

CIVILIZED SOCIETY ?

The federal court ruled on elderly in prison: "A civilized society locks up such people until age makes them harmless, but it does not keep them in until they die"; 835 F2d 1195, US v. E. Jackson. Yet, old and sick prisoners continue to die in California's prison system.

The U.S. Supreme Court had to rule in 2011, California was conducting cruel and unusual punishment by overcrowding prisons, before the state begrudgingly began to reduce the population of its 34 prisons. Rather than follow the hint of the federal court to apply insight and revisit their obsession for draconian long sentencing, our guardians of the public trust took another approach. Like an obstinate child ordered to clean its room, sweeps dirt under the rug and just rearranges its clutter, the state basically did the same. To pacify the court, prison officials and legislators set to store 9000 prisoners out-of-state, engage in costly leases of private prisons to warehouse prisoners, build more prisons, pump billions of dollars to counties to stack prisoners in jail cells and institute feckless legislation giving the illusion of "reform"; PRESTO! the population of the original 34 prisons is reduced. Never mind the duplicity and multi-billion dollar cost to the taxpayers, or further erosion to a civilized society's soul.

Through political smoke and mirrors, cruel and unusual overcrowding merely shifted to county jails. The feckless legislation proves to be more rhetoric, than substance. Prisons are loaded with thousands of old prisoners in wheelchairs, using walkers and limping about with canes. The officials answer to this uncivilized condition is: Prisoners over the age of 60 years (except life without parole) and have served 25 years straight will be considered for parole. The Associated Press reported, of the thousands of elderly and sick prisoners, as of March 2015, the prison reports 111 of these prisoners have been granted parole, but the governor has denied 20 of those grants and 17 are uncertain, so the reality is, of 8,000 plus elderly prisoners, maybe, 63 will breathe free air before they die.

To continue to appease an insatiable appetite for punishment, the parole board, like a cat playing with a mouse, offers the opportunity of parole to these old harmless prisoners, but ends up denying them on an average of 5 years. Such a denial to an old prisoner, is basically a cruel assurance of death in prison. A rational person has to recognize this, more shameful, than civilized. California's prison system holds over 125,000 prisoners, at an annual cost in excess of \$12 billion.

15 April 2015
Robert H. Outman
Prisoner P-79939

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