition and release to a less restrictive housing of prisoners who been on the long term solitary confinement units for more than a year in the Wisconsin DOC.

5) Proper mental health facilities and treatment of “short” and “long” term Solitary confinement prisoners.

6) And immediate FBI investigation into the mind control program that the DOC is currently operating in the system designed to recondition and break the prisoners the DOC considers a threat to their regiment

NEWSLETTER JULY 2016 Founders Notes

Big times, lots of learning. Most of you know of the food refusal campaign of Administrative Confinement prisoners through the media and we have a few articles here. There is a lot of media coverage, most of it on video and tv however. At this writing we are trying to get an appointment with Secretary Litscher and are getting welcome help in that and in monitoring the situation from Senator Harris-Dodd's office. We will be pushing the DOC to initiate direct negotiations with the prisoners on the food refusal. Although we will continue to support these inmates and will work to end AC whether they are eating or not, we are asking the food refusers to start eating. They have succeeded in their main goal - we are all looking more closely at long term solitary confinement and our little group will not drop the ball but will secure the changes the prisoners’ demand whether or not they continue to refuse food. Enough, we say. However, it is their choice, not ours.

Mail is slow and the one call allowed per week and one 15 minute visit does not keep us well informed. We are in a position you know well- looking at the world through a peep hole. The “we” I talk about is a loose coalition of passionate activists-most I had never met before-and the structure is somewhat like the famed “round table” than anything else- each contributes as they can. I am not going to name names anywhere in this rag unless I have express permission. Three rallies have been held, many group call-ins and email blitzes and this goes well. Another action is planned for July 2nd and we will be phone banking for that. It is a small group meeting by email- the joiners vary as the conference is open to anyone but there are a core of about 5 of us, each capable of independent action and our little group will not drop the ball but will secure the changes the prisoners’ demand whether or not they continue to refuse food. Enough, we say. However, it is their choice, not ours.

We know at least two inmates are being tube fed- a horrific practice that is condemned by the AMA. If motivation were truly medical, intravenous feeding would be effective. We understand this is painful, dangerous and humiliating and...
widely condemned. We have consulted with lawyers and the ACLU and were told the courts support the prison in this. We however continue the lawyer hunt as damage from the tube feeding is real.

For you who are expecting letters from me, I hope this explains a little the fact that I have been doing less advocacy and letter writing lately. Now that solitarytorture.blogspot website, facebook and petition are well launched, and we have some division of labor on other tasks, I will have more time for my regular work. This is not an appropriate newsletter to outline FFUP projects but commitments are not forgotten or ignored.

We applaud the food refusers for their courage and are immensely grateful for their efforts in taking the issue of torture in prison to a new level. We know there are refusers we are unaware of but I will list those we are aware of here. Thank you and please be well. We are here and will continue what you have started.

These are the Food Refusers we are aware of, we honor them.

Ras Uhuru AtumRa Mutawakkil (Norman Green; 228971 CCI)
Cesar DeLeon  (322800, WCI)
Shirell Watkins  (359661 GBCI)
LaRon McKinley-Bey  (42642 WCI)
Joshua Scolman  (422508 WCI)
Parish Golden  (188323 WCI)
Lamar Larry  (293906 WCI)

from Water tainted with lead, copper at two Wisconsin state prisons
Corrections officials say they are complying with federal drinking water standards at Fox Lake and Waupun, but some inmates and staff question whether it is safe.

By Dee J. Hall

At Waupun Correctional Institution, (WCI), one longtime officer said he and other staff were not aware of high lead levels in the prison’s water in 2014, although officials insist legally required notifications were made that year when the facility violated the federal lead rule. Waupun Correctional Institution has struggled with high copper and lead levels for years. The 150-year-old prison is using water treatment to keep metals from aging lead and copper plumbing from leaching into the water.

At Fox Lake Correctional Institution, (FLCI), about a dozen inmates told the Wisconsin Center for Investigative Journalism that the water at the 56-year-old prison is routinely yellow or brown with dark sediment and an unpleasant flavor. Fox Lake has been working to meet terms of a 2014 consent order from the state Department of Natural Resources to lower levels of lead and copper in its water, which have been detected on and off for at least seven years. Lead and copper contamination is caused by corrosion from aging plumbing.

Spokespeople for the state Department of Corrections said the agency has employed several strategies, including closing one well and fixing three others at Fox Lake. Fox Lake will soon begin water treatment to prevent corrosion and regular monitoring for metals, said Jeff Grothman, the DOC’s legislative affairs director.

At Waupun, water treatment also is being used. Compliance testing at Fox Lake Correctional is scheduled to begin this month.

Fox Lake also has excessive levels of naturally occurring manganese, a metal that is not considered dangerous to adults except in high doses, but it can turn water brown and give it a bad taste and smell.

Officials say both prison water systems now meet federal drinking water standards. They said the prisons have not supplied either staff or inmates with an alternative water source, although inmates are allowed to purchase bottled water and staff can bring it in. FLCI water system is following all state and federal requirements of the Safe Drinking Water Act to provide safe water for staff, inmates and visitors to use for drinking, cooking and bathing,” Grothman said.

The Center’s ongoing Failure at the Faucet investigation into risks facing Wisconsin’s drinking water reported, however, that those standards do not always protect public health when lead or copper is present in a water system. For example, Miguel Del Toral, a top U.S. Environmental Protection Agency official, found that concentrations of lead in water can vary widely even in samples taken from the same source on the same day. Del Toral’s study concluded that the existing federal Lead and Copper Rule, part of the Safe Drinking Water Act, “systematically misses high lead levels and potential human exposure.”

Abigail Cantor, a Madison chemical engineer who helps water utilities comply with the Lead and Copper Rule, said compliance does not mean water coming from every tap is safe. The EPA rule is designed to detect (5)
system-wide problems, not specific hotspots. The level of lead and copper “certainly changes in each building as each building has its own plumbing configuration and water usage,” said Cantor, who is working with corrections officials to solve the lead and copper problem at Fox Lake. “Every building in a city could not be sampled, so the EPA found that there was no way to create a health-based regulation.”

**Water troubles at Fox Lake**

Since 2008, 18 water samples at Fox Lake have exceeded the maximum contaminant level of 1.3 milligrams per liter for copper, and six samples exceeded the maximum contaminant level of 15 parts per billion (ppb) for lead, according to the DNR database.

Although they insist the water is now safe, Fox Lake officials have told inmates, staff and visitors about the high lead and copper levels and advised them to run the water for 15 to 30 seconds before using it for drinking or cooking, or when a faucet has been unused for more than six hours. (The state DNR recommends running the water for two to three minutes under those conditions.)

**Fox Lake Correctional Institution inmate Ryan Rozak has sued prison officials over the high lead and copper content in the water, claiming it has made him ill. The lawsuit is pending in U.S. District Court in Madison.**

Inmate Ryan Rozak insists the water at Fox Lake Correctional is making him sick. He is suing corrections officials in federal court, claiming they are violating the Eighth Amendment prohibition against cruel and unusual punishment. Rozak blames the drinking water at the prison for diarrhea and other health problems. The water, he said, “messes up my body, bones, mind.” Rozak recently got two court-appointed lawyers to represent him in his 2015 lawsuit filed in U.S. District Court in Madison, with Judge James D. Peterson noting that the case presented “complex scientific public health issues.” “We are treated like animals and forced to live in pain,” Rozak said in a handwritten amended complaint. High levels of copper in water have been linked in adults to nausea, abdominal pain, diarrhea and vomiting. Exposure to very high levels can cause kidney and liver damage.

“Conditions of confinement” claims such as Rozak’s are based on the notion that “the state, when it puts people in prison, places them in potentially dangerous conditions while depriving them of the capacity to provide for their own care and protection,” then-Georgetown University visiting law professor Sharon Dolovich wrote in a 2009 New York University Law Review article.

**Lead, copper in water at Waupun**

Drinking water samples from Waupun Correctional have exceeded the federal standard 10 times for lead and four times for copper since 2008, according to the DNR drinking water quality database. Utilities — including the Fox Lake and Waupun prisons, which operate their own water systems — can have up to 10 percent of water samples.

Former Fox Lake inmate James Morgan says the water at the prison was discolored so he drank bottled water purchased from the canteen. “There were certain occasions when you would turn the water on and there was obviously something wrong because the whole entire system would produce brown water.” Althoff said the “vast majority” of the 140 water samples taken since 2008 at Waupun have tested below the federal limits. The prison hit the 10 percent threshold in 2014, he said.

That year, Waupun was required to notify water consumers of the high lead levels, and the DOC provided a notice that it said was posted at the prison for inmates and emailed to staff in November 2014. The prison added phosphate to the water to prevent corrosion.

Brian Cunningham, who has worked as a correctional officer at Waupun for 22 years, said he has no recollection of being notified of excessive lead levels in 2014. Cunningham said he has always mistrusted the water at the prison, opened in the mid-1800s, so he brings his own. The prison limits the amount staff can bring in to two bottles no larger than 16 ounces each, he said.

In September, high concentrations were again detected at Waupun, including one sample that registered at 120 ppb — eight times the federal limit. Despite the high value, Althoff said the prison remains in compliance with the Lead and Copper Rule. Cunningham, president of the Wisconsin Association for Correctional Law Enforcement, said the prison did notify staff of the high lead level last fall. But, “Management did nothing else with it — no adjustments to ensuring that staff had water or could bring more water in — just a blank statement with nothing more after,” he said.

Added Cunningham: “Inmates have complained about the taste and the color of Waupun water since I’ve started working there.”
Love by Joe'Vone Jordan. A.K.A. Jana Jambazi

Sorry to bust your bubble. But America has this misperceived notion “love is kind”, “love is Blind”, “love is pain” and etc. I'm sorry, but those are only clichés.

Love Dwells within and makes one’s soul shine through with a florescent beauty that not even the oceans can wash away. Love is compassion, not only showing a deep pity and sympathy for your family, but for the world of people that may be unkind..remember they need your love the most.

Love is caring, it is more than liking, or a feeling of concern. It is embracing a friend, family or partner even when the relationship is at an all time low. That person may need to know you love them no matter the circumstances.

Love is more than intercourse; it is cordial, warm, hearty and sincere, even in the presence of the most powerful hate. Remember evil can never prevail over good. So when hate declares war, love is the only sword you need to defeat it.

There are numerous perceptions of love. Wikipedia, dictionary and the —philosophy of love all differ from one another. So I'm here to tell you, love comes from within and is expressed from the brain that signs a signal to the heart that releases a chemical compound..love is only how you express your feelings toward one another. After all, there's no such thing as a life that's better than yours..You must love yours...

Why It’s Nearly Impossible for Prisoners to Sue Prisons


On June 21, 2007, two guards at a jail in Baltimore assaulted an inmate named Shaidon Blake, a gang leader who had been convicted of second-degree murder, earlier that year. The guards, James Madigan and Michael Ross, had been ordered to move Blake to solitary after a supervising officer complained that he was starting trouble—“commandeering” the television and using the phone out of turn. According to court documents, Madigan and Ross walked Blake from his cell to a nearby corridor, where they pressed him up against a concrete wall. Ross held Blake, whose hands were cuffed, while Madigan punched him in the face five times.

In 2009, Blake filed a lawsuit in federal court against the two guards, plus two supervisors and the state government, seeking damages for his injuries. The assault worsened a preexisting head injury, his lawyers said, and left Blake suffering from migraines and permanent nerve damage in his face. Madigan, the guard who threw the punches, was found liable and was ordered to pay Blake fifty thousand dollars, but a judge eventually dismissed the case against the supervisors and the government.

Blake’s case against the second guard, Ross, is now before the Supreme Court. The case, like those of thousands of other inmates each year, hinges on a Clinton-era piece of criminal-justice legislation known as the Prison Litigation Reform Act (P.L.R.A.). Prisoners’ advocates have argued for years that the P.L.R.A. makes it nearly impossible for inmates to get a fair hearing in court, and that it has crippled the federal judiciary’s ability to act as a watchdog over prison conditions. Blake’s Supreme Court case, which is set to be decided in the next few weeks, shows the P.L.R.A.’s effect: at issue is not the role Ross may have played in the assault (Ross has argued that he attempted to de-escalate the situation) but, rather, whether the case should be dismissed because Blake did not file the proper paperwork.

The P.L.R.A., passed by Congress in 1996, was designed to reduce the number of lawsuits brought by inmates against prisons. In 1995, Senator Orrin Hatch, a Republican from Utah, argued for the P.L.R.A.’s passage by pointing out that prisoners filed fifteen per cent of all civil cases initiated the previous year in federal court, totaling more than thirty-nine thousand lawsuits, most alleging “cruel and unusual” prison conditions. Hatch promised that the P.L.R.A. would “quickly identify the viable prisoner claims and weed out the meritless chaff.” As passed, the law requires prisoners who believe their rights have been violated to first submit a grievance form to their prison’s administration, and, if that after those steps have been taken can prisoners file suit in an actual court. This type of provision is known as an “exhaustion requirement.”

Functioning properly, a grievance system can provide corrections officials with early warnings of staff misconduct, deficient medical care, and unsanitary or dangerous conditions. But in practice, critics say, these systems create a tangle of administrative procedures that discourage or disqualify inmates from filing lawsuits. Before 1996, courts applied an exhaustion requirement only if a state’s grievance process met certain high standards of fairness outlined by the Justice Department. The P.L.R.A. eliminated those standards. There are currently no regulations governing prison grievance processes, and, in the two decades since the law’s passage, many prisons’ procedures have become so onerous and convoluted—“Kafkaesque,” in the words of one federal judge—that inmates whose rights have been violated are watching their cases slip through the cracks.

Margo Schlanger, a professor of civil-rights law at the University of Michigan, who is widely considered the leading authority on the P.L.R.A., maintains a database of grievance policies from across the country and keeps track of individual cases. She has come across cases in which inmates have had their grievances rejected for writing in red ink, for writing on the back (7)
of a form, and for attaching medical records to their submissions. If inmates miss a filing deadline (the shortest, in Michigan, is two business days) or trip over some other procedural hurdle, they have lost their right to relief through both the grievance process and the federal courts. “The preservation of prisoners’ civil rights now depends on their ability to dot ‘i’s and cross ‘t’s,” Schlanger told me recently. “And it turns out they’re not so good at that.”

Around half of all prisoners in the United States have some sort of mental illness, and a similar proportion has only basic literacy skills (at best), but courts have frequently ruled that neither mental illness nor illiteracy excuses an inmate from the exhaustion requirement of the P.L.R.A. Juveniles are not exempt, either. In one case from the early two-thousands, a fifteen-year-old inmate at a juvenile facility, in Indiana, filed a lawsuit alleging that he had been repeatedly raped and beaten by other inmates, who had been egged on by guards. The lawsuit was dismissed, in 2005, because the inmate had not filed a grievance, even though his mother had previously contacted prison officials, and even the governor’s office, in an attempt to stop the abuse of her son. In Blake’s case, there’s no dispute that, on the day he was assaulted, he filed a request with the prison for an internal investigation. That investigation determined that “excessive force” was used against him. But the Maryland Attorney General’s office, which is representing Ross, has argued that Blake’s case should be dismissed because he did not also file a grievance form through a second, separate administrative channel. “Maryland’s policy is full of trips and traps,” Paul Hughes, Blake’s counsel, told me. In March, when oral arguments were held at the Supreme Court, several Justices wondered about the complexity of Maryland’s grievance system. “If you’re not intending to confuse prisoners, if you’re not intending to make the process totally opaque, why do you do it that way?” Justice Sonia Sotomayor asked Ross’s lawyers.

Schlanger has estimated that the number of federal lawsuits by inmates against prisons has fallen by sixty per cent in the twenty years since the P.L.R.A.’s passage. There is no question, then, that the law has been largely successful in its aim to reduce the burden on courts and corrections departments. Just five months ago, the American Correctional Association, a large, dusty group, passed a resolution reaffirming its support for the law, and some view the P.L.R.A. as an unmitigated success. Sarah Hart, a former director of the National Institute of Justice and an architect of the P.L.R.A., testified to Congress, in 2008, that the law “has substantially reduced the number of meritless inmate lawsuits” while preserving “the full power of the federal courts to remedy constitutional violations.”

If that were true, Schlanger said, prisoners would be winning a higher percentage of cases than they were before the law’s passage. Instead, they are losing more than ever. “Cases are harder to bring and harder to win,” she told me. Meanwhile, according to researchers at the University of California, Irvine, only two per cent of grievances filed in California between 2005 and 2006 were “granted in full” at the first level of review. “What we find is a system fraught with impediments and dilemmas that delivers neither justice, nor efficiency, nor constitutional conditions of confinement,” the professors Kitty Calavita and Valerie Jenness wrote in “Appealing to Justice,” a book about their research.

The Supreme Court’s decision in Blake’s case won’t be among its loudest this term. The implications of a ruling in Blake’s favor would be small, leaving the P.L.R.A. intact. A ruling in Ross’s favor, though, could encourage state prison systems across the country to take further advantage of the P.L.R.A., and make their grievance procedures more complex than they already are. For prisoners with legitimate cases, the path to justice would get that much harder. Rachel Poser is an assistant editor at Harper’s Magazine.

A new wrinkle in Class actions

We have been passing the word that once the court approves an inmates case for class action, the court will appoint a lawyer as Prisoners cannot represent a call. Many of the landmark changes in prison world have been done that way, for example the famed supermax suit was written by a supermax prisoner. Now it is more difficult Harris Vs Pollard 2015.

This sent to FFUP recently by inmate litigator:

Recently the 7th Circuit court rules on Rule 23 in Howard V Pollard,814 F3d 476 (CA7 2015) that prisoners, because they can NEVER adequately represent the class pro se, must obtain counsel BEFORE they get or can get class certification. However, they did not address whether, under normal process for obtaining pro bono counsel, if the district court can appoint counsel BEFORE allowing class certification if they (ie the prisoners) made a diligent effort to obtain counsel. All the court said on this issue was: “ and even if the district court had ignored the petitioners’ reference to rule 23 and considered their motion for appointment of counsel before (and independently from) considering their motion for class certification, the request for counsel would have been properly denied because the petition gave no indication that they had made any effort to retain counsel themselves. See Pruitt v Matz 503 F.3d 647,654 (CA7 2007) (en home) id at 479

In short , once again, the seventh circuit has essentially closed another door to the courthouse because it is nearly impossible for prisoners to obtain counsel before (and on their own) getting class certification without the court helping to recruit counsel. The 7th circuit said it wasn't “circular reasoning” because the Possibility and opportunity” still existed for prisoners to obtain counsel. But, it really IS circular reasoning because it is virtually impossible to get counsel and if they can't get counsel, then they can't get class certification, etc ad infinitum. Typical judicial sophistry. The only option is to write attorneys, to try and get their representation.” Note: FFUP will be updating and improving lawyer list-If you have suggestions, Please submit.
WHEN I FIRST MET MUHAMMAD ALI, HE WAS performing magic tricks on Hollywood Boulevard. I was a freshman at UCLA walking along the street with two of my school buddies when we saw him strolling with a small entourage, doing sleight-of-hand illusions for fans who came up to him. This was 1966 and I was only five years older than him, had already made his mark as the youngest ever heavyweight champion. The next year, he would be stripped of his title after announcing he would not submit to being drafted into the Army because "I ain't got nothing against them Viet Cong" who "never called me nigger?" Half the world would chant his name in praise; the other half would sharpen pitchforks and light torches. And here he was, casually walking down the street as if he hadn't a care in the world, delighting people he didn't even know with his magic. His magic wasn't just the simple tricks he performed, but his ability to draw everyone's attention to him, whether he was in a crowded room or on a busy boulevard. And once he had their attention, he never disappointed them. No matter how many people were around, he was the only one you looked at. He exuded confidence, a sense of purpose and an undeniable joy, as if he knew that he and the world made a pretty good pair.

Being a big fan, I shyly approached him to say hello. If he knew who I was, he didn't let on. He was friendly and polite and charming—and then he was gone, moving down the street like a lazy breeze, a steady stream. A force of nature: gentle but unstoppable.

The three of us walked away jabbering giddily about how cool it was to have met the champ. But to me that meeting was much more than running into yet another celebrity in L.A. I'd admired Muhammad since I was 13, when he and Rafer Johnson won gold medals in the 1960 Olympics. Rafer dominated in the decathlon and Muhammad triumphed as a light heavyweight boxer. To me, they were the epitome of the skill, power and grace of the black athlete, and they inspired me to push myself harder.

Muhammad's influence on me in those formative years, from when I was 13 to when I met him on Hollywood Boulevard, wasn't just related to athletics. He had not only conquered the boxing world through his undeniable dominance in the ring, but he had mastered the art of self-promotion unlike anyone since P.T. Barnum, who once said, "Without promotion, something terrible happens ... nothing!" Muhammad cannily ensured that something would happen by playing the court jester. He bragged relentlessly and shamelessly—and in verse! He riled up some white folk so much that they would pay anything to see this uppity young boy put back in his place.

THAT place for blacks of the time, was wherever they were told. Sure, athletes and entertainers were invited to sit at the adult table, but for everyone else, the struggle was still in its infancy. Once at the table, opportunities for blacks opened up everywhere. So if you were smart and wanted to maintain a successful career, you kept your dark head down, mouth shut, and occasionally confirmed how grateful and blessed you felt.

Not Muhammad.

He was a fighter. Whether in or out of the ring. In the ring, he was as much businessman as athlete. Out of the ring, he was a champion of justice—and a terrible businessman. His conversion to the Nation of Islam in 1964 would eventually lead to his being stripped of his heavyweight title in 1967, when he refused to submit to the draft during the Vietnam War citing religious grounds as well as the fact that "my conscience won't let me go shoot my brother, or some darker people? This caused him to be sentenced to prison for five years, fined $10,000 and banned from boxing for three years, his license to box being revoked in all states. In 1971, his conviction was overturned by the U.S. Supreme Court in an 8-0 decision. He didn't fight for three years during his physical prime, when he could have earned millions of dollars, because he stood up for a principle. While I admired the athlete of action, it was the man of principle who was truly my role model.

The next time Muhammad and I met was at a lavish Los Angeles party mostly attended by college and professional athletes. Members of various UCLA and USC teams were there, as were some of the Dodgers. I saw Muhammad floating like a butterfly through the party, only he was wasn't stinging anyone like a bee—he was flirting with all (9)
the women and charming all the men. He was like a magnet moving through a crowd of needles.

Like a typical gawky and insecure freshman, I drifted off on my own to check out the musical instruments the band had abandoned when they took a break. My dad was a jazz musician and brought me up around a lot of other musicians, so I had a passion for music even though I had no discernible talent. I started hitting the drums, working up a nice beat, when suddenly Muhammad Ali was next to me strumming a guitar. Muhammad's personal photographer, Howard Bingham, immediately swooped in, pose us, and snapped an image of us jamming.

After that evening, Muhammad took on a big brother role in my life. He invited me to attend a meeting in Cleveland to discuss his protesting the draft. Basketball legend Bill Russell was there, along with NFL great Jim Brown and a lot of other Cleveland Browns players.

In the early days n to the waeof the draft, there wasn’t much opposition to the war. People of color were among the first to protest, because it seemed as if we were the first to be drafted and sent to fight. Those too poor to afford college, which came with a student deferment, had little choice. As the draft extended to include more white, middle-class boys, opposition to the war grew in popularity. But despite our passion, we few athletes were unable to do anything significant to fight the draft. We left feeling powerless, especially knowing that had Muhammad allowed himself to be drafted, he would have never faced combat and would have still earned his millions. Instead, he would face the punishment for his convictions alone.

That’s when I realized he wasn’t just my big brother, but a big brother to all African Americans. He willingly stood up for us whenever and wherever bigotry or injustice arose, without regard for the personal cost. He was like an American version of the comic-book hero Black Panther.

DESPITE OUR MUTUAL AFFECTION and respect, Muhammad and I were not always on the same path. While still a college student, I went to hear him speak in Harlem. Afterward, he took me to dinner to meet Louis Farrakhan, a leader within the Nation of Islam. I had been the object of enough recruitment dinners to know where this was going. Even though I had no intention of joining, my regard for Muhammad was so great that I chose to attend. However my burgeoning involvement with Islam was strictly a spiritual quest, while the Nation of Islam seemed more of a political organization. I wanted to keep my pursuit of social justice separate from my pursuit of religious fulfillment.

• Muhammad was not offended by my refusal to join. (In 1975, he left the Nation of Islam to embrace Sunni Islam.) Throughout the years we disagreed on other social and political issues, but none of that ever interfered with our friendship. We supported each other in the books we wrote, the charitable events we hosted and some of the causes we championed.

Most young people today know Muhammad Au only as the hunched old man whose body shook ceaselessly from Parkinson’s. But I, and millions of other Americans black and white, remember him as the man whose mind and body once shook the world. We have been better off because of it.

Abdul-Jldbar is a six-time NBA champion and league Most Valuable Player

---

Ali in 1998, He once said he wanted to be remembered “as a man who never looked down on those who looked up to him.”

FFUP, Forum for Understanding Prisons is a nonprofit and all moneys go to buying indigent prisoners’ stamps; copying legal guides and postage for sending, newsletter, internet and non profit fees. The demand and need is always greater than resources at hand. Donations can be made to FFUP by check or money order and we also have PAYPAL on our websites: solitarytorture.blogspot.com and prisonforum.org. Facebook (prisonforum) and petition are up and going and we will soon be going to next phase of parole campaign. Updates for “Dying to Live Campaign” on facebook (prisonforum) and solitarytorture.blogspot.com.