

## THE FOX HAS ASSURED US ALL CHICKENS ARE DANGEROUS

O Judgement! thou art fled to brutish beasts,  
And men have lost their reason.

-Shakespeare

The United States Federal Court, confirmed by the United States Supreme Court, has ruled California's prison system has become cruel and unusual by overcrowding. California has become obsessed with draconian long sentences packing in prisoners like livestock in feed lots. The subsequent effect was/is causing prisoners needless injuries, illness and death, thereby causing the court to order California to "forthwith" reduce the prison population.

Abandoning reason California has adopted such a crazed mania for punishment it is the only state in the union with prisons as the third largest line item on the annual budget and supports the highest paid prison guards in the world, but ironically has the highest recidivism rate in the nation. In defense of this tax eating penal monster, and the court's order to reduce the prison population, like a man obsessed Governor Jerry Brown has spared no expense, or excuse to the court, to keep his prison livestock corralled. Brown's newly appointed Secretary of Corrections Jeffrey Beard, PhD, who interestingly testified in federal court that California was indeed violating constitutional rights of prisoners and should lower the population through "good-time credits", now with a handsome salary and impressive title, Beard has become a political quisling who heralds Brown's lock'em up philosophy. Paragons in demagoguery Brown, Beard, fellow legislators with other interested individuals and groups have led the public to believe the streets would run red with blood if prisoners were released, saying "There isn't a prisoner currently in the system safe to release!"

No one can deny there are some incarnate evil individuals in prison, however there are also some incarnate cunning individuals that want the public to believe every prisoner is evil and not "safe to release". For some reason these individuals and groups want the public to remain fearful.

Reason and rational thought has to prevail over hyperbole. Look behind the curtain of hysterical demagoguery and consider the facts. Our guardians of the public trust say "There isn't a prisoner safe to release!" yet:

On the first of July 2013, after a long struggle with cancer in prison Rodney Lopez, prisoner G-15740, was told by doctors he had 4-to-6 months to live and given a medical authorization for "COMPASSIONATE/MEDICAL PAROLE". Rodney's condition rapidly declined rendering him so weak he had to be transported in a wheelchair by fellow prisoners. Calls by Rodney's family went unanswered and after repeated requests for compassionate release to his brother; two months later the Parole Board denied Rodney's parole. On 15 September 2013 Rodney died. How can anyone honestly say this man and any other prisoner in the same condition would be a threat to society? California's penal monster has many other Rodney's, yet they say "Not safe to release".

Edward Harden, prisoner B-48621, 60 yrs, glaucoma has blinded his right eye with the left close behind enhanced with the toll the years have taken on his body, under a sentence of 7-to-life he has served 41yrs, denied parole 19 times, at his last parole hearing with sound evidence he has turned his life around, two psychologists determined he is no threat to society, the parole board denied him 3 years saying "You lack insight". This man by clear evidence has become a virtuous old man with a sound parole plan, who will soon be completely blind, and even though psychologists say he's not a threat; he's denied? We have to ask "Who really lacks insight?"

Dennis Hanson, prisoner B-18163, 69 yrs, under a concurrent 7-to-life sentence has served 45 years, an old man with liver cancer, emphysema, severe arthritis, permanent spinal cord damage requiring a cane for his limited mobility, listed as "low risk" for violence potential by CDC and family support waiting outside; has been denied parole 14 times. What kind of threat is this burnt out half-dead star of criminality?

Domingo Vaquez, prisoner C-15470, 57yrs, has served 32 yrs on a sentence of 15-to-life. He suffers continuous back pain having experienced three (3) major back surgeries in prison, surgery for degenerative knee condition with further surgeries pending, all compounded by the debilitation of hepatitis-C. Even with no write-ups as a problem prisoner and five separate psychologists' reports finding Domingo a "low risk of violence", accompanied with a supportive family and a sound parole plan submitted, the parole board has denied him 7 times. A rascal in his youth now he's a broken old man no threat to anyone. What kind of society finds satisfaction in punishing him to death?

Department of Corrections estimates it costs \$138,000.00 a year to house a prisoner over the age of 55yrs, so by their statistics it cost the taxpayers \$552,000.00 (over half a million dollars) a year just to house these 4 old men that are clearly no "threat to society". Considering there are over 6,000 elderly prisoners in the system California's obsession for punishment has moved beyond the pale. Yet, our guardians of the public trust say "There isn't a prisoner currently in the system safe to release!".

Not only does it not make fiscal sense to incarcerate old prisoners, it makes no penological sense to incarcerate the elderly. The federal court in 835 F2d 1195 US v. E Jackson, speaks to crime being a young person's game, saying "A civilized society locks up such people until age makes them harmless, but it does not keep them in prison until they die." These men are "harmless" yet our leaders say they are "not safe to release"? Has California's insatiable mania for punishment compromised its civil soul?

Beyond the mass of elderly prisoners being punished to death, there are a multitude of younger prisoners who are first time offenders, men who committed crimes of passion they would never re-offend. Yet, they are sentenced to brutally long terms assuring they will be rendered virtually useless when they finally get out of prison. This is doubly assured since these innocuous young men are allowed to marinate for years in the extract of hate, there is little wonder why California's recidivism rate is so high.

Albert Einstein said "Insanity is doing the same thing over again expecting different results." With the legislators approval for construction of new prisons and the mass movement of prisoners for out of state storage, we have to ask has California not only lost its reason, but its sanity also? Adding more prison cells to solve the crime problem is like adding more hospital beds to cure AIDS.

The facts do not support the demagogical statement: "There are no prisoners currently in the system safe to release!"

14 October 2013

Robert H. Outman  
Prisoner P-79939

<http://betweenthebars.org/blogs/895/>