

James' Story

James Geddes

age 47, serving 90 years

charged with cultivation and possession of five marijuana plants

State of Oklahoma



James Geddes, right, with his brother and mother.

In 1992, James Geddes was walking along a street with a friend when he got arrested. The police got a search warrant and went to the home rented by his friend. They found a small amount of marijuana, paraphernalia for smoking marijuana, and five plants growing in their vegetable garden.

There was no evidence that James lived at this house, although he was a frequent visitor.

James refused to plea bargain as he claimed his innocence and was sentenced to 75 years and one day for cultivation of five plants and to another 75 years, plus one day for possession of marijuana, for a total of 150 years and one day.

He was also charged with possession of a firearm and paraphernalia.

James filed an appeal on his disproportionate sentence. In 1995, his appeal came through, which reduced it to 90 years.

"I honestly feel like I have been kidnapped by the state of Oklahoma. I have never murdered anyone, raped anyone, or hurt any children. People feel they have the right to choose their sexual preference. If they want to end a life by abortion, if they want to inject nicotine into their lungs, if they want to drug themselves with alcohol, but because I choose to smoke a little marijuana, I have to go to prison for years, maybe the rest of my life...."

"How can it be that the President, his wife, the Vice President and his wife, the mayor of Washington DC, even the Speaker of the House can do these things, but I must pay dearly?"

Three Strikes and You're Out

What you see is not always what you get, and that turned out to be the case in the states' "Three Strikes" laws. They double the sentence for a second felony offense, and give 25-

Between 1995 and the start of the current Drug War in 1985, the number of adults in prison has jumped 131%, the number in jail has doubled, on parole up by 134%, and the number on probation by 61%.

— US Dept. of Justice.

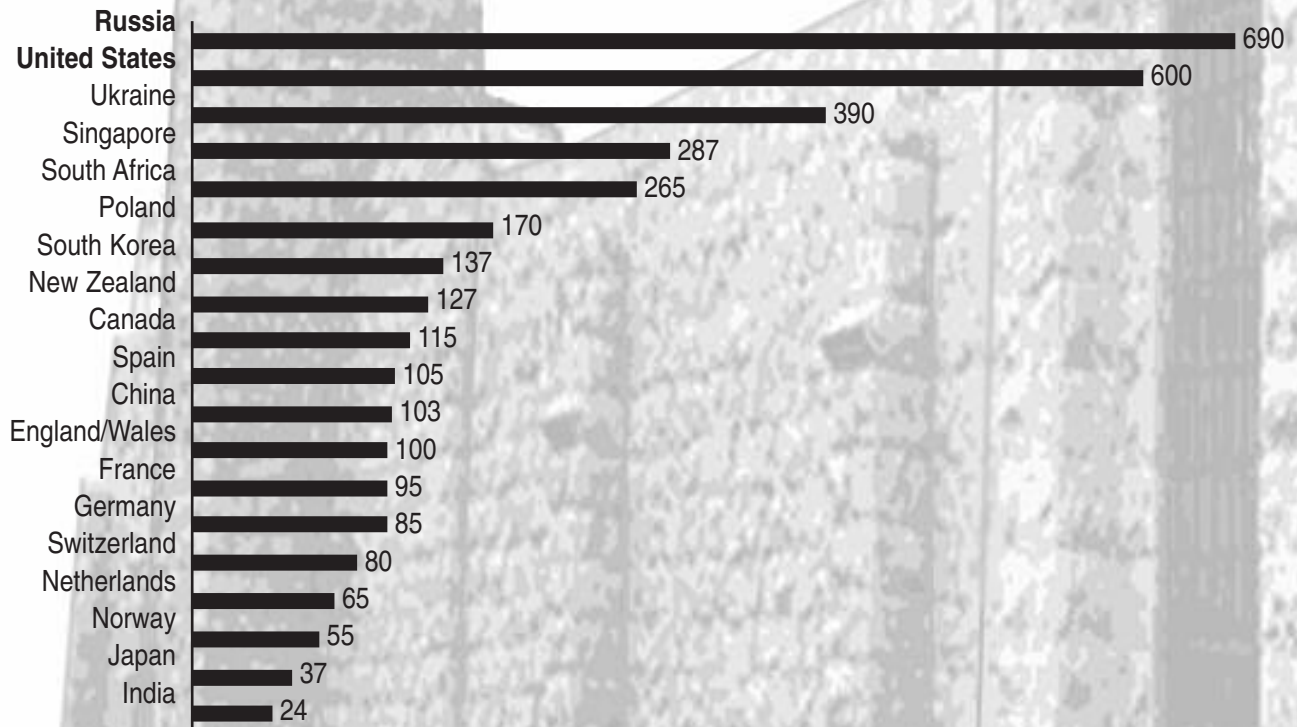
years-to-life for the third. Drug possession by someone on parole is all it takes.

In March, 1996, the Justice Policy Institute reported that "more than twice as many pot smokers have been imprisoned under California's 'three strikes' law as murderers, rapists and kidnappers combined." By the beginning of 1996, state data showed that 3,749 people were imprisoned for drug possession under the law, compared to 2,432 defendants sentenced for all violent crimes.

This clogs the courts and feeds the need to build more prisons.

The USA and Russia: International leaders in incarceration

WORLD INCARCERATION RATES IN 1995



Rate of incarceration per 100,000 population, as of 1995. This was the most recent available compilation of data at press time. By 1997, the US incarceration rate had reached 645 per 100,000.

Source: The Sentencing Project, 1997.

III.

The Prison Boom

The United States' incarceration rate is higher than at any other time in history. Driven by the Drug War, our proportional prison population is from six to ten times as high as most Western European nations.

Ironically, the sole exception is Russia — America's former adversary. Despite huge fiscal and human costs, both nations continue to post unacceptably high crime rates despite their record high rates of incarceration.

According to the Department of Justice, one out of 35 American adults were under the direct control of corrections agencies in 1996. That includes some 5.5 million people in jails, prisons, on probation or on parole — about 1.2 million in state or federal prison, 510,000 in jail, 3.8 million on probation and parole. There were 200,000 more prisoners in 1996 than in 1995.

As of June, 1997 there were 1.7 million inmates nationally. A Justice Department study said the odds that a newborn American will eventually go to prison now run one in 20. In a March, 1998 speech, the nation's drug czar, General Barry McCaffrey, referred to this as America's "internal gulag."

"We can't arrest our way out of this problem," McCaffrey said in a television interview, "We're willing to pay \$23,000 a head to keep them in a cell. We've got to develop the political will to spend the money needed not only on prevention programs but on effective drug treatment in the criminal justice system and during follow-up care."

The general needs to live up to his words and not sidestep his role in changing the government's manner of dealing with the issue.



Nicole with her mother, Angela Hopkins.

Nicole Richardson

age 25, serving 10 years

charged with conspiracy to distribute LSD by providing a phone number to an acquaintance of her boyfriend

Filling America's prisons with drug offenders

The Drug War is largely responsible for the crisis of overcrowded prisons today, filling them with non-violent drug offenders.

In 1970, sixteen percent of federal prisoners were drug offenders. In 1998, the Federal Bureau of Prisons (BOP) reported that almost sixty percent (55,624) of the federal prison population, were serving time on drug offenses. Meanwhile, only 2.5 percent of inmates were incarcerated for violent offenses.

In state prisons, the Sentencing Project has estimated that 23 percent (about 243,700) of the million plus prisoners are drug offenders. Additionally, about 130,400 inmates are awaiting trial or serving time for a drug offense in local jails. Altogether, we are approaching a half-million American drug

offenders languishing behind bars.

The chart below reflects only the federal prison profile. State and local information varies by locality.

Targeting minorities

Though the Drug War crosses all socioeconomic and color lines, an analysis of the general prison population reveals that most of the inmates are poor, undereducated males, and disproportionately persons of an ethnic minority. About 51 percent of state and federal inmates are African American and fifteen percent are Hispanic. The majority of them are serving time for non-violent property and drug crimes.

Almost one in three African American males (compared to one in eight Hispanics and one in fifteen whites) between the ages of

Federal Bureau of Prisons

United States Federal Prisoners Profile, 1998

| | | | |
|--|---------|-------------------------|---------------------------|
| Number of Institutions | 93 | SENTENCED IMPOSED**** | INMATES BY SECURITY LEVEL |
| TOTAL POPULATION* in BOP facilities** | 116,376 | Under 1 year | Minimum 28.0% |
| in Contract facilities*** | 105,090 | 1-3 years | Low 35.1% |
| AVERAGE INMATE AGE | 37 | 3-5 years | Medium 23.0% |
| GENDER | | 5-10 years | High 13.8% |
| Male | 93% | 10-15 years | |
| Female | 7% | 15-20 years | |
| RACE | | 20 years – Life | PERSONNEL 30,208 |
| White | 56.4% | Life | |
| Black | 40.3% | TYPE OF OFFENSE **** | |
| Asian | 1.7% | Drug offenses | |
| Native American | 1.5% | Robbery | 59.1% |
| ETHNICITY | | Extortion, Fraud, | 9.3% |
| Hispanic | 28.3% | Bribery | 5.6% |
| CITIZENSHIP | | Firearms, Explosives, | 8.9% |
| United States | 72.8% | Arson | 5.8% |
| Mexico | 9.7% | Property offenses | 2.5% |
| Colombia | 4.1% | Violent offenses | |
| Cuba | 2.7% | Immigration | 4.1% |
| Other | 10.7% | White Collar | 0.7% |
| | | Continuing .Criminal | 0.8% |
| | | Enterprises | 0.6% |
| | | Courts or Corrections | 2.6% |
| | | Miscellaneous | 0.1% |
| | | National Security | |

* Total sentenced and detained including all Bureau of Prison (BOP) facilities and contract facilities.

** Penitentiaries, Federal Correctional Institutions, Federal Prison Camps, Metropolitan Correctional Centers, Federal Medical Centers, and others.

*** Community Corrections Centers or detention facilities contracted by the BOP, operated by non-Bureau staff. The Bureau contracts with these facilities to house Federal offenders on a per capita basis.

**** Refers to sentenced offenders in BOP facilities.

March 28, 1998. For additional information, please contact the Prison Bureau's Office of Public Affairs at 202-307-3198.

twenty and 29 are currently under some form of criminal justice supervision — either in prison, on probation or on parole. If this trend continues, African American children will be more likely to go to prison than to a university when they grow up.

The Drug War is being fought in every neighborhood in America, urban and rural. Inner city neighborhoods with more visible street activity are particularly targeted. The introduction of crack cocaine in the 1980s has brought many problems to these already economically deprived communities. The opportunity for quick money has lured many into the drug trade. In some instances the lucrative underground market in drugs has led to an increase in violence and ‘turf wars.’ Calls from many within and outside of the neighborhoods to crack down on drug users and

dealers have been met with ‘neighborhood sweeps’ by the police that include the rounding up of gang members, the elimination of ‘crack houses,’ and the arrest and prosecution of highly visible, street-level drug offenders.

According to criminal justice statistics, only fifteen percent of the nation’s drug users are African American, yet they represent almost forty percent of all drug arrests and 55 percent of those convicted. This disparity raises questions about the disproportionate targeting of certain groups for prosecution, the impact of a lack of funds to pay for an adequate defense, and the unwillingness to address the root causes that are fueling these drug problems in the inner cities.

Given the reports of drug trafficking by federal officials, particularly in the CIA, many minority communities have come to regard



Everett with his wife, Brenda, and son, Everett, IV.

“Since I’ve been in prison, I’ve opened my eyes and mind and have really got a look at the outside world and our current government. Since being inside, I’ve seen the real impact of this war on drugs. I’ve realized that a lot of guys here are not bad people even though what they did and what I did was against the law and that was to sell drugs to make ends meet. Not to get rich, just to pay life’s everyday bills like rent and utilities, car insurance and so on. I haven’t met a real kingpin yet.

“I’ve realized that prisons are a business, factory behind fences, and a human warehouse. There’s no real rehabilitation, job training, or schooling, and the little you do learn it will be so long before you get to practice your skills that you kind of lose interest. You know there’s a

In their own words

Everett Gholston, III

age 40, serving 12 years, 7 mos.

**charged with conspiracy to
distribute cocaine**

light at the end of the tunnel, but it looks very dim.

“I’ve realized that drugs should be a medical issue and not a criminal issue and if the government keeps up the pace the black male and family will become extinct. I don’t want to make this a race issue, because there are many white men here also, but just a few compared to the whole population in prison.”

An African American is more than seven times as likely to be incarcerated as a white; nearly five times as likely as his South African counterpart!

Tonya's Story



Tonya Drake

age 35, serving 10 years
first offense, charged with
possession with intent to
distribute crack cocaine

"The feds have taken all my rights from me. They take a good person out of society for a mistake and leave the real crazy criminal out there free."

Tonya (left) with her children (l-r) Diona, Dion, Deisan, and Deidai.

In the summer of 1990, after working at several jobs ranging from waitress to secretary, Tonya Drake was trying to support her four young children on the benefits she received from AFDC, Aid to Families with Dependent Children.

That fateful day, June 21, Tonya attended a swap meet near her home in Inglewood, CA, where she ran into an acquaintance from her neighborhood, Fred Haley. He asked her to mail a present to his brother in Chicago because, he said, his birthday was the next day and it had to go out right away.

Haley handed her a \$100 bill and said to keep the change. Tonya felt a little suspicious, but "I needed the money for my children, so I took the chance."

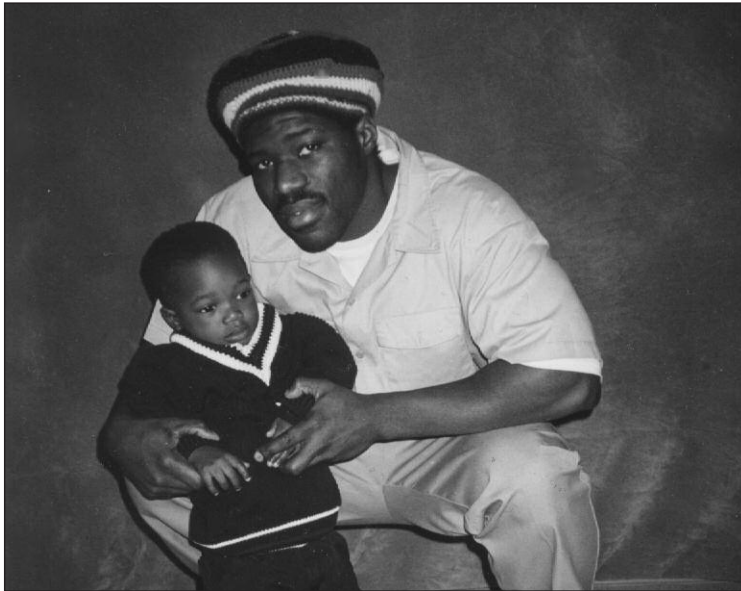
The security guard at the Airborne Express office also became suspicious because they rarely dealt with individuals at their airport location and because Tonya appeared "nervous." He followed her outside and took down her license plate, then he and other

employees opened and searched the package to find a plastic bag inside a laundry soap box. The Los Angeles Police Department field test on the contents established them as 232 grams of crack cocaine.

When called in for questioning by the LAPD, Tonya, having no knowledge of the criminal justice system, told the above story. When her mandatory minimum sentence was handed down, however, she was ineligible for a "substantial assistance" reduction because Haley died shortly after her arrest. Federal agents took over the case because of the amount of drugs involved.

Tonya's children have fortunately been able to remain in the house they shared with Tonya's older sister and her family. She spends her time working in 'cut and sew' and attending night school and Jehovah's Witness services. Tonya prays "that Jehovah will answer my prayer to be back with my children so they won't make no mistakes like I did."

Michael's Story



Michael Clarke

age 28, serving 13 years

charged with possession with
intent to distribute crack cocaine

*"I've never seen my son
as a free man."*

Michael with his son, Malik.

Michael Clarke had a promising future. He was a senior at North Carolina Central University, majoring in visual communication and art. He was engaged to be married to an intelligent woman who was also a student at the University of North Carolina at Chapel Hill.

They had great plans. Unfortunately, his family began having serious financial problems when his mother got injured while trying to send two sons to college. Michael took part-time jobs, "but that did not even put a dent in the problem." He was desperate and took the quick, easy way out. He began to sell crack.

Although his financial woes began to subside, other problems arose. His schoolwork and his relationship began to suffer. At his fiancée's urging, he quit. She was pregnant with his child, and they were close to graduating and reaching their dreams. But, then he got robbed, and the financial problems arose again. "The answer came wrapped in a beautifully packaged box with ignorance hiding inside with a one-way ticket to destruction," he wrote. He was

In 1997, the national unemployment rate was 5%. The rate for African American young men in inner cities was 30%.

arrested after two individuals set him up as "the sacrificial lamb."

"You want to know what's overwhelmingly painful; I've never seen my son as a free man.... I made a mistake, but my sentence is drastically exaggerated. My mistake is being used to stuff ballot boxes. It doesn't take thirteen years to realize that there are other legal ways to empower yourself financially.

"I'm optimistic about my future, but sometimes I can't help but to worry about the effects of each passing moment away from my son and the crust of time that becomes thicker and thicker sealing a distance between us.

"I have a little brother whose my co-defendant with 27 years who shouldn't even be in the system, but the system allows hearsay and lies to convict to fill their coffers. This is outrageous. Here I am an individual that has never been in any trouble before, not even a traffic ticket but yet I had to cop-out to thirteen years. This is not rehabilitation, this is production of hardened criminals, destruction of families. Suppression of the effects will not solve the root causes until the real causes are addressed. America will continue to fall into an infinite abyss.

"I'm a pawn in the game and I know this. I'm taking the fall for the 'Fat Cats' — those who import the drugs, those who allow the drugs to enter the country and those who hide behind bureaucracy. I own no plane, ship or any other radar-evasive vehicle. I'm at the bottom of the totem pole. I'm the effect, not the cause. I say 'Justice'."

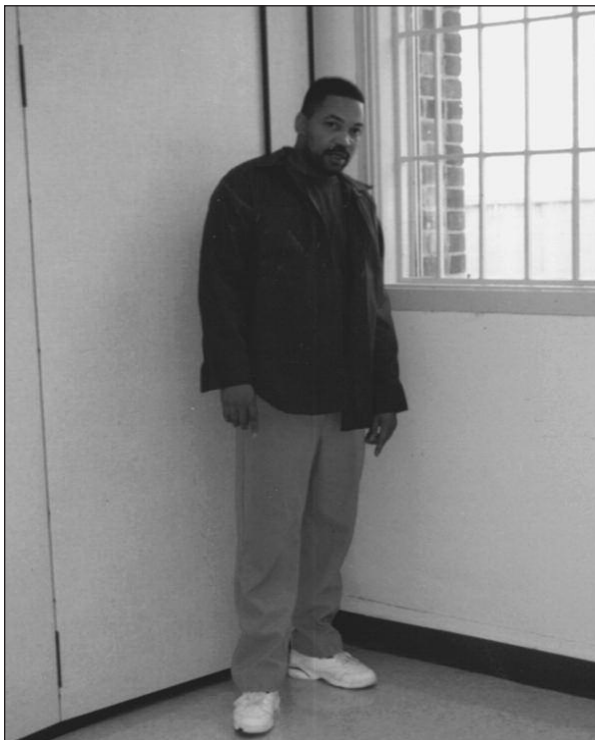


Miguel (2nd from right) with friends and family.

Miguel Kercado

age 37, serving 20 years

charged with conspiracy to distribute heroin



Michael Brockett

age 42, serving Life

charged with conspiracy to distribute cocaine and crack cocaine

the government as hostile, at best, and as a possible source of many of these drugs. Credible reports have traced cocaine to the Iran / Contra scandal of the 1980s. When, in 1996, a major crack dealer claimed that the drug had been funneled by the CIA through his organization into the inner cities, it took more than a year for the CIA to rebut the allegations, and it did so without ever talking to the principle people making the charges against it. It is understandable that many African Americans do not trust such 'investigations' and denials by various government entities. Too many of their family members are in prison — but no CIA agents have been prosecuted or incarcerated for their drug activities and misconduct.

The high level of incarceration has had a serious impact on the African American community. It not only erodes the community's ability to participate in civic life when felony convictions take away people's right to vote, but it contributes to the further breakdown of the family.

The removal of Black men and women from the community imposes extra burdens on financially strapped family members who are left to take care of prisoners' children. If the grandmother or other extended family members are unable to provide care, then the breakdown of the African American family will be even more severe as the children become wards of the state and are placed in foster care.

The psychological effects and consequences to the community caused by the separation of parents and children and the incarceration of a significant portion of the population are obviously enormous.

Anger, bitterness and hopelessness, all derived from this systematic brutality, are manifest in detrimental ways.

For many in the African American community, a lack of educational opportunities inside or outside of prison and a dearth of jobs in poverty-stricken neighborhoods has created a virtual 'revolving door' to prison.