

Inside the US prison system—frame-ups, brutality and murder

By Kate Randall
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America's prison system is notorious around the world for both its vast scale—more than 1.6 million people, enough to comprise the country's fourth-largest city—and for the savagery of its treatment of prisoners, culminating with the barbarism of capital punishment. Five examples of conditions in the prisons are culled from news reports over the past week.

Thousands wrongfully imprisoned would be exonerated by DNA testing

The Innocence Project at the Benjamin N. Cardozo School of Law in Manhattan, co-directed by Barry Scheck and Peter Neufeld, has utilized DNA testing to investigate crimes and criminal convictions. Scheck reports that 64 people have had their convictions overturned as a result of the testing, half of them as a result of the intervention of the project. Eight of these people have been on death row. In 70 percent of cases which they want to investigate, the necessary evidence is unavailable.

Since 1989 the FBI has been using DNA testing for suspects arrested or indicted in connection with rape and rape-homicide cases. In 25 percent of the cases where they are able to obtain results, the primary suspect is excluded. These are cases which could potentially result in long prison sentences or the death sentence. According to Scheck, if even 1 percent of these people were eventually convicted it would amount to thousands of innocent people in prison.

Even a DNA test does not mean automatic exoneration for the wrongly accused. Vincent Jenkins, a prisoner in upstate New York, received a life sentence on a rape conviction and has served nearly 17 years in prison. DNA testing has conclusively ruled out Jenkins as the man who committed the crime, but the Erie County District Attorney's office is still unwilling to admit that he was prosecuted and convicted in error.

They will most likely allow his conviction to be vacated in state court, but they have opposed Jenkins's lawyers efforts to have a federal judge rule that he should be freed because he is innocent.

25 years to life for stealing food

Gregory Taylor, 37, is serving 25 years to life in California's Corcoran State Prison as a result of the state's "three strikes" law. The law mandates a life sentence for anyone convicted of two "serious or violent" felonies, followed by a third felony of any kind.

Taylor's crimes? Fifteen years ago he snatched a purse containing \$10 and a bus pass. A year later he and a friend, unarmed, were convicted of attempted robbery. His third offense was breaking into a church kitchen to steal food. Taylor's lawyer Graciela Martinez argued that even if Taylor had tried to break into the church, which he denies, it was simple trespassing. Martinez said, "He did not have a violent nature. He was just poor and hungry. Now he has 25 to life."

Guards union halts plan to probe brutality cases

The California Correctional Peace Officers Association (CCPOA), the union representing prison guards, has successfully lobbied to prevent passage of a bill that would have placed investigation of prison brutality cases under the jurisdiction of the state Attorney General's office.

Investigation of corrupt guards will remain in the hands of local prosecutors. Despite the shooting deaths of 39 inmates and the wounding of 200 more over the last 10 years in the state's 33 prisons, no district attorney in the state has ever prosecuted a guard.

Investigations of police brutality have centered around Corcoran State Prison in San Joaquin Valley. Last year four prison officials were indicted in connection with a rape case against Corcoran's

so-called "Booty Bandit," a prisoner who reportedly raped "problem" prisoners under the direction of prison staff in exchange for extra food and other perks.

Attorney General Bill Lockyer reported, "The CCPOA torpedoed this thing. One of the assemblymen who voted against it, Jim Battin, pulled me aside and said, 'Bill, sorry, but I'm whoring for the CPPOA.'" Last year the guards union contributed about \$2 million to support Democratic Governor Gray Davis.

Florida prison guards suspended following prisoner's death

Nine Florida prison guards have been suspended following the death of Frank Valdez, 36, a prisoner on the state's death row at Florida State Prison. The Florida Department of Corrections released a statement saying Valdez died "under suspicious circumstances" on Saturday. The guards were placed on administrative leave with pay, pending the outcome of an investigation.

Valdez was sentenced to die by the electric chair for the killing of a Palm Beach County prison guard during an attempt to free a friend from the prison.

All executions in the state take place at Florida State Prison. Since 1924, 240 inmates have died in Florida's electric chair, the state's sole method of execution. Florida Governor Jeb Bush has defended the exclusive use of the electric chair despite two recent gruesome, prolonged executions.

California prisoner dies fighting wildfire

A state prison inmate died July 18 while being put to work to contain a wildfire in Southern California. The inmate was among approximately 50 prisoners assigned to fight the 2,000-acre fire. He was operating a chainsaw in the early morning hours when he fell over a 150-foot cliff.

California state prisoners are routinely used to fight wildfires and other natural disasters. The name of the victim has not yet been released.

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