

## PRISONER'S BILL OF RIGHTS

- 1). We call for the right to be free from State sanctioned murder by use of the Death Penalty and it's proxy, i.e., Life Without Parole (except for the most heinous crimes)
- 2). We call for the abolition of psuedo Life sentence, i.e. 50 to 100 years, etc.
- 3). We call for the right of parolees and incarcerated citizens to be free of discrimination and disenfranchisement, by denying them the right to vote- as is declared in the Universal Declaration of Human Rights ("UDHR"), Article 21:

**"Every one has the right to take part in the government of his country, directly, or through freely chosen representatives."**

Currently, the Thirteenth Amendment of the United States Constitution states:

**"Neither slavery nor voluntary servitude, except as a punishment for a crime whereof the party shall be duly convicted shall exist within the United States or any place subject to their jurisdiction."**

This language as it relates to prisoners allows each State the right to deny prisoners and parolees the right to vote, since technically parolees are prisoners, and as such, they are in effect slaves.

We call for an amendment to the aforementioned clause to ensure that the language specifically prohibits slavery or involuntary servitude of any form in any land/territory subject to the United State's jurisdiction.

- 4). We call for the adherence to the Fifteenth Amendment of the United States Consitution which states:

**"The right of the citizens of the United States to vote, shall not be denied or abridged by the united States, or by any State on account of race, color, or previous condition of servitude."**

We assert that the Fifteenth Amendment should/must be revised to incorporate the language of the Universal Declaration of Human Rights, Article 21.

- 5). We call for the end to permanent or indifinite long term lock down in segregation ("e.g. Restricted Housing Unit).

We assert that every prisoner should be given the opportunity to work their way into less restricted environment, as opposed to being locked down 23 hours per day on weekdays and 24 hours per day on weekends...

- 6). We call for the end to practice of placing prisoner's with mental health issues in any form of punitive segregation without on going psychiatric treatment.

**Studies have confirmed that any such placement only causes further deterioration of one's mental faculties.**

We assert that the continuation of said placement - knowing that the inevitable effect is a deterioration of one's faculties is an act of delibertate indifference resulting in suicide.

- 7). We call for the end of placing minors in solitary confinement, as it has been proven that such a practice can be permanently damaging.

- 8). We call for a mandate of every State Department of Corrections and Federal Penitentiary to initiate programs as close to home as possible, conjugal visits for all married prisoners, marriage counseling, therapy for children with incarcerated parents, family (parents, children, sibling) counseling.

The Universal Declaration of Human Rights states in Article 16:

**"Alien and women of full age have the right to marry, found a family, under the protection of society and procreate in accordance with the aforementioned, all prisoners shall have the right to have contact visits with their family, regardless of their State confinement i.e. segregation."**

- 9). We call for the General Assembly to revoke the U.S. Supreme Court's ruling, holding that a prisoners with an eighth (8) grade education is by law proficient enough in cognitive ability to understand the intricacies of law - so much that they are capable of representing themselves in Post Collateral Appeals. We aver that it is fundamentally unreasonable to expect for prisoners (most who have less then a high school education) to learn in one year - the time they have to file an appeal - what members of the BAR (judges, lawyers and prosecutors) attend Universities for almost a decade to learn.
- 10). We assert that every prisoner has a right to a competent attorney free of charge, at the Post Collateral stage.
- 11). We call for the equal distribution of funding for both the District Attorney ("D.A.") and Public Defenders Office.
- 12). We assert that every Federal, State and County prison must offer classes on the basic fundamentals of Criminal and Civil Law, and that these classes must be free to the prisoner who wish to attend them.

We assert that the disparity of resources allocated to the D.A.'s office in comparison to the Public Defender's Office makes any claim of a fair and Equal justice system a farce.

- 13). We call for the reinstatement of Pell Grants for Prisoners Education Programs, as the Universal Declaration of Human Rights state in Article 26:

**"Every one has a right to education."**

We assert that studies clearly show that the recidivism rates of prisoners who have received some form of college level courses have significantly lower rate of return and that this drop is directly proportional to the level of degree in education while in prison we reject the arguement of budget cuts when the allocation of funds earmarked for Pell Grants was only one percent of one percent of the State and Federal Budget.

- 14). We assert that prisoners should not be subject to arbitrary censorship at the hands of prison or government officals. In accord with Article 19 of UDHR:

**"Every one has the right to freedom of opinion ...through any media and regardless of frontiers."**

- 15). We call for the abolishment of medical co-pay. Currently, any time a prisoner request to see a doctor or physician assistant they must pay \$5.00 and any another \$5.00 for every medication that's prescribed, and an additional \$5.00 for every ailment they have. Along with a \$15.00 or \$35.00 surcharge if a stretcher is used.

Most prisoners only have \$10.00 to \$15.00 a month on their accounts to pay for cosmetics and writing materials.

- 16). We call for the creation of an affordable mutual prisoner medical insurance policy that the prisoners can buy into. Such a system will provide prisoners the opportunity to pay for medication that the prison administrators will not purchase because it is too expensive, or have medical procedures denied for the same reasons.
- 17). We call for the increase in pay for all prisoners commensurate with the increase of cost of every day items sold and services provided by the prison.

Currently, prisoners pay rate range from .19 cents to .42 cents depending on the skill level required with the stipulation that only one prisoner on each detail can make .42 cents per hour; while the civilian supervisor make \$30.00 to \$42.00 per hour just to watch the prisoner work.

- 18). We call for the implementation of at least (2) weeks down time per year, with pay for every prisoner who have been on the job for at least (1) year.
- 19). We call for community service work furloughs as part of a reintergration ~~XXXXXXXXXX~~ program and as an act of contribution for offenses committed against the community. We also call for the establishment of presumptive parole; meaning that if a prisoner completes all recommended programs, and remains misconduct free that the prisoners should be granted parole and not subject to arbitrary denial.
- 20). We call for the formation of Community Based Parole Board which will be responsible for determining and deciding whether or not a prisoner is ready to re-enter their community.
- 21). We call for the creation of an independent ombudsmen ~~XXXXXXXXXXXXXXXXXXXX~~ agency which will be responsible for monitoring the Department of Corrections, which will be under the jurisdiction of the Human Relations Commission.

We assert that each County, State and Federal prison must ~~XXXXXXXXXXXXXXXXXXXX~~ have a Regional Community oversight committee authorized to effect change in policy and/or regulation which it deems to be not conductive to the ~~XXXXXXXXXXXXXXXXXXXX~~ the positive growth and develop of prisoners. We assert that oversight committee should directly reflect the prison population in ~~XXXXXXXXXXXXXXXXXXXX~~ gender, race and socio-economic status.

- 22). We assert that all prisoners have the same rights and should not be discriminated against due to gender, ~~XXXXXXXXXXXXXXXXXXXX~~ sexual orientation gender identification.
- 23). We assert that should a prisoner die and there's no one to claim his/her body then said prisoner should be buried in ~~XXXXXXXXXXXXXXXXXXXX~~ accordance to their religious organization to help facilitate the proper burial. The expense should be deducted from the Inmate General Welfare Fund.
- 24). We call for an end to the common practice of collective punishment, in which, prison officials retaliate against whole block(s), unit, or the over-all prison population for the act(s) committed by a single or few individuals.

25). We assert that all the abuses, deprivations and other Human Rights Violations, which are systemic throughout America's prison system, will continue, until such time that prisoners are afforded a voice to collectively speak on their own behalf; therefore, we call for the formation and legalization of "Prisoners Unions".

We the Incarcerated Citizens Coalition (I.C.C.), representing a multitude of individuals groups, or organizations; and acting as the internal branch/division of the Human Rights Coalition makes this proclamation; and call for the above enumerated tenets to be translated into legislative language to be presented as a Provisional National "Prisoner's Bill of Rights".

We believe that this document can ~~XXXXXXXXXXXXXXXXXXXX~~ and should serve as both nexus for prisoner's solidarity and a catalyst to galvanize the prison movement around the National Campaign for Human Rights.

Its been said that:

"You can determine how humane any society is, by observing how they treat their prisoners".

WITH CONVICTION IN OUR HEARTS  
INCARCERATED CITIZENS COALITION

# *On the rights of convicted felons. . .*

The U.S. Constitution, Article 1, Sec. 9, Clause 3 **so states:**

**“No Bill of Attainder or ex post facto Law shall be passed.”**

----- *New Oxford American Dictionary* -----

• **[A]ttainder** |ə'tændər| noun historical

-> **the forfeiture of land and civil rights suffered as a consequence of a sentence of death for treason or felony.**

## PHRASES

**bill of attainder** an item of legislation inflicting attainder without judicial process.

ORIGIN late Middle English : from Anglo-Norman French, variant (used as a noun) of Old French *ateindre* in the sense [convict, bring to justice] (see **attain** ).

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• **ex post facto** |,eks pōst 'faktō| adjective & adverb

-> **with retroactive effect or force** : [as adj. ] *ex post facto laws*.

ORIGIN erroneous division of Latin *ex postfacto* ‘**in the light of subsequent events.**’

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**In plain language. . .**The Founding Fathers knew Gov't would try to diminish people. But they meant for all people to remain whole.

Gov't shall not take away the civil rights of convicted felons. These include privacy rights (**4th Amend.**), the right to bear arms (**2nd Amend.**), voting rights (**14th Amend.**), **Etc.** Also, these rights cannot be taken away retroactively (**ex post facto**) upon a conviction. **While incarcerated** felons have their rights to: vote, [phone & mail] privacy, & private conjugal visits (families' right to happiness).

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# STANDARDS AND BELIEFS ABOUT THE TREATMENT OF INMATES

1. Inmates are sent to prison as punishment and not for punishment.
  2. Correctional workers have a responsibility to do their best to ensure that inmates are returned to the community no more angry or hostile than when they were committed.
  3. Inmates are entitled to a safe and humane environment while in prison.
  4. You must believe in a person's capacity to change their behavior.
  5. Normalize the environment to the extent possible by providing programs, amenities and services. The denial of such must be related to maintaining order and security rather than punishment.
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6. Most inmates will respond favorably to a clean and aesthetically pleasing physical environment and will not vandalize or destroy it.
  7. We must be sensitive to personality differences, cultural backgrounds, lifestyles, and educational levels and treat inmates as individuals.
  8. Bringing racial bias into the institution that results in discriminatory actions can be every bit as dangerous to your fellow staff as the introduction of contraband.
  9. Whenever possible, provide explanations for changes in policies and procedures that the inmates perceive as detracting from the quality of their life.
  10. Be responsive to inmate requests for action or information. Respond in a timely manner and respond the first time an inmate makes a request.
  11. Be dependable when dealing with inmates. If you say you are going to do something, do it.
  12. It is important for staff to model the kind of behavior they expect to see duplicated by inmates.
  13. The indiscriminate use of foul language by staff only detracts from a professional staff image.

*An amazing document from  
1996 -- Stratford, CT Prison  
Warden Donald Vaughan's  
sage words.*

14. Inmates are to be treated respectfully and with basic dignity. Staff can treat inmates respectfully without compromising the essential element of professional distance.
15. Be courteous, polite and professional in all dealings with inmates, regardless of their behavior.
16. Never lie to an inmate. If you make a mistake, admit it. Staff credibility is essential to the maintenance of a safe and secure institution environment.
17. Inmates will cooperate with staff to a much greater degree if motivated by respect rather than fear.
18. Immediately deal with inmate behavior that threatens order and security.
19. Send clear messages regarding the kind of behavior that cannot be tolerated in an institution.
20. Inmate discipline must be consistent and fair.
21. Use only the minimum amount of verbal or physical force necessary to maintain order, security, and safety for both staff and inmates.
22. Promote good adjustment with praise and recognition.
23. Do nothing or say nothing to an inmate that you would not want to have videotaped for the Superintendent's or Deputy Superintendent's review.

**VIOLATING ANY OF THESE PRINCIPLES OF INMATE MANAGEMENT COMPROMISES  
THE SAFETY OF STAFF AND CONTRADICTS THE VALUES OF THE DEPARTMENT.**

**"Professionalism includes the language we use...The use of profanity toward staff or prisoners is improper and should not be tolerated...If you have fallen into the bad habit of using this inappropriate language, please make a concerted effort to stop. Consider who you are, where you are, and why you are here - then speak in a professional manner at all times."**

**- SCIG Superintendent Donald Vaughn in a Jan. 1996 memo to employees**