



# INSIDE-OUT

## Same Struggle - Same Fight!

no. 7 VVAW-WSO Newsletter for Prisoners

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### Leavenworth Brothers Trial Ends with Victory!

On November 22, Armando Miramon was found not guilty of four counts of kidnapping and one count of assault on a guard. Miramon was the last of the 6 original Leavenworth Brothers to face charges in a court as a result of the July 31, 1973 rebellion in Leavenworth Federal Prison. The article in the enclosed issue of Winter Soldier reports on the trial of this Chicano brother but our printing deadline came around before the jury returned their verdict. Included in Winter Soldier is the fact that all charges against Jesse Lopez (Miramon's co-defendant) were dropped after the government had finished the presentation of their case. The judge ruled that the government had not presented enough evidence to merit continuing the trial of Lopez. The dropping of those charges (four counts of kidnapping) was the first major victory of this second Leavenworth Brothers trial. The first trial involved four black brothers -- Odell Bennett, Jessie Evans, Alf Hill and Alfred Jasper -- who were all convicted of various counts of assault and inciting to riot.

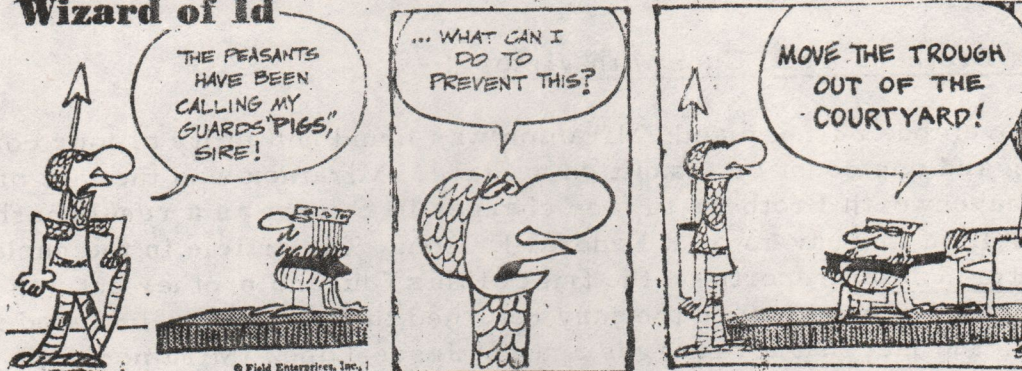
This second trial in Wichita, Kansas was heard by an all-white, middle-class jury, composed of 7 women and 5 men. During the course of the trial, several of these jurors were in tears as they listened to testimony concerning the conditions inside Leavenworth Penitentiary. When this jury returned a verdict of not guilty, they did so on the grounds that it was Miramon's right to rebel against the brutal conditions within the prison, particularly in that prison's segregation unit. Jurors cried as the verdict was announced, and each of them stood to shake the hand of Miramon. This verdict must be seen as a real victory -- both for the struggles of prisoners and the overall anti-imperialist movement. Miramon resisted the repression of his living conditions, and a jury of 12 people upheld his right to do so. Though we should never rely on the courts and expect them to provide "justice" for the masses of people in this country, the court system can sometimes be utilized so that the end result is that a jury will decide in favor of and in the interests of the people. This is what recently happened in Wichita, Kansas.

Details on where Lopez and Miramon will be sent are not yet known. However, the other four Leavenworth Brothers are being settled into the federal prison system and it is a real victory that none of them have been returned to Leavenworth. Odell Bennett is facing another trial in Topeka, Kansas, but once that trial is over, it is expected that he will be transferred to McNeil Island, Washington. Alf Hill is in Marion, Illinois. Jessie Lee Evans has been transferred to Atlanta, Georgia, and

Alfred Jasper is in route and will probably end up at Lewisburg, Pennsylvania. We will let people know when and where Lopez and Miramon will be settling when that information is available. Though Jesse and Mondo have been freed from the charges that were brought against them as a result of the Leavenworth uprising, both of them still have many years yet to "serve" within the federal system. Also, the convictions of the four other Leavenworth Brothers will be heard by an appellate court in Denver, Colorado and we will get the results of this hearing, as well as any other post-trial information, out to people through this newsletter or the newspaper.

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### Wizard of Id



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### "On Changing Your Mind"

The following article comes from a brother now incarcerated in an Oklahoma prison. Though the examples drawn for this article were taken from the brother's prison population, we feel that every prisoner can look around him/her self and see the same kinds of things. If you have comments on this article, be sure to let us know by sending them to us.

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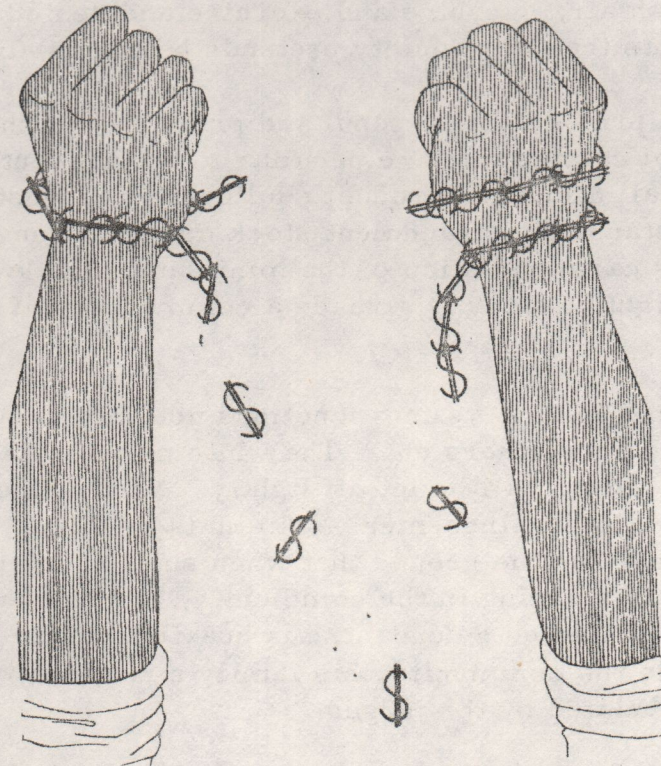
Did you ever look around you and wonder why practically all your fellow convicts were poor people? Did you ever notice how few well-educated people are doing time? Did it ever strike you as rather odd that the numbers of non-whites doing time far exceeds the ratio of white to non-white in the general population? Did you know that of the 1.2 million criminal offenders handled each day by some part of the U. S. correctional system, 80% are members of the lowest 12% income group or Black and poor.

Many people who become aware of these facts reason it away something like this: "Yes, it's true that Amerika's prisons are filled with the children of the poor, but that is because poor people are the only ones who have a need to commit crimes. Why would a rich man steal anything?"

So, with this kind of fuzzy logic in your head, you plod along doing your time. You feel you deserve to be in prison because you broke the law and get caught. You think that the authority that keeps you here is legitimate, so you condemn yourself for not having the education, or the ambition, or the agressiveness, or the fortitude, or the intelligence, or whatever your particular real or imagined shortcomings might be, to have been successful in the big, happy "free world."

Have you ever wondered why a few Americans sit in a position of power, privilege and luxury, while you and the masses of working people spend your life laboring to make ends meet? Did it ever occur to you that perhaps the institution of prisons is a tool of class and/or ethnic oppression? That means that it might be used by the rich folks to make the poor, uneducated, non-white folks go along with a status quo of deprivation, indignity, injustice. Did you know that criminal law is essentially a reflection of the values, and a codification of the self-interest, and a method of control of the dominant class. That means that the oppressor uses criminal law to make the oppressed adopt his values and protect his interests even though in order to do so, the poor folks must work against their own class interests.

Did you know that the rich and powerful steal more money and commit more crimes than all the prisoners in all the prisons in this nation? One of my best friends was charged with 2nd degree burglary AFCE and here he sits sentenced to 70 years. According to the President's Crime Commission Report, price-fixing by 29 electrical equipment companies cost the public more money than all the burglaries put together in a year. Corporate and business crime goes largely unreported and the instances that are reported are almost never prosecuted. That's because they represent the upper class: the upper class is the guys who make the laws. Would you have any trouble believing that my President and his gang have ripped-off the working class in Amerika for more millions than most of us will ever even think about in our lives, but Milhouse will never know what it is like to be locked in a prison cell over night. He represents the guys who administer the law.



I know a certain wizard who stabbed a guy who was trying to kill him with a tire iron. The guy died and here sits wizard with a 35-yr. sentence. Compare that with a millionaire New York slum-lord whose elevator -- after being cited 6 times for dangerous mechanical malfunctions -- crashed to the ground killing 4 people. He was fined \$12 for failure to cease operation of a dangerous public conveyance. Or the Blacksville #1 coal mine which has been sealed making it the

tomb of 9 miners. The owners had been cited for 485 safety violations since it opened 4 years ago. Or the Sunshine Mining Co. in Kellog, Idaho, where 91 silver miners perished in a fire. They had been cited for 14 fire and safety violations over the past 21 months. Or consider Lockhead Shipbuilding and Construction Co. who was accused by the Dept. of Labor of willful negligence in the San Fernando Tunnel explosion that killed 17 men. You can be sure that nobody will ever know Wizard's torments of prison for these 117 murders.

I have a friend serving 10 years for aggravated assault resulting from a barroom brawl. The annual figure on "aggravated assault" given in the Uniform Crime Reports runs around 200,000. In New Horizons in Criminology, Barnes & Teeters report that from 8 to 15 percent of all food consumed in this country is contaminated and that each year, more than 3 million people are made "seriously ill" as a result of eating tainted or doctored food. This act of aggravated assault committed by the food industry against the working class goes unpunished. Robbery by the food industry through deceptive packaging, Madison Avenue copyrighters, whose job it is to manipulate the gullible public into buying cancer-producing cigarettes and shoddy merchandise, doctors getting rich off of medicare who process old people like so many cattle being driven to the slaughterhouse, greedy "businessmen" who pollute the river and the very air we breathe. These crimes cause infinitely more deaths and suffering than working class crimes, and yet the rich and powerful who commit them are awarded all the honors, status, and privilege that the society has to offer -- while we lay rotting in 5'x8' sealed-tomb tiger-cages, denied fresh air, sunshine and exercise and denied even the most basic constitutional rights that that society pretends belong to all of its citizens.

Envision a prison system populated primarily by the white middle and upper class, convicted of crimes that are peculiar to the affluent: price-fixing, purchase and sale of political influence, product adulteration, industrial pollution, criminal neglect of safety standards, fraudulent stock manipulations, manufacturing of unsafe death-dealing cars, violation of the minimum wage law. That this notion seems like the wildest flight of fancy is already a commentary of the class character of the prison system.

The criminal justice system functions not only to put some law breakers behind bars, but to keep others out. The white middle-class offender, social and class equal of the judge, will be let off lightly. Most judges justify the minimal sentences they give to "businessmen"-criminals -- fines, probation or exceedingly short jail terms -- on the ground that when such a man is convicted, he generally loses his job, his standing in the community, and his family's respect. The poorer and darker the convicted defendant, the heavier will be his/her punishment. His job, his standing in the community, his family's respect weigh lightly in the scales of justice as manipulated by the judges.

Membership in the category "lawbreaker" is not distributed according to economic or social status, but membership in the category "criminal" is distributed according to class. The only kind of crime available to poor people: theft, robbery, purse-snatching, mugging, is the kind of crime that we are all conditioned to view as deserving of punishment. Our minds have been so corrupted by the education system and the religious and ethical conditioning that many are unable to realize that your friendly neighborhood banker, the President of the Chamber of Commerce, the Deacon of your church, may be far more successful criminals than

you are. Everybody knows that the President of the United States is a master criminal, but how many of you can see that he is just a front-man tool for such gangsters as Howard Hughes, Howard Hunt, J. Paul Getty, Aristotle Onassis, to name but a few. A cogent argument has been made that Billy Graham is the greatest social criminal of all time. Wha' did-he-say? Don't worry if you're having healthy paranoid suspicions. They always accompany the demystification of oppression.

It might be time for you to consider the fact that this whole trip is illegitimate: the prison with its sick and inhuman administration, the economic system that exploits and degrades the many and is fixed in favor of the few, the attitude that you are a miserable sinner who has sinned against society and now must pay your just due.

In World War II, as in other wars, there were many prisoners of war who escaped from their captors simply because they did not accept the legitimacy of the authority that held them captive. The human mind is a powerful tool. If all of us refused to accept this prison as our just penalty; if we all looked upon our keepers with the righteous contempt which they deserve; if we all became reality disrupting influences by throwing alternative symbolic universe sand in their legitimation ball-bearings, they would soon be unable to do their trip. I'm not suggesting that we attack a tank with a stick. I'm telling you to change your mind. I'm telling you to become politically aware. I'm telling you to feed your head and seek liberation from the prison of your own mind.

**We Have Fed You  
All A Thousand  
Years**



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## Vietnamese Women in Prison-----comments

In the last issue of "Inside/Out" we printed a long article concerning women in Vietnamese prisons where, despite constant harassment, torture, and brutality, they have resisted the demands from Thieu's guards and officials to give in. Despite the worst that their captors can do, they remain unified and strong even in the midst of some of the worst repression going on around the world.

We felt the article was important to print for you to have the chance to read, since we see the struggles for liberation and freedom of the Vietnamese people to be the same struggles going on in US prison camps every day; we also see that the enemy in both cases is the same: US imperialism. And we believe that there are lessons to be learned from the strong women and their unity in Thieu's prisons.

What follows are a couple of the comments we received from you about that article.

"All through the article I was comparing the Solidarity of those sisters and brothers there to the brothers and sisters in Amerikkkan prison camps, and even breaking down the comparison to this commonness we brothers have in here to those comrades there. I found little comparison in any form of Solidarity, or understanding to what is actually going on in our Imperialist system. The frustrations run very deep inside myself and within other brothers here. The 'so-called' brothers that we have in here have regressed to a level that they consider modern revolutionary theory/action. In actuality the theory is only revisionary dope selling, fronting on some mass egoist trip. I couldn't begin to compare the Solidarity here to that brotherhood of the people of Vietnamese prison camps."

"Your article on Vietnamese Women in prison particularly impressed many of the brothers here who were able to perceive a striking analogy between the Thieu police state tactics and such things as the Black Panther raid in 1969 (part of a national conspiracy, of course, "cointelpro"). The article definitely underscores whose interests laws and regulations serve; e.g., Thieu totally disregards the Cease Fire Agreement.

"In fact, Thieu's reclassification of the prisoners as "common criminals" does not surprise me. In these kamps, the pigs frequently alter the appellations attached to varying kinds of custody levels in order to implement fully their program of full-fledged repression (and also to circumvent court orders). For example, while I was confined in 1973, the pigs responded to a court order requiring them to release me from disciplinary segregation by changing my official classification to "safe-keeping" (or administrative segregation). In other words, I was retained in the same punitive cell, cell-block and cellhouse and subject to the same punitive deprivation which I was subjected to before the court order was granted. By simply using semantic differences, the pigs were successful in frustrating our illusory court victory.

"The brutality to which the women were subjected unfortunately is no surprise. In Kind and Usual Punishment, Jessica Mitford reveals the results of psychological tests administered to a number of pigs and kamp brothers. The results of these psychological tests, designed to determine the violence potential of each group, were as follows: '... the profiles "almost identical" with the inmates on the whole coming off slightly better than the guards.... The officer group actually has the potential for even more unexplained lashing out than does the inmate group....'"

"To my chagrin, the unity of the women in refusing to salute the Saigon flag, in singing a liberation song and in food strike participation was not viewed as wholly relevant to the brothers in here, primarily because Amerika has been the land of plenty, the embodiment of the so-called Amerikan dream. We have not endured as a whole famine, squalor, extreme poverty, disease, etc, all of which breed an exceedingly high level of dissatisfaction among the masses as the people of Vietnam have experienced. One of the prerequisites (it seems to be a prelude to open, violent protest) to revolution has usually been extreme dissatisfaction with social conditions; viz, hunger, poverty, high unemployment, etc. For the most part, the masses here appear to have been bought off for a mere pittance with which the ruling class is willing to part to keep the masses from remonstrating against injustices perpetrated against minorities and radicals. Even though many may not agree with me, I would personally enjoy seeing an escalation of unemployment, hunger, and generalized repression by the pig police state, which conditions I view as almost indispensable to violent protest.

"Perhaps, the stoolies here can benefit from the moral of the Minh and Kien story. Even while in fear of imminent torture and possible death, Kien remained dauntless owing to her commitment to the liberation efforts, to her brothers and sisters, and most significantly, to the ideals which all of the oppressed people shared. US Imperialism has fomented along racial lines until many people have lost sight of the real perspective (unity among all proletarians with which to overthrow the monster) in the struggle. Indeed, many of these idiots have fallen for the age-old divide and conquer bullshit and accordingly, they incorrectly view the revolution to be limited to issues of racial nationalism. It is our express function to awaken the sleeping masses to the fact that the enemy is the damned monster which is currently sucking the lifeblood from the people and that their immediate task is utterly destroying it."

With parts of this letter we have serious disagreements: we do not believe that hunger, unemployment, and repression of the masses are a good thing--we want to see revolution come at the expense of the ruling class, not at the expense of the masses of people. Nor do we believe in the "sleeping masses," as evidenced by the growth of militant activity among the people.

We are interested in your comments, both on the original article and on the reactions printed above. Further, we would like to use more such articles which try to show the connection between the struggles going on here at home with the struggles going on around the world. We would like to hear from you as to your thoughts on such articles.



## Jay Higby

During an attempted escape from the Federal Correctional Institution at Tallahassee, Florida, Jay Higby was killed by guards. Two inmates climbed the first and second fences while warning shots were fired by tower guards; though hit, Higby continued to try to run to the protection of a small stand of woods. Officers following them on foot ordered them to halt, and when Higby kept running, he was shot in the back. According to other inmates on the scene, the officers could have easily captured Higby without killing him: he was already wounded, and could have been surrounded in the woods in a matter of moments.

The prison system is built on dividing guards from prisoners, just as it is maintained on increasing divisions between races inside the prison. Guards who actually regard prisoners as human beings don't last long, for the most part. There is a reason for that--the prison system could not continue to exist in its present form if the people of the country came to regard prisoners as people resisting the exploitation of a system rather than as "criminals." And this is especially true of the prison administrators and prison guards. In the same way that the US military had to de-humanize the "enemy" in Vietnam (make them seem sub-human, teaching people to call them "gooks" or whatever), the prison system has to de-humanize prisoners in the eyes of the guards and in the eyes of the people in general in order to keep the oppression going.

As a direct result of this attitude, it will always be easier for the prison officials to shoot a prisoner rather than expend the effort to capture him, as in the case of Jay Higby. All they need is even the barest hint of a justification since they know that the "legal" and court system will protect them as far as possible. Unity among people, both inside and out, provides one means of fighting against this brutality, because officials realize that once their acts are made clear to the people of this country, their days of power will be coming to an end.

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## Ex-Prisoners Win Brutality Suit

There's probably no one who reads this newsletter who doesn't know exactly what the purposes are for the US court system, and what function the courts play in the so-called American system of "justice." Courts, like prisons, are designed to serve the interests of the people who run the country (which is one reason why the rich and powerful are seldom seen in court, let alone convicted of their crimes). And courts, again like prisons, are used to suppress dissent, to crush resistance to the exploitation which is going on all around us everyday, both inside prisons and out.

Despite knowing what the court system is designed for, we also see that it is a useful way for prisoners to fight back against the system. Let's face it: the man can make his own rules, and these rules are not there to help the people but to keep him secure and safe. But, since he makes these rules, we can, some of the time, force him to stick to them, and when he breaks his own rules, then we have a chance to get at him--and that is one way in which the courts can be used: against the people



who planned them. We know that working through the court system will never bring about the major changes which all want and know will have to happen in this country; but they can bring about some of the minor changes which make it a little easier for us to survive under imperialism.

Understanding this, we can see the victory represented by 11 ex-prisoners from the Indiana State Reformatory who sued nine guards and two prison officials for use of "undue force" in breaking up a sit-in at that prison in September, 1969. The 11 were among 47 wounded when guards opened fire with 12-gauge shotguns at 208 prisoners staging a sit-in on a volleyball court; the fact that 207 of the prisoners were black speaks for itself. The ex-prisoners charged that their civil rights were violated (under Title 18, Section 242 of the US Code which guarantees prisoners "rights to reasonable personal safety and security while in the custody of the state." The case was heard in the Federal District Court in Indianapolis, Indiana, and the decision came in on November 26th after a 13-day trial.

The 6-person jury found the defendants--the guards and the superintendent and assistant superintendent--liable only for compensatory, not for punitive damages. The exact amounts will be determined in future hearings; the guards, not the state of Indiana, are responsible for whatever damages are awarded.



GRAPHIC WAS SUGGESTED BY A PRISONER.

