

CITIZENS FOR PRISON REFORM NEWSLETTER
September 2020

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Articles, notes

The Blue Wall. By William Finnegan. The police and their unions in the wake of the protests. Police unions fight to keep the power.

Among the many things that were thrown into appalling relief by George Floyd's killing is the peculiar militancy of many police unions. Law enforcement kills over 1000 Americans each year. Many of the dead are unarmed, and a disproportionate number are African-Americans. Very few of the officers involved faced serious consequences, the major reason being the power of police unions. In most cities these unions are political forces. They endorse and make campaign contributions to both Democrats and Republicans, the legislation they support tends to be passed, and their candidates elected. They oppose the firing of even the worst-performing officers. They often offer their members protection, including legal representation paid by the city, and pay guarantees. Disciplinary recommendations of oversight boards are often ignored, and records of misconduct may be kept secret or destroyed. The US has 18,000 non-federal police and over 700,000 officers represented by unions, and "they will not be easily dislodged." Finnegan focuses on the Police Benevolent Association of NY City, which was "a feeble thing" when founded in the 1890s, but has become much stronger since then, having secured collective bargaining rights in 1963. A plan to establish a strong civilian complaint review board failed because of police opposition during Mayor John Lindsay's tenure in the 1960s and again in 1992 during the term of Mayor David Dinkins, an African-American. Dinkins was able to install such a board, but its recommendations were rarely followed. Although people of color constitute slightly more than half of the police force today, the leadership, politics, and occasional protests still reflect the views of the whites. Patrick Lynch, president of the police union, believes that pro-criminal elements have hijacked the city and the state. He and the union have obtained generous pay and good benefits for the members, and launch fierce media campaigns. Although Lynch denounced the murder of George Floyd, police killings in NYC have largely gone unprosecuted. During the 15 years prior to 2014, on duty NYPD officers killed 179 persons, resulting in only 3 indictments and 1 conviction – which brought no jail time. Police can slow an investigation of a shooting by an officer for months or longer. However, the police feel that the risks and sacrifices they endure are not appreciated. Police are prohibited from striking, but have staged many illegal work slowdowns, known as the "blue flue." In other developed nations, police killings are far fewer than in the US, even when corrected for population. Part of this is the result of the availability of firearms to civilians; another fact is training of police, which differs from that in western Europe. German recruits study for a minimum of 3 years with professors who are experts in their fields. US officers may receive as little as 11 weeks of instruction by law-enforcement personnel, mostly in firearms and survival in a hostile world. Recently the New York State Assembly repealed a state law that sealed police records regarding officer misconduct. Although strongly opposed by the police unions, the repeal was signed by Gov. Cuomo. This encouraged Black Lives Matter and similar organizations to press for cuts in the NYPD's \$ 6 billion budget, and restrictions on choke holds

and surveillance. The police union responded with a blasting of city leaders, and 500 officers filed for retirement – possibly influenced by huge amounts of overtime pay and high pensions. The percentage of African American officers is declining, but the numbers of Latino and Asian Americans is still growing, and officers of color seem less enthusiastic about the union leadership than do their white colleagues. (*The New Yorker*, August 3 & 10, 2020)

Michigan prison sees COVID-19 outbreak. By Angie Jackson. No confirmed COVID-19 cases had been found at the Muskegon Correctional Facility prior to July 27, when the first case was reported. On August 4, the number of cases in this prison, which houses about 1200 inmates, had grown to 155; all were transferred to a special isolation unit at the Carson City C.F. or to MDOC's Duane Walters Health Center at Jackson. Result of tests were pending for another 762 inmates as of August 5. The number of active infections in Michigan prisons has been falling, totaling 168 among more than 35,000 inmates as of August 4. Visits to all Michigan prisons were stopped in March. (*Lansing State Journal*, August 7, 2020.)

Panel Discussion on Responsible Business Initiative for Justice. This ZOOM forum, sponsored by Safe and Just Michigan, was held on July 29, to discuss how Michigan lawmakers, businesses, and non-profit organizations have worked to help ex-offenders find jobs. Moderator John S. Cooper, Executive Director, Safe and Just Michigan, led the discussion with panelists Jeffrey Korzenic, chief investment strategist, Fifth Third Bank; Jahaun McKinley, Senior Lean Manufacturing Manager, Cascade Engineering; Jon Meyer, Chief Investment Strategist, Abcor Industries; and Tammy Britton, Workforce Development Project Manager, Talent 2025. Both ex-offenders and businesses are often unaware of these services. The panelists discussed how to make contact with both groups, as well as persons with no criminal record who are seeking jobs. Potential employers may be having difficulty finding persons to fill specific jobs, while a prison record may prevent parolees with the needed training from finding such jobs. In interviewing, no questions are asked about criminal records, but emphasis is on skills. Potential employers are reluctant to hire persons who have served long prison terms because of their age, but older prisoners may be better employees because of their maturity or previous experience. Some parolees have become department heads in companies that hired them. Prisoners can correspond with potential employers by J-Pay prior to release; some are hired within a few days of being paroled. Parole officers are often involved in assisting them in finding jobs.

Many other topics were discussed in the forum; interested parties can view the whole program at: <https://www.youtube.com/watch?v=2cUCMX8dKjl&t=134s>

San Francisco Permanently Scraps Jail Phone Call Fees. By Matthew Green. The San Francisco Board of Supervisors has ended charging prisoners for phone and video calls, the use of electronic tablets, and the marking up of items sold in jail stores. Most of such fees were being paid by low-income women of color. Previous to this change, inmates were being charged 15 cents per minute for phone calls and paying a 43 % markup on commissary products, including soap and food. The funds collected totaled about \$ 1.7 million annually, and were put in an inmate welfare fund; this is expected to be replaced by support from the city's general fund. The action follows that taken in NY City, which was the first major city to eliminate fees for phone calls from jail, but San

Francisco also waived virtually all of the commissions previously charged. (KQED News, San Francisco, July 14, 2020) [See below.]

The Financial Justice Project of San Francisco. This project was launched in 2016 as “the nation’s first effort embedded in government to assess and reform fines, fees, and financial penalties that disproportionately impact struggling residents.” Its two main goals are (1) to listen to community members to identify fine and fee pain points, and (2) identify and implement doable solutions for government and the courts. It arose when a broad coalition of community groups became concerned about how fines and fees harm low income persons, communities of color, people struggling with homelessness, and people exiting the criminal justice system. Examples include traffic fines, loss of drivers’ licenses, sleeping on a sidewalk, and charging parolees administrative fees. The project is a part of the Office of the Treasurer and Tax Collector of the city, and has worked with several county departments and the courts in implementing reforms, adjusting fines and fees, reducing or eliminating the cost of phone calls by jail inmates, helping the homeless. Additional information can be found at sfgov.org/financialjustice.

A Wary California Released Inmate Firefighters. Now, Fires Rage. Prisoners have helped California fight forest fires for decades. Several other states employ prisoners to fight fires but none have as many as California. In mid-August, however, hundreds of California’s prisoner firefighters went home as part of an early release program to protect them from the coronavirus, which has killed 825 inmates and correctional officers in the U.S. About 1300 prisoners remain deployed in California. They must have less than 5 years left on their sentences, and no record of escape or conviction for sexual offense or arson. The Conservation Camp Program in California saves taxpayers tens of millions of dollars each year; hiring other firefighters would challenge the coffers of a state already strapped for cash, although prisoners are paid only \$ 1 per hour when on the front lines. (When not fighting forest fires they earn from \$ 2.90 to \$ 5.12 per day.) [There is no indication of what will be done to replace the inmate firefighters released.] (*The New York Times*, August 23, 2020.)

End Solitary Confinement in Michigan. Citizens for Prison Reform started this petition to Gov. Whitmer, and is currently collecting signatures for its support. In 2019, Jonathan Lancaster, a 38-year-old father died of dehydration while strapped to a restraint chair in a solitary cell in Alger Correctional Facility in Michigan. While there, his mental and physical health deteriorated. Instead of receiving treatment, he was pepper-sprayed, and had his water shut off. He lost 50 lb. in the two weeks prior to his death from dehydration. Yet Michigan keeps 3200 people in these conditions. CPR is asking for support for the Open MI Door Campaign. Sign the petition here: <http://bit.ly/EndSolitaryMI>

Coming Events

Monday, September 28, 6:30 p.m. Prison Family Advocacy 101. An educational webinar sharing important information for family advocates about how families can best support their loved ones through the parole process. . <https://umich.zoom.us/j/97311984783>. Go to www.micpr.org for more information.

Thursday, October 8, 6 –7:30 p.m. Safe & Just Annual Meeting by ZOOM.

Includes presentation of the Gov. William G. Milliken Award to Lt. Gov. Garlin Gilchrist II, who helped lead the Michigan Joint Task Force on Jail and Pretrial Justice in the state. Milliken, Michigan’s longest-serving governor, advocated for prison reform in the state. Desmond Meade and Neil Voiz, director and deputy director, respectively, of the Florida Rights Restoration Coalition (FRRC), will lead a discussion on the work of this organization, which was instrumental in passing the new Florida law that restores voting rights to persons convicted of felonies. It is now challenging laws that would require the payment of court-ordered fines and fees before trial. Tickets are \$ 10 and are available at bit.ly/2020SJM. A few are available to those with limited funds; contact info@safeandjustmi.org.

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