



POST OFFICE BOX 110034 BROOKLYN, NEW YORK 11211

Updates for August 22nd

9 Aug - Does Big J Know?

This is an essay Eric King submitted for an ADX step down program.

MORE:

Does Big Jay know how much those brief, star gazing night walks meant? Does Big Jay know that watching him do tarot readings in the library was inspiring? He didn't give 2 shits that some found that weird as shit...his confidence oozed out and it was infectious...people respond to radical self-belief. Does he know how much it meant to me that when I asked him to read "Shrill", he actually read it? Then we spoke about it for 3 days after ...what patriarchy meant, how we both were actively benefitting from it... what shame meant, what love meant... Amazing, vulnerable conversations that are so rare in prison.

Does Big Jay know that when he stood up for me in the religious group, I felt like I had a true friend. Some people have real aversions to little dudes who speak their mind, especially when those views are contrary to 'group-think' ...Big Jay respected it and instead of bowing to social norms, spoke up for me... not giving a shit about his own social standing, he stood by me MULTIPLE times ...using his clout to empower my voice.

Does Big Jay know how safe he made me feel? Although murders at Mediums are very rare, getting your face kicked off is very common. I annoyed a lot of people, a lot of people felt I was a burden or a race traitor... at 5' 6" , 145 lbs, being different can be very dangerous... Big Jay is massive. 6' 4" , 260, he honestly looks and sounds like high-bred English nobility... He never used his massive size (or massive intellect) to bully or belittle people, but he did use it as a shield, especially for me. He was both a direct and indirect protector... there was never the slightest doubt that Jay would tolerate even the slightest threat to my safety. He didn't rush in, he'd let me work out my beefs and settle them however I needed to... but he was always beside me (literally) and on more than one occasion put out what could've been a nasty fire.

Big man... big knowledge... big muscles and big heart... big compassion and big brain... big loyalty... the day he was released was one of the happiest and saddest of my life. One of a kind... a true great friend. Big Jerry B forever.

9 Aug - Top Indigenous Leaders Press Biden On Why He Hasn't Freed Peltier

"You've become complicit in this injustice for Indian Country," charged Fawn Sharp, president of the National Congress of American Indians.

MORE:

by Jennifer Bendery (*HuffPost*)

Two prominent Indigenous leaders this week separately pressed President Joe Biden on why he hasn't released Leonard Peltier from prison — and signaled that tribal leaders and Native rights advocates plan to make this a priority issue in the 2024 presidential election.

Fawn Sharp, the president of the National Congress of American Indians, said in a Monday letter to Biden that he regularly talks about his commitment to strengthening the federal government's relationship with Native communities. But lost in that commitment is doing anything about Peltier, the Indigenous rights activist the U.S. government put in prison nearly 50 years ago after a trial riddled with misconduct and lies.

"Enough is enough, Mr. President," said Sharp. "After nearly five decades of imprisonment, this is now a matter of not only justice but mercy as well. We urge you to immediately commute the sentence for Leonard Peltier or support his petition for compassionate release."

In a Wednesday interview with *HuffPost*, Sharp, whose organization is the largest Indigenous rights group in the country and serves as a unified voice of all tribal nations, took a sharper tone than the more diplomatic one conveyed in her letter.

"It is a choice," Sharp said flatly of Biden singularly having the power to free Peltier. "Being silent on this issue, given all the facts, given all the advocacy, given all the issues raised by Indian Country, when it is your choice and you're the top person and you choose to ignore it, you've become complicit in this injustice for Indian Country."

In another letter sent to Biden on Wednesday, Suzan Harjo, a longtime Indigenous rights advocate and 2014 Presidential Medal of Freedom recipient, traced her professional history with the president from the 1970s through 2014. She praised him for being a strong supporter of restoring Native peoples' rights, from his work on the Indian Child Welfare Act to the American Indian Religious Freedom Act to the Violence Against Women Act.

"Mr. President, I have long admired your commitment to fighting injustice and to restorative justice," Harjo said. "As you weigh the pleas of justice for Mr. Peltier, I call on your compassionate core and spirited record of fighting against injustice and for democratic institutions. Each and every person in this country deserves a fair trial and rectification if the institutions meant to protect them do not do so. Leonard Peltier deserves that."

The letters mark the first time that both leaders are publicly calling on Biden to free Peltier. *HuffPost* obtained copies of both letters, which you can read [here](#) and [here](#).

Peltier, a member of the Indigenous rights activist group American Indian Movement, has been in prison since 1977 and is easily America's longest-serving political prisoner.

The FBI and U.S. Attorney's Office made Peltier their fall guy when they couldn't figure out who killed two FBI agents during a 1975 shootout on Pine Ridge Reservation in South Dakota. The government never had evidence that Peltier killed anyone, and his trial was outrageous: Prosecutors hid exculpatory evidence. The FBI threatened and coerced witnesses into lying. Peltier was separated from his co-defendants, all of whom were acquitted on the grounds of self-defense. A juror admitted she was racist against Native Americans on the second day of the trial but was allowed to stay on. Nonetheless, Peltier was convicted and sentenced to prison for two consecutive life terms.

Peltier, now 78, has maintained his innocence for all of these years, even as it has almost certainly prevented him from being paroled. His decades-long parole process has been so problematic that United Nations legal experts last year made the unusual decision to revisit his case. Last summer, they called on Biden to release Peltier immediately.

"Mr. Peltier continues to be detained because he is Native American," they concluded in their damning 17-page legal opinion.

Peltier remains in a Florida maximum security prison despite all of these problems; despite pleas for his freedom by international human rights leaders including Pope Francis, Nelson Mandela and Coretta Scott King; despite nearly 50 years of concerts and letter-writing campaigns and petitions circulated by thousands of supporters, politicians, Indigenous leaders and celebrities. He uses a walker to get around now. He is blind in one eye from a partial stroke. He has serious health concerns related to diabetes and an aortic aneurysm.

Sharp told *HuffPost* that Peltier has become a symbol of something much bigger and more personal for many Indigenous people: The entirety of injustices that Native people have endured, for centuries, by the U.S. government. That's why Peltier's freedom has only become a bigger priority over time, she said, and why her organization is "absolutely" planning to ramp up pressure on Biden to release him as he eyes reelection.

"When I'm talking to tribal leaders ... whether it's about freeing Leonard Peltier or addressing the crisis of missing and murdered Indigenous people or the legacy of boarding schools, there's a lens of justice that is very, very prominent in Indian Country," Sharp said.

"If ever there was a time going into an election [to free Peltier], the time is now."

Indigenous voters certainly delivered for Biden in 2020, and the president is clearly proud of all he's done to lift up Native communities and tribes since taking office. (He should be, it's a lot.) But his silence on Peltier, now more than two and a half years into his presidency, is a glaring contradiction to his vows to restore justice to Native communities.

From a purely political perspective, Biden's action (or inaction) on Peltier could be a real factor in driving Native voters to the polls in 2024, said one prominent Indigenous rights lobbyist who requested anonymity in order to speak freely.

"Where there are any soft spots in Indian Country, where people may not agree with President Biden, this will be something that will unilaterally motivate Indian Country," said this lobbyist. "Everyone simply says, 'It's time. It's time.' I don't know that there's anything more that might motivate folks to turn out, you know? 'What, you finally freed Leonard?' Yes, this would be a motivator."

This lobbyist added that Native rights advocates are "absolutely teeing up events to coincide with the election" to demand Peltier's freedom.

It's unclear if Biden has even considered granting clemency to Peltier — something *HuffPost* has been pressing the White House on for nearly two years and gotten nowhere.

A White House spokesman did not respond to a request for comment about whether the president is weighing clemency or has seen the new letters about Peltier.

Time is running out for Peltier, added Sharp, before noting it is entirely on Biden to decide whether to free an innocent man before it's too late.

She said, "It's simply a choice we fully expect him to make."

August 20th - Important Message from the Official Leonard Peltier Ad Hoc Committee

Greetings from the International Leonard Peltier Ad Hoc Committee (Ad Hoc Committee). In defense of the Ad Hoc Committee, I want to say that most recently, Jean Roach, representing the group that has taken over the International Leonard Peltier Defense Committee (ILPDC), put out a statement accusing people of the Ad Hoc Committee of working with the federal government. I want to unequivocally state that is not true, and it is definitely counterproductive to the potential freedom of Leonard Peltier. Jean also made the statement that we were controlling Leonard Peltier's thoughts, which is unequivocally not true as well. However, I do want to point out that in what she said, Jean basically acknowledges that we are in fact working directly with Leonard Peltier and she is not, nor is her ILPDC.

Leonard over the past year has told Jean and her entourage of partners that he did not want them to represent him any longer because they were misusing funds, having pot parties, and drinking, and basically supporters had seen them advertising their parties on their personal Facebook pages, especially Jean Roach.

It is with deepest regret that I have to talk about these issues at a time when a man's freedom is at stake and when every political opinion for his release is needed and is at stake.

In Jean's statement, she also named off numerous accomplishments of the ILPDC, and while the accomplishments she mentioned were brought about, it was not by her but by members of the ILPDC over time. What Jean has done is go to places where Leonard Peltier has supporters already, gather up a group, do a photo op, collect money, and go smoke some marijuana, and quite often, brag about it on social media. This is counterproductive to support for Leonard and we have lost many supporters as a result of it. And she talks about calling people feds. The most noteworthy thing she has done since being involved with the ILPDC, is getting her sister released from federal prison, and since then she has done things that neutralized the efforts of the ILPDC and neutralized long-term supporters at times. And that is what she's trying to do now.

This is the first time I have publicly spoken on this level about this particular issue. I myself have been called such names in the past, as well as probably every AIM leader and organizer that has done anything that is recognizable or noteworthy. And it's the same with other organizations and individuals who are standing up for human and Indigenous rights all over the world – the enemy does its best to neutralize people. The most common thing I have noticed in human rights movements is that people who have made accusations about others, calling them informants or operatives, have had charges against themselves connected to drugs or other issues.

I have repeatedly said this over the years: we can fight amongst ourselves, with each other, when we run out of oppressors. And that has not happened yet. It probably won't happen in our lifetimes. Every person that is willing to stand up and speak out is needed. Every person that stands up and speaks out for what is right needs a clear mind and clear thoughts. Every person who stands up and speaks out needs the trust and confidence of supporters. Every person that stands up and speaks out needs their level of integrity to be in place, even when no one is looking.

Leonard Peltier asked the people of the Ad Hoc Committee to form, and he personally selected each person for their abilities and past work. I myself have worked as an Interim Director five different times; each time Leonard would ask me to come aboard when he was having difficulties, and this time is no different. Over the last 47 years, we've come up against many difficulties and that is because we face the most powerful police force and powerful government in the world. And when I say "we" it is not the ILPDC of the past or the Ad Hoc Committee we have today that I speak of, but it is about Native people. Native people who have had to work together over generations from the past to now, to protect their resources. Today, Native people face an enemy that is just as deadly and divisive as the ones our ancestors faced, and we cannot afford to lose because our very environment is at risk today.

One of the things that makes Leonard Peltier's case so different from others is that every piece of evidence used to convict him has been proven false in court, and his imprisonment affects the lives of every American citizen. He has consistently put forth environmental justice and human rights values with his case. He has encouraged people to stand strong for these values. He's encouraged people to plant trees for the children of our future, the air of our future, and the soil of the future. He's consistently encouraged people to put together programs for children at Christmas time and wintertime, and to create programs including clothing and propane donations to keep the elderly and other community members warm for the winter. And when someone comes along and uses his name to party, he becomes very incensed by that, as it challenges his values. And he has consistently told Jean to keep his name out of her mouth. And she has responded in the most negative sense, in such a way that I won't even repeat here.

The objective of the legal team is not only to get him free, and in the meantime, to get him transferred to a lower security place so that as an elder he can have access to better care and treatment while awaiting his release, but also Leonard is very adamant about wanting to get back his name as the International Leonard Peltier Defense Committee. At present the ad hoc committee has an attorney who is working with other lawyers and members of a legal team on measures that will bring about his release.

And again, I want to reiterate Leonard's words: do not send any money to the ILPDC because it does not represent him and it is not helping him. They're using him to party. It's a case of singing to the choir, collecting money, and taking credit for work other people are doing now and did in the past.

With the posting of this statement, I have no doubt that it will generate another tirade of negative accusations and unfounded name calling. I would encourage you, if you have any doubts to the truthfulness of my words, to contact Leonard Peltier yourself. He is of sound mind, though he does have some health issues.

With respect to hearing accusations, which, without proof are just unfounded rumors, I would like to encourage you, if it causes you to doubt in some way, to do your own research about the accusations, and also research the person who made the accusations to find out what their motive is.

This has been one of my most difficult writings I have made in the movement. And I look forward to the time when we can all be on the same page as supporters of one another.

In the spirit of all those, down through the ages, who have stood for what was right and did their best to right what was wrong.

10 Aug - Support Jessica Reznicek

via UNOFFENSIVE ANIMAL

MORE:

In 2021, Jessica Reznicek was sentenced to eight years in prison. August 11, 2023, she has served two of those years. Jessica is incarcerated at FCI Waseca.

Jessica was sentenced to prison for taking action to stop the Dakota Access Pipeline in 2016, including direct action by dismantling construction equipment and pipeline valves. Due to the court classifying Jessica as a domestic terrorist, her prison sentence was significantly extended.

Jessica is 40 years old. On their website, her support crew describes Jessica as follows: "Jessica has a deep love for nature, camping, swimming, hiking, theology, music, gardening, laughter and eco-sustainability, as well as a commitment to self-discovery through deep relationships cultivated in intentional faith-based community living."

Right now there is a campaign going on with the aim of Jessica not being classified as a domestic terrorist, which would mean that her time in prison would be greatly shortened (by roughly halving the prison sentence).

There are several ways to support Jessica, like writing her letters.

More information about Jessica, how to support and show solidarity, as well signing the campaign, can be found on the website supportjessicareznicek.com

August 11th - Jessica Reznicek approaches two years in prison as we enter the "Global Boiling"

As of this Friday, August 11th, Jessica Reznicek will have served two years of her eight year sentence. As Jess sits inside cinder block walls, we want to use this moment to drum up support for her and let her and all water protectors know that they are not alone and they are not forgotten for taking a bold stand against the fossil fuel industry. Jess acted out of love for the waters of this land, and should never have been labeled a "domestic terrorist."

This week, we're asking you to post a video or photo on social media where we can all show our support for her and/or why you're interested in this case.

You're always welcome to riff- but feel free to use any of these prompts that resonate with you:

- "I stand with Jessica because ___"
- "I'm interested in Jessica's case because ___"
- "This body of water is sacred to me and I stand with Jessica Reznicek and all water protectors" (with a beloved body of water in the frame of the photo or video)
- "Jessica being labeled a terrorist worries me because _____"
- "If this precedent isn't reversed _____"
- "The climate disaster I recently survived was_____. Jessica took action to prevent this disaster, yet she is in jail and those who caused it walk free raking in record profits."
- "Water Protectors not Terrorists"
- "Climate action ≠ terrorism."

We'd love to see your posts on Instagram, Twitter, and/or Facebook and using the the hashtags- #freejessicareznicek; #jessicareznicek and tag us on all platforms @FreeJessRez

We will be launching a clemency campaign soon and we will need all the support we can muster around her case- so help us spread the word about this injustice and the terrifying precedent for democracy of Jessica being labeled a "domestic terrorist."

As we collectively experience wildfires, flooding, record-breaking temperatures, and the new era of "global boiling" that we are in- it's more important than ever that we stand with those who have taken bold action against fossil fuel companies.

Visit our website to learn more about Jess' case and also find how to write letters to Jess directly so she knows she is not forgotten as we approach this grim milestone.

15 Aug - Law Enforcement Admits to Placing GPS Trackers on Activist's Car

Report on law enforcement being caught placing GPS trackers on an activist's car in so-called Michigan.

MORE:

On Monday August 1st, Michigan activist Peatmoss found 2 GPS tracking devises attached with powerful magnets to the rear axle of their car. This happened after Peatmoss spent a week hanging out with friends at the Camp Gayling Week of Action against the Camp Grayling national guard base.

A lawyer calling the police on Peatmoss's behalf relayed that the police confirmed the trackers were placed by law enforcement, though they refused to name the agency.

Three days before, on the evening of Friday July 28th, Peatmoss was arrested outside Lansing, MI after being followed by a large blue Ford pickup truck into a church parking lot to meet two other folks. The arrest stemmed from a warrant issued in another area of Michigan. During the arrest the police verbally stated that they believed the car had been present at a recent legal demonstration put on by Sunrise Ann Arbor on the sidewalk in front of Accident Fund headquarters, an insurer of the Cop City project. The cops stated they knew the car had driven by the home of Accident Fund CEO Lisa Corless, which was nearby at 3945 Turnberry Lane, Okemos, Michigan.

While in custody police attempted to coerce consent to a DNA sample by threatening Peatmoss with a longer detention. Peatmoss refused and was released without giving a sample. They also noticed their file had an "FBI number" highlighted underneath their SSN.

The second week of May, Peatmoss was followed for 45 minutes by a blacked-out Ford sedan. The car began following them at their legal residence, the first time they had been home in several months. The car followed them onto the highway, off the highway, around in circles in a neighborhood, and then back onto the highway, only leaving when they were about to cross the Michigan-Ohio state border. They had given their legal name and address when putting money on many Atlanta Solidarity Fund defendants' commissary accounts earlier this year.

We, comrades and supporters of Peatmoss, wish to remind all of our comrades that repression is ongoing, but that we can build resilience together. This means affirming our solidarity and standing behind those targeted and sharing information broadly about repressive tactics. Understand that surveillance, like that faced by Peatmoss, can be both a tool for repression from the legal system, but also, conspicuous surveillance can be a tool of repression on its own as a way to chill legal activity, spread fear and distrust.

We encourage everyone to speak with comrades openly about repression they are facing or concerned about, and to educate yourselves on best practices when dealing with cops or facing criminal charges.

16 Aug - Dublin Women's Prison Faces Lawsuit Over Sexual Abuse Scandal

Survivors of sexual abuse recently filed a class-action lawsuit against guards and officials at FCI Dublin, a federal women's prison where plaintiffs argue there are inadequate systems for preventing, detecting, investigating and responding to rape and sexual assault at the facility.

MORE:

by Sydney Johnson (KQED)

The putative class-action suit comes after nearly a dozen individual lawsuits were lodged against guards and officials at the facility. Last month, two additional guards who worked at the federal prison, pled guilty to sexually abusing multiple incarcerated women, bringing the total to eight staff members at FCI Dublin who have been charged in the scandal.

"This litigation shines a light on the systemic nature of the abuse," said Amaris Montes, an attorney with Rights Behind Bars, one of the law firms representing the eight plaintiffs in the lawsuit. "It was not only the individual officers who were at fault for the abuse, but the whole Bureau of Prisons system where officers at every level literally watched as other officers assaulted incarcerated people and helped to keep survivors silent through retaliation."

The lawsuit alleges that for years, people incarcerated at the low-security women's prison were subject to rampant and ongoing sexual abuse, including rape and sexual assault, drugging, groping and being forced to take explicit photos. It also claims women incarcerated at the facility were subject to abuse during medical exams and that immigrants were threatened with deportation if they did not comply.

It further alleges that the Federal Bureau of Prisons (BOP) was aware of the problems for decades at FCI Dublin, but that the agency failed to respond to the heinous acts.

"Our clients allege that they were forced to engage in various sex acts with officers under threat of retaliation or by being promised basic necessities or special privileges," Montes said at a press conference on Wednesday. "Others were forced to act as lookouts while officers sexually abused their friends and cellmates."

The lawsuit calls for a jury trial and names the eight individuals charged so far, as well as FCI Dublin Warden Thahesha Jusino, BOP Director Colette Peters and other officers at the facility.

The lawsuit alleges that the prison staff's sexual abuse of incarcerated people at FCI Dublin violates the Eighth Amendment, prohibition on cruel and unusual punishment, as well as the Prison Rape Elimination Act of 2003.

One plaintiff in the case is cited as having to remove her clothes while officers masturbated in front of her. Another was forced to strip and dance for an officer who was "well known for trading food and basic goods with incarcerated individuals in exchange for sexual acts," the complaint reads. Multiple plaintiffs said that officers subjected them to relentless harassment, assault and rape, or that they witnessed such behavior.

"We are someone's mom, we are someone's daughter. We are here to be rehabilitated, but when we are abused, we cannot be," a plaintiff in the suit named G.M. said in a press release. "We are asking for change, and for these officers and this system to be held accountable."

Maria, who experienced abuse while incarcerated at FCI Dublin, was sent to solitary confinement for nearly two weeks after a guard who abused her friend was exposed. Maria did not use her last name due to privacy and safety concerns.

"I was abused and I saw my friends abused by guards," Maria told reporters through a translator on Wednesday. "They were supposed to protect us. I saw them abusing, grabbing and groping."

Robin Lucas, who was formerly incarcerated at FCI Dublin, spoke to reporters on Wednesday about the challenges of changing the violence and culture at the facility, where she also experienced sexual abuse decades ago.

In 1995, Lucas said she was assaulted while placed in the segregated housing unit for men, the facility's maximum-security confinement. She, along with two others incarcerated at the Dublin prison, sued and reached a \$500,000 settlement in 1998.

As part of the settlement, the Bureau of Prisons agreed to no longer house women in the men's maximum security unit at the Dublin facility. It also required the BOP to set up new training policies for staff and to better inform people who are incarcerated about how to report assault.

But now, almost 30 years later, Lucas said little has changed.

"I remember what it was like when I see these young girls get up there," and come forward to report abuses, Lucas told *KQED*. "They well up with fear and intimidation and hurt, but there is a drive within them to speak up and say this is not right."

Five former FCI Dublin staff members were already convicted of sexually abusing incarcerated women in the Department of Justice's ongoing investigation into the notorious facility. They include Chaplain James Highhouse, Warden Ray J. Garcia and three correctional officers. A case is still pending for charges against correctional officer Darrell Smith, according to federal officials.

Highhouse was sentenced to 84 months in prison and Garcia was sentenced to a 70-month term.

Nakie Nunley of Fairfield, who pleaded guilty in July, was charged with having sex with five victims while working as a supervisor for UNICOR, a call center staffed by women incarcerated at the prison. Nunley threatened to transfer women or strip them of their employment when confronted about the behavior, according to federal officials. He was also charged with lying to federal investigators with the U.S. attorney's office.

"Nunley admitted that he told another victim that if she wanted to keep her job at UNICOR, she needed to pull down her underwear and bend over," the U.S. attorney's office said in a release.

Andrew Jones of Pleasanton, who oversaw the prison's Food Services Department, also pleaded guilty in July to sexually abusing incarcerated people in multiple places near the FCI Dublin kitchen, according to the U.S. attorney's office.

"This Office's ongoing investigation into FCI Dublin has revealed significant findings of wrongdoing by multiple correctional officers at that facility," said U.S. Attorney Ismail J. Ramsey of the Northern District of California in a July press release announcing the latest charges. "The Department of Justice has warned that criminal misconduct in the care and safety of incarcerated persons will not be tolerated."

20 Aug - Update on Alfredo Cospito's situation and call for solidarity

The latest news we've got about Alfredo, still in prison in Bancali (Sassari) under the 41 bis regime, are that his health is stable, he is physically sound and has regained weight after his six-month hunger strike.

MORE:

Unfortunately, he receives very little mail, almost none. Also, when the prison withholds letters, postcards or telegrams, often he's not informed by prison staff. He thus finds himself subjected to an even higher and more arbitrary censorship than the already harsh one of 41 bis. Let's not let him lack our solidarity! We urge all to write letters or postcards using registered mail with return receipt requested, to increase the chances that, if they are withheld from him, he will be at least notified.

21 Aug - Inside Waupun Correctional Institution's 'nightmare' lockdown

Prisoners locked in their cells for days on end report walls speckled with feces and blood.

MORE:

by Mario Koran (*The New York Times*)

Birds have moved in, leaving droppings on the food trays and ice bags handed out to keep prisoners cool. Blocked from visiting the law library, prisoners say they have missed court deadlines and jeopardized appeals. Unable to access toilet paper, one prisoner tore his clothing into patches to use for tissue.

One thousand people incarcerated at Waupun Correctional Institution, a maximum-security prison in southeast Wisconsin, have been confined mostly to their cells for more than four months, ever since prison officials locked down the facility and halted many programs and services.

More than two dozen prisoners at Waupun, the state's oldest prison, have revealed to *The New York Times* that since late March they have been forced to eat all meals in their cells, received no visits from friends or family, seen complaints of pain ignored and been allowed limited, if any, fresh air or recreation time.

The Wisconsin Department of Corrections has offered little explanation about the lockdown or why it has lasted so long.

"There were multiple threats of disruption and assaultive behavior toward staff or other persons in our care, but there was not one specific incident that prompted the facility to go into modified movement," said Kevin Hoffman, the department's deputy director of communications. According to state data, nearly 100 assaults have occurred there in the past fiscal year.

Others familiar with the sprawling penitentiary suggest another reason for the restrictions: dire staffing shortages.

More than half of the prison's 284 full-time positions for correctional officers and sergeants remain unfilled, state data shows. The shortages have severely hobbled the facility's ability to operate safely, according to former wardens, correctional officers and members of Waupun prison's community board.

"If I was the warden right now, I'd have that institution on lockdown, too," said Mike Thurmer, who once ran the prison and now sits on its community relations board. "You can't have a 40 or 50% vacancy rate and not have at the very minimum a modified lockdown."

What is happening in Waupun illustrates a reality at prisons across the country: Lockdowns, once a rare action taken in a crisis, are becoming a common way to deal with chronic staffing and budget shortages.

Critics say these shutdowns became easier to justify during the pandemic, when prison officials could cite the need to control the spread of COVID-19. But even as most COVID-related restrictions have been lifted, lockdowns continue to be applied.

"They are using it at the drop of a hat because it makes day to day operations easier," said Tammie Gregg, deputy director for the ACLU's National Prison Project.

Waupun is not the state's only prison under lockdown. Eighty miles northeast, those at the maximum-security prison in Green Bay have been effectively locked down since June. Prisoner advocates have shared reports of prisoners protesting conditions inside the institution, but the Department of Corrections would confirm only that there were unspecified security threats.

Green Bay's prison has a vacancy rate for correctional officers and sergeants of 40%.

State prisons across the country have been denying prisoners showers, exercise and timely medical care. In Mississippi, North Carolina and Texas, thousands of people have been kept in their cells as officials scrambled to hire more officers.

Last year, a former lawmaker and director of an association that represents prison workers in Oklahoma said staffing shortages had led to increased violence and repeated lockdowns.

And in the federal prison system, which is also suffering severe labor shortages, officials in recent years have turned to nurses, teachers and cooks to guard prisoners as nearly one-third of correctional officer jobs sat vacant. Staffing shortages led one prison in Texas to lock prisoners in their cells on the weekends.

The practice extends to jails, where offenders typically await trial or serve sentences shorter than a year. In 2022, one Pennsylvania jail was locked down after officials called a state of emergency because of low staffing levels. More recently, officers at Prince County jail in Maryland said a shortage of guards resulted in frequent lockdowns and forced overtime for officers.

The effects of chronic staffing shortages

Given the staffing shortages, some prison officials in Wisconsin and elsewhere said their facilities would be impossible to manage without lockdowns.

But studies show there may be more at stake. A survey across 19 prisons in the UK found that 84% of prisoners who responded from higher-security prisons said their mental health had deteriorated over the course of lockdowns during COVID outbreaks because of boredom, anxiety and limited social interactions.

Lockdowns often also restrict family visits, as they have in Waupun, which research has long shown can negatively affect the likelihood of successful reintegration after a prisoner is released.

Gregg said parallels can be drawn between lockdowns and solitary confinement, which can lead to long-term psychological damage. Limited access to libraries, a loss of educational opportunities and a denial of substance abuse treatment — all of which frequently result from lockdowns — can mean the punishment prisoners already experience is compounded.

With its 53% staff vacancy rate, Waupun is the most short-staffed facility in a chronically understaffed state prison system. Supplemental correctional officers come in on a rotating, two-week basis to provide relief for full-time staff, but the help may not go far enough.

The lockdown at Waupun has led to delays in medical care and psychological services. Multiple prisoners reported those who were cutting themselves or threatening self-harm simply to get medical attention. And even then, they said, assistance was slow to arrive — if it came at all.

Prisoners at the maximum-security prison have been convicted of felonies ranging from drug possession to burglary to murder. *The Times* interviewed prisoners by phone and email.

"People are threatening suicide every day, and there's no treatment here," said a Waupun prisoner, Jayvon Flemming, referring to mental health care. "You have to harm yourself or threaten suicide just to get staff's attention. I'm in a nightmare."

"I've attempted suicide four times in the past months just because of this lockdown and not being able to go outside to get sunlight," said another prisoner, Ashton Dreiling.

"We've received no indication that this is the case," Hoffman, the Department of Corrections spokesman, said when told of allegations that prisoners were threatening suicide or self-harm more often since the lockdown began.

Wisconsin prisons also face a shortage of staff for health care (24%) and psychological services (27%), according to data from the Department of Corrections. One Waupun prisoner, Kevin Burkes, has been living with pain and blurry vision, a possible complication, of an autoimmune disorder. In June, he submitted a request to see a doctor but received a reply that read, "No optical during lockdown."

Hoffman acknowledged that early on, appointments were limited to those deemed necessary by medical professionals. Routine appointments are now allowed more frequently, he said.

Lonnie Story, a civil rights attorney based in Florida, agreed in August to represent Waupun prisoners in a class-action lawsuit against the state.

Story said their complaints have been notably consistent. "What's setting off legal alerts and red flags in my mind are the medical aspects — complaints about the ventilation system, the denial of medical treatment and the denial of psychological evaluations or treatment," he said.

The exact number of lockdowns that occur in federal and state prisons is not clear, because there is no national tracking system. There are no standards for how lockdowns are implemented or how long they can last, Gregg said, and there is little oversight for the practice.

The Wisconsin Department of Corrections cannot say whether the lockdown at Waupun is the state's longest, because it does not formally record the numbers. But those familiar with the state's prison system said lockdowns typically last just days or weeks, not months.

In April, U.S. Sen. Jon Ossoff, D-Georgia, introduced a bipartisan bill in Congress, the Federal Prison Oversight Act, which would require the Department of Justice's inspector general to review the 122 correctional facilities within the Bureau of Prisons and assess the frequency and duration of lockdowns.

The office of Gov. Tony Evers, a Democrat, whose administration oversees Wisconsin's Department of Corrections, told *The Times* that ensuring prison safety is a top priority and that his office will continue to rely on the DOC's judgment. The governor's office did not respond to questions about the cause of the restrictions or steps it might take if the lockdown continued.

Sean Daley, a representative for AFSCME, the union that serves as an advocate for Wisconsin prison guards, said he would not be shocked if staff shortages were partly to blame for the lockdown at Waupun.

"The system is breaking, if it's not broken yet," Daley said. "And Waupun can be a glaring example of that under its current state."

Outnumbered, overworked and underpaid

Lawmakers hope an increase in pay will improve recruitment and retention, although hiring enough new staffers to provide relief may take months. The state Legislature agreed to raise starting pay for correctional officers to \$33 an hour from \$20.29 an hour and made additional money available for those working at maximum-security prisons and facilities with vacancy rates above 40%.

But Mike Thomas, a former correctional officer who worked at Waupun's prison for seven years before he retired as a captain, said the pay increase was only one piece of the puzzle.

Dangerous conditions, forced overtime and lack of time off contributes to high burnout rates among correctional officers. Thomas recalls working 75 days straight, many of them double shifts. It was so difficult to plan for days off, he said, that many resorted to calling in sick when they needed a personal day.

Since mid-2012, Waupun has seen 440 assaults on staff. At least 95 occurred this fiscal year — more than any other Wisconsin prison and nearly double the number of the next closest facility, according to DOC data. When adjusted for the prison population, Waupun's incident rate in fiscal year 2023 is the third highest and seven times the state average.

In testimony sent to state lawmakers in January, Brian Wackett, a correctional officer, described an urgent need for pay raises to attract and retain more officers.

Waupun prison had a night last year, he said, when they only had eight staff members working inside the prison. "They have 900 inmates there, and no one can supervise them all at a given time," he said.

Prisoners can't get basic services

Many prisoner jobs inside have been put on hold. In-person college classes for prisoners, offered by Trinity International University, were paused at the end of March, according to a representative from the college.

Policies that say prison staff must offer prisoners showers at least twice a week, as well as four hours of recreation outside of their cells, have been suspended during the lockdown.

The DOC said recreation is still offered but that the frequency and duration were dependent on staffing levels. Some inmates claimed they received one hour a week of exercise. Others said recreation was offered inconsistently, and often canceled if prisoners broke minor rules, like not standing for morning head count.

In addition to the loss of educational opportunities, prisoners like Chase Burns said they were denied visits to the law library, a right guaranteed by the U.S. Supreme Court. The DOC said prisoners can still request materials from the library. But multiple prisoners report that those requests are delayed until a librarian can fulfill the search, making it difficult to file documents by court deadlines.

Days after responding to questions from *The Times*, the prison began allowing library visitation for those with a court date within 45 days.

Flemming, the Waupun prisoner who described how prisoners were threatening suicide to get medical attention, said his biggest fear was not being able to summon help in a medical crisis.

He said he recently had trouble breathing and requested immediate assistance, but it took four days for a nurse to see him. When she came, he said, she charged him \$7.50 for a medical co-pay, took his vital signs and told him he was on a list to be seen by a doctor. His breathing problems continued.

"There's no ventilation in these cells," he said, adding that there was no way to call out to staff in a medical emergency. "We shouldn't have to live like this."

20 Aug - Water Protectors Sued by Mining Company ask Court to Dismiss Case

The protectors, including descendants of survivors of the 1865 Thacker Pass massacre, were sued by Lithium Nevada Corporation for defending a sacred site

MORE:

by *Protect Thacker Pass* Censored News

A group of seven water protectors sued by a mining company for peacefully protesting the Thacker Pass lithium mine in Nevada have asked a State Court to dismiss their case.

Their brief, filed on Friday, argues that the protesters were exercising their First Amendment rights to peaceful assembly.

"As a sacred site is being bulldozed, non-violent protestors are being criminalized by a foreign mining company," says attorney Terry Lodge, who is representing the defendants. "My clients were engaged in protest that is clearly protected by the U.S. Constitution. This is corporate greed and bullying."

Analysts say the lawsuit is similar to what is called a "Strategic Lawsuit Against Public Participation," or SLAPP suit, aimed at shutting down Constitutionally-protected free speech and protest. It aims to ban the water protectors from the area and force them to pay monetary damages.

The suit was filed in late May following a month of non-violent protests on the site of the lithium mine in northern Nevada. Thacker Pass is known as Peehee Mu'huh in Paiute, and is a sacred site to regional Native American tribes. It's also habitat for threatened and endangered wildlife.

"Our ancestors fought and died for the land at Peehee Mu'huh," says Dean Barlese, an elder and spiritual leader from the Pyramid Lake Paiute Tribe who is one of the defendants in the case. "We've acted for the coming generations to protect Mother Earth."

On September 12th, 1865, federal soldiers murdered at least 31 Paiute men, women, and children in Thacker Pass during "The Snake War."

Several of the defendants in the case are descended from people who were killed in 1865, including Dorece Sam, whose ancestor Ox Sam escaped the calvary raid by riding his horse through Thacker Pass.

"We took action to protect the land, air, and water for our future generations," says Sam, who is a member of the Fort McDermitt Paiute-Shoshone Tribe, and the leader of the Native American Church of the State of Nevada. "Peehee Mu'huh is part of the history and future of our people. But what will that future look like now?"

This massacre and other culturally important factors have made the Thacker Pass mine extremely controversial in the Native American community. Dozens of tribes have spoken out against the project, with four going to court. One lawsuit, filed by the Reno-Sparks Indian Colony, Summit Lake Paiute Tribe, and Burns Paiute Tribe early this year, is still battling in court to stop the Thacker Pass mine. The National Congress of American Indians has also passed several resolutions opposing the project.

But despite ongoing criticism, lawsuits, and lobbying from tribes as well as environmental groups, ranchers, the Nevada State Historic Preservation Society, and the Advisory Council on Historic Preservation, both Lithium Nevada Corporation and the Bureau of Land Management have refused to stop construction or change any aspect of the Thacker Pass mine.

In February, the Bureau of Land Management recognized Thacker Pass as eligible for the National Register of Historic Places as a "Traditional Cultural District," or a landscape that's very important to tribes.

But the very day before, they issued Lithium Nevada's final bond, allowing the Canadian multinational to begin full-scale mining operations.

With mine construction beginning, protestors were left with no option other than to exercise their right to petition the government by protesting peacefully, which led to the lawsuit.

The defendants in the lawsuit are charged with Civil Conspiracy, Nuisance, Trespass, Tortious Interference with Contractual Relations, Tortious Interference with Prospective Economic Advantage, and Unjust Enrichment. These allegations are alarming to the Great Basin Native American communities who believe their religious practices are protected by the American Indian Religious Freedom Act of 1978. The lawsuit's language places fear in the hearts of Native American people who want to pray and visit their ancestors' gravesites, and in those of the ecologists, naturalists, and environmentalists who hope to protect the critical habitat at Thacker Pass from destruction.

The Motion filed on Friday argues that Lithium Nevada Corporation failed to provide any evidence of their claims that the protestors' actions included "violence" and constituted "conspiracy." It also states that the defendants are "outcome-oriented" and protested at Thacker Pass with the intention to "influence government law and regulation."

"Lithium Nevada, a mining corporation benefiting from the violence used to conquer Native peoples, is trying to bully peaceful protestors opposing the destruction of that massacre site," said Will Falk, an attorney and one of the defendants in the case. "People need to understand that lithium mining companies—like coal or gold mining companies—use racist and violent tactics to intimidate opposition."

"It is truly outrageous that we live in a society where our Supreme Court has granted constitutional rights to resource extraction corporations, making their destructive activities fully legal and virtually immune from oversight by We the People. Even their right to sue us is a corporate personhood right," said defendant Paul Cienfuegos, founding director of Community Rights US.

Max Wilbert, another defendant in the case, says "Lithium mining for electric vehicles and batteries isn't green, it's greenwashing. It's not green, it's greed."

Terry Lodge said: "The protestors took a moral stand in the form of civil disobedience. They are being unjustly targeted with sweeping charges that have little relationship to the truth, and we will vigorously defend them."

25 Aug - 'Jenin, Jenin'

WHAT: Film Screening

WHEN: 7:30pm, Friday, August 25th

WHERE: Mayday Space - 176 St Nicholas Avenue, Brooklyn

COST: \$5-25 (Suggested Donation)

MORE:

Join Samidoun for a screening of Jenin, Jenin! Screening will be followed by a post-screening discussion. Jenin, Jenin is a film directed by Mohammed Bakri in order to portray the Palestinian truth about the Battle of Jenin, an attack by the Zionist army that took place in April 2002.