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Locked Up for Being Pregnant and HIV Positive (Mother Warriors Voice, Summer 2009)

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Summer 2009

Say **What?!**

Locked Up for Being Pregnant and HIV-Positive

The deadly anti-abortion movement effects far more than access to birth control and abortion. Under its mother-controlling influence, pregnant women across the country are being jailed for being pregnant.

In May, a federal district court in Maine sentenced a female prisoner to jail for no other reason than that she was pregnant and HIV-positive.

Ignorant, sexist Judge John A. Woodcock, Jr. told the mom: *"I'm going to do things a little backwards here... Ordinarily, I would give you what is called a time served sentence, and... your time in prison would effectively end today....[However] I'm inclined to keep you in jail, given your medical condition and the medical condition for your child, to prevent your child from being born HIV positive."*

Woodcock was aware that the woman had secured the care she needed at a nearby community center. She was entitled to immediate release under the sentencing guidelines. Even the prosecutors who had charged her, objected to increasing her sentence beyond time served.

Over the objections of both the defense *and the prosecution*, Woodcock sentenced his victim to an additional four months in jail followed by two years of supervised release.

On June 15, a broad-based coalition helped secure the woman's release from jail on bail while she appeals her sentence. But the fight is not over. The ACLU are currently working to reverse the sentence entirely. They want to ensure that a woman cannot be returned to jail simply because she is pregnant and living with HIV.

Obama to Continue Bush Abuse of Prisoners

The Obama administration wants the power to *indefinitely detain people without charges* and without trial. As the ACLU has said time and again, indefinite detention would dismantle the constitutional right to due process. And it would be a human rights disaster.

Let the President know that you support our constitution. Tell him: In America, we do not imprison people indefinitely without charges or a trial. Call him at **202-456-1414** or email him at **pres@whitehouse.gov**

Texas DA and Police Sued for Highway Robbery

In Tenaha, Texas, the D.A. and the police are being sued for, literally, highway robbery. A federal class-action lawsuit alleges that cops have been illegally stopping and blackmailing

hundreds of Black and Latino motorists. They give them the choice of taking a felony charge, or handing over their money and valuables.

Tenaha police pulled over a black grandmother from Akron, Ohio. They forced her to give up \$4,000. An interracial couple from Houston surrendered over \$6,000 to police. The cops had threatened to *take their children and place them in foster care*.

Between 2006 and 2008, the town has seized around \$3 million under this perverse use of Texas' forfeiture law. It requires such seized money to be used for law enforcement purposes. But proceeds from these illegal seizures went to a Tenaha church and a little league baseball team. And one officer received a \$10,000 check.

"We try to enforce the law here," **George Bowers**, the town's mayor said. "We're not doing this to raise money."

Alabama Sheriffs Profit off Inmate's Hunger

To save money under tight budgets, states are cutting back on food for prison inmates. Georgia feeds inmates only two meals daily on Friday, Sat and Sun. Across the US, advocates are receiving complaints of food being spoiled, inedible, and inadequate. In Texas, inmates rioted over poor food, causing heavy damage to a building.

In Alabama sheriffs can keep food money not spent. A sheriff was recently jailed after he pocketed more than \$200,000 in food money over three years.

Extra violence and discipline problems eat up any savings under cruel food denial. Simple cost solutions? Stop locking up non-violent, non-dangerous "criminals." The US makes up only 5% of the world population. But we have one quarter of the world's prisoners.

Bill Collectors Take Social Security Illegally

Federal law protects Social Security and Vet's Benefits from most creditors. (The feds themselves are exempt. Child support, unpaid federal taxes and debts to federal agencies *can* be taken from these benefits.)

But creditors illegally garnish \$178 million from bank accounts with Social Security benefits and other deposits each year. They merely request that the bank freeze and garnish the account. And too many banks comply. Banking regulatory agencies have ignored this routine theft. Wisconsin's Senator Kohl has proposed a bill to stop promoting direct deposit for Social Security and Vets benefits until the Treasury Department issues rules to protect these benefits from creditors.

Quotable Quotes—McJustice System

"In a plea bargain the defendant waives their right to a jury trial--and the right against self-incrimination. At its worst, plea bargaining is a shortcut to justice, sometimes an injustice in and of itself.

"A plea bargain is to justice what fast food is to gourmet cooking. Quicker doesn't necessarily mean better. And 90% of criminal cases end up in plea bargains.

It gives the impression that justice is a deal that can be bartered. Perhaps these plea bargains are the grease that helps to lubricate an often frustratingly slow and overburdened justice system. Or perhaps they are the grease that clogs up the arteries of the justice system,

and makes that system hardened, calcified, inelastic and diseased - unable to allow justice to flow.

When justice is reduced to a hustle or a deal - not unlike the economic system that the justice system has undergirded for so long - we all become cheapened in the process. And all you have left is a fast food justice system, a McJustice system."

David A. Love

Philadelphia journalist and Human Rights Activist

No Audience but US Spends Half a Billion on TV Marti

The Government Accountability Office (GAO) conducted a study on Radio Marti which broadcasts pro-US propaganda to Cuba. TV and Radio Marti has a staff of 153. It produces 330 hours of Spanish language broadcasts weekly. US taxpayers spent \$500 million on the propaganda operation so far.

But the GAO reports that surveys conducted in Cuba show that "*less than* one percent of the respondents had watched TV Marti."

Frank Cerabino, reporter for *Palm Beach Post* says the US should scrap the program:

"Inept TV Marti has defenders, but no viewers. TV Marti launched on March 27, 1990. All went well for 23 minutes. Then Cuba started blocking the U.S. signal. And that's been the story for the 19 years since. We've spent a half-billion dollars broadcasting TV shows to nearly no one."

US an "Ignorant Lion"

In June, the U.S. Supreme Court declined to hear an appeal by the Cuban Five. The Five had argued they should not have been denied a change of venue from Miami to Fort Lauderdale. They did not receive a fair trial in Miami due to the "pervasive" anti-Castro sentiment there and the intense pretrial publicity.

The Cuban Five are serving long prison sentences after being convicted in 2001 for spying on Cuban exiles in Miami. They gathered intelligence on dangerous, armed exile groups to prevent terrorist attacks on their country. They are seen as national heroes in Cuba and by many in the US.

Ten Nobel laureates and dozens of foreign parliamentarians and rights advocates filed "Friend of the court" briefs in support of the Cuban Five's petition. The UN's *Working Group on Arbitrary Detentions* have declared the imprisonment of the five men as "arbitrary and illegal."

The President of Cuba's National Assembly, Ricardo Alarcon, says the ruling is "a great insult." He called the U.S. "an ignorant lion." But he said it won't jeopardize upcoming negotiations with Washington.

Feds Ignore 36 Federal Laws to Wall Off Mexicans

The Supreme Court refused to hear a case seeking to stop construction of a wall along the U.S.-Mexican border. Former Homeland Security secretary Michael Chertoff waived *36 federal laws* protecting water, air quality, endangered animals and Native American sites in order to build the border wall.

US Fines Dutch Company for Selling Medical Supplies to Cuba

The U.S. Office of Foreign Assets Control (OFAC) recently fined the Dutch company Phillips Electronics \$128,750 for selling medical equipment to Cuba. An employee of Philips Electronics of North America Corporation sold Cuba the life-saving equipment. Fines against companies and individuals for violating the Cuban embargo reached \$2.06 million in 2008.

Sources: Black Commentator ~ Alternet.org ~ info@cubacentral.com ~ Democracy Now

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