

Prison Activist Notes

the official newsletter of the Colorado Prison Moratorium Coalition

Strategic Planning Meeting Sets Coalition Vision

On Sunday July 22nd, nineteen Coalition members met in Aurora (at the offices of Friends and Families of the Incarcerated) to discuss strategy for the coming year. Strategies were discussed, goals were set, and the committees structure was revised to focus our work on key areas.

The day started with introductions and an overview of work that the CPMC has done in recent months. Presentations were given on prison moratorium legislation, private prisons, parole, rural prison siting, drug policy, and racial justice.

1. Prison Moratorium Legislation. Christie Donner (CPMC Co-Coordinator) reviewed the history of the Coalition and the concept of calling for a moratorium on new prison construction. The Coalition has run legislation for the past three years which called for a temporary halt to prison expansion along with a legislative task force to study the reasons for Colorado's rapidly expanding prison population. In 1999 there was little support and the bill was quickly defeated. In 2000, the bill was amended to eliminate the moratorium and keep the task force, but was defeated in the Senate Appropriations Committee despite being given a high priority by the Legislative Council.

Our legislative campaign in 2001 was quite different, involving an "omnibus" criminal justice reform bill--sponsored by Sen. Penfield Tate (D-Denver)--calling for a three year prison construction moratorium, a legislative task force, drug sentencing reform, a ban on importing and exporting prisoners across state lines, and a citizens' oversight committee at

DOC. This bill (Senate Bill 177) was defeated in February of 2001, due in part to pressure that was exerted on Senate Judiciary Committee Chairman, Ken Gordon (D-Denver).

2. Private Prisons.

Stephen Raher (the other CPMC Co-Coordinator) gave an overview of the use of private, for-profit prisons in Colorado. The first private facility to house state prisoners was opened in 1993 in Las Animas. Since

then, three more have opened, and our current governor is a vocal supporter of privately-run prisons.

There are rumors around a new private prison to be built in Colorado or Wyoming, and three of the four private facilities in Colorado are considering expanding their capacity. The state of Colorado will be opening a pre-release/return-to-custody facility (good news) but it will be operated by a private contractor (bad news). The DOC will issue a Request for Proposals for this project some time in December.

In other news, corrections corporation GRW, Inc. has expressed interest in re-opening the High Plains Youth Center in Brush, which has been closed for several years.

3. Parole. Cate Wright outlined current issues in parole policy including declining rates of discretionary parole and increased revocation rates. During the last fiscal year, one-third of the people who entered prison were there for a *technical* parole violation.

4. Rural Prison Siting. Stephen explained the CPMC's Rural Prison Initiative which focuses on countering the use of prisons as economic development tools in rural communities. Of the 15 new prisons opened in Colorado since 1990, 10 were built in economically-depressed rural towns. The construction of prisons in rural areas often involves taking advantage of communities and making untruthful promises; placing extra hardships on families of inmates; discouraging skilled workers from applying to work in prisons (because of isolated locations); and distorting rural community's views on crime and punishment (by framing prison as an economic benefit).

Current developments which Stephen is monitoring include the conversion of the Fort Lyon Veterans' Hospital into a prison for geriatric and mentally ill inmates, the construction of a 384-bed high security unit at the Arkansas Valley Correctional Facility, and the opening of the Washington County jail which will have 110 extra beds to "rent" to other jurisdictions.

5. Drug Policy. Christie reviewed the many exciting developments in CPMC's work around reforming Colorado drug policy. The CPMC has commissioned a public opinion poll to measure Coloradan's attitudes towards the war on drugs. By the time this newsletter went to print, the poll had been concluded and CPMC was waiting for results to come in.

Several Coalition members are attending meetings of this summer's Legislative Interim Committee on Sentencing Reform. The committee has chosen four areas to study: drug policy, people of color and women in the criminal justice system, technical clarification of the criminal code, and truth in sentencing/parole/reintegration).

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Prison Activist Notes is the official newsletter of the Colorado Prison Moratorium Coalition (CPMC), a network of over 80 organizations and faith communities from across the state who have come together to call for an end to further prison expansion in order to redirect funding and policy priorities to crime prevention, drug, alcohol, and mental health treatment, and alternatives to incarceration, particularly for people convicted of non-violent drug offenses

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The legislative interim committee hopes to draft legislation to be introduced during the next regular legislative session (in January of 2002). There are proposals before the drug policy sub committee to expand treatment and create a misdemeanor class of drug offenses.

6. Racial Justice. Bill Vandenberg--Co-Director of the Colorado Progressive Coalition (CPC)--brought everyone up to speed on the status of HB-1114, which the CPMC formally supported. The bill (which was signed into law by Gov. Owens this spring) mandates Denver Police and the Colorado State Patrol to collect data on police stops in order to address racial profiling. CPC is now conducting an educational campaign to notify citizens about what to do if they feel they have been stopped by police because of their race. CPC's new toll-free hotline for people to report incidents is 1-866-646-6000 (or in the Denver area, dial 303-307-7523)

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After lunch, the group discussed the five issue-related working groups which the Coalition has utilized for the past year. After some brainstorming, members decided to revamp the five working groups into three: Drug Policy, Prison Conditions, and Private Prisons. Attendees then divided into the new committees to meet as small groups and discuss strategies. The results are as follows:

Drug Policy. The Drug Policy Working Group devised 3 goals. 1) Develop a proposal for a class of misdemeanor laws for drug possession (and possibly small-scale selling). Proposal could take the form of legislation or a ballot initiative. Participation in this summer's interim committee is crucial. 2) Create a campaign of public education and media coverage, including a statewide speaking tour. Also work with Rep. Groff to ensure that drug policy is covered in the Demographics Subcommittee of this summer's interim committee. 3) Work to expand effective and appropriate substance abuse treatment in the community. This could include legislation to increase funding for substance abuse treatment. Particular emphasis should be placed on networking with the treatment community.

Prison Conditions. The Prison Conditions Working Group listed three goals. 1) Supporting reintegration for people coming out of prison, especially in the areas of job referrals and housing. This could include legislation for an oversight board on prisons and/or parole. Also, encourage prisoner families, and ex-prisoners to vote. 2) Advocate for uniform enforcement of prison standards (such as DOC Administrative Regulations and ACA Accreditation Standards), and explore the possibility of stricter psychological screening for corrections officers. 3) Address the problems with medical, dental, and psychological care for people in prison.

Private Prisons. The three goals of the Private Prisons Working Group are: 1) stop private prisons in Colorado (!). 2) collect and distribute information about private prisons to the public, including information on hidden costs, cost comparisons, and performance standards. Work is already underway to look into costs, with the eventual possibility of a legislative audit. 3) Adopt the philosophy of "raising the bar" to make

operation of private facilities in Colorado unprofitable to corporations. This includes an import/export ban and meaningful standards for inmate programs.

The day concluded with a discussion on past successes and failures of the CPMC's operations. The group discussed Coalition meetings, internal communications issues, outreach activities, and general identity/branding questions. Decisions included: making general Coalition meetings every other month, start meetings in Colorado Springs, approach endorsing organizations about the possibility of a mailing to their membership lists, develop a general brochure and topical brochures, and discuss new names for the Coalition.

Although it was a long day, participants felt that a lot got accomplished at the planning meeting, and we hope to see new faces at upcoming meetings! □

Upcoming Committee Meetings

Private Prisons - August 20, 5:30 pm
AFSC Offices in Denver
Contact: Stephen Rahe (719) 475-8059
or stephen@epimethian.org

Prison Conditions - August 25
Longmont Waffle House
Contact: Sydnie Starkie (970) 669-4920
or billnie@uswest.net

Drug Policy - TBA
Contact: Patra Attig (303) 756-5819
or patrattig@aol.com

**Next General Coalition Meeting -
September 29, 2-4 pm**
Friends and Families of the Incarcerated
Contact: Christie Donner (303) 444-5981
or cdonner2@juno.com

DOC Challenged on Hepatitis C Treatment Policies

On June 19 Mark Silverstein, Legal Director of the American Civil Liberties Union of Colorado sent a letter to Joseph McGarry, the Chief Medical Officer for the Colorado DOC. The letter raises many ethical and legal questions about DOC practices in treating Hepatitis C. There are five questions raised in the letter:

1. Delay or denial of treatment for use of tobacco. The ACLU objects to the DOC's policy of denying Hepatitis C treatment to any inmate who has used tobacco in the last 12 months. This policy has no apparent medical justification and is objectionable due to the fact that DOC prohibits tobacco in its facilities, so it is presumable that all inmates are tobacco free for the length of their sentence.

2. Denial of treatment for inmates with less than two remaining years in DOC custody. Even though a typical course of Hepatitis C treatment takes 6-12 months, DOC refuses to treat anyone in the last 24 months of their sentence.

3. Delay of treatment for past substance abuse. DOC policy excludes any inmates from treatment who have used alcohol or illegal drugs at any time in the last 12 months. The National Institutes of Health and the Centers for Disease Control contraindicate treatment only for people who show a

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The resource that no Colorado prison reform activist can be without!

NOW AVAILABLE

The CPMC's Member Handbook is an 80-page manual of information on prisons in our state, and how you can change things. Sections address CPMC structure, data on Colorado prisons, the criminal justice system, legislative information and how to lobby, and communictaions/media work.

You may be wondering, "how can I get this fabulous item?" All you have to do is send in this coupon! The handbook is free and includes an update service, wherein you will receive new information for the handbook as it becomes available. Mail this coupon to CPMC Internal Communications, c/o Epimethian Press, 2508½ W. Colorado Ave., Ste. 3, Colorado Springs, CO 80904

Name: _____ Email (if applicable): _____

Organization/Business (if applicable): _____

Address: _____ City: _____ ZIP: _____

Phone: _____ home work Fax: _____

What is the best way to contact you: Email U.S. Mail Phone Fax

Are you interested in serving on a committee? If so, indicate which committee you are interested in:

Private Prisons Drug Policy Prison Conditions Internal Communications Outreach Media

Note: As a CPMC member you can receive this handbook for free. However, if you are able to enclose a donation to help cover printing costs, we will be grateful. Gifts of any amount will be appreciated. Please make checks payable to Epimethian Press, with "CPMC" in the memo line. Gifts will be used solely to cover the cost of printing and distributing handbooks.

CPMC isn't giving up on Fort Lyon

Environmental law provides additional method to challenge DOC plans

The CPMC announced on June 14 that it will challenge the state's plans to convert the Fort Lyon Veterans' Hospital into a prison. The CPMC sent a letter to the state Department of Corrections (DOC) requesting a more thorough study of the potential impacts that the new Fort Lyon Correctional Facility (FLCF) could have on the people of Bent County.

Before the hospital can be converted into a prison, a federally-mandated environmental review must be completed. The DOC released a Draft Environmental Assessment in May concluding that the conversion would have little impact on the environment, but the CPMC asserts that the document does not contain a sufficiently thorough discussion of the possible social and economic effects.

The letter that the Coalition sent to the DOC outlines five areas which should be further explored before work on the prison continues: correctional officer job-related stress, increased burden on the local criminal justice system, negative effects on local medical services providers, potential employment patterns, and general impact on local economic activities.

According to Stephen Raher, the Co-Coordinator of the Coalition (and author of the letter), "rural towns in Colorado all too often view a prison as a wonderful way to spark economic development—unfortunately the reality is that prison towns are burdened with many long-term collateral costs in return for a handful of jobs."

Raher explained that of the five areas, the possible effects on local medical agencies could be the most serious. "The whole state—and southeastern Colorado in particular—is experiencing a severe nursing shortage, and DOC wants to hire 110 nurses to work at Fort Lyon. If they are going to meet their goal, it almost certainly will be at the expense of local hospitals and health care facilities which can't offer wages and benefits that compete with the state's compensation plan."

In addition to outlining areas for further study, the CPMC's letter asks the DOC to prepare an Environmental Impact Statement, which goes into greater detail than the Environmental Assessment that the Department has already completed. "My primary concern," said Raher, "is that the people of Bent County are not getting a full and fair explanation of what might happen. The environmental review process is supposed to be about gathering public input, but it's a meaningless activity if people aren't given a balanced presentation of the facts."

The historic facility at Fort Lyon has been used as a veteran's hospital since 1906 and was once an award-winning Veterans' Administration medical facility. In 2000 the VA decided to close the hospital and offered it to the state of Colorado for use as a prison for geriatric and mentally ill inmates. The proposed prison attracted some controversy at

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this year's legislative session when Senate Democrats objected to the plan due in part to the rapidly-growing price tag associated with Colorado's twenty-two state prisons. After Governor Owens expressed strong public support for the jobs that FLCF would bring to southeastern Colorado, the legislature approved the prison over the objections of Senator Penfield Tate (D-Denver) who warned his colleagues that "if we continue to look at prison construction as a form of economic development in our state, we're lost."

Coalition Co-Coordinator Christie Donner explains that Fort Lyon is just one of several new prison projects which are currently underway. "The Department of Corrections is the fastest growing department in the state government," commented Donner, "and it is growing at the expense of education, health care, transportation, and other areas the Coloradans are concerned about." In fact, the DOC received a 13.4% increase in General Fund dollars for Fiscal Year 2001-02, the second largest increase of any department. □

pattern of *excessive* drinking and/or hard drug use. This does not include light or moderate drinkers or those who use marijuana. In addition, when a patient who is a substance abuser seeks treatment, doctors typically impose a waiting period of 3-6 months (during which time the patient must stay sober) as opposed to the DOC's 12 month calendar.

4. Delay or denial of treatment until completion of one-year education program. All inmates seeking Hepatitis C treatment must attend substance abuse classes for 12 months before treatment can start, regardless of whether or not there is a history of substance abuse with the particular individual. In addition, Silverstein raises the question of whether there are non-religious alternatives to Alcoholics Anonymous and Narcotics Anonymous, which inmates may choose from (the policy is unclear as to whether AA/NA is the only option or not).

5. Denial of Hepatitis C treatment for HIV-positive inmates. The DOC had denied Hepatitis C treatment to all inmates who were HIV-positive, but repealed this policy in early 2001.

The DOC said it will respond to the ACLU's letter by the end of September. We will keep you updated on developments in this area. □