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From Guantanamo to Pelican Bay

But Prison is So Us

by KENNETH E. HARTMAN

Guantanamo Bay's back in the news. President Obama described it as "*not sustainable*" in a news conference on April 30th at the White House.

Pundits on both sides of the power elite dynamic launched into their well rehearsed, focus group tested talking points. (One supposes that *not sustainable* was to cynically pull in the ecologically interested, meaningless as it is in the context of a prison camp.) A better parsing of Mr. Obama's words uses the lens of the wider prison-industrial complex, which is no more sustainable and directly impacts the lives of millions of Americans.

There is a kind of rank naïveté in the president's statement, like he doesn't fully grasp the lack of understanding he reveals by his own words. The reality is, of course, that he's warden-in-chief of the world's largest, most expensive, and least effective prison system.

Guantanamo Bay "is a problem that is not going to get better. It's going to get worse. It's going to fester." Ask Governor Brown of California if this statement doesn't apply to his own Department of Corrections and Rehabilitation after more than a decade of multi-billion dollar federal lawsuits culminating in the Chief Justice John Roberts' U.S. Supreme Court surprisingly, tellingly, upholding lower courts' cruel and unusual punishment findings. Paste in the name of virtually any other American prison system, county jail, or probation department and the president's assessment would be no less an obvious truism.

"It is expensive. It is inefficient. It hurts us in terms of our international standing. It needs to be closed." So what is he talking about here? Guantanamo Bay supposedly costs a hundred million a year to operate, although one wonders how many thousand-dollar federal toilet seats are concealed in that number. The vast American prison-industrial complex costs no less than 100 billion dollars a year, a thousand times

more. And it imprisons, in conditions no better, more than 10,000 times as many human beings, an ever-increasing share of which are likewise condemned to unlimited, endless sentences. The same kind of superheated rhetoric is also used to justify our costly, excessive terms: threats to security, too dangerous to release, not enough information to act upon.

Inefficient? The prison-industrial complex is more expensive, per prisoner, than a Harvard education, per student. But even for all that money, the vast majority of which actually goes to paying guards' and administrators' salaries and benefits, the failure rate remains close to two-thirds, a bad investment by any measure.

Hurts our international standing? It's been repeated too many times already, but as former Senator Jim Webb of Virginia noted, with only five percent of the world's population, America holds fully 25 percent of the world's prisoners. That's not all of it because we also have more sentenced to long life terms, more sentenced to ludicrously long mandatory-minimum federal drug terms, and more juveniles sentenced to adult terms than anywhere else.

Needs to be closed? The short answer is yes; the prison-industrial complex needs to be closed, particularly in its current configuration. The problem is the minions of the system have come to believe that its foundational purpose is to provide employment. (This is especially true in those states with unionized government employees). The dark side of this ghastly expectation is that to provide more positions, more men and women must be snatched into custody, more families must be broken up, more futures crushed, more suffering endured.

It's almost too easy to mock these statements, too easy to simply make sport of their callow and credulous nature. What they reveal, however, isn't simply a failure to grasp the ramifications of the words themselves. Rather, this is still another excellent example of a soft left politician bleating outside the gates of the prisons. The bosses and the prison guards unions, the suppliers of pepper spray and extra cheap toilet paper, all of them must get a kick out of this ineffectual blather.

In all his comments on the Guantanamo Bay problem, though, one section stood out most clearly to a prisoner like myself, sentenced to life without the possibility of parole for the past 33 years.

"The notion that we're going to continue to keep over a hundred individuals in a no-man's land in perpetuity is contrary to who we are, it is contrary to our interests, and it needs to stop."

There is a breathtaking degree of inaccuracy in this one sentence that demands a dissection.

Factually, his own government directly holds many thousands of men and women in federal prisons all across this country who are serving life terms, who have already served decades, and who will likely never see the other side of the fences again. These men and women are predominantly people of color, are virtually exclusively from the lower socioeconomic strata, and committed their crimes when they were in their late teens and early twenties. Add in the state systems, and the number being held in perpetuity swells to hundreds of thousands.

The claim that this brutal reality “is contrary to who we are” borders on fatuousness. It is, at least, self-delusion. Not much one could imagine is more who we are as a nation. We are, quite simply, the prison nation.

It is, indeed, contrary to our interests. On this he’s correct. It is contrary to the broad interests of the country writ large to have one out every 33 adults under some form of punitive control, a number not just ahead of every other country in the world but also of any country in the history of the world. But to paraphrase one of his predecessors, it matters what the definition of “our” is. The hundreds of billions of dollars being sunk into the prison-industrial complex are not contrary to some people’s interests. And these people work very hard to keep as many other people as possible convinced that there is a tidal wave of criminality threatening to swamp the whole of society. Sadly, with the help of a credulous media, demagoguing politicians, and some small, noisy, and well-funded special interest groups, the hypnotized and enthralled citizenry continue to believe that their safety rests on the mass incarceration of their fellow citizens.

And it needs to stop. Yes, it does need to stop. But not just the abomination of Guantanamo Bay, the whole massive, bloated, wasteful, counterproductive prison-industrial complex needs to end. Somehow, our peer nations manage to incarcerate a mere fraction of the proportion of their people that our Land of the Free government does and they tend to have lower crime rates. Even our putative enemies, the so-called Axis of Evil nations, get by with fewer prisoners serving less time. The rest of the world’s figured this issue out better than we have, and it’s time to admit the truth. But we, as a country, aren’t very good at admitting truths that paint our policies and us in a poor light.

The poorest of lights deals with the issue life without the possibility of parole

prisoners. This is a growing plague in our prisons that is virtually unheard of in the rest of the world. Specifically, right now, in the worst prisons in 49 of the states and in the federal system, more than 41,000 men and women are serving life without the possibility of parole, the other death penalty. Some of this number committed their crimes as juveniles. A substantial proportion didn't kill anyone. Some didn't commit a violent act.

More than 8,000 of those sentenced to this perpetual form of incarceration have joined The Other Death Penalty Project, a true grassroots organization led by prisoners for prisoners with a simple goal – every prisoner should have the chance to earn his or her way back out. No one should be sentenced to die in prison, either by lethal injection or by permanent imprisonment. The government should not be in the business of killing people; it should be contrary to who we are at Guantanamo Bay and back here in the homeland.

The Other Death Penalty Project (www.theotherdeathpenalty.org) is currently sponsoring an IndieGoGo campaign to raise funds for the printing and distribution of *Too Cruel, Not Unusual Enough*, an anthology of writings about life without the possibility of parole. The book has already won Best Anthology from the 2013 Independent Publisher Book Awards. The campaign comes to an end on May 25, 2013.

***Kenneth E. Hartman** is the Executive Director of The Other Death Penalty Project. He has served more than 33 years of a life without the possibility of parole sentence in the California prison system. He is also the author of the award-winning memoir "Mother California: A Story of Redemption Behind Bars" (Atlas & Co. 2009) Ken is the editor of "Too Cruel, Not Unusual Enough" (The Steering Committee Press 2013), winner of a gold medal from the 2013 Independent Publisher Book Awards for Best Anthology. For more information, see: www.theotherdeathpenalty.org; www.kennethhartman.com; and www.indiegogo.com/projects/the-other-death-penalty-project-2/x/266588.*