

TIME/CUT

Indiana Prison Newsletter

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COVID Outbreak at C.I.F.

The Concept and Practice
of Duel Power

The Death of Phillip Littler

Compassionate Release
Parole Revocation

Presented by:



In Remembrance of
Lokmar

& more

TIME/CUT

is a publication for Indiana prisoners and their family and friends. It includes news, thoughts, and helpful resources from inside and outside the walls and around the world. The articles in the publication do not necessarily reflect on its contributors, creators, or distributors. Its contents are for informational purposes only. Time/Cut does not provide legal assistance or romantic arrangements.

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Please write to us for a catalogue of other articles and texts related to surviving prison. This publication is free to friends and family of prisoners in Indiana. If you do not already receive it but want to, please write us and we will add you to our mailing list. If you wish to stop receiving it, write us and we'll take you off. **If your incarcerated loved ones would like to receive the inside version, please send us their address.** Thanks for reading!

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Official Mismanagement: Vicious Corona Outbreak at C.I.F.

by EL•BE

“We cannot solve the problems we have created with the same thinking that created them.”—Albert Einstein

Correctional Industrial Facility was the only Indiana prison without any prisoner infected by Covid-19, until on Nov.13th, 2020. Of course, staff brought the infection into the facility and it spread like wild fire.

Hundreds of CIF prisoners have been struggling to recover from corona out break. There has been at least two confirmed deaths and many more transported to local hospitals for intensive care. In response, officials placed the entire facility on a lock down, quarantine as early as Nov.16th, 2020.

The tragedy is that there is no such thing as social distancing in prison. The only real quarantine is in solitary confinement. Just as prisoner right observers from IDOC-WATCH predicted, prisons like CIF are not only incubation sites for the pandemic, but death as well.

MISMANAGEMENT

There is a saying that goes: proper preparation prevents poor performance. CIF officials had 8 months to prepare for a virus they knew would appear. But instead of having an organized response procedure in place there was confusion and panic.

For example, high risk prisoners (elderly, precondition health issues, & those that worked in the inhumane Break Factory) were not attended to properly at the outset of the out break. Nor was those who initially infected. Staff exchanged infected prisoners in general population with healthy ones in restricted units. Only spreading the virus rather than isolating it.

It's obvious. Officials never prepared response plan. As far as i can gather, the out break has been one, big viral experiment at prisoners expense.

BLAME SWITCH

Presently, inmates are restricted from normal interaction, visits, recreation, & time cut programs. While staff are treating them as if they're the cause of the out break. This blame switching only creates more fear & panic.



The Concept and Practice of Dual Power: The Opportunity to Re-build a Movement

by Shaka Shakur, currently incarcerated by Virginia DOC via interstate compact

One concept of revolutionary dual power is the taking of political theory and ideology and applying it to concrete conditions. This is applicable to mass organizing work, prison solidarity work, etc.. In this instance, I would like to talk about some of the responses and work being done as a result of this COVID-19 attack. Work that is being done by revolutionary, radical, militant or progressive groups and organizations in various communities throughout the empire.

When the C-19 attack hit, everyone was fearful and nervous becuz we wasn't all that sure what it was. Some self-interested groups and media hyped and manipulated that fear. Some for self-serving interest, some for kapitalist economic reasons and some just out of ignorance.

You see when it comes to one another, it is easy to fear what you don't know or understand. When you take the decades of social conditioning with movies like Mad Max, The Purge, Isaiah, then some of our first instinct is to fear your neighbor, horde food, stockpile weapons or go online and fan the flames of this fear.

Then there are those like Us. People who believe in, and fight for, and struggle for a better future, who fight for a more just and humane world free of all the negative 'isms' that destroy people and whole generations' lives. Ism's like racism, kapitalism, kolonialism and Imperialism that sucks the life out of us all. Sexism and homophobia that promotes and creates so much sexual and social violence in our various communities.

Dual power is when you do not depend on the govt to meet the needs of the people and community. Dual power is when we rebuild parallel structures and infrastructures that serve the needs of the people. All people. In actuality dual power functions as a parallel govt that is empowering the people to do for themselves and utilizing their resources to meet the needs of the people and their community.

We serve the people and their interest, because their interest is our interest. We organize, network and

empower the people to take control and responsibility over their own destiny.

How do we do that? In Indiana groups and organizations like I.Watch, NALC, NABPP, various BLM Chapters and too many others to name are rooted in the community, organizing food drives and setting up distribution networks for critical resources like clothes and medications. Setting up taxi type services for ppl who dont have transportation, coming to an understanding with street organizations with the New Afrikan Black Panther Party taking the lead with other organizations to implement security networks and patrols in our neighborhoods instead of relying on or having the state police and national guards doing it. Some collectives started community gardens and distributed the food to ppl and families that needed it. All of this is being done freely.

We don't care what so-called "race" you are, gender you are etc.. We care about serving the people and setting the examples of socialism in theory and practice.

In Indiana, we also took the lead along with many comrades in other states with calling for and demanding the release of prisoners who were either at risk or had a year or less left on their sentences.

Prisoners' families contacted some of us and we also utilized various forms of social media to organize, to cultivate working relationships with all kinds of people from various backgrounds and walks of life. What did we have in common? We cared about someone locked down in these modern day koncentration kamps. We cared about prisoners/captives and how the state/govt is disregarding Our/their lives. We networked and organized phone zaps to the various seats of power calling for release of prisoners. People organized protests and rallies out in front of the jails and prisons while calling press conferences. In solidarity, prisoners in at least three other prisons went on mass hunger strikes asking for basic treatment, humane treatment e.g. to be issued face mask, to have access to be tested, to not be punished by being placed in solitary for developing symptoms.

By our outside comrades going into churches and activating our own distribution network, we have all been exposed more to and learned from the people, while also exposing to the people our politics and what we are about. What we see developing on the ground in Indiana and behind enemy lines is a result of the work that groups

and collectives like Idoc Watch, New Afrikan Liberation Collective, Black Lives Matters and Prison Lives Matter have been doing for years in the state with boots on the ground.

With this momentum gathering, now that more people are seeking to get involved, now that the sleeping giant behind the prison walls continues to awaken, we have to seize the moment.

The media wants to highlight all the little cute, feel-good social networking being done online with the viral videos, mass social interactions, tik tok videos, and the like and all that has its place. But again we have a vision of a new society. Again we believe in the radical transformation of society. A society where prisons and caging people are no longer necessary. Where our elders are not being wiped the fuck out becuz they have been placed in some so called nursing home or institution with overworked and under paid people or dominated by a business or corporation that is trying to profit. A world and a society that is no longer structured by classes. We want an end to this society where privileged folks get health care, get tested and treatment, while poor folks get death! We want an end to a society where we get mass graves, unclaimed bodies or stacked in unrefrigerated U Haul Trucks on the side streets in Brooklyn, NY!

This is real. People always talking about what can't happen in amerika. Well it's happening. The lack of govt resources distributed to various hospitals, poor communities or rural areas is a clue to the future.

Dual power allows us to prepare for such realities. It allows Us to build the political, economic, and military structures and infrastructure we need to help facilitate the bringing into reality the vision of a better world. It gives us an opportunity to share, discuss and breakdown our politics. Dual power helps us to overcome the superficialities that seperate us as we learn, teach and grow. Sometimes you have to break the rules in order to make new rules that work for everyone and is applied equally.

We have teachers among Us, nurses and medical people among us, engineers and ppl with other skills among us. Plus a lot of people whom have lost their jobs, people didn't or don't have savings, people who are hurting. They also need help. We have comrades purchasing land and properties for community centers. Why not other classes, why not community seizure of empty lots and plant

community gardens for community consumption?

When contradictions sharpen between us and the state and they try to kriminalize us, spread propaganda about us, isolate and neutralize us, it is these people, the masses that we serve and continue to serve who will fight for us, protect us and stand not only for us, but with us.

This is why when we see workers at Amazon, Walmart and other companies, businesses and institutions walk off the job in protest due to unsafe working conditions, we should be there to give support, to follow their lead in demanding that these companies or govt entities be held accountable. We should also try to meet their needs where possible.

In Indiana we have the chance to really build and strengthen the movement. We also have a chance to force the state to make some concessions where the so call kriminal justice system is concerned. It's time for the State of Indiana to catch up with the 21st century with how it treats its prisoners, with how it sentences its so called citizens, with its lack of parole boards or chance for early release. With its new sentencing guidelines that has forced the rate of incarceration up another 35 + %. Its time for these people to be challenged, exposed and held accountable.

For those activist groups who have no history or experience in doing prisoner solidarity work, you should form prisoner solidarity committees within your own groups so that you can research and discuss amongst yourselves what it is exactly that you want to do. I would suggest that you try to locate and develop a working relationship with other groups who have already been doing some of this work. Groups that have **WORKING RELATIONSHIPS WITH THE PRISONERS THAT THEY CLAIM TO REPRESENT**. I would suggest that you try to develop principled working relationship with a political prisoner, an activist prisoner, or progressive prison group. We can further build this movement by establishing points of unity, areas and issues we agree on and try to build a coalition. A coalition where we leave egos and petty differences at the door. Maybe we can develop a statewide Steering Comte, maybe a Coalition of Delegates and try and build a solid movement and utilize this momentum.

Remember Dual Power helps us to build and put in place the basic infrastructure and pillars of the society we say

we want to create. It also helps some of us to heal and recover from the damage caused by living under such a system, while we simultaneously work to change and or destroy some of the sick social relations and social intercourse with one another that we have been taught is natural, like racism for example.

ALL POWER TO THE PEOPLE!! FREE ALL POLITICAL PRISONERS!!



IN GOOD NEWS

A newsletter of this sort of necessarily often filled with indictments, narratives of abuse, and details of mismanagement. We think its also important to find some small victories to appreciate and give us hope, maybe even some ways forward. In the last few months, a handful of study groups have been set up in different prisons across he state consisting of groups meeting, reading, and discussing together on the inside, and groups on the outside engaging with the same texts and discussing with those inside, so that all may learn from each other. So far the study groups have gotten a lot of interest and engagement, both inside and out, and continue to spread, often due to administration's decision to transfer and move members of the study group. May what they think will break us apart serve only to help us spread more further!

Over the holidays, Indiana Dept of Corrections Watch held an essay contest, gifting tablets to the children of the prisoners who submitted essays. Fundraising for this initiative was quite successful and 5 tablets were gifted as a small contribution to increasing accessibility to the internet, technology, and information for families that face poverty, criminalization, and oppression.

Torment in Indiana Prisons: The Abuse, The Lawsuit, The Death of Phillip Littler

Reprinted from SupportPrisonLives.org

Written by Kevin Rashid Johnson, currently incarcerated at Wabash Valley Correctional Facility

I want you to wrap your mind around this story if you will...or rather if you can.

DEFENSELESS, SHOT IN THE FACE AND BEATEN

A prisoner, a small-framed man about 150 pounds and around 5'6" is inside a locked shower, and, according to prison officials, he refuses to submit to a strip search. His name is Phillip Littler.

The assistant warden, Frank Littlejohn, tells the ranking guard they should shoot Phillip in the face at point-blank range with a pepper ball gun. The guard laughs and says she loves the idea.

Phillip is then shot in the face in this exact fashion, shattering his nose, and only by a lucky near-miss, not losing his eyes. The camera, which is supposed by procedure to film all such uses of force, is turned off during this assault.

A team of at least 10 guards in full body armor is then sent into the shower to 'extract' the already downed prisoner. They beat him brutally, resulting in a possible broken shoulder blade and extensive ADDITIONAL facial injuries. The camera IS activated during this phase of the assault, but it is deliberately trained on another guard's body to block filming Phillip being beaten.

After the attack, a medical 'examination' is staged by a nurse, which is required procedure following any use of force by guards. Phillip, who is bleeding profusely from the face, tells the nurse he was shot in the face and beaten--punched and kicked repeatedly--by guards. She ignores him, pats away a little of the blood that is running profusely from his nose, then gives up and sends him on his way, refusing him any further care or examination. On the record, she lies and claims he refused treatment and responded, "go to hell," when she claimed she offered him care. Although guards deliberately block the camera from filming Phillip, the audio captures him asking the nurse for help and telling her he was shot in the face and

beaten.

I should add that before being shot, Phillip was repeatedly sprayed with extensive amounts of tear gas inside the locked shower--I have written extensively about the deadly nature and routine abuse of tear gas on U.S. prisoners. (1) Also, the shooting didn't end with the round to Phillip's face. By the guards' own admissions, he was shot in rapid succession in the head a total of 10 times, until the gun stopped working.

THE LAWSUIT, THE LIES, THE OUTRAGED JUDGE

But Phillip, a determined and intelligent man, didn't cave in to his abusers. Instead, he fought his way through the prison system's obstructions and representing himself filed a federal lawsuit the next year.

His case, LITTLER V. MARTINEZ (2), came before Chief judge Jane E. Magnus-Stinson, who proved unusually fair. What came to light as the case unfolded, prompted her to bring down the mallet on Phillip's abusers and their lawyers.

In response to the lawsuit, the prison officials, medical staff, and their attorneys--including the state's Attorney General's office--closed ranks to produce a huge record of sworn affidavits in which they told a litany of lies to cover up what they did and try and get the case dismissed.

Judge Stinson was having none of it. As she noted in orders sanctioning the defendants and attorneys for perjury and facilitating these lies, "only due to the 'perfect storm' of Mr. Littler's litigation skills and the existence of video evidence was the most egregious misconduct in this case uncovered" exposing a "litany of false evidence."

The judge expressed a total loss of trust in the state's highest law office and prison system. She found Assistant warden Littlejohn lied claiming he had nothing to do with the use of force on Phillip. But emails were produced showing his exchange with the supervising guard, where he prompted the shooting of Phillip at point-blank range.

The nurse and guards all lied about their roles, which were also contradicted by video records.

These findings and rulings came out in a series of published reports and orders. (3)

The penalty against P. Hagmeier, the nurse who refused Phillip medical care after he was shot and beaten, was an

entry of default judgment, which meant she was found guilty of the wrongdoing that she was charged with within the lawsuit. On information and belief, Phillip also prevailed against all the other defendants, and after a 4-year court battle, he won a \$150,000 settlement and judgment in 2020. But this was by no means a happy ending.

THE TORTURED DEATH OF PHILLIP LITTLER

Several outside people who know of Phillip's ordeal and legal battle didn't know about the tragedy that followed almost immediately.

At just the time that he prevailed in his lawsuit, Phillip developed cancer in his mouth and throat. Witnessing prisoners like Kristopher Kanable described his tongue as having swollen so large that it protruded from his mouth—he couldn't talk or close his mouth. It also impaired his ability to eat. His weight fell to around 100 pounds.

Initially, prison officials refused him any care, until his cancer progressed to stage 4. His final months were blatant torture as the cancer quickly consumed his face. Phillip died around June 2020.

Many prisoners who witnessed and followed Phillip's struggle believe officials caused his death, both the onset of his cancer and its rapid progression without care.

What tops off this tragedy and exposes the true face of this Amerikan fascist system, is Frank Littlejohn, the man who initiated the sadistic attack on Phillip and

was caught and sanctioned in federal court for lying to justify and cover up the abuse and his role, IS STILL THE ASSISTANT WARDEN of the prison where this abuse occurred. Indeed it's the very same Wabash Valley Correctional (sic) Facility where I'm now confined.

Not just this, but Frank Littlejohn's wife, Teresa Littlejohn, is the prison's public relations officer.

WHAT TO DO?

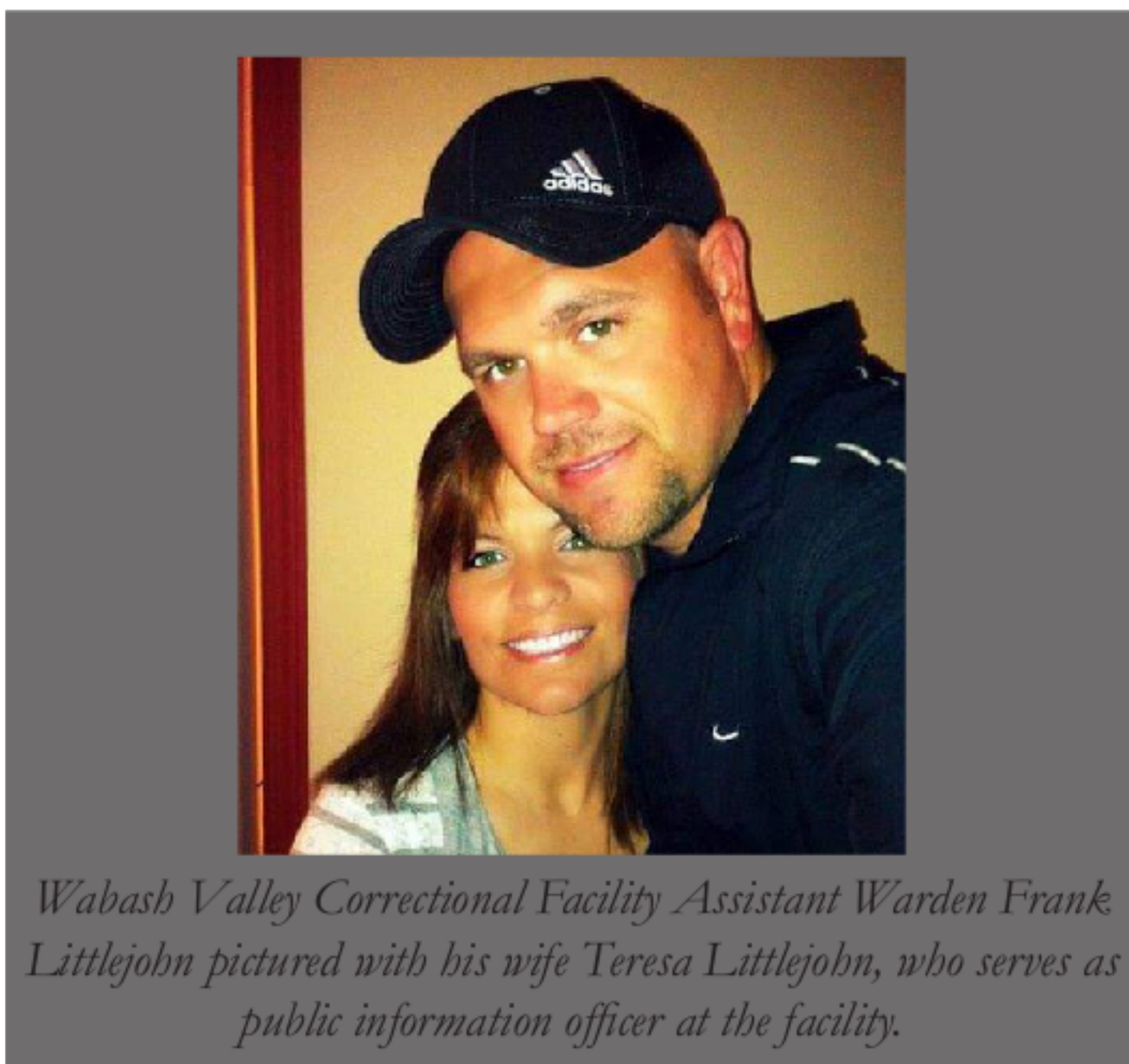
Across Amerika, prisons operate in this fashion as overt fascistic fiefs within an imperialist empire, where their captives are subjected to the arbitrary abuses of their captors and have no voice nor right to resist.

As the judge in Phillip's case observed, most prisoners who manage to file a lawsuit challenging incidents of abuse, are quickly booted out of court by defenses made by the state's highest and most powerful law office; using lying defenses just like were tried against Phillip. And lawsuits are no remedy. The few that are 'won' are settled—and I've previously revealed how settlements actually uphold and preserve the culture of murder and abuse by police and guards. (4)

What's needed is a broad inside to outside mass support network organized to expose and challenge prison abuses. We need to link our captives on the inside with the oppressed communities they come from in a movement to build dual power and revolutionary change against the capitalist-imperialist police state that has us all under siege.

Dare to Struggle Dare to Win!
All Power to the People!

1. Kevin "Rashid" Johnson, "Chemical Weapons Used in U.S. Prisons" (2017)
2. LITTLER V. MARTINEZ, ET AL., Case no: 2:16-cv-00472-JMS-DLP, U.S. District Court for the Southern District of Indiana, Terre Haute Division
3. See, Olivia Covington, "Judge Sanctions Lawyer of ex-DOC Nurse in Inmate Abuse Case," INDIANA LAWYER, March 6, 2019; LITTLER V. MARTINEZ, 2018 U.S. Dist. LEXIS 155868 (2018); LITTLER V. MARTINEZ, 2018 U.S. Dist. LEXIS 163985 (2018); LITTLER V. MARTINEZ, 2019 U.S. Dist. LEXIS 34735 (2019); LITTLER V. MARTINEZ, 2020 U.S. Dist. LEXIS 1850 (2020)
4. Kevin "Rashid" Johnson, "Selling Out in Court: How Settlements Protect Police Abusers" (2020)



Compassionate Release in Indiana reprinted from IDOCWatch.org

*Written by Natlaie Medley, currently incarcerated at Indiana
Womens Prison*

Compassionate release is the reduction of a sentence for circumstances needing humane intervention in incarcerated individuals' experiences; whereby the morality of continual imprisonment changes. Imminent death, significant illness, or old age are circumstances that may alter the public interest in the continual imprisonment of impacted individuals. Federally, the passage of The First Step Act expanded incentives to reward compliance in the Federal Bureau of Prisons (FBOP)'s use of compassionate release for those in its jurisdictions. Procedurally, the FBOP makes recommendation to the sentencing court when a request is approved [1]. However, the compassionate release amendment in the First Step Act allows clients to bring their own motions to a federal judge after exhaustion of FBOP procedures [2]. Indiana would benefit from committed compliance and review of its compassionate release procedures as well as removing the process from the political domain and making it a legal one [3].

Contrasting Federal law, Indiana law does not detail criteria for compassionate release. Instead, Indiana law qualifies the Indiana Parole Board as a division of the Indiana Department of Correction (IDOC) [4]. Concerning compassionate release applications, the Parole Board acts as an intermediary between those seeking relief and the Governor [5]. It is the IDOC that outlines criteria and the petitioning process for compassionate release applications. IDOC Administrative Policy, "Adult Offender Releases", describes procedures to request appearances with the Parole Board, either clemency or medical clemency requests [6]. Each option has differing qualifying criteria with the final decision resting with the Governor [7].

Prior to 1979, or the "Old Code", Indiana bestowed final authority in early release decisions with the Parole Board and not the Governor [8]. This made determinations for such releases apolitical, providing the appearance of an impartial and unbiased decision maker. Since the change issuing final authority for such decisions to the Governor, no single woman has been granted clemency, and minimal women have been granted medical clemency, only for imminent death cases [9]. The political ramifications for the Governor are equivalent to political death, making decision-making much too risky for impartiality. The

process must be placed in a legal sphere if it is to have fair and honest application in the justice system.

Two options are available in Indiana for compassionate release requests: clemency or medical clemency [10]. Medical clemency is extremely burdensome and requires many approvals for the continuation of the request. According to policy, it is permitted in cases of terminal illness or if an incarcerated individual would be better served at another institution [11]. To gain relief, the facility's Health Services Administrator (HSA) meets with the case management, health services staff, and the incarcerated person if possible. The HSA initiates the application and forwards it to Classification who forwards it to the Medical Director. Next, it returns to the HSA who sends it to the Warden for approval or denial. After that, the request goes to Central Office's Chief-of-Staff, Chief Medical Officer, Executive Director of Re-Entry, Legal Services, Deputy Commissioners, and the Commissioner, whose denial may result in the Parole Board declining consideration of the petition. It is the Parole Board that must make the recommendation to the Governor for final approval [12].

Without a terminal condition or in need of institutional care, clemency is the only other option for those requesting compassionate release. It requires mandatory completion of 1/3 of a total imposed sentence, but the sentence must be longer than 10 years. Additional considerations must also be met. The incarcerated person initiates clemency by contacting staff and submitting a form. The Warden provides a recommendation to the Parole Board who investigates, contacts all parties, and holds both a public and private hearing. The Parole Board makes its recommendation to the Governor for approval [13].

The federal criminal system's compassionate release procedures are found in federal code [14]. They delineate medical and non-medical circumstances for compassionate release considerations [15]. Medical considerations include terminal medical conditions, debilitating medical conditions, elderly persons with medical conditions, and elderly inmates over 65 years of age, having served the greater of 10 years or 75% of their sentence [16]. Non-medical circumstances include incapacitation of a spouse or registered partner.

The Families Against Mandatory Minimums (FAMM) coalition ran a compassionate release campaign, issuing summaries of compassionate release policies and the need for

these policies in systems across the U.S. [17]. FAMM provided findings on individual state's compassionate release processes in 2018. For Indiana, FAMM reported: "There is no publicly available information as to how many clemency or special medical clemency petitions the Governor of Indiana has granted". While this may be true, publicly available information of the Parole Board's "official actions" are accessible, and maintaining statistical information concerning its services and decisions is outlined in Indiana Code [18]. Since making clemency recommendations to the Governor under Indiana Code 11-9-2 is an official action of the Parole Board, it is misleading to claim publicly available information concerning clemency and medical clemency petitions is unavailable. In fact, the Parole Board keeps information concerning the Governor's decisions on compassionate release decisions [19]. Transparency was denied to FAMM, a watchdog organization, due to the exceptionally poor track record of compassionate release cases in Indiana.

For 20 years, I have been incarcerated inside of Indiana's female prisons. I have known of no woman ever having been granted clemency under new law scenarios. I have been aware of a few terminal medical conditions whose requests were granted, albeit in the 11th hour. Most relevant are the many requests that are denied and the women I have watched die inside of prison with no family and poor medical care, sometimes in extremely inhumane conditions.

The aging population can barely get around the prison. Many elderly women and sick women require 24-hour care. These people must depend on other inmates to shower, get dressed, use the restroom, eat, transport, etc. Inmates are not certified or trained in these ways, and the elderly and sick are the most vulnerable of our populations. They suffer humiliation with strangers to care for them. Women are forced to suffer oppressive restrictions and lack of medical care and most deaths.

Angie Elliott is a 51 year old confined to a wheelchair. She has major compression of the spinal cord, neuropathy, acquired deformity of the hip, polyneuropathy, and many more diagnoses. She has no physical therapy. She must be cared for by other inmates. The housing conditions are not conducive to her medical needs, with extremely heavy doors that are locked every time she enters or exits her room. The sidewalks are not wheelchair friendly, yet Angie must be pushed in a wheelchair every day to pick up her medication, causing immense pain. Her condition

is chronic and debilitating, yet she could get better with proper medical care. She was sentenced to 40 years and has completed 9 years, not enough to request clemency.

Ronica Starks has been on dialysis for 8 years. Her incarceration prevents her from being on a state donor list. Her mother and sister had kidneys for donation, but because IDOC will not pay for organ transplants, Ronica missed the opportunity, having lost both of her family members to death. The ineffective care of her dialysis port caused the lack of circulation to her fingers, requiring one finger to be amputated. She was not given a death sentence, yet her life is gambled in the restrictions upon her life possibilities. Her prosecutor will not consent to a modification which is required under Indiana law. Yet her prosecutor suggests that IDOC can initiate an administrative procedure. IDOC will not permit a medical clemency petition without a terminal illness. Ronica's will be if she is not cared for. She has done 20 years.

Linda Chesei has been in prison for 30 years. She is 70 years old. Her co-defendants have all been released from prison. She filed for clemency in 2014. She received a copy of the fax from the Governor (at the time Mike Pence) stating society was better without her in it.

Compassionate release is necessary for morality. Promote compassionate release in Indiana by demanding humane action in these ways:

1. Remove clemency and medical clemency requests from political realms, and restore the process to the legal domain. Provide the process an impartial and non-partisan decision-maker.
2. Use statistical accounting as a measure of the compassionate release processes. Make this incentive for the use of compassionate release for those who pose little risk to the public safety.
3. Seek statistical information from IDOC:
 1. Percentage or numbers of inmate populations over 50 years old
 2. Number of inmates with high level medical care, restricted to wheelchairs, or assigned other inmate medical assistants
 3. Number of inmates in need of an organ transplant or who are undergoing dialysis
 4. Number of inmates having served 30 plus years
4. Require an online death registry for IDOC and jail deaths dating back to 1990. Require prisons and jails to display memorial sights for the deceased in its care.

Return humanity in Indiana.

In loving memory of:

Pam Brown, Glenda Robinette, Karen Carter, Princolla Shields, Tammy Aver, Janet Burtrand, Donna Stites, Gilda Smith, Janet

Atherton, Jan Chin, Carolyn Hampton, and the many more not sentenced to death but having died in prison...

1. Kansas Federal Public Defender: The First Step Act and Compassionate Release, 1-10-19, Federico, Rich, AFPD. <https://kansasfpd.blogspot.com/2019/01/the-first-step-act-compassionate-release.html>, p. 1
2. Sentencing Law and Policy: Compassionate Release After First Step, 2-18-19, Blog: Berman, Douglas A. https://sentencing.typepad.com/sentencing_law_and_policy/2019/02/compassionate-release, p. 1
3. Compassionate release in Indiana must find approval from the Governor, a politically elected official. Removing the process, restoring it back to the 5 person Parole Board who all have to agree, or submitting petitions to the sentencing courts instead of the Governor, restores the legal process to the legal realm.
4. IC 11-9-1-1 (a)
5. IC 11-9-1-2 (a)(3) and IC 11-9-2-1
6. A.P. 01-04-105 pages VIII-I – VIII-8
7. Clemency requires a sentence greater than 10 years with 1/3 of the sentence completed and a clear institutional record for one year. Medical clemency requires a terminal medical condition or one that would be more effectively treated in another type of facility.
8. A.P. 01-04-105 pages VIII-II – VIII-13
9. This is based upon the knowledge I have as a prisoner.
10. This contradicts the report FAMM put out saying any medical condition will qualify under “Special Medical Clemency”. Also, no option for temporary leaves has been used in the maximum security prisons, contradicting FAMM’s reporting that is an option for the terminally ill (FAMM: Compassionate Release Indiana June 2018).
11. A.P. 01-04-105 p. VIII-5
12. Id. p. VIII-8
13. Id. p. VIII-4
14. 18 U.S.C. 3582(c)(1)(A) & 4205(g)
15. Policy Statement USS6 1B1.13
16. Id
17. FAMM, June 2018, Everywhere and Nowhere: Compassionate Release in the States.
18. IC 11-9-1-2(a)(5) and (4)
19. A.P. 01-104-105 p. VIII-4(12) and VIII-8(23)



Ulterior Reincarceration by Parole Revocation

Written by Landis Reynolds, incarcerated at Westville Correctional Facility

In March of 2014, the Indiana Legislature passed HEA 1140, later codified under Indiana Code 11-8-2-12.4(6), mandating the Indiana Dept. of Correction (DOC) to

Check out the IDOC Watch Store for a copy of “More Than a Number,” an art zine from inside Indiana Women’s Prison, as well as many works of art from Anastazia Schmid, a researcher and activist formerly incarcerated in Indiana.

idocwatch.org/store



“create policies that provide for a schedule of progressive parole incentives and violation sanctions, including judicial review procedures”. The Legislature further mandated the Indiana Parole Board (IPB) to review and approve these policies under Indiana Code 11-9-1-2.

HEA 1140 was enacted in direct response to the due process violations and systematic abuses committed by DOC and the IPB in the capricious, arbitrary reincarceration of inmates who had completed their executed sentences and were struggling to rebuild their lives. A precise schedule of progressive parole sanctions would require parole agents to use community-based discipline for minor technical violations, such as community service, fines, personal development classes or short-term community corrections placements. The goal of HEA 1140 was to foster accountability without impeding continued reformation and successful re-entry.

Prior to the Legislature’s mandate, DOC and the IPB had absolute authority to revoke a person’s parole and reincarcerate them, sometimes for decades, based on minor technical violations such as forgetting to report a change of address or job. Parolees subject to revocation found themselves at the mercy of vindictive parole agents frequently motivated by superiors to seize, or even manufacture, the first opportunity to reincarcerate them. The absence of a defined schedule of progressive parole sanctions allowed the IPB to summarily revoke their parole, and the lack of judicial review procedures allowed

PLANT PROFILE: *Chickweed*

The isolation of prison extends beyond separating humans, it also separates the imprisoned from most of the rest of the world, from nature, from animals, from plants, all things that are vital to our physical, emotional, and spiritual health. But for those who are allowed time out in the yard, there remain small opportunities for exploration and encounter.

Here is brief profile of a plant you may be able to find growing around the prison, even in the middle of winter!

Common name: Chickweed

Scientific name: *Stellaria* spp. (All plants known to western civilization have a latin binomial name to help with classification and identification. Spp here means “species plural,” as there may be a few different species growing around you.)

How to identify: Chickweed is usually rather small, growing in spreading mats close to the ground, though in favorable conditions they can grow larger and more dense. The leaves are opposite, meaning a pair of leaves grow of the stem at the same spot, one on each side. It is mostly smooth, but sometimes small hairs can be seen on the stems of leaves. See leaf shape below. Though the plant often does not flower until late winter/early spring, when they are visible they are quite recognizable. They are small, with 5 petals arranged around a yellow or green center. The petals are bisected, sometimes deeply so, making it appear to have 10 petals. It is often growing on the edges of yards, in places its not supposed to, and sometimes in a little shade.

Encountering Chickweed: Chickweed (leaves, stems, and flowers) is edible! It has a quite mild flavor, so may be a good introduction for those not used to eating “wild edibles” or plants straight from the ground. It is nourishing and can help supplement a diet that is low in fresh greens and vegetables. Three things to be aware of, though, before eating wild plants: avoid the area if any lawn chemicals or other toxins are used in the area, make sure you’ve identified the correct plant (most easily done when its in flower), and avoid over-harvesting to make sure it is able to reproduce and come back next year! Another use of chickweed that could be accessible to those in prison is the poultice: mashing up or chewing the leaves in order to apply them to the skin. Chickweed applied to the skin can help heal wounds, relieve the itch of insect bites, and soothe irritation. But chickweed does not have to be consumed to be encountering. Meeting the plant, getting to know it, or picking it just to have it around, can all add a little something to a perhaps otherwise dreary day.

If you find chickweed, we would love to hear from you! Tell us about your experience foraging the prison yard.



them to do so with impunity. History has consistently proved “absolute power corrupts absolutely”.

DOC responded by passing the buck to individual parole districts to create unofficial “community-based intermediate sanctions”. IDOC Policy 03-03-101 (XIII).

It was a deliberate attempt to circumvent and nullify the mandate of the Legislature in order to retain absolute, unchecked authority in parole revocations. If the DOC developed a specific administrative policy governing progressive parole sanctions, any violations or abuses on behalf of DOC could be challenged and remedied by an Action for Mandate under Indiana Code 34-27-3-1. By allowing individual parole districts to develop informal progressive parole sanctions absolute authority was retained by the very officials abusing their authority through Ulterior Reincarceration. Further, through the adoption of informal procedures, DOC defied the legislative requirement to create judicial review procedures, knowing that Indiana Code 4-21.5-2-5 (6) precludes judicial review of informal administrative actions related to inmates within the jurisdiction of DOC.

In order to truly grasp the gravity of the situation we must understand two things: 1) correctional facilities are not conducive to reformation; 2) reformation is not the mission of the Indiana Dept. of Correction.

Contrary to popular belief, there is scarcely anything reformative about the correctional setting. Every facility is rife with violence, overflowing with narcotics, and antagonistic. Each day is a literal struggle for survival mentally, physically, and morally. It is a true testament to the strength and character of every man and woman who successfully completes their term of incarceration and is released to parole supervision. It is after they are released that the criminal indoctrination and systematic attacks on their value cease and true, meaningful reformation begins.

Covid-19 has demonstrated the power of contagious illness. Just as Covid is transmitted person to person in compromised environments so are addiction, failure, and self-defeating thinking patterns within the correctional setting.

Once an individual has survived the horrors of prison and is released to society where they have begun to rebuild their fractured lives, ulterior reincarceration serves only to reinfect them, not reform them.

The term ‘department of correction’ is a misnomer. The mission of DOC is not correction or reformation. IDOC’s official slogan is “employees, efficiency, effectiveness”. The goal is efficient, cost-effective incarceration under a for-profit business model. In recent years we’ve seen the Indiana prison population balloon to 27,000 inmates, the highest in Indiana history. Virtually every DOC facility has been mandated to increase its bed capacity, with some facilities going as far as converting storage and sanitation closets into rooms to house inmates.

The increase is not due to an explosion in crime as officials would like you to believe. It is due to a financially motivated, focused reincarceration campaign on behalf of DOC, facilitated by the parole division. DOC receives a reported thirty-one thousand dollars for the annual support of each inmate. During a recent conversation with a DOC administrator I heard figures as high as forty-three to forty-six thousand per year. Only a fraction of those funds are actually used to support each offender. With over twenty-seven thousand inmates, this translates to nearly 840 million dollars in annual revenue generated simply by acquiring and keeping inmates. This doesn’t take into account the revenue generated through corporate partnerships with for-profit companies such as Aramark, GTL, Wexford and Union Supply, to name a few. Nor does it take into account the profits made for Indiana Correctional Industries, which operates state-sanctioned sweatshops in every state facility.

An increased prison population offers increased profit potential under a for-profit correctional business model.

Society views inmates as economic liabilities, although, in truth, their very purpose in the system is to serve as economic assets. From the moment parolees are released into society they cease to be economic assets for the State of Indiana. Their freedom and reformation limits or prevents their economic exploitation. The continued, unfettered ability to reincarcerate reformed parolees based on minor technical violations fuels financially motivated, ulterior reincarceration to the detriment of working-class families and communities.

Real Life Effect of Ulterior Reincarceration

Jerry “Faheem” Smith was incarcerated at age fifteen. For nineteen years, he endured the nightmares of incarceration in some of Indiana’s worst prisons. Despite the odds stacked against him, in January of 2018 he was released

to parole supervision. He then began the tall order of building a life in a world that had drastically changed.

With assistance from friends, Smith created F.O.C.U.S, a nonprofit organization created to assist those transitioning back into society after incarceration in their successful reentry. The true nature of an individual is revealed during times of adversity. He took the lemons of life and made lemonade. He was also a vocal advocate for prisoner rights, frequently protesting for much needed prison reforms.

In January of 2019, after a productive year, Smith's parole was revoked for multiple alleged technical violations. Following a perfunctory hearing, he was thrown back in prison for inadvertently missing a parole check in and having innocuous communications with inmates. It is worthy of noting Smith's job description for F.O.C.U.S required him to communicate with inmates to coordinate provisions for their successful reentry. It is also peculiar that his parole was revoked after he became increasingly critical of the DOC, and the appalling realities of incarceration. Nonetheless, he remains in prison...

Each day his talents and potential squandered, not because he committed a new crime or presented a danger to society, but because he was a greater financial asset behind bars.

Devon Bell served twelve years in the Indiana Dept. of Correction. After years of successfully avoiding the minefields of addiction, violence and failure, Bell was released to parole supervision. He left prison with nothing but the clothes on his back and a determination to succeed. Bell defied the statistics. He began working two jobs: one, to pay the fees associated with reentry; and the other to fund putting the pieces of his life back together.

After continued positive progress, Bell's parole agent ordered him to seek mental health treatment at a behavioral treatment center with a for-profit contract with DOC.

While Indiana law allows imposition of additional parole conditions, "these conditions must be reasonably related to the parolees successful reintegration into the community and not unduly restrictive..." Bell has never suffered from mental illness of any sort, nor did his behavior following release suggest maladjustment mentally. He struggled to adhere to this new arbitrary mandate. His mental health meetings frequently conflicted with his work schedule, leaving him in the precarious position of risking losing his employment, a guaranteed technical violation, or missing a mental health appointment. Despite voicing these concerns to his parole agent and attempting to find a solution to the scheduling conflict, he was violated for missing a mental health appointment and allegedly having a verbal altercation with his live-in girlfriend. Bell remains incarcerated, working at Correctional Industrial Facility's Brake Shop in dirty, squalid conditions for mere dollars a day, financially supporting DOC's profit agenda instead of his family.

For nearly a century the full measure of the law has been weaponized against minority and working class communities. The legal system is a double edged sword. We cannot allow good men and women to continue to be abducted from our communities as they struggle to reconstruct and improve the fractured pieces of their lives. Ulterior Reincarceration ensures promising men and women remain broken. Ulterior Reincarceration ensures broken homes remain broken, and mothers and fathers remain absent. Ulterior Reincarceration ensures the beautiful, intricate puzzle of our community remains incomplete by removing the pieces that matter most. It contributes to crime, not prevents it.

In order to stop these economically motivated abductions, we must take united action. Call Representative Mahan, who authored HEA 1140, and Rep. Wendy McNamara who serves on the Joint Interim Study Committee on Corrections and the Criminal Code, and tell them DOC continues to defy the mandates of HEA 1140. Demand that progressive parole incentives and violation sanctions be codified under Indiana Law, not informal administrative policy. Demand that judicial review procedures also be codified under Indiana law to maintain checks and balances on ulterior incarceration and the economic weaponization of the Indiana parole system.



Photo from May 2020 car caravan protest at Westville in response to administrative mismanagement of coronavirus



PRISON & THE ENVIRONMENT: When Torture and Oppression become Scientific

Written by Shaka Shakur

The Maximum Control Complex (M.C.C.) as a Supermax Prison opened in 1991. It was built on the grounds of an already existing prison named the Westville Correctional Center. (WCC) WCC use to be a Mental Hospital and was later converted into a Penitentiary, which at one point was partially coed. When I first arrived at WCC in 1983 there were still dorms housing womyn prisoners and a separate all female recreation yard. You also still had several psychiatric dorms as well. WCC was comprised of three separate complexes I.e. General Service Complex (GSC), Educational Complex (E.C.) and Industrial Complex (I.C.). 90% of all movement throughout the prison were through tunnels.

Next to the GSC side of the prison were large open fields where waste was often dumped. It was also a type of wetland. This is where the Maximum Control Complex was built and structured as a separate prison with its own warden, administration, and security. It was only depended upon WCC for its food, that was delivered three times a day, as MCC didn't have its own kitchen. It was dependent on WCC for critical services such as food, medical, dental treatment and laundry services.

MCC was meant to be the new slave breaking station. It was suppose to be the D.O.C. solution to its 'problem' with political prisoners, prison rebels and escape artist. So the oppressive conditions were the most extreme than in any other prison, such as sensory deprivation and social isolation. The guards were super aggressive and in your face. As part of a scientific approach there were no visible clocks on the walls and the guards were forbidden to tell you the time of day! You were meant to feel discombobulated, as you were fed very little, held in refrigerated cells, with a slew of arbitrary rules and the slightest provocation e.g. forgetting to return a simple plastic spoon with your tray can get you ran in on by a squad of guards in full riot gear! The intent of the administration was to make you feel powerless in an attempt to breakdown your personality and sense of self with the intent of rebuilding you into a docile and compliant inmate.

Contaminated Water:

Early on upon our arrival we knew something was

wrong with the water. We could both taste and smell chemicals in the water. Immediately after drinking the water, if you layed down you could hear and feel your stomach bubbling and growling, making noises like you were hungry or had indigestion. Soon thereafter people begun to breakout in rashes and hives from the water. Plus develop bleeding gums. Signing up for medical got you no where. We were told we just had dry skin! We were told the water was fine and that we were just faking it and yet, staff were being told not to drink the water. We could see the guards and administrators coming to work with bottles and containers filled with water. In fact there were signs posted in entry areas telling the guards and visitors NOT to drink the water. As winter came we begun to sneak sandwich baggies and other small bags we could salvage and go on the outdoor recreation pad and smuggle bags of snow back into the cells to let melt, so we could drink. Some comrades couldn't drink the water at all without becoming ill or having some type of reaction.

So we began to organize. During our 37 day hunger strike the testing of the water was one of the issues. We organized a campaign of filing complaints and grievances with the Indiana Board of Health and the Environmental Protection Agency (E.P.A.). A branch out of Illinois was tasked with coming to MCC to test the water. The first test determined that the water was full of heavy metals! Harmful metals if consumed over a long period of time. It was also determined that the wrong pipes were used when the facility was built. Pipes that contributed to and allowed other contaminants into the water?? Lastly it was determined that the prison was using too much of certain chemicals to flush the pipes and the water! After our lawsuits progressed through the system and the courts ultimately consolidating all of them together and certifying them as a class action, the court appointed the Indiana Civil Liberties Union (ICLU) to represent us. The EPA tested the water every 90 days I think and the D.O.C. was required to post the findings/results of all test in a common area where we could see them. The pipes were never changed but a new water/sewage treatment plant begun to be built on the grounds. What direct link it had to the water we do not know.

The prison foundation itself begin to sink into the ground causing cracks in the walls, causing the floors in the cells to separate from the walls, etc.. Upon the opening of MCC we noticed ants everywhere and in everything. As the prison continued to sink, the ants

and spiders begin to saturate the prison and its cells. As a result of the lawsuit a consent decree was entered as part of an undesired settlement. The courts we're to monitor the conditions for five years. After 5 yrs the state just returned back to a lot of its previous oppressive conditions. The names of these prisons keep changing but the oppression remains the same.



Reprinted Letter: In Honor of Lokmar

Written by Balagoon

I realize that my failure to get back at you sooner makes me appear to be an enigma who is indifferent to care and assistance you had offered. But if the truth be told, I am not an enigma who is indifferent to you at all. I have been in a slump where it has been very difficult for me to put my inner-most thoughts on paper. To overcome this mental slump, I had to come to the realization that it would be best to detach myself from the previous build-up of thoughts.. This has been important to my stability over the years. The conditions in this environment restrain me and my fellow prisoners from expressing humanity and effective, lasting struggle. This is to say, our peace of mind is constantly at war with a lot of external bullshit and/or the attitudes and behavior of others. As long as we're into this conflict there will be no quality of joy and happiness. only brief periods of respite. Although I have been out in population now for close to 2 years, I am still in the process of adjusting to this whole situation. the over-all mentality of these prisoners, young prisoners in particular, is very discouraging. For instance, most of the prisoners here are pathetically anti-life and anti-intellectual. They do not respect reason; they are mentally and emotionally unstable, and most talk about destroying things and people rather than building up their communities and loving people. As a result I find myself discouraged by them! But this feeling never lasts long, especially when I go back to my teachings and understandings of the dialectics of revolutionary struggle. What is occurring now all across the globe is consistent with the ebb and flow of struggle.

Have you ever heard/read that statement that the people make revolutions? Well that statement is not the truth that many claim. The people are subjects in any system, whether it is for or against them. Revolution is made by revolutionary leaders, but it is the strength, numbers, consciousness, and determination of people in society

who have been influenced to support revolution that determines whether or not the ideology of revolutionary leaders will become the dominant force in society. On the other end it is the imperialists who make reactionary war, but their success too depends on the strength, number, political ignorance, and blind patriotism of the people. People have always fought according to the dictates of revolutionary or reactionary leadership, whichever is most influential under certain social conditions. If you study and understand dialectics then you will ultimately come to the realization that liberation in itself is only a qualitative state of social existence, not an end or permanent condition. Oppression is and has been a universal social problem. In short: recognize that our struggle for human rights, decolonization, self-determination, land and independence, is at a very low-tide. But eventually the tide will rise and people will be mobilized to act in their best interest and interests of our planet. As of right now they do the opposite.

These are dangerous and trying times, a kin to those my ancestors faced hundreds of years ago. Times when all but a few have been demoralized, terrorized, and forced to their knees!

In regards to my beloved brother and I Comrade Lokmar, I want to thank you for taking the time out to write and inform me about his unfortunate health ordeal. You did not have to do that! The very fact you did says a lot about you as a human being.

I had written a letter to him in February or March of 2019, however, the prisonrats sent it back to him and refused to deliver to him in his Muslim name (Lokmar Yazid Abdul Wodood).

As a result, I sent the letter back to him in his slave name (Lincoln Love) and received a response.

There is a good probability that Lokmar may not recover from these strokes, and if by some miracle he does, chances are he'll never be the same. Therefore, I thought I should take advantage of this opportunity and tell you and the world who he was and what he meant to me.

Lokmar is from East Chicago, Indiana. In 1975, he was tried and convicted for a murder and robbery of a Lake County bartender. Ultimately he was sentenced to a life sentence for the murder and robbery. In addition to his life sentence, he was serving a 30 year prison

Inmates warn of retaliation

By HOUSTON ROGERS

PUTNAMVILLE—

The two inmates credited with playing the major role in the Feb. 1, uprising at the Pendleton Reformatory said last week that there will be more violence at the institution if the beating of inmates by prison guards continue.

John C. Cole Jr. and Christopher Trotter, whom Corrections officials say were holding hostages during the 15-hour disturbance, were interviewed last Thursday by reporters from *The Indianapolis Recorder* and *The Indianapolis Star*. The interview was part of the agreement between Corrections personnel and inmates which led to the release of three hostages.

Both Cole and Trotter were moved to the Indiana State Farm's maximum security unit following the riot.

"Every time a black inmate at the Reformatory is beaten by guards there will be retaliation against the guards," warned Cole, who sat handcuffed and shackled. "It seems the only thing they (guards) respect is violence," Cole continued. "You try to be diplomatic, but they don't acknowledge it."

Cole and Trotter were asked about a group of inmates calling themselves the "Black Dragons."



Cole



Trotter

Both acknowledged the organization does exist and said it was organized to bring black inmates together.

"We pose no threat to the Reformatory," said the 24-year-old Trotter, pointing out that there are about 70 members at Pendleton. Corrections officials say they have heard of the Dragons, as well as a white group known as the Brotherhood.

In discussing the events of Feb. 1, Cole and Trotter said the incidents were not pre-planned, but spontaneous. Prison officials say they believe "something was planned," but not necessarily that day.

"They (inmates) heard the guards beating Lincoln Love, so they went out to try and liberate their brother," Cole stated.

The riot erupted when Love refused to leave his cell during a shakedown of the maximum security unit.

See INMATES, Page 17

John Cole Jr. is the state name of Balagoon. Lincoln Love is Lokmar. This uprising in 1985 was kicked off by Balagoon and Chris Trotter saving Lokmar from being beaten to death by gaurds.

Balagoon is a long-term New Afrikan political prisoner who spent over 30 years in Indiana's maximum security solitary confinement units in retaliation for his participation in the uprising

term for kidnapping of a guard at Indiana State Prison (Michigan City). Lokmar was among 9 prisoners charged in connection with the April 27, 1980 takeover at ISP, in which 7 guards and staff personnel were held hostage. They were released and unharmed after 16 hours. In July of 1982, Lokmar was convicted of kidnapping in the criminal court of LaPorte County.

I first met Lokmar in 1979, shortly after my arrival at Indiana State Prison in December of 1978. When I first arrived at ISP I had no institutional job, so I was on idle status in C-Cellhouse. Which meant I was locked in my cell most of the morning. To get out of my cell I began attending Islamic services on Fridays. It was at these Islamic services that I met Lokmar for the first time. A year later in 1980 we got to know each other on NSB (new services building) which was a lock-up unit at ISP. There was a riot that occurred on April 27, 1980 that he and I were both participants in. The riot in which guards were held as hostages occurred as a result of a brutal beating of one of our friends and comrades (Mike Hinkle) by prison guards. The beating occurred in B-Cellhouse. Once we heard about it, we took keys from guards, came off the lock-up unit, and seized C-Cellhouse. In the aftermath, Lokmar and several others were charged, tried, and convicted of kidnapping. I was initially charged but charges against me were later dropped.

On February 1, 1985 while being confined at Indiana State Reformatory (now known as Pendleton Correctional Facility) Lokmar was brutally beaten by some racist and sadistic guards while he was locked-up on MRU (maximum restraint unit). At the time this beating occurred I was in general population. I was a lay advocate assigned to represent prisoners at C.A.B. for disciplinary write-ups. To make a long story short, I heard prisoners yelling out their cell windows for help and I came to their rescue. As a result, 4 guards were stabbed and 4 others were seized and held as hostages in J-Cellhouse for close to 17 hours. They were eventually released unharmed.

In the aftermath, I was charged with 4 counts of criminal confinement and rioting. I was prosecuted in Madison County, Indiana. I was tried and convicted. In July of 1987, I was sentenced to an additional 84 years.

My point is this: our relationship to each other has been forged in struggle against prisonrats and their agents. The only reason why the prisonrats tolerated us so long was because of the brotherhood we forged behind these

walls or fences. Our relationship to each other over the past 4 decades has endured as a result of our love for each other.

In terms of his character, personality, and mental makeup, Lokmar loved people. He had a deep special love for African people. Lokmar was an extraordinary teacher, who read, studied, researched whatever he could get his hands on; he shared generously with others. He was also a good listener who showed sensitivity to both political arguments and personal problems. His eagerness to know what was happening in the real world encouraged him to inquire about everything affecting people negatively and positively. He never saw anything in isolation but in relation to one another. His breadth, depth, and scope was unbounded.

Lokmar was/is a great human being. However, he will receive no Nobel prize for peace, he will receive no freedom awards. Never the less, I can testify about how much blood, sweat, and tears he shed in our struggle for liberation.

It takes a lot of fortitude, to endure what Lokmar has over the past 4 decades. The miserable conditions of prison life (this is to say its warped harshness, lonely isolation that gnaws into the human psyche) could not break his spirit; despite the savagery of this system he never lost his sense of humor, had fun under the most unpleasant environmental conditions!

Once Lokmar stepped upon the revolutionary path he remained true to the struggle for the rest of his life, fighting the good fight, filing lawsuits, getting prisoners convictions overturned with his legal assistance, and helping other prisoners or comrades at a moment's notice, never stopping to count the cost.

In Solidarity,
One Love,
Balagoon

With heavy hearts, we have to report that Lokmar died in prison from COVID in early December.



your honor
by Kuwasi Balagoon

your honor
since i've been convicted of murder
and have taken time to digest
just what that means
after noting what it means to my family
and how it affects people who read the newspapers
and all
i see now that i've made a terrible mistake!
and didn't approach this trial
in a respectful, deliberate or thoughtful manner
didn't take advantage of the best legal advice
and based my actions on irrelevant matters
which i can see now in a much more sober mind
had nothing to do with this case
i must have been legally insane thinking about:
the twenty five murders of children in atlanta since
Wayne Williams' capture
the recent murder of a man in boston by the police
the recent murders of two in chicago by police
the shooting of a five-year-old little boy in suburban
calif
the lynchings in alabama
the mob murder of a transit worker in brooklyn
the murders of fourteen women in boston
feeling that this is evidence of something
and that there must
be a lesson in all this — i thought
murder was legal

Kuwasi Balagoon (1946-1986) was a New Afrikan anarchist and participant in the Black Liberation Movement all of his adult life. He was part of the Panther 21 and the Black Liberation Army. After several other arrests and attempts to imprison him, he was convicted of murder and imprisoned after a guard and two police officers were killed in an attempted robbery of a Brinks truck in 1981. He continued to organize and educate other prisoners before dying in prison in 1986 of an AIDS-related illness.

The Political Dialectics of The Chickens Finally Coming Home To Roost

Written by Khalfani Malik Khaldun, currently incarcerated at Wabash Valley

“...When the Prison Gates Slam behind an inmate, he or she does not lose their human quality; his mind does not become closed to ideas, their intellect does not cease to feed on a free and open exchange of opinions; their yearnings for self-respect does not end; nor is their quest for self-realization concluded. If anything the needs for identity and self-respect are more compelling in the dehumanization of the prison environment. Whether an O’Henry writing his or her family, a prisoner needs a medium for self expression. It is the role of the First Amendment and this court to protect those precious rights by which we satisfy such yearnings of the Human Spirit...”

-Justice Thurgood Marshall

The Political Dialectics of:

“The Chickens Finally Coming Home To Roost”

“The independence of the Master.... is based on his dependence on the Slaves.

If the Slaves were not there....the Master would not be free from the Necessity of Life.”



[Part One]

In Angela Davis' piece called "Lectures on Liberation," where she conveys on page 21, "The phenomenology of Mind," where Hegel discusses the 'Dialectical Relationship between the Slave and Master, he states:

"Among other things, that the Master in reaching consciousness of his own condition, must become aware that his very dependence on the Slave."

This might sound a bit contradictory, but, then dialectics is based on discovering the contradictions in phenomena which can alone amount for their existence. Reality is through and through permeated with contradictions. Without those contradictions, there would be no movements, no process, no activity. If the Slave were not there to till the land, to build his estates, to serve him his meals, the Master would not be free from Necessities of Life, if he had to do all the things which the Slave does for him, he would be just as much in a state of bondage as the Slave only, the Slave is the buffer-zone, and in this sense, the Slave is a Master - it is the Slave who possesses the power over the life of the Master: If he does not work, when he ceases to follow orders, the Master's means of sustaining himself has disappeared.

[Part Two]

Frederick Douglass as a Slave began to embrace his emancipation when his owner reveals to him unwittingly the path towards consciousness of his alienation: "If you give a nigger an inch he will take an ell, learning will spoil the best nigger in the world. If he learns to read the Bible it will forever unfit him to be a Slave. He should know nothing but the will of his Master."

The transition from Plantation Slavery to 'Mass Incarceration' has done little to alter this relationship because it's a reality in the 'Mass Incarceration' connection between Prisonrats and prisoners, the dialectic is exactly the same. Knowledge opens up the consciousness of the condition, which resistance to the condition, compels the prisoner to desire emancipation from the condition, just as the Master recognized if his Slave could read, he would resist being a Slave. Prisonrats work hard to suppress certain information getting to the prisoner entering behind the walls.

If we didn't work, cook, clean, spend our money, follow' their orders, each Prison Plantation would ultimately be closed, especially if we Stop Coming to Prison, we would

threaten the very livelihood that puts food on their tables. This is why knowledge of 'Self and Condition' empowers prisoners, the act of resistance is an inevitability. Rejection of degradation on every level, on every front, are integral elements on the Voyage Towards Liberational Discourse and Freedom. The French Existentialist Jean-Paul Sartre once said; "Even the man in chains, he says remains free - and for this reason: he is always at liberty to eliminate, his condition of slavery (i.e.) imprisonment, even if this means his death.

[Part Three]

Post-Traumatic Slave Syndrome in the Age of Mental Illness:

Historically, Penologists have always known the prison like Slavery, exacts all sorts of trauma on its colonized captive populations. If we become adamant about not working for them or simply stop coming to prison. Mass-Incarceration, would not have a leg to hold itself up. These conditions that persist for years have caused alarming numbers of prisoners to slip into mental illness. Large numbers of prisoners [in prison] being held in Solitary Confinement Units, are committing suicide simply trying to stop the psychological torture. Instead of being effective in curing the mental illness, the Prisonrats are opening units to warehouse them, seeking funds by exploiting the misery of mental illness they allowed to develop, while prescribing all kinds of psychological medications that are not to cure your conditions. Everybody inside these Plantations are affected by this reality.

Just as physical illness has interlinking causes, so does mental illness genetics, environment, and lifestyles, combine to contribute to whether someone develops a mental health condition. Some dysfunctional behaviors are learned, and in others, biochemical or brain-circuit processes are to blame. Prisoners are becoming enlightened to their living conditions, and how these conditions were created to create mental illness. Now all around the country prisoners are learning the law and seeking outside help from law firms to file federal lawsuits challenging these repressive conditions.

Here in Indiana, in 1986, upon finding that "Individuals with mental illness are vulnerable to abuse and serious mental illness." Congress created the Protection and Advocacy for Individuals with Mental Illness Act, and the Protection and Advocacy for Developmental Disabilities Act, and the Protection and Advocacy for Individual Rights Act (Collectively, The PA IM I Act).

Wabash Valley Correctional Facility operates a Solitary Confinement Unit called the (SCU) ‘Special Confinement Unit,’ where for a long time most, if not all seriously mentally-ill prisoners were held. This unit was built in 1993; prisoners have been killed back there, and multiple suicides too.

In the pivotal case *IPAS v. Commissioner, Ind. Dept. of Corr.* 2010 U.S. Dist. Lexis 41896 (S.D. Ind. Apr 27, 2010) United States District Judge Tonva Walton Pratt, commenced a bench trial in this case on July 25, 2011, and ended on July 29, 2011. Prisoners willing to gain vital legal knowledge of their conditions, Joshua Harrison, Gregory Sims, and James Panozzo, on their own behalf, and the behalf of the ‘class,’ initiated this “Class Action.” The Indiana Department of Corrections was found to be knowingly and intentionally subjecting its mentally-ill prisoners to conditions constituting “Cruel and Unusual Punishment.” The Indiana Department of Corrections’ actions were found to be in violation of the Eighth Amendment to the United States Constitution. The ‘Courts’ ordered (all) prisoners diagnosed with serious mental illness were removed from ‘Segregation.’

Judge Tonya Walton Pratt stated in her “Conclusion of Findings:”

“Running a prison is an inordinately difficult undertaking that requires expertise, planning, and the commitment of resources, of all of which are peculiarly within the province of the legislative and executive branches of government.” Nonetheless, “Prison Walls do not form a harrier separately from the protections of the Constitution. The Plaintiff’s have prevailed as to their Eighth Amendment Claim. If these men would never have picked up their (pens) their stories would have been suppressed.” Also, these men based on the fact that it was deemed an Eighth Amendment violation, should have been financially compensated for what the Indiana Department of Corrections had caused them.

[Part 4]

From out of the Darkness into the Light: The Political Dialectics of a Series of ‘Cover-Ups’:

For at least the past (40+) years, Indiana Prisoners have been engaged in challenges, legal complaints, and ‘filings’ geared towards correcting wrongs committed against them. While prison administrative officials did everything possible to suppress or prevent the truth from reaching hands that can expose what is going on in prison. Verbal

allegations are swept under the rug as if they never happened, and allegations sent out to loved ones never would reach them. And a lot of times, a Grievance filed would amount to nothing or even be denied, when it was clear, and obviously wrong what had occurred. Many have disappeared, however once in a great while, the truth slips out.

While I spent time in the (SCU) Solitary Confinement Unites here in Indiana, many legitimate complaints I filed were looped upon as exaggerations or outright lies, In 2005, I acted in self defense to (3) officers’ provocations, and was later served (3) separate ‘Battery’ charges, and was given (9) years in “Disciplinary Segregation” robbed of (900) [hundred] release days added to my sentence, and the ‘camera footage’ mysteriously disappeared. I was accused of initiating an unprovoked attack against the (3) officers, but ‘outside charges’ were never pursued, because in a [break] court room the truth under the threat of perjury would have come out. The ‘video footage’ would have clearly exposed the actions of those (3) officers.

The Truth Comes Out:

About (10); years ago, while serving my tine in ‘Solitary Confinement’ I met Phillip Littler, who like me, was engaged in his campaign to be treated fair by these ‘Prisoncrats.’ Studying the law, learning how to file lawsuits, and defending himself with his “pen” and not his hands. We both made mistakes along the way with our filings, but we helped each other, and supported one another’s prison struggles, while we were both confined at Wabash Valley Correctional Facility, housed on a unit called the (CCU). I was on the (CCU) Unit during an incident w here he was extracted from a unit shower. The case is:

“Phillip Littler v. Christopher Martinez, United States District Court for the Southern District of Indiana, (Terre Haute Division) 2018 – U.S. Dist. Lexus 155668, Numbr 216-cv-00472JMS-DLP”, decided Sept. 13, 2018. Please, do what you can to read this case, because it exposes what Wabash Valley Correctional Facility ‘Prisoncrats’ are really all about.

Federal Judge Jane E. Magnus-Stinson ruled in favor of Comrade Phillip Littler on September 25, 2018, stating:

“Based on the evidence provide thus far, that correctional officers at Wabash Valley Correctional Facility and Head Administrative Officials, Intentionally used excessive

force against Phillip Littler, solely to make him suffer. This includes, but is not limited to intentionally shooting him in the face with a 'Pepperball Gun' at point blank range. This was done on the order by Assistant Warden Frank LittleJohns. Worse still several of the Defendants attempted to cover it up. Before, during, and after the incident, which included a false incident report and false affidavits or declarations to the court. “

A Pro Se Litigant rarely gets past the 'Summary Judgment Phase.' This case passed it, due to the Court appointing counsel to Philip Littler, the lawyer was able to obtain crucial documents that Literally blew this case wide open. Not only was a cover-up exposed, but it revealed a series of e-mails shared amongst the Defendants, making their intentions clear to shoot Phillip Littler in his face at point-blank range. The e-mails showed a collective role on how each 'sued' party was involved, even to describing in detail how they'd ensure that someone would stand in front of the video camera to cover-up who was causing harm to Phillip Littler.

The Defendants, from the warden on down to correctional officers involved in this coverup, ensured the video evidence would not be available to show that they used the "Mace" spray on Phillip Littler, and that he was being repeatedly punched in the face and head, and made sure their attack was kept off that video to cover-up their actions and abusive tendencies. In his case has been one of the best to come along that will open up a lot of doors for many of US now, because for wars, prisoners have been beaten during 'cell-extractions' like they did to Phillip Littler in this case. They were not aware of how they could challenge their abusers, so their stories never got outside the walls of the Wabash Valley Correctional Facility.

Phillip Littler is a friend/comrade of mine, and I am so proud he never gave up on exposing Wabash Valley Correctional Prisoncrats. Cases like this will become educational tools in our War of Liberation, for the minds and commitments of these voiceless souls trapped inside these walls.

The Judge in this case credits Phillip Littler for his being tenacious in litigating "Using his Pen" pursuing and filing his complaints. That the e-mails case would never have been revealed to the Court. They could have possibly gotten away with their collective corruption for years here, without not having the evidence to prove our complaints,

they would say that we are lying. This case has revealed who the real liars are, and who the true criminals are as well, and to what degree they are willing to go to conceal their organized corruption.

The Court granted Phillip Littler his 'Motion' requesting the Court to appoint him Counsel, and that also the Court stated the following 'Prisoncrat' ranking officials who conspired to use physical force against Phillip Littler, were in violation of the 8th Amendment. Warden Richard Brown, Assistant Warden Frank LittleJohn, Major Dusty Russell, Captain Amanda Pirtle, Lieutenant Yarber, Christopher Martinez, Blake Scarborough, Israel Brewer, Justin Shroyer, Mark Shroyer, Ryan Bottoms, Styler Thackery, Kirby McKee, David Smith, Dever Smith. What they did to my comrade Phillip Littler is no lie, it's all documented, and now is 'public record.' I encourage you to look up this case and read it and share it with your friends.

[Part Five]

Wabash Valley Correctional Facility's Special Confinement Unit:

The 'Special Confinement Unit (SCU) was built as an annex to the Prison Plantation Wabash Valley Correctional Facility in 1993, two years after the 'Supermax' was built at Westville in 1991. The (SCU) was modeled after the infamous Pelican Bay (SHU) Unit, I was transferred from "Supermax" in 2003, to Wabash Valley Correctional Facility' and assigned to the (SCU) Unit. Prisoners who were identified as Revolutionaries, Jailhouse Lawyers, and organizational affiliates, all ended up sent to the "The SCU."

Prior to the 'above' units being built, myself and a lot of comrades would be held in 'Disciplinary Segregation Units' at the Indiana State Prison at Michigan City. This is where I met comrades Aaron Isby (Israel), Shaka Shakur, John Cole (Balagoon), and Christopher (Naeem) Trotter. We all landed in the (SCU) at the Wabash Valley Correctional Facility. We all challenged being kept in 23/24-hour Solitary Confinement, and we filed Classification Appeals, Grievances, Letters, and Petitions of all kinds; we studied Civil Law, and mastered how they must comply with policy.

There are only a small selection of 'civil cases' won by Indiana Prisoners in federal court. Bro. Aaron Isby (Israel) has been tenaciously litigating his lawsuits. He was just awarded \$314,000.00 for damages, after going to a jury-

trial; and then, he won \$22,000.00 in 'punitive damages' against (3) defendants.

Sham Periodic Reviews Constitute Due Process Violations:

While housed inside the (SCU) from 2003, through 2011, I filed Grievances and Classification Appeals, stating that our (30)-Day and (90)-Day Reviews were already predetermined, making the entire process perfunctory. In *Isby v. Brown*, 856 F.3d 508 (7th Cir. Ct. App. 2017), he was given a second 'bench-trial' that began on September 25, 2018, to September 26, 2018. This case would expose corruption being conducted by Beverly Gilmore who was in charge of that (SCU) Unit, that we already knew was occurring, we just couldn't prove it, until now. She played a powerful role [break/missing words] who would ultimately be recommended for release out of 'Solitary Confinement' on the (SCU), she conducted (30) Day, (90) Day, and Annual Reviews of Prisoners' placement in or out of department die 'Restrictive Status Housing.'

During Br. Israel's trial, Ms. Gilmore testified she conducted her Review Process according to policy, and she openly expressed her discontent with Bro. Israel being uncooperative, and thought he knew everything. Gilmore stated in court testimony that she would never recommend he be released to 'General Population.' Bro. Israel's case has revealed the entire truth of what's actually been going on since 1993.

Just as the e-mails in Phillip Littler's case exposed the atmosphere of collective and sponsored corruption at Wabash Valley Correctional, the open-court statements by counselor Charles Dugan, who was assigned to work under Beverly Gilmore, and how he was instructed to basically just add a name and date to a Review Form already made up on the computer system; the language remained as is, the only thing that changed was the date and time, Mr. Dugan stated: That there was "not much review behind it"

In any given month, it took him 15-20 minutes to do the 30-day reviews for all (144) prisoners on his 'case load.' He said he never did and would not have time to sit down and talk with each prisoner to discuss each (30)-Day Review. It was already predetermined that a release from the (SCU) was not going to be recommended. It usually said: "No changes recommended - appropriately placed."

The Federal Courts in Bro. Israel's case, found: "That the (30)-Day Reviews at Wabash Valley Correctional Facility are perfunctory, meaningless, and not even rubber-stamped." This is how they circumvented policy and the 'Constitution' for decades, illegally keeping many of us in a perpetual state of 'Solitary Confinement.' 'Solitary Confinement' prior to this case was being used to silence voices, intimidate prisoners not to resist, and to 'warehouse' prisoners who they couldn't control. The courts told the Defendants (i.e.) - Wabash Valley Correctional Facility staff this:

"Prison staff cannot keep an inmate in Solitary Confinement indefinitely because they do not like them, or even because he is vulgar, rude, and belligerent. They cannot even keep him in Solitary Confinement indefinitely for an assault that occurred (28) years ago." The Court finds that the Wabash Valley Correctional Facility Defendants James Wynn, Richard Brown, Jack Hendrix, Jerry Snyder, Beverly Gilmore denied Comrade Israel's Fourteenth Amendment's Due Process Rights, by failing to provide meaningful reviews of his placement in 'Solitary Confinement.' Bro. Israel was awarded \$100.00 per day in 'compensatory damages' for wrongful loss of freedom of movement, deprivation of human contact, lack of access to services, and ease of communication which the evidence and case-law supports. This amounts to \$314,000,00. This is the largest award to anyone held in 'Solitary Confinement' in Indiana; and for the punitive damages he was awarded \$22,000.00 against Defendants Richard Brown, Jerry Snyder, and James Hendrix, for their corruption and violations of the Federal Constitution. We as an activist community on the inside Indiana Prisons and beyond, in the Seventh Circuit. We must thank and appreciate this Brother for his tireless litigational work, he's symbolized what it means to be a Long-Distance Revolutionary, this case reveals his uncompromising position.

He finally pulled the 'shades' open, and from the shadows the bold, and cold truth is out for all to see. This is yet another case where the Pen is mightier than the Sword. I'm in support of Bro. Israel, we have a lot of history together fighting (IDOC) oppression, racism, retaliations, and collective harassment. Bro. Israel has been sent to the New Castle Correctional Facility, to be transitioned to 'General Population;' the State has appealed this case.

A Teachable Moment:

We have to encourage Prisoners inside Indiana

Department of Corrections to immediately incorporate the study of the Constitution of the United States into their daily study program. The 'First,' 'Eighth,' and 'Fourteenth Amendments' are crucially important to know at this moment. We're living in a time when Prisoner's Civil Rights are being trampled upon, and we have the collective power, when our minds are sharp, to stop these abuses - one law suit at a time. Please educate people around you on how these Constitutional Amendments can help to bring their stories and struggles to light.

Go to the Law Library and have someone help you 'pull up' the cases I shared in this writing, their stories and their struggles are ours also. Many of us have yet to make it to the Big Stage to be aired-out in a Federal Court as these two have. This is the motivation we need to realize sooner or later our truth comes out. So, keep fighting, we are not alone.

[Part Six]

Breaking News:

While I was in the process of preparing this latest writing, the news came to me that, due to the abuse and misuse of power, and physical force. In the recent e-mail discovery released in Phillip Littler's case, the Wabash Valley Correctional Facility, Warden Richard Burton, and Assistant Warden Frank Littlejohn, are both being sanctioned as a result of their 'positions.' Other 'ranking' staff members who had played a role in the violence against Phillip Littler, these staff members will be demoted or fired. This story is being 'suppressed,' because it would have been 'run' in the local media by now. Let's hope that it is all true, because we are glad to see what we knew was inevitable: The Chickens are finally coming home to roost at the Wabash Valley Correctional Facility...The Struggle Continues.

I Choose to Fight!

Notes:

- (1.) Lectures on Liberation;
- (2.) Indiana Protection & Advocacy Services Commission;
- (3.) Phillip Littler v. Christopher Martinez, 2018 U.S. Dist. Ct. - LEXIS 155868 No. 2:16-cv-00472-JMS-DLP;
- (4.) Israel v. Wynn, Case No. 2:12-cv-00ii6-JMS-MJD.



Civil War

by EL•BE

A war fought by civilians, men women and children, turned over to the inclinations of soldiers, hands not the holders of rifles, principle now president over survival! Strategies from viable to suicidal become vital parts of ideation.

A nation of nations! Where some's insatiable satiation led to another's starvation!

Reparations?

Only by the blast of an AK-47! Black smoke curling up to heaven as cars and buildings burn!

What have we learned? Two different races from two different places, different forces facing the same dilemma, of how to solve the enigma, and wash away the stigma,

Paradoxical at best! What a test! But what students! Young, fearless, proud, and prudent, in pursuit of equal influence, jubilant with every cylinder spent towards cause!...

We pause, but only to grieve! Only to re-affirm what we believe! The reverse racism you perceive, visions of my ancestors hanging from trees, never leave and neither of us, breathe, or see each other as human beings!

Only as obstacles to be overcome, tactics to be out done, enemies to be out gunned, ideology passed to daughter and son.

Sadly they no longer flinch at the sight of gore.

As now becomes before,
as grave diggers
prepare for one more,
and the NRA prepares
the stores,

The Bloody Bald
eagle soars!

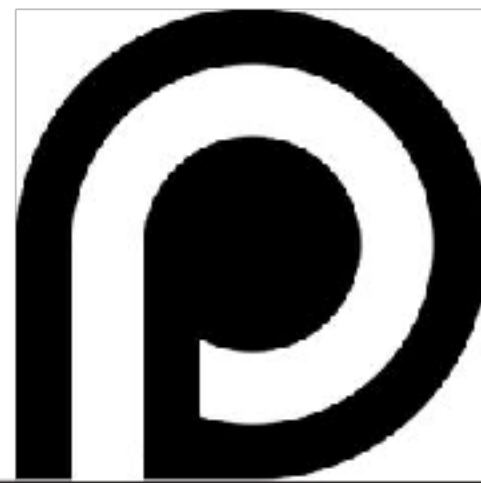
Civil war.

Writing to Prisoners

Since prisoners are often transferred between facilities, we won't print addresses that can quickly become outdated. Instead, we'll direct you to the Indiana DOC "Offender Database" on their website. You can look up their current location with their DOC# (listed on Table of Contents). We use the number because the names they use are often not the state name that the DOC lists them under. And then look up the mailing address for that facility. Correspondence and engagement with what they've written here is welcome.

Some tips for writing to prisoners: Be clear about your intentions. Share something of yourself and also be curious to learn more about them. If you're not sure where to start, reference ideas they have written about. Don't say anything sketchy or incriminating for yourself or others. Assume that everything you write is being copied and read by prison administrators. Use only blue or black ink on white, lined paper in plain, white envelopes. Keep in mind that prison is, in many ways, the epitome of toxic masculinity and saturated with problematic and harmful ideas and social norms. Prisoners often will not have the latest language or frameworks for social justice. Be generous and seek to understand their different experiences, but also don't be afraid to engage and share your own experiences.

If you prefer to correspond online, you can set up an account at web.connectnetwork.com



IDOC Watch has a new Patreon patreon.com/idocwatch

IDOC Watch is a prison abolition group based in Indiana that works to expose and end abuses by the Indiana Department of Corrections, build prisoner power, and strengthen solidarity between those who are locked up and those who aren't. We practice prisoner-led abolition, which is a strategic tendency within the abolitionist movement that prioritizes connections between organizers inside and outside the prisons, jails, and other forms of carceral monitoring, and formerly incarcerated people. We believe that the most effective strategies and tactics for overcoming the prison industrial complex will be informed by the experiences of people who have suffered through the system directly.

All funds we receive through Patreon will be put directly to covering our everyday expenses and building toward future actions that advance the struggle. Phone calls, printing, mailing, and covering emergencies inside comrades have are all expensive but integral to the work we do.

TIME / *CUT*

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