

## THE NAIVE INMATE

When it comes to writing about the above subject, my heart's desire is to be honest and truthful to the facts presented for the reader's consideration to the experiences of many men and women who are being deprived of their Constitutional rights when their freedom is lost because of some unfortunate mistake in judgment. I'm not trying to belittle anyone who, in fact, is naive to the many situations they encounter on a day to day basis when freedom is no longer in the picture. Webster's New World Dictionary defines naive as being "unaffectedly or foolishly simple" (p. 497). An inmate is a person living in the same building, now esp. one confined with others in a prison, etc. (Ibid. p. 387).

I would ask you to have a heart of compassion and concern for the naive inmate who is anyone that was arrested and taken into custody and is very much experiencing a calamity that is traumatic to their mental health and will have a lasting affect on their emotions. For those who are mentally stable, the experience may be bearable, but for the mentally unstable, it could be a nightmare. The thought of being in a unwanted position, then facing unknown circumstances, fear has a way of sinking into the emotional system causing one to be on edge and the nerves do tremble close to the panic button. Being afraid is difficult to handle, especially when Mama is no where around for that sense of security.

Looking for the familiar is the first thought, a friendly face or voice. How can one establish themself in a strange

place not knowing what to do or what to expect? Being thrown in a cell or space that is occupied by strangers is no easy feeling to accept. At the beginning stage of an inmate's journey, the County jail detains the innocent who are accused of a crime or whoever has failed to abide by the laws of society until they are proven guilty in a court of law. How do the person get themselves out of the mess they created? Who can they turn to or trust? While they are confined, what do they suppose to do?

The jail officials do not offer any insight for any of those questions. Nor do they give any information concerning any rules, regulations, or procedures a inmate is suppose to follow. Depending on the time entering the penal institution on the County level, the person goes through an oral physical health screening by answering certain questions from the nurse on duty. The true state of the person will be determined if any medications were taken before entering the jail and when this becomes known to the medical staff, they want to know why and if they need to be continued during the person's stay at their facility.

The person with a mental health problem will now live as a normal accused inmate until proof or verification is obtained that he or she suffers from a mental illness. How long this will take? Who knows. In the meantime, being housed in a place without knowing anything other than, they are in jail, the truth



of being a naive inmate is born. The thought, when can I go home is the constant weight that plagues the mind until the moment of truth comes. In every waking minute, not knowing anything continue to get heavy on the mind. This is a very difficult situation for the first timer who have never been in jail before.

From the administrative point of view, an inmate do not need to know anything because they violated the law of the County or State and is guilty of whatever they are accused of doing. We're only detaining them until their case is settled, therefore, they are going to do just what they are told. In some County jail facilities, there are periods of recreation, opportunities to use the phone, library and watch TV. But as far as being aware or informed of any jail operational rules, regulations, or procedures, there are no jail operational rule book or booklet given out for living instructions.

When a person is tried for their crime(s), found guilty, sentenced and committed to the State Department of Corrections (DOC) prison system, they are now considered a State prison inmate. When the Court complete the paperwork, they will be transferred out of the County jail and placed in the prison reception center for screening and processing. At this entry level, an inmate is stripped of everything except for a wedding ring and religious medal valued at under one hundred dollars. Just like the County jail, they are detained in that facility

and not given a rule book. The State prison reception unit is better equipped within their medical department and referrals are made to the mental health department if a inmate is diagnosed with any anti-social behavior problems or have been determined to be on psychological medications.

Before going any further, I must state that these two entry levels of the DOC, the naive inmate could have experienced a host of difficult situations according to their mental health stability. Any mental illness is taken to be bad behavior by the officers who were never made known of any psychological evaluation done within the screening process when the person entered the jail facility. Not being aware of an inmate's condition, bad behavior is always met with brutal police tactics and always punished with detention.

Once a inmate is transferred from the prison reception center, they will enter one of the many State prison facilities throughout the State the crime was committed. Living in any of these facilities, the inmate must attend the orientation process to be made aware of and instructed about the various opportunities available to them while incarcerated within that facility. Here is where the naive inmate is suppose to receive an inmate rule book. I cannot know for sure what prison facility continue to exercise this privilege of supplying rule books to inmates, but some have discontinued this practice because most of the rule books issued was later found in the garbage.



It must be truly considered and asked at this point, who's responsible for the naive inmate being naive? We have inmates entering prisons with a attitude problem. Then, there are many who are uneducated and illiterate and do not care about any established rules or regulations. Whether they can read or not, those things are of no interest. In the prison facility, the administration is suppose to provide an opportunity for any inmate to know their rules, regulations, commissions, mandates, decrees, and any other prime directive for inmates to live by while in their custody. But they don't care if you read their literature or not because the don't ask don't tell rule is always in affect in their facility.

The next step after orientation is to be classified, in which, a inmate will be told of their custody number, custody status, and job assignment during their stay. Any desired program participation will be on a voluntary basis. For those inmates who are between 18 and 24 years of age, they are mandated by the 10A Administrative Code in the State of New Jersey to attend school to obtain their G.E.D.. But the problem with that is, once the inmate has complied with the mandate, they can voluntarily sign out of school at any time they desire. Therefore, we need to clarify the naiveness of the inmate.

Consider this: there are many areas this reality can occur within the mind of the naive inmate concerning their position while Incarcerated. For example, when an accused inmate who

is held within the County jail appears in Court, they are naive to the rules of law and need a lawyer who is an expert in that field to represent them. While in the jail or prison system, there are rules and regulations an inmate do not know concerning his stay within these facilities. Then, there are rules and regulations of the parole department that governs their release from prison. These operating procedures need to be known, but the naive inmate don't know they even exist.

For most of the naive inmates who were sentenced after September 19, 1997, there's what we call the No Early Release Act (N.E.R.A.), in which, a person who is sentenced under this Act will serve 85% of whatever their sentence was given by the Court. This means, when the inmate enters the prison system, their time is automatic calculated by subtracting only their good behavior commutation credits. When those credits are reduced, it will leave a date and that date would be the inmate's release date. The danger of this type of sentence is, the inmate know their release date from the start of their sentence. Therefore, the naive inmate can remain naive during their entire period of incarceration if they desire to do so. No participating in programs, no school, no nothing.

Most of the inmates who suffer from severe mental health issues are classified and kept on certain housing units within specific prison facilities for their safety and the safety of others. And there are those less severe cases who are housed



anywhere within the inmate population of each facility. If an inmate is not housed on the specific unit for special mental health needs, they are in danger of being brutalized by officers who are not aware of their mental health issues. Remember, we are in a prison setting and any bad behavior is considered as an aggressive action and must be vanquished by whatever means is necessary.

The 10A Administrative laws are the rules, regulations, policies and procedures that governs every Governmental controlled institution and prison facility in the State and applies to all within its jurisdiction, even employees. The law title is different according to each State. Now every prison facility has their own rule handbook for inmates tailored specifically for that facility. There are also rule handbooks on discipline for inmates and on parole policy procedures. Upon entering any facility as a resident, New Jersey Statutes Annotated at N.J.S.A. 30:48.5 requires the DOC to provide all residents of the State Prison Complex with a publication containing the rules and regulations governing the rights, privileges, duties and obligations of the inmate population, but the prison facility do not abide by this statute's directive.

Inside information reveals South Woods State prison located in Bridgeton, New Jersey do not give rule books to any inmate. It is stated, the housing unit representative is in possession of one for inmate's use. Also, Jpay, a private own company

who supplies the prison population with mini electronic battery operated tablets for a cost of about \$54., has an Handbook APP, in which, the inmate have the rules and regulations available to them by the touch of the finger. But there are no files on the App available to read. Plus, if an inmate cannot afford to pay the cost of that mini tablet from the \$1.30 a day job assignment pay, not including holidays and weekends, they live on each month, no rule book is available.

On the outside looking in, one would be told, the inmate is supplied with a rule handbook upon entering any facility. But on the inside looking out, that is not the truth. Rules and regulations are made to be obeyed and prison personnel do not like them because they also must abide by them. An inmate quoting the rules and regulations is a dangerous person because officers and staff members inject their own personal rule upon inmates. In other words, do what I say. The responsibilities of officers are to uphold all rules and to be an example of correction to inmates.

The naive inmate, I must say, do not have to be naive of rules, regulations, policies and procedures of the facilities they are confined in, but the majority are because of reasons resulting from their own personal case history. Truth be told, rule books are not read by all on account of they are not given appropriately by the administrating facility.

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