

SELF-DETERMINATION

SELF-DETERMINATION IS THE IDEA THAT COMMUNITIES SHOULD BE ABLE TO DETERMINE THEIR OWN DEALINGS WITHOUT BEING CONTROLLED OR RESTRAINED BY OUTSIDE OR GOVERNMENT FORCES.

Community affairs could include economic practices, systems for dealing with harm, housing and education values and policies, political structures, geographical boundaries, and relations with other communities.

To exercise self-determination means that members of a community are accountable to each other, and, most probably, that they have a way to make sure power is shared fairly. Self-determination as a principle was made popular through the struggles of oppressed people, primarily people of color in the US and internationally, for control of resources, power, and land.

Abolitionist efforts to bring an end to the PIC mean supporting oppressed peoples' rights to self-determination by seeking to abolish those racist institutions of domination (prisons, police, state/government armed forces, the CIA and FBI). They also mean bringing our desires, efforts and resources to those communities who are directly affected by the PIC's most aggressive and punishing institutions.

Many fighters for self-determination see imprisoning entire families as a form of genocide. They also see the media-assisted criminalization of both youth and resistance as low-intensity warfare by the government. This warfare is aimed at preventing the rise of liberation and movements for self-determination that can shake the very foundations of the U.S. from within. They see the police as domestic armies. They see the drug war as a plan to paint people of color as dangerous people who have nothing to contribute to society and, therefore, must be removed.

The PIC deliberately and fanatically prevents self-determination. Currently, most communities - especially poor communities and communities of color - don't have a say in how their resources are spent or how resources are spent on them. A concern for self-determination is one way of expressing the political desire to stop the attacks by parts of the PIC - cops, sentencing, environmentally destructive industries, economic exploitation, war-making.

Self-determination is also a guiding principle for abolition. While there might not be a detailed program for how society will work without prisons, police, or detention, the ideal of self-determination gives us a guide for how decisions could be made and for how to begin that work now.

REVOLUTION

THE PRISON REBELLION YEARS, 1968-1972

BY DAN BERGER
AND TOUSSAINT
LOSTIER
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REVOLUTION

The Prison Rebellion Years, 1968–1972

In the early morning hours of October 9, 1970, a small bomb tucked behind a telephone booth exploded inside the Long Island City Courthouse. No one was hurt in the bombing, which caused enough damage that the building was closed until it could be rehabbed. The Queens courthouse was primarily used as a traffic court; it lay adjacent to the Queens Branch House of Detention, part of the city's sprawling jail complex that had witnessed a series of militant uprisings earlier that week. The bombing was carried out by the Weather Underground, a militant offshoot of the predominantly white antiwar youth organization, Students for a Democratic Society. In taking credit for the attack, the group connected conditions in the "slave ships of the twentieth century" to the Vietnam War. Both highlighted the injustice of American racism and militarism. Yet, there was something else the group noted. Rather than be cowed into submission by the overwhelming force arrayed against them, prisoners and peasants could generate a heated revolutionary potency. The revolts were not just simultaneous—they inspired each other. The Weather Underground's statement referenced prison revolts in California, New York, and American-run prisons in Vietnam as evidence of this spirit: "The jails can no longer contain the revolution."¹

This bombing, one of many that occurred in support of prisoner demands at the time, occurred at the height of the American prison movement. Between 1968 and 1972, which Chicano poet and former prisoner Raúl R. Salinas called the "prison rebellion years," institutions witnessed an unprecedented scale of protest. Prisoners staged boycotts and strikes, formed labor unions, and took over whole prisons with guards as hostages to press their demands. Prisoners wrote popular books and produced their own newspapers, and were portrayed as sympathetic figures. The image of prisoners could be found across art, music, film, and literature at this time. Prisoners became symbols of, and spokespeople for, broader radical

movements. They also won some significant, hard-fought reforms to their conditions of imprisonment and continued to mount legal challenges that would shape the criminal justice system for decades to come.²

In addition to the legal rights they at times secured, the courtroom battles to guarantee rights for incarcerated people in the early years of the 1960s gave prisoners a fighting spirit that they channeled into the militant uprisings that begun later in the decade. The rebellions between 1968 and 1972 were more explicitly interconnected and more self-consciously radical than those in the early 1950s. During the rebellion years, prisoner uprisings linked their conditions with critiques of American capitalism, racism, and imperialism. As they did so, dissident prisoners enjoyed an unprecedented amount of support from people who were not incarcerated. For some, it seemed that prisoners were leading radical challenges to the global political order.

Rebellions brought prisoners together across the social hierarchies that typically divided them—especially racism but also religious difference and other rifts. That spirit of unity, forged in the intensity of a rebellion waged in captivity, was often fleeting. Yet, its mere existence proved inspirational to other prisoners and many outside observers. Prison uprisings inspired other prisoners to rebel where they were. Several of the most significant rebellions in this period, and dozens of minor ones, began in solidarity with uprisings at other prisons. Perhaps incarcerated people did constitute, as some of them declared at the time, a “convict class” or a “convict race.”

These rebellions were facilitated in part by connection to social movements, especially among Black Power and New Left radicals. Organizations such as the Black Panther Party (BPP; founded in 1966), the Republic of New Afrika (RNA; founded in 1968), and the Young Lords Party (YLP; a Puerto Rican organization founded in New York in 1969), alongside longtime radical groups such as the Communist Party and National Lawyers Guild (NLG; founded 1937), helped in many ways. These and other organizations circulated news of prison rebellions in their publications and community education classes. They raised funds to hire lawyers or, where appropriate, donated their legal skills freely. Representatives of radical groups acted on negotiation teams in some prison uprisings, working alongside politicians, journalists, and others to represent prisoner interests. Some contributed even more directly: they organized with other prisoners after being incarcerated for their own political activism. While some prisoners became activists out of simple frustration with their conditions, other activists became prisoners. They helped each other, the seasoned activists providing political education while the longtime prisoners providing knowledge of how to navigate or undermine a particular institution.

The wave of prison rebellions followed a historic wave of urban rebellions against racist hiring, housing, and policing practices, and against the war in Vietnam. Cities around the country had gone up in flames every summer since 1964, most dramatically in the Watts neighborhood of Los Angeles in 1965 and

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in Detroit and Newark in 1967. These disturbances caused tens of millions of dollars in damages and were violently put down by police, often with the assistance of the National Guard. In response, President Lyndon Johnson announced a “war on crime” and began an extensive militarization of police departments around the country. There were more than 100 uprisings after the Reverend Dr. Martin Luther King, Jr. was assassinated in April. Student protests shut down college campuses in protest of academic complicity in the Vietnam War and antiblack racism. The year ended with Richard Nixon, a conservative Republican who had campaigned on a “law and order” platform, promising to crack down even harder on these protests, winning the presidency.³

The revolt happening in inner cities in the mid-1960s migrated to prison by the end of the decade. In 1967, there were five recorded riots in prisons across the country. The number tripled in 1968, and grew to 27 in 1970 and 37 in 1971. By 1972, there were at least 48 such rebellions—the most in any one-year of U.S. history.⁴ Much as the urban uprisings elucidated the chronic problems of American cities, so too did the prison rebellion years expose the deep-seated issues facing the country’s prisoners. In calling attention to this “low visibility revolution,” a working group of the American Friends Service Committee described the scale of revolt in 1971:

In penitentiaries in Indiana and Florida, in jails in New York City and the District of Columbia, and in California’s San Quentin, to name but a few out of hundreds, prisoners have gone on strike, have lashed out at the symbols of their imprisonment, have even maimed themselves to call attention to their plight.

Tellingly, the AFSC went on to say that prisoners were rejecting the dominant modes of managerialism. “These upheavals warn the public that prisoners will no longer submit to whatever is done to them in the name of ‘treatment’ or ‘rehabilitation.’”⁵

This rejection of prison managerialism was connected to the Black Power movement and the shifting demographics of incarceration. A government report on the 1971 Attica prison uprising declared:

[That prisoners were] part of a new breed of young, more aware inmates, largely Black, who came to prison full of deep feelings of alienation and hostility against the established institutions of law and government . . . and an unwillingness to accept the petty humiliations and racism that characterize prison life.⁶

What the government failed to note is that Black prisoners were “more aware” precisely because they were being incarcerated at highly disparate percentages. The rate of Black incarceration had risen throughout the 1960s, even as the

decade “produced the single largest reduction in the population of federal and state prisons in the nation’s history.”⁷ Thus, while the overall incarceration rate remained relatively stable until 1973, throughout the 1960s, prisons filled with more young men of color in the prime of their lives as radical movements in communities of color targeted the criminal justice system as a source of oppression. In Massachusetts and Illinois, New York and California, prisons became increasingly filled with young African Americans.

Their complaints ranged from routine physical and sexual abuse to lack of political and religious freedom, abominable health care, compulsory labor for low wages, and lack of due process at all levels of the criminal justice system. In a nation primed to look South for incidents of racist violence, Southern prisoners had some success drawing public attention to prison violence in the late 1960s. Most famously, the Arkansas prison system became a national disgrace after the new warden discovered an unmarked grave of murdered prisoners on the grounds of Cummins Prison Farm in 1968. Yet, the biggest crises of prison legitimacy happened in the North and West, especially California and New York, where strong leftist movements and abysmal prison conditions collided in particularly vivid ways.⁸

Each state witnessed significant prison rebellions that seemed increasingly linked in both form and content. The prison movement in both states shared strategies and ideas in a mutually reinforcing fashion, which then influenced activities elsewhere in the country. At least three factors shaped why these two states emerged as such significant sites for prisoner activism. First, both California and New York claimed to be cosmopolitan areas, including in the realm of criminal justice. New York had initiated penal managerialism in the nineteenth century as an alternative to prison slavery. After the Second World War, California experimented with rehabilitative punishment through its indeterminate sentencing, literacy access called “bibliotherapy,” and therapeutic behavior management programs. Yet, the treatment of people in prison, as well as police violence on the streets, suggested that liberalism could be as cruel and racist as its conservative counterparts.

Second, each place had vibrant leftist movements concentrated in Black communities. Black radicalism anchored a multiracial opposition to prison, especially as the demographics of incarceration shifted in both places to create a prison system that was increasingly—in some places, majority—Black. The strong Nation of Islam presence in California and New York undoubtedly played a role here as well. Finally, New York City, Los Angeles, and San Francisco were three of the biggest media markets in the world. Their reporting circulated widely, making potentially local prison rebellions into global uprisings.

None of these conditions alone would have sufficed. However, their convergence captured the national zeitgeist. In exposing the stark, often racist realities of American prisons, a disproportionately Black group of prisoners in California and New York overturned the prevailing wisdom that such institutions were—or ever

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could be—sites of rehabilitation. Heard around the world, these protests garnered both public sympathy and condemnation. By the early 1970s, a growing number of Americans believed that prison itself was the problem. As prisoners developed study groups, mutual aid societies, and political organizations inside of prisons, the reform or abolition of prisons was a topic of national concern.

1968: Rebellions Inside and Out

In February 1968, several prisoners at California's San Quentin circulated calls for a strike. Writing in an underground newspaper called *The Outlaw*, they outlined their grievances: parole reform, better food and living conditions, increased wages for labor, and moving people convicted of sexual offenses against children to mental institutions. Officials tried to stop the newspaper by transferring the suspected journalists. But it kept appearing. Even more, news of the strike spread to a radical newspaper outside of prison. *The Berkeley Barb* was one of the largest underground newspapers of its era, covering the New Left, counterculture, and current events for its sprawling Bay area audience. The *Barb* reprinted *The Outlaw* to drum up support for the strike and printed several stories about issues at San Quentin.⁹

On February 15, 20 percent of the San Quentin prison population—about 700 people—refused to leave their cells. More than 400 people gathered at the prison gates to express their support. Rock bands the Grateful Dead, Country Joe and the Fish, and Phoenix performed a free concert on a flatbed truck for the strikers inside and the protestors outside. Such public support encouraged more prisoners to strike. For the rest of the week, more than 2,600 people, about 75 percent of the prison population, went on strike. The Peace and Freedom Party, a mostly white antiwar organization that would nominate Black Panther and former San Quentin prisoner Eldridge Cleaver to be the country's president in that year's election, held sympathy demonstrations daily at the prison gates. Prisoners held a one-day "unity strike" that August: "A UNITY that includes every man wearing blue denim, a UNITY that includes every man that is aware of the need to overthrow the [California Department of Corrections] if we are to ever again be dealt with as man and not as chattel [sic]."¹⁰

Popular attention was focused on the Bay area for another reason in the summer of 1968: the trial of Huey Percy Newton began that July. Two years earlier, Newton cofounded the Black Panther Party with Bobby Seale with an ambitious political program. Its demands included an end to police violence, adequate housing, full employment, and freedom for Black people in jails and prisons (as racism and economic inequality denied them fair trials). The Panthers' attention to the criminal justice system owed to the frequency of police violence and arrest. Newton had been incarcerated as a juvenile for petty offenses, as were many other early recruits to the BPP. The BPP saw current and former prisoners as a natural extension of the Black working class that was its base. The group combined armed

patrols of the police with programs providing education, clothing, and health care to Black communities.¹¹

FBI Director J. Edgar Hoover declared them “the greatest threat to the internal security of the United States.”¹² Local police took note. Oakland police kept a list of known Black Panther vehicles. When officer John Frey spotted one such car pass him in the early morning hours of October 28, 1967, he called for backup and pulled it over. Frey, who “had been implicated in numerous incidents of racism,” confronted Newton.¹³ In the ensuing altercation, Frey was killed and Newton was shot in the stomach. From that point forward, the BPP was preoccupied with winning Newton’s freedom. Like earlier defense campaigns, the one for Newton was premised less on his innocence than the system’s guilt. The “Free Huey!” rallying cry became a means of discussing the Panthers’ larger agenda of antiracist socialism (what they called revolutionary Black nationalism). As Newton came to trial in the summer of 1968, the Black Panthers became a household name. Chapters sprouted up around the country and then around the world. Adding to his allure, Newton continued his formal leadership of the BPP while in jail. He issued proclamations, including the requirement that all BPP members acquire the skills and equipment necessary to defend themselves from police attack, and granted media interviews.

The “Free Huey!” campaign was led by Black Panther Minister of Information Eldridge Cleaver. Cleaver had been in and out of prison since the age of 12. Most recently, he had spent nine years in prison for having committed a rape. While in prison, Cleaver was for a time a leading member of the Nation of Islam in San Quentin and Folsom. He left the Nation along with Malcolm X; he left prison in 1966, after his attorney secured several letters of support for his release from prominent figures who were, among other things, impressed with Cleaver’s writing. He left prison to work at the progressive *Ramparts* magazine and then joined the Panthers. Macho and aggressive, Cleaver had an uncanny knack for publicity. When California governor Ronald Reagan tried to prevent him from teaching a class at the University of California Berkeley, Cleaver challenged him to a duel and promised to “beat him to death with a marshmallow.”¹⁴

While campaigning on behalf of Newton, Cleaver published a book of essays written while he was in prison. *Soul on Ice* combined literary criticism, memoir, policy analysis, and love letter. Widely praised for its raw, self-confessional prose, the book lobbed homophobic criticism at author James Baldwin and described rape as an “insurrectionary act” against racism (where Black women served as practice for his real target, white women). The success of the book, building on the acclaim for Malcolm X’s autobiography three years earlier, promised renewed interest in prisoner writing. Cleaver’s critique of prison as the more brutal extension of American racism piqued the popular interest. It catalyzed a new wave of prisoner literature throughout the rebellion years and beyond. Cleaver wrote the following:

Rather than owing and paying a debt to society, Negro prisoners feel that they are being abused, that their imprisonment is simply another form of

NAACP Legal Defense Fund, and a radical legal collective headquartered in Chicago called the People’s Law Office (PLO). The Committee sent its petition to the United Nations, as well as Chicano and antiprison publications, on July 4.

Not two weeks later, a guard beat a radical Chicano prisoner so severely that he had to be hospitalized. Demanding that the guard be fired, a multiracial group organized a disruptive strike that “closed the prison industries, burned cellblocks, and provoked a week-long lockdown.”⁸⁴ Strikes and reprisals persisted throughout the summer, as the prisoners organized themselves under a new group, the Political Prisoners Liberation Front (PPLF). By the end of July, the prison placed more than 100 people in solitary confinement and cut off their contact with the outside world for more than two weeks. It was a new experiment in isolation, called a “control unit.” The control unit isolated the rebellious prisoners from the general population. People held there faced sensory deprivation, denied access to prison programs, had further limits placed on their correspondence, and were locked down as much as 23 hours a day. Control unit prisoners were denied access to even the limited rights that other prisoners enjoyed. Inside the control unit, guards beat and gassed prisoners, took their clothing and legal materials, turned off the electricity and water, and kept them in solitary indefinitely.⁸⁵

When the PPLF resumed contact with the PLO, the office’s lawyers quickly filed suit on their behalf in the fall of 1972. After 18 months in solitary confinement, 149 were released back into general population when they won their case on appeal in 1974. But while they may have won the battle, they lost the war. The suit failed to close the control unit. In 1983, officials placed the whole prison on lockdown—in effect, turning Marion into a permanent control unit. Other prisons around the country set up their own control units, using names such as Security Housing Unit, Restrictive Management Unit, or Administrative Segregation Unit. In each case, prisoners need not have violated any laws or prison rules to be sent to the control unit. A new era of punishment was taking over.

In the early 1970s, the future of prisons was “up for grabs.”⁸⁶ Liberals, conservatives, and radicals all battled over the future of American prisons. By the middle of the decade, the future of prisons seemed to promise both more rights and more punishment. Prisoners were mounting, and winning, a series of major legal challenges that would reshape their captivity. In particular, these cases would extend prisoner First Amendment rights and limit the power of building tenders and other forms of organized sexual abuse. Yet, as the rise of control units and other forms of violence demonstrated, the implementation of reform was often bleak. As the scale and frequency of rebellions slowed, prisoners continued to press their claims through lawsuits and other kinds of protest. They ended the period with an expanded field of legal resources at their disposal. But they faced increasing isolation and administrative violence as the era of mass incarceration began. The incarceration rate began a steady, four-decade climb in 1973 as years of increasingly severe policing resulted in more arrests and new prison construction. Dissident prisoners had to adapt their pursuit of justice to a new prison environment.

“sunbelt states” of the South and West, where legacies of slavery and conquest had more evident influences on the structure of prisons.⁸¹

While sunbelt prison systems were mired in a slavery past, the federal prison system was experimenting with new modes of isolation to break down prisoners' capacity for resistance. Rooted in the popularity of behaviorist psychology, especially its research into brainwashing, these programs were first put into effect at the federal prison in Marion. Located in southern Illinois, Marion would implement what would become a hallmark of modern American prisons: lengthy solitary confinement and behavior modification programs. More than 100 prisoners from around the country were transferred to Marion in the spring of 1972. The new transfers included some of the most disciplined and persistent activists from around the country. The largest group of transfers came from Leavenworth, following a strike in which a multiracial group of prisoners shut down work and set fire to their cells. Among those transferred to Marion included members of the Black Liberation Army and the Republic of New Afrika as well as Rafael Cancel Miranda, Chicano and Native American activists, white antiracists, and others. These men had already strikes, organized study groups, published clandestine newspapers, and filed lawsuits against prison conditions.

Officials hoped that concentrating such troublemakers in one place would help ease protest at other facilities. Those at Marion used the prison as a laboratory for experimenting with new forms of social control. In particular, Marion applied psychic manipulation tactics developed by Edgar Schein, a psychiatrist at MIT who studied brainwashing techniques used on American POWs during the Korean War. The prison utilized his techniques, a combination of rewards and punishments. The prison relaxed certain rules, such as allowing prisoners to grow their hair long, wear their own clothes, and look at pornography. At the same time, the prison subjected people to arbitrary punishments, and stripped any personal agency from prisoners through “brainwashing, sensory deprivation, medication, and prolonged isolation.” As scholar Alan Gómez reports, “[e]ach specific institutionalized technique muddled commonplace distinctions between what constituted punishment, rehabilitation, and torture.” Illinois Congressman Ralph Metcalfe described the control unit as “a long-term punishment under the guise of what is, in fact, pseudo scientific experimentation.” A former warden bluntly characterized the prison: “The purpose of the Marion Control Unit is to control revolutionary attitudes in the prison system and in the society at large.”⁸²

Arriving in April 1972, the new transfers quickly set to work. Within three months of arriving there, they had organized a Freedom of Expression Committee of the Federal Prisoners Coalition to “link political organizing with legal strategies in the court system.”⁸³ Members of the committee joined the nascent Inmate Council, which allowed them to communicate more easily with other prisoners. They developed a petition outlining their grievances and requested to participate in the public hearings about the federal prison system. They forged coalitions with a host of organizations outside of prison, especially with progressive attorneys from the ACLU,

the oppression which they have known all their lives. . . . It is only a matter of time until the question of the prisoner's debt to society versus society's debt to the prisoner is injected forcefully into national and state politics, into the civil and human rights struggle, and into the consciousness of the body politic.¹⁵

Americans were increasingly divided as to whether society owed prisoners a debt or should punish them even more heavily. The year ended with Newton's conviction for manslaughter and being sentenced to serve between two and 15 years in prison. Cleaver, facing a possible return to prison in connection with a shootout with police following the death of Martin Luther King, fled the country. Before leaving office, Lyndon Johnson signed the Safe Streets Act into law. The Act continued Johnson's sweeping expansion of the criminal justice system, following his declaration of a “war on crime” in 1965. In launching that domestic war, Johnson created the Office of Law Enforcement Assistance, which in 1968 became the Law Enforcement Assistance Administration (LEAA). As a funding and regulatory body that would give tens of millions of dollars to police departments over the next decade, the LEAA provided much of the apparatus for the war on crime. Together with the Safe Streets Act, it supported increasingly militarized policing across the country. It brought federal largesse to support the aggressive policing strategies that many municipalities had been pursuing to political unrest, including SWAT teams and controversial undercover police units accused of shocking acts of violence. By the 1970s, it would help fund new prison construction as well.¹⁶

At the Democratic National Convention that summer, police beat peaceful demonstrators live on camera while Republican Richard Nixon won the White House promising to fix a country “plagued by lawlessness.”¹⁷ Nixon had more than the Panthers in mind. The U.S. military increasingly seemed as riven with social conflict as American cities. Black soldiers had long protested racism in the military, and dissident soldiers had been imprisoned for refusing deployment to Vietnam since at least 1966. As tensions escalated elsewhere, so too did they within the military. More than 40 Black GIs staged a sit-in at Fort Hood, Texas, rather than be sent to police protestors at the Democratic National Convention. On July 23, a group of Black and white GIs at North Carolina's Fort Bragg “took control of the stockade for forty-eight hours” to protest the beating of another Black prisoner. Weeks later, unruly soldiers staged two rebellions in U.S.-run military prisons in Vietnam. The soldiers—incarcerated for issues ranging from smoking pot to refusing combat, going AWOL, or committing a violent offense—protested overcrowding, racism, and other poor conditions. In mid-August, prisoners seized the central compound at Da Nang for 20 hours; days later, they set fire to their cellblock to protest attempts at removing several prisoners. At the end of the month, soldiers imprisoned at the U.S.-run Long Binh Jail held what proved to be the largest such uprising in a military stockade to date. The jail, which

troops had sarcastically dubbed “LBJ” after then-president Lyndon B. Johnson, was overcrowded and had instituted a new policy of strip-searching prisoners. The prison population was almost 90 percent Black, making it an obvious sign of racism in the military. During the uprising, prisoners destroyed much of the facility, resulting in 63 injuries and one death. Afterwards, they held a work strike.¹⁸

U.S. military prisons and stockades were not immune from the prison rebellion years. Events at Da Nang, Long Binh, and Fort Bragg would be repeated at military bases and jails in the United States, Vietnam, and Germany over the next four years. The scale of resistance within the military dovetailed with resistance to the military, as an increasing number of people burned their draft cards, blocked recruitment centers, or otherwise expressed their discontent. “On any given day in the late 1960s,” reports scholar Tony Platt, “there were some three hundred anti-Vietnam war resisters in federal prisons for evading the draft and acts of civil disobedience.”¹⁹ Those protesters were joined, figuratively, by a number of soldiers who opposed the war or racism in the military. The scope of antiwar sentiment briefly spilled over into the prison movement, reinforcing the idea that prisons incubated potent revolutionary challenges to the status quo.

1969: Defense Campaigns and Cultural Resistance

Attorney General John Mitchell summarized the Nixon administration’s goal when he told a reporter that “this country is going so far to the right you won’t recognize it.”²⁰ Soon after Nixon took office, political repression dramatically escalated. Activists secured some moral and even a few legal victories in this period, thanks to the diligence of broad-based defense campaigns. Several organizations even grew as a result of the legal challenges they faced. The long-term effect of such repression, however, severely weakened the movements of this era.

Eight antiwar activists, including Black Panther cofounder Bobby Seale, were indicted in March 1969 for organizing protests against the 1968 Democratic National Convention in Chicago, which descended into what a government report called a “police riot.” Seale, the only nonwhite defendant in the case, had only spoken at the protest; he had played no part in organizing it. However, he would face the harshest punishment, as the judge in the case, an elderly conservative named Julius Hoffman, had Seale bound and gagged in court after the defendant continued to demand either a lawyer of his choice or the opportunity to serve as his own attorney. (His preferred lawyer, the veteran leftist attorney Charles Garry, was undergoing surgery at the time.) Determined to put the government on trial, the other defendants mocked the court. They came dressed in costumes, displayed the National Liberation Front of Vietnam flag on the defense table, and excoriated the government repeatedly. The judge found all of the defendants plus their lawyers guilty of contempt of court and sentenced them each to serve between two and four years in prison for disrespecting the court. The jury delivered a mixed verdict on the actual charges against them, acquitting them all of conspiracy

this litigious approach to prison reform more evident than in Texas, where Chicano prisoners took the lead. Texas has long had one of the biggest prison systems in the country. Its system has also been one of the cheapest to operate, as conditions inside had been so deplorable. As historian Robert Chase explains, until 1980, the Texas model of imprisonment involved a system in which most prisoners worked under a “slave model of agricultural labor” where they were overseen not only by guards but by “building tenders,” prisoners who functioned the same as “the slave-driver system” did more than a century earlier. The building tenders were other prisoners, almost exclusively white, who were given weapons and authority to act as guards in keeping other prisoners in line. In exchange, they received special treatment—which included everything from permission to rape other prisoners to early release. They were, as one prisoner described it, “a violent, organized gang sanctioned by the administration.”⁷⁸

To take on this corrupt system, prisoners launched an auspicious civil rights movement that was rooted in legal challenges. Inspired by Thomas X. Cooper’s legal victory in Illinois, a Chicano prisoner named Fred Cruz determined that the law might help end abuse in Texas prisons. While filing his own writs of *habeas corpus* as protest, Cruz contacted Frances Freeman Jalet, a progressive white attorney whom he would later marry. Jalet soon took on a number of Texas prisoners as clients. Officials moved all 27 of her clients into one unit, hoping that racial division between Black and Chicano prisoners would keep them isolated from each other and from the rest of the prison population. Instead, the group grew more united, forming “an inter-racial collective of radical thinkers, jailhouse attorneys, and prison mobilizers.” They called themselves the “Eight Hoe Squad,” after their field line number. They would work the fields by day and prepare lawsuits in their cells at night.⁷⁹

The Eight Hoe Squad initiated a series of cases between 1968 and 1972. These cases concerned issues of due process, freedom of religion, labor exploitation, racial segregation, and the building tender system. As we discuss in Chapter 4, these cases produced a number of momentous legal rulings throughout the decade—including one that, in 1980, would lead to the reorganization of the Texas prison system. That case began in 1972, when a man named David Ruiz sent a 12-page petition to a federal judge outlining abuses in the Texas prison system.

Ruiz drafted his petition the same year Fred Cruz earned his release. Inspired by the Chicano movement that had taken shape during his ten years of imprisonment, Cruz was determined to embed prisoner rights within the movement’s plank. He started the Jail and Prison Coalition to “educate Chicano youth on the prisoners’ rights movement and to bring the issue of prison reform with the agenda of *la causa* (‘the cause’).”⁸⁰ Although Cruz’s efforts outside of prison stalled, his contributions to prison litigation and jailhouse lawyering left a lasting imprint. With the help of legal support from professional lawyers, prisoner-initiated lawsuits in the 1970s would bring increased federal oversight over the prison systems of entire states. As with Cruz, many of these lawsuits originated in the

The tumult owed to longstanding conflict between Black communities and white supremacists in the North Carolina port city. The case was built on the word of an informer, and the prosecutor knowingly included Klan members on the jury while excluding African Americans. Yet, it took the rest of the decade and an international campaign to free the ten from prison. They were not officially pardoned, meaning their charges and convictions were vacated, until 2012.⁷³

Around the country, antiprison activists who were not incarcerated sought to do two things: support organizing led by prisoners and former prisoners, and mobilize public sympathy to reform or abolish prisons. Activists championed the leadership coming from incarcerated people. They also waged different public education campaigns. In New York, for instance, a collective of people close to the National Lawyers Guild (NLG) established a newspaper of prison issues called *Midnight Special*. The paper took its name from a Leadbelly song about a train carrying the oppressed to freedom. While early issues contained legal advice from NLG members, people in prison wrote most of the articles that appeared in the paper. The editors assembled the articles, laid out the newspaper, and shipped it back into prisons around the country so that prisoners could dialogue with one other and stay abreast of developing trends in prison management.⁷⁴

Other projects sought to amplify the voices of prisoners in community organizing campaigns. By 1972, the Black Panther Party responded to years of deadly government repression and infighting by consolidating its operations into a local Oakland project. Much of the group's daily operations concerned the running of an alternative school and the ongoing publication of the *Black Panther* newspaper. Both publicized police brutality and racism in prison, including the ongoing case of the San Quentin Six.⁷⁵

In Berkeley, a group of radical criminologists formed the Prison Action Project and organized the 1972 Prison Action Conference under the title “tear down the walls.” The phrase was popular among activists; it would be used at a meeting of the Prisoners Solidarity Committee in Virginia a few months later.⁷⁶ The conference covered issues such as the incarceration of youth, women, and people of color; the connection between domestic policing and foreign militarism; and sentencing policy. The Prison Action Project declared its agenda to include political education, “bring[ing] attention to the systematic oppression of the convict class,” “develop[ing] methods for protecting prisoners from official retaliation during their struggle for justice and freedom,” and resisting “reforms which make the prison a more effective tool of pacification.” Their efforts were stunted, however, in part when the University of California Berkeley closed the criminology school and fired or reassigned the professors within it. They went on to start a journal, *Crime and Social Justice* (now called *Social Justice*), to continue critical analyses of policing and prisons.⁷⁷

Many of these efforts were interconnected with what prisoners themselves were doing. Some continued to pursue widespread rebellions, while others—especially in the South—pursued dramatic change through the law. Nowhere was

but finding six of them guilty of intent to riot. None of them served time. An appeals court overturned the convictions and contempt charges in 1972.²¹

Newton was in prison, Seale was in jail, and Cleaver had fled the country. Local BPP chapters also faced considerable legal attacks. In April 1969, federal prosecutors charged 21 members of the New York City BPP chapter with planning to bomb a series of city landmarks. Set up by three paid informants and an overzealous prosecution, the “Panther 21” case was one of the most seminal examples of how federal and state agencies collaborated in their efforts to destroy radical organizations through criminal prosecutions in the Nixon era. The NY chapter was one of the biggest, most active branches of the BPP, and the case took the chapter's leaders and core members off the streets for two years. While a few members fled underground to avoid arrest, 16 people were jailed for months awaiting bail. Most of them stayed in jail for the length of the trial.

They made the most of it. They helped organize a citywide jail rebellion in the fall of 1970. They also published a collective autobiography from jail, describing their respective journeys into the BPP. Connecting their struggles to a long history of Black incarceration and opposition, the authors titled their autobiography *Look for Me in the Whirlwind*, after a famous line from a letter Black nationalist leader Marcus Garvey wrote from prison in 1925. Garvey was convicted, imprisoned, and deported in the early twentieth century wave of antiradicalism. The New York Panthers fared a little better—but not much. Although the case took two years to come to trial, a jury acquitted all the defendants in less than two hours on May 12, 1971. Fearing further repression and with their chapter in shambles, however, several defendants elected to go underground after their release.²²

While the Panther 21 awaited trial in 1969, BPP leader Bobby Seale continued to face legal trouble. After he was assaulted in a Chicago court, Seale's case was severed from the rest. Yet he was soon indicted along with Ericka Huggins and other members of the New Haven, Connecticut, chapter for killing a suspected police informant within the BPP. Seale and Huggins were arrested on the testimony of George Sams, an unstable person with a violent history who directed the torture and murder of the man in question, 19-year-old Alex Rackley. Many scholars suspect that Sams was the only police informant in this scenario, as the FBI not only infiltrated the BPP but instructed its informants to use the organization's suspicions of police harassment to sow distrust. Evoking the history of slavery, supporters around the world charged that Seale had been “kidnapped” by the justice system. Many people viewed the case as a set-up. Huggins, the mother of an infant, had just moved to New Haven after her husband, John Huggins, had been murdered along with the leader of the Los Angeles BPP chapter (Alprentice “Bunchy” Carter) by a rival Black nationalist organization on the UCLA campus in what was later revealed to have been an FBI-orchestrated plot.²³

A national student strike in May 1970 shut down campuses across the country. Although formally called to protest the expansion of the Vietnam War into Laos

and Cambodia, the strike's first demand was for an end to the "systematic repression of political dissidents and [for the] release all political prisoners, such as Bobby Seale and other members of the Black Panther Party." In New Haven, Yale students went on strike and faculty used the occasion to discuss racism in the country. Hoping to avert a full-fledged uprising, the university's president said that he was "skeptical of the ability of Black revolutionaries to achieve a fair trial anywhere in the United States." The judge agreed. When the jury deadlocked in favor of acquittal the next year, he dismissed the charges against Seale and Huggins.²⁴

A judge in Michigan spared other Black radicals a lengthy sentence as well. In March of 1969, members of the Black nationalist Republic of New Africa (later changed to "Afrika" to keep with the Swahili linguistic practice for the hard "c" sound in English) held a meeting in Detroit's New Bethel Baptist Church. The Church was pastored by the Reverend C.L. Franklin, a member of Martin Luther King's Southern Christian Leadership Conference and the father of soul singer Aretha Franklin. The group had gathered at the church to celebrate its one-year anniversary and renew its declared independence from the United States. After a disturbance outside, police surrounded the building and opened fire. Some RNA members were armed and returned fire. One officer was killed, and police arrested 140 people inside the church. Judge George Crockett, one of the only Black jurists in Michigan, feared for the defendants' safety. He went to the jail, where people were being fingerprinted but denied access to attorneys, and held an impromptu court there. By noon the next day, most people had been released. Crockett also criticized Detroit police for what he characterized as rash behavior; they, in turn, organized to have him removed from office.²⁵

The proliferation of defense campaigns joined opposition to the criminal justice system with a larger framework of social change. That combination inspired a multiracial coalition in defense of seven Chicano men charged with killing a San Francisco police officer in May of 1969. The officer was killed in a scuffle after he and his partner, who had a history of alcoholism and intimidating young men of color, confronted a group of Chicanos moving a television set from a parked car into a house. Dubbing the defendants *Los Siete de la Raza*, the defense committee developed into a Panther-style community collective. The collective was embedded in the Bay area radical scene. Black Panther attorney Charles Garry defended the men in court and the Panthers consistently covered the case in its weekly newspaper. The *Los Siete* defense committee, many of whom had participated in student strikes to establish ethnic studies at San Francisco State College, published its own newsletter, dedicated to "Third World" unity among people of color at home and abroad. A jury acquitted the men in 1970.²⁶

The San Francisco Bay area was also home to a surprising protest, where people broke *in* to prison. An ad hoc group, *Indians of All Tribes*, occupied Alcatraz Island on November 20, 1969, and remained there until June 11, 1971. From 1934 to 1963, Alcatraz had been the most severe federal prison in the country. Too

the likes of Attica or San Quentin. However, it would be a mistake to see women as somehow less rebellious. Incarcerated women faced some different circumstances than men that framed their organizing strategies. They were more likely than male prisoners to face rape or sexual abuse from guards and they were more likely to remain in close contact with their children on the outside. They were also more likely to be the primary caregivers prior to their arrest. Women's prisons also regulated the appearance of their inmates more than men's prisons. Regulations often specified what types of shoes, socks, pants, sweaters, shirts, underwear, and makeup that women could wear and in which part of the prison. Women's prison resistance therefore emphasized a high-degree of emotional support and collectivity. Stopping sexual violence was as high a priority as anything else. The violation of forced cavity searches catalyzed a strike by prisoners at California Institute for Women. Antiracist feminists opposed prisons on the grounds that they exposed women, many of them already survivors of domestic or sexual assault, to further male violence at the hands of the state.⁷⁰

1972: Struggles Old and New

Back in California, Angela Davis continued to fight for her life. By 1972, her case had been severed from her codefendant, Ruchell Magee, the one surviving participant in Jonathan Jackson's raid on the Marin courthouse two years earlier. Although kept mostly in solitary confinement, Davis had been productive in prison. With fellow CPUSA member Bettina Aptheker, Davis coedited an anthology of prisoner writings. The book, *If They Come in the Morning*, took its title from a stunning open letter author James Baldwin wrote to Davis upon her arrest. "If we know, then we must fight for your life as though it were our own—which it is—and render impassable with our bodies the corridor to the gas chamber," Baldwin wrote. "For, if they take you in the morning, they will be coming for us that night."⁷¹ The book contained a series of essays by and about U.S. political prisoners at the time, including several contributions from Davis herself. More than a status report on prison conditions, many of the essays followed the spirit of Baldwin's letter: what happened to prisoners and the urban communities many of them came from them would soon happen to American society in general.

The trial against Angela Davis opened the same week the two remaining Soledad Brothers were acquitted. Davis herself proved victorious in June, when a jury acquitted her on all counts.⁷² She then joined many of the leading members of her defense campaign in launching a new organization to defend prisoners and challenge the rising tide of criminalization. Called the National Alliance Against Racist and Political Repression (NAARPR), the coalition had strong involvement from the CP but brought together representatives of several radical organizations. The coalition was especially involved in the efforts to free the "Wilmington Ten," a group of mostly Black North Carolina activists collectively sentenced to 282 years in prison for burning down a grocery store during a mass uprising in 1971.

jails and prisons held solidarity strikes to mourn the events at San Quentin and Attica. These strikes often combined concerns about immediate conditions of confinement with larger critiques of racism and oppression. The rebellions in federal prison were especially far-reaching. At the federal prison in Leavenworth, Kansas, a coalition of Black, Chicano, indigenous, and Puerto Rican prisoners wore black armbands and went on strike at the prison factories. Between the closing of Alcatraz in 1963 and the opening of the Marion Control Units in 1972, Leavenworth was the most restrictive prison in the federal system. The “end of the line” of the federal prison system, Leavenworth concentrated a number of rebellious prisoners in one place.

One of the prisoners there was a man named Raúl Salinas. A Chicano from Texas, Salinas landed in Leavenworth after his third arrest for selling marijuana. In his earlier stints in prison, both in California and in Texas, Salinas became a writer, poet, and friend to the activist prisoners. He wrote for the prisoner newspaper at Huntsville, Texas, writing about everything from jazz to drug policy. At Leavenworth, Salinas was mentored by political prisoners—including Native American activist Standing Deer (also known as Robert Wilson) and Puerto Rican independence activists Oscar Collazo and Rafael Cancel Miranda. Collazo had shot at President Truman in 1950 in protest of the repression of an island uprising against U.S. control of Puerto Rico. Cancel Miranda was one of four people who shot inside the floor of the U.S. Congress in 1954 to call attention to Puerto Rico’s ongoing colonial status.

Often reared in school systems that penalized speaking Spanish, the Latinos incarcerated at Leavenworth took pride in their heritage. They formed a newspaper, *Aztlán*, to publish poetry, art, and essays relating to diverse Latino identities, cultures, and politics. Collazo taught Spanish to the Latino prisoners, using phrases from revolutionaries such as Che Guevara and Pedro Albizu Campos. These prisoners joined others in studying the history of American racism, both in formal classes and informal study groups. When officials transferred several of the participants to a new experimental prison in Marion, Illinois, in 1972, they continued their efforts there.⁶⁸

A stunning, if underreported, uprising took place at the women’s prison in Alderson, West Virginia. The women, who worked for seven cents an hour making uniforms for men’s prisons, began a weeklong protest the day after State Troopers ended the Attica rebellion. They came up with a list of 42 demands, covering issues such as parole reform, medical care, and better working conditions (including higher wages). Police, including guards from a nearby men’s prison, ultimately broke up their strike and shipped 66 women to a different prison. Shortly thereafter, around 150 feminists gathered outside the prison in protest at this retaliation.⁶⁹

As with most rebellions in women’s prisons, the one at Alderson received scant attention outside the feminist press. The concerns of women in prison were frequently mentioned but rarely prioritized within much of the prison movement. Women’s prisons rarely experienced the kind of dramatic, bloody rebellions of

expensive to operate, the government closed the foreboding island prison. It lay abandoned until the Indians of All Tribes sailed there and took it over. The occupiers charged that only by seizing a physical prison, even a closed one, could the daily imprisonment of Indian life be made visible. Liberated Alcatraz was home to a motley crew of militants and hippies, a gathering of the disaffected from among many Indian tribes, and several veterans, who kept the Coast Guard from docking at the island. Berkeley’s KPFA radio station launched *Radio Free Alcatraz*, a half-hour show that aired five days a week and featured a spokesperson for Indians of All Tribes, which was rebroadcast nationally.²⁷

Others picked up on the prison metaphor to describe their own feelings of alienation. The 1960s counterculture romanticized “outlaw” figures in a series of films, including *Bonnie and Clyde* (1967), *Cool Hand Luke* (1967), *Butch Cassidy and the Sundance Kid* (1969), and *Easy Rider* (1969). These movies featured young, attractive actors whose characters robbed banks, sold drugs, and otherwise disrespected traditional authority. Perhaps one of the most enduring antiheroes of this moment came from a surprising source: country music. In 1968, singer Johnny Cash recorded a live concert at California’s Folsom prison. At the time, prison concerts were routine—Cash, for example, had performed 30 times at various prisons over the preceding decade—but his album, *At Folsom Prison*, was the first recording of a prison concert. Cash identified with the prisoners and even performed a song written by one of the Folsom prisoners.²⁸

At Folsom became a best seller and rocketed the singer to mass popularity. Cash returned to the California prison system the following year to record an album and a documentary, *At San Quentin*. The singer cursed and courted the prisoners’ applause and jeers by taunting the guards. In “San Quentin,” Cash condemned the institution to “rot and burn and hell” because it is a “living hell.” Prisoners instantly demanded that he play the song again. Cash’s performance was equally successful on the outside: *At San Quentin* sold even more copies on release than *At Folsom* and topped the *Billboard* charts for four weeks.

The success of these two albums briefly transformed Cash into a critic of prisons. In 1969, he donated \$10,000 to the Inmate Welfare Fund at Folsom and another \$10,000 to the San Quentin fund, although prison administrators siphoned off the funds. Cash testified before the U.S. Senate in 1972 in support of prison reform and told one writer, “I just don’t think prisons do any good. . . . Nothing good ever came out of a prison.”²⁹

1970: Crisis and Change

In California, the decade opened with a bloody racist attack that anticipated several years of violence in the state’s prison system. Tensions between Black prisoners and white prisoners and white guards had been rising for some time, and in early January, W. L. Nolen warned his parents that he felt that the guards were trying to kill him. Arrested for robbery in 1963, Nolen was a prison boxing

champion who studied Black nationalism with several prisoners at Soledad as well as previously at San Quentin and Folsom. Nolen filed several lawsuits protesting the threats against his life by white prisoners and the guards' manipulation of racial tensions at Soledad, but the situation had worsened by the beginning of 1970. Nolen was in a wing of Soledad that had been locked down since the 1968 killing of two Black prisoners. Because one of the men, Clarence Causey, had been stabbed on the prison yard, guards closed the integrated exercise yard. Yet, they also continued to stoke tensions between Black and white prisoners.

On January 13, Soledad guards reopened the exercise yard and let 15 prisoners access it for the first time in more than a year. The group included eight white prisoners, among them Billie "Buzzard" Harris, leader of the white supremacist Aryan Brotherhood, and seven Black prisoners, including Nolen. When the prisoners, pent up for so long, began a fistfight, Soledad guard Opie G. Miller began firing without warning from the gun tower overlooking the yard. Miller was a 20-year army veteran and expert marksman. He shot Nolen first, then Cleveland Edwards, who went to help the injured Nolen, and finally Alvin "Jug" Edwards. The three men, all of them Black and all of them outspoken militants, were shot in the chest and left lying in the yard for 20 minutes before being removed. All three died that night. Only one of the white prisoners involved in the fight was injured, hit by a ricocheting bullet. Many prisoners and subsequent outside observers—including a 1975 jury in a wrongful death suit brought by the families of the dead—viewed the killings as a set-up.³⁰

Black prisoners went "on hunger strikes, burn[ing] prison furniture and dispatch[ing] a voluminous amount of mail to their families and attorneys and to state officials, demanding an investigation." The prison was in an open state of rebellion. "Fistfights erupted in numerous housing wings," journalist Min Yee reported not long afterward. "White and black cons alike walked around with magazines stuffed in their shirts to blunt knife attacks." Three days later, in an interview that prisoners heard on the radio, the district attorney said that he believed that the deaths constituted "justifiable homicide." Some prisoners concluded that the law offered them no recourse.

That night, 26-six-year-old guard John Mills, a new member of the Soledad staff, was beaten and thrown to his death off the third tier of the prison's Y wing. Prisoners clearly understood the attack as retaliation for the killing of Nolen, Miller, and Edwards. Several prisoners initially clapped and cheered, but then became stone quiet, fearing what was to come. All prisoners on the wing of Soledad were held incommunicado for two weeks following Mills's death as guards repeatedly questioned 138 people. Guards plied some prisoners with good food and promises of early release in exchange for their testimony. Others were threatened at gunpoint to cooperate. There was no independent investigation, save what the prisoners' attorneys did subsequent to the indictment.³¹

These four killings—three prisoners and one guard—inaugurated a phase of retaliatory violence in California's prisons. Frustrated by the seeming impunity

people retaliated for the deaths at San Quentin and Attica by attacking the government. The Weather Underground Organization (WUO), a clandestine antiracist offshoot of the Students for a Democratic Society, bombed Department of Corrections offices in California and in New York, while members of the BPP splinter group the Black Liberation Army (BLA) attacked a police station in San Francisco. All three were in response to the deaths of George Jackson or Attica.⁶⁵

The state violence in California and New York sparked renewed frustration with the limits of prison reform. A host of academics, clergy, politicians, journalists, judges, and others seemed convinced that American prisons were a failure. Ramsey Clark, the attorney general under Lyndon Johnson, penned a critical book about the American criminal justice system prior to Attica; afterward, he suggested the country "abandon prisons entirely." A judge inspecting the Nevada State Prison said in 1971 that the state should "send two bulldozers out there to tear the damn thing to the ground." A year later, a federal judge in Wisconsin described prisons as being "intolerable within the United States as was the institution of slavery, equally brutalizing to all involved, equally toxic to the social system, equally subversive of the brotherhood of man, even more costly by some standards, and probably less rational." The Priests' Senate of the Archdiocese of Boston affirmed that "prisons as currently conceived and administered should be abolished." Members of the American Friends Service Committee wrote an influential book that advocated for a "prisoner bill of rights" and the pursuit of radically transformed criminal justice system. One of their proposals, central to the rebels at Attica, was that prisoners participate in shaping any reform initiatives. Even some criminologists thought that it might be time to plan for "the decline and likely fall of the 'prison' as that term is now understood." The National Council on Crime and Delinquency called for a halt to new prison construction in 1972.⁶⁶

Some people argued for the abolition of prisons entirely. Abolitionists viewed reform as an extension of the problem. "The prison reformer—wittingly or unwittingly—is an agent of capitalism, a used-car salesman," wrote Samuel Jordan, then incarcerated in Pennsylvania. The abolitionist ire for prison reform owed to the severity of violence that activist prisoners faced. After all, the thinking went, George Jackson was a product of the allegedly reformist vision of bibliotherapy and look what happened to him? Abolitionists therefore challenged the prevailing logic of American punishment. "'Rehabilitation' is the pacification program of liberalism," the feminist journal *off our backs* claimed in a 1971 article. Rehabilitation would not end poverty or racism, and "revolutionaries like Angela Davis and George Jackson" should not be subject to such treatment. "We need to rid ourselves of prisons," the journal declared. The New England Prisoners Association (NEPA) agreed, declaring its desire to "abolish prisons as they exist and are used today" and replace them with "an alternative that will work."⁶⁷

Once again, it was other prisoners who displayed the strongest response. From Maine to Texas, Washington to Virginia and so many places in between, people in

When they finished, 39 people lay dead, 29 prisoners and ten guards. (The total death toll at Attica was 43, including Quinn and three prisoners killed secretly during the rebellion by a small group of other prisoners acting on their own accord.) Police officials said initially that the guards were castrated and killed by prisoners, even claiming to have witnessed such carnage themselves. But autopsies revealed that State Troopers had killed all 39 men. Troopers, it is now known, killed some in targeted assassinations. Barkley, one of the most visible leaders of the rebellion, was shot in the back at close distance. He had been incarcerated for forging a \$124 check and sent to Attica because, as the state prisoner commissioner later put it, "he was adjudged to be an instant militant." Sam Melville, a white revolutionary imprisoned for attempting to bomb an empty military recruitment office, was shot at close range with his hands up. Yet officials did not keep track of who fired what guns and destroyed other evidence, making it difficult to hold anyone accountable for the deaths. It did not matter: Rockefeller quickly signaled he only intended to prosecute the prisoners.⁶¹

Once guards had retaken the prison, they humiliated the dissidents. They made prisoners strip naked and crawl through the mud. Prisoners then had to run through a gauntlet of police who assaulted them with gun butts, batons, and racist epithets. A few of the known leaders of the rebellion were burnt with lit cigarettes, beat upon the genitals, and threatened with castration and murder.⁶² Such physically, sexually, and racially violent retribution mirrored what guards at San Quentin had done after Jackson's death but on a grander scale. In both cases, guards mocked and beat the prisoners. "George Jackson's body is rotting in the grave, the revolutionary soldiers are rotting in their cells," San Quentin guards sang. At Attica, underneath graffiti a prisoner had written during the rebellion, a guard scrawled "31 Dead Niggers."⁶³

Both uprisings produced intense legal challenges. In San Quentin, six of the 26 men on the Adjustment Center were charged with the other five killings that occurred the day Jackson died. Known as the San Quentin Six, the men—four Black and two Latino—were all friends with Jackson if not with each other. The case would drag on for another five years. At Attica, 62 of the participants were indicted in 1972 and charged with more than 1,200 felonies. They became known as the "Attica Brothers." In both cases, the prisoners faced life sentences if convicted. And in both cases, powerful defense committees mobilized not only to free the accused but to change the prison system. The San Quentin Six and the Attica Brothers each sued the state as a result of their conditions; the Attica civil suit would not be resolved for another two decades.⁶⁴

In both cases, state violence sparked national conversation about the future of American prisons. Commentators across the political spectrum weighed in: to decry the racism of prisons and the disproportionate violence of the state or to bemoan the breakdown of order exemplified by incorrigible prisoners. While the conservative position would win out in the policy realm, at the time, radical critiques seemed to hold as much traction. On the most extreme end, some

with which guards abused and killed prisoners, some prisoners thought they would only maintain their safety if guards feared consequences for their violent actions. Between 1970 and 1971, nine guards and 24 prisoners were killed inside California prisons.³²

The investigation into Mills's death quickly focused on George Jackson. A 28-year-old prisoner, Jackson had been close to Nolen and had developed a reputation for his aggressive protests over ten years in California prisons. He had been convicted of a \$70 robbery of a gas station at the age of 18. Convinced to plead guilty, he had been given a sentence of one year to life. Such indeterminate sentencing was a hallmark of California prisons at that time. It utilized vague sentences and allowed the parole board (then called the Adult Authority) to determine how long someone needed to remain in prison.

If indeterminate sentencing was the stick, "bibliotherapy" was the carrot. Bibliotherapy was a philosophy that held literacy could serve rehabilitative purposes. California embraced the idea by establishing prison libraries and encouraging prisoner literacy. As part of the state's rehabilitative efforts, the state also encouraged people to share their feelings and offered modest wages to prisoners who worked making license plates and furniture or canning vegetables. This combination of moderate support amidst severe punishment earned the California prison system praise in the decades after the Second World War. Yet the system was racially segregated, and people of color were more likely to be arrested as juveniles and to serve longer sentences as adults.³³

George Jackson's case would challenge both aspects of California's allegedly liberal brand of punishment. The length of his sentence struck many observers as harsh, as did his repeated parole denials. As he faced the prospect of serving a life sentence, Jackson became an obstinate prisoner: he fought with guards and white prisoners, increasingly in protest of segregation and racism in prison. He was part of a group of Black prisoners drawn to Marxism, Black nationalism, and self-defense. He participated in study groups and taught prisoners karate. Like Caryl Chessman and Eldridge Cleaver before him, Jackson would turn bibliotherapy on its head. He read widely, including a panoply of revolutionary literature and then wrote a bestselling book that excoriated the prison system. All of these activities made him a thorn in the side of prison officials. While some later accounts claim that Jackson privately admitted to killing Mills, the investigation was so sloppy that one analyst contended that Jackson was framed for a crime he actually committed. Without pointing to any evidence, the Soledad warden said that "no one else could have done it."³⁴

In addition to Jackson, officials charged two other men with the crime. They came under suspicion for their Afro hairstyles and the Black Power posters they displayed in their cells. Twenty-four-old John Clutchette, Fleeta Drumgo, age 23, as well as Jackson, were held in isolation without contact with the outside world for another 21 days after the rest of the prison was taken off lockdown. Clutchette had been in prison for four years at that point, Drumgo for five. Both men were

serving time for burglary and expected to get out soon; Clutchette was just 45 days away from parole. Prison authorities never alerted the men's families of the charges they faced, and when the mothers of Clutchette and Drumgo called the prison, officials told them that they had nothing to worry about and that their sons did not need legal representation.³⁵ The three had long records filled with minor crimes—fighting, petty theft, parole violations—that dated back to when they were 14 and eight respectively. The trio, who barely knew each other, were formally charged with the murder on February 23, 1970. Three days later, San Quentin guards beat a mentally unstable Black prisoner, Fred Billingslea, and left him in a tear-gas-filled cell until he died.³⁶

The case attracted local media attention as well as the interest of the Bay Area left, thanks largely to the Black Panthers. Huey Newton, still in prison, had heard of George Jackson from other Black prisoners impressed with his resistance to the guards and embrace of radical politics. Newton asked Fay Stender, one of his attorneys, to look into the case. Stender became Jackson's attorney and dubbed the three defendants the Soledad Brothers. Jackson emerged as the pivotal figure for multiple reasons. Most immediately, the stakes were highest for him. The California Penal Code mandated an automatic death sentence for a prisoner who was convicted of assault while serving a life sentence. (It was the same provision California officials used against Robert Wells in the 1940s.) Because Jackson's open-ended sentence included the possibility of life in prison, he now faced death. Jackson was charming, erudite, and well-spoken, which surprised many in the free world. A veteran of the system with the eloquence to describe the injustices to which he had been subjected, Jackson readily became a spokesman of the prison movement.³⁷

In addition to representing Jackson in court, Stender cofounded the Soledad Brothers Defense Committee with support from Black elected officials and professionals alongside prominent activists, artists, and others. The committee consistently flagged the volatile racism inside California prisons.³⁸ Chapters of the defense committee sprung up throughout California, often connected either to the BPP or the Communist Party. In Los Angeles, an all-Black cell of the CPUSA took up the case. One of the group's members, Angela Y. Davis, became a leading spokeswoman for the campaign—until she herself became a prisoner.

Davis was a promising young philosophy professor who first came to public attention in 1969 when governor Ronald Reagan led the University of California Board of Regents in firing her from UCLA after an FBI informant revealed her membership in the CPUSA. In the winter of 1970, Davis purchased several guns for self-defense amidst a barrage of death threats. She also became one of the leading members of the Soledad Brothers Defense Committee and quickly grew close with both George Jackson and his family. As Davis and Jackson fell in love, his younger brother, 17-year-old Jonathan, became her bodyguard.³⁹

The rebellion was certainly educational. The Attica Brothers, as they came to be called, combined practical demands for prison reform with far-reaching proclamations of radical change. Officials derided the latter, including the prisoners' demand for amnesty from reprisal for the rebellion and "speedy and safe transportation out of confinement, to a non-imperialistic country." The prisoners drafted a manifesto, passionately read on camera by a 21-year-old prisoner named L.D. Barkley, that proclaimed events at Attica as a warning sign of the abuse that faced the country as a whole:

We are men! We are not beasts and we do not intend to be beaten or driven as such. The entire prison populace—that means each and every one of us here—has set forth to change forever the ruthless brutalization and disregard for the lives of the prisoners here and throughout the United States. What has happened here is but the sound before the fury of those who are oppressed. We will not compromise on any terms except those terms that are agreeable to us. We call upon all the conscientious citizens of America to assist us in putting an end to this situation that threatens the lives of not only us but of each and every one of us.⁵⁹

Soon, the prison yard resembled something of a commune. The Black-led, multiracial group that emerged as leaders there worked to ensure that the racism that normally governed life at Attica did not shape the uprising. As negotiations raged, prisoners provided food and general safety for themselves, the hostages, and the observation team. Tom Wicker, the esteemed *New York Times* journalist and member of the negotiating team, was impressed: "The racial harmony that prevailed among the prisoners—it was absolutely astonishing . . . That prison yard was the first place I have ever seen where there was no racism."⁶⁰

The prisoners and the observation team, which had come up with its own set of proposals, secured commitments from the Department of Corrections to reform several issues. Yet as negotiations dragged on, the state refused to agree that there would be no reprisals for participating in the uprising. Knowing how severely even minor discretions could be punished, prisoners viewed this demand as essential. Nevertheless, New York officials were intransigent. Hoping to break the impasse, the observation team implored Governor Nelson Rockefeller to visit Attica to meet with them and the prisoners. But he refused. After William Quinn, the guard injured during the initial fight that precipitated the rebellion died, Rockefeller opted to end the rebellion by force.

On September 13, Rockefeller called in the State Troopers. Angered at the scale of this unprecedented four-day uprising, some officers brought their personal shotguns to retake the prison. Hoping to forestall a military assault, prisoners brought their hostages to the catwalk with homemade knives at their throats. But it was to no avail. Helicopters dropped tear gas over the yard as troopers fired into the crowd for ten minutes. Some troopers used bullets that were outlawed by the Geneva Convention.

months afterward. In a foreword, the book's editor repeated prisoner claims that Jackson had run onto the yard as a sacrifice to protect the other men in the unit from being killed by guards. The book presented itself as a manual of urban guerrilla warfare. The raw confessionals of *Soledad Brother* were replaced with a call to arms against what he saw as the incipient fascism of an ever-expanding criminal justice system. Jackson saw the rising power of the police and the tight controls of prison as signs of incipient fascism.⁵⁷

Prisoners around the country marked Jackson's death. The most significant memorial happened across the country. In Attica, a medieval-looking prison in western New York, prisoners had already been organizing to better their conditions. Several veterans of the 1970 New York City jail uprisings a year earlier had been sent to Attica and they continued to press grievances against the administration. Prisoners sent several letters to the Department of Corrections protesting the brutal conditions to which they were subject. A group calling itself the Attica Liberation Front, whose members included Herbert X. Blyden, a leader of the Tombs rebellion, sent the most damning letter that July.

We, the inmates of Attica Prison, have grown to recognize . . . that because of our posture as prisoners and branded characters as alleged criminals, the administration and prison employees no longer consider or respect us as human beings but rather as domesticated animals selected to do their bidding in slave labor and furnished as a personal whipping dog for their sadistic psychopathic hate.

Their 28 demands included religious freedom for Muslims, meaningful parole reform, and an end to the abusive working and living conditions at the overcrowded prison.⁵⁸

But officials stonewalled them. After Jackson's death, more than 700 prisoners held a silent fast. Three weeks later, the situation exploded. On September 9, a fight between a prisoner and a guard exploded into a full-blown uprising. More than a thousand prisoners took over one yard at the prison, holding 32 guards as hostage. While the events were initially chaotic, the seasoned organizers inside quickly imposed political discipline and logic to the event. They gathered everyone in an open space—the prison's D yard—in order to maximize collectivity and protect individuals. Members of the Nation of Islam, regimented and restrained, protected the hostages. Next, the organizers calibrated a list of demands, building on the ones developed by the Attica Liberation Front as well as the Folsom Prisoners Manifesto. They requested a negotiation committee that included politicians, journalists, lawyers, and representatives of the BPP, the YLP, and other organizations that worked with currently and formerly incarcerated people throughout the state. As importantly, they asked for television cameras to record their discussions with prison officials in the yard, so that the world could learn of conditions inside.

His bodyguard duties ended suddenly, however, after Jonathan Jackson staged a shocking attack on a Bay area courthouse. On August 7, 1970, two days after Black Panther leader Huey Newton was released from prison, the 17-year-old high school student took over the Marin County Courthouse during a trial of San Quentin prisoner James McClain. Accused of having attacked a prison guard, McClain was serving as his own attorney when Jackson interrupted. "All right, gentlemen, I'm taking over," Jackson said as he removed a gun from his coat. He then distributed guns to McClain and two prisoners who were there to testify as witnesses in his case, William Christmas and Ruchell Magee. The group then took the judge, District Attorney, and several jurors hostage. Jackson wanted to use them as bargaining chips to free his brother. San Quentin guards, who had been called in to help, opened fire on the group as they began to drive away in the van Jackson had driven there. Jackson, Christmas, McClain, and Judge Harold Haley were all killed. The District Attorney and Magee were both wounded.

Many radicals viewed the young Jackson as a hero. More than 3,000 people attended his funeral, during which Newton praised Jackson as his would-be successor as BPP leader. Other BPP members read eulogies from men inside California prisons. Calling Jackson's action a "very, very important thing," Chicago Eight defendant Tom Hayden said it "changes the entire relationship between the courts and political prisoners, between the oppressors and oppressed people." In a letter dated "August 9, 1970. Real Date, 2 days A.D.," George Jackson wrote that "society would have to reckon all time in the future from the day of the man-child's death." Six prisoners charged with a riot in Auburn, New York, declared Jonathan Jackson their role model. "Right on to the baddest mothafucker that ever lived and died!" they wrote, saying that his attack was part of the "specter of complete freedom [that] is haunting Racist Babylon."⁴⁰

Two months after Jonathan was killed, Bantam Books published *Soledad Brother: The Prison Letters of George Jackson*. Supporters marked the book's release with a party at the gates of San Quentin. The book gathered six years of letters Jackson had written to his family. It also included some letters written to Stender and some other female supporters, including Davis. The book, which soon became a bestseller, was Stender's idea. She had learned from Charles Garry that the secret to successful defense campaigns was public attention. Her colleague and fellow attorney, Beverly Axelrod, had played a similar role in arranging Eldridge Cleaver's book of essays two years earlier. Taken with Jackson's writing herself, Stender believed his voice would convince people of his innocence.

Soledad Brother appeared in the fall of 1970, with an effusive foreword from French playwright Jean Genet. A former prisoner himself, Genet had been an outspoken supporter of the Black Panthers and had solicited other French intellectuals to support Black prisoners in the United States. Jackson's writing would prove a foundational, if unacknowledged, influence upon French theorist Michel Foucault's seminal history of prisons, *Discipline and Punish*.⁴¹

Jackson's voice was both original and steeped in a Black literary tradition of first-person testimonials against racism. He recounted his personal regimen of exercise and education amidst constant peril. Jackson wrote of becoming a prison guard:

There are no qualifications asked, no experience necessary . . . Any fool who falls in here and can sign his name might shoot me tomorrow from a position 30 feet above my head with an automatic military rifle!! He could be dead drunk . . . but he'll be protected still. He won't even miss a day's wages.

Ultimately, Jackson suggested that prisons were at a tipping point of revolutionary upheaval.

There are still some Blacks here who consider themselves criminals—but not many. Believe me, my friend, with the time and incentive that these brothers have to read, study, and think, you will find no class or category more aware, more embittered, desperate, or dedicated to the ultimate remedy—revolution. The most dedicated, the best of our kind—you'll find them in the Folsoms, San Quentins, and Soledads. They live like there was no tomorrow. And for most of them there isn't.

The book closed with a love letter to his brother, the “Black man-child” who led the raid in Marin.⁴²

The book's success sparked a renaissance in prison literature. The next few years witnessed an explosion of prisoner memoirs, journalistic exposes, and other sympathetic writings from or about prisoners. Almost all of the books that appeared at this time were written by men, more a reflection of the popular association of prison with men than an indication that incarcerated women were silent about their conditions. These writings cast the authors as sympathetic, deserving figures. Their writings critiqued the racism and economic deprivation that sent people to prison, revealed the extent of violence inside of prison, and demonstrated that incarceration did not disqualify someone from being an artist, activist, or intellectual.⁴³

Jackson, however, was less interested in acclaim as a writer than in his role as “Field Marshal” of the Black Panther Party, tasked with recruiting other prisoners to join the party. The Field Marshal rank was a military one. Its bestowal upon Jackson honored his commitment to armed conflict as a necessary means of social change. In this way, Jackson developed many of the ideas popularized by psychologist and revolutionary Frantz Fanon, who argued that violence was both cathartic and necessary for overturning colonialism.

While many prisoners supported retaliatory violence, Jackson linked this desire with plans for a larger people's war for socialism. Though the Field Marshal title was more symbolic than practical, Jackson did recruit several men to join the BPP and contributed several articles to the *Black Panther* newspaper. He also laid plans for military attacks against U.S. authority. After his brother's death, he cofounded

However, national attention once again focused on a linked series of rebellions in California and New York that would shape the prison movement—and prison management—for years to come.⁵⁵

On August 21, George Jackson was killed during a takeover of the Adjustment Center at San Quentin. The circumstances of his death remain mysterious even decades later. Authorities allege that an attorney slipped Jackson a pistol during a legal visit, which he then hid in a wig and walked back toward his cell block before taking guards hostage. Critics contend that Jackson overpowered guards who tried to kill him and unleashed a bloody fury before they succeeded in shooting him dead. Enough evidence exists to disprove both stories. Government sources changed their story about the size of pistol Jackson carried several times, and subsequent attempts to reproduce the lengthy walk Jackson was alleged to have taken with a gun tucked in a wig demonstrated the improbability of doing so without immediate detection. The attorney who visited Jackson immediately beforehand was cleared of all wrongdoing. Yet, no one has been able to demonstrably prove that Jackson was set up.

Regardless, somehow Jackson ended up with a gun in what was supposed to be the toughest, most secure part of the prison. He then forced the guards to open the cells inside the Adjustment Center, freeing the 26 other men in the unit. Using the gun and homemade knives, Jackson and unnamed others killed three guards and two prisoners who were disliked by the other men in the Adjustment Center. Jackson then ran out into the yard, which his friends later said was to spare them the incoming attack. Guards shot and killed Jackson in the San Quentin yard. With Jackson dead, guards forced the remaining prisoners to strip. The men were beaten and held incommunicado for days while authorities investigated the situation.

While the investigation proceeded, many celebrated Jackson as a martyr. Like they did for his brother's funeral a year earlier, mourners praised Jackson as a hero. “To us, George was a fire that never went out,” declared Father Earl Neil, a reverend who worked closely with the BPP. Members of the BPP, dressed in their signature leather jackets and black berets, served as pallbearers, while the funeral program listed as honorary pallbearers “all the revolutionary brothers in prison camps across America.” Georgia Jackson, who had lost both of her sons in a 12-month period, called for a UN investigation. The 26 other men in the Adjustment Center signed an affidavit detailing the beatings they received and the constant threats they faced since Jackson's death. In response, authorities granted two delegations of journalists, politicians, and professionals to tour the prison. They found evidence of abuse but disputed the prisoner claims of “torture.”⁵⁶

Jackson left behind a powerful literary legacy. Authorities confiscated nearly 100 books from his cell, including books by Aristotle, Plato, and Nietzsche; Albert Camus, Jean-Paul Sartre, and Karl Marx; W.E.B. Du Bois, June Jordan, and Martin Luther King. The reading list was part of a collective study group Jackson organized in the Adjustment Center, which informed his posthumously published book. *Blood in my Eye* was completed days before he was killed and published

1971: Rebellion and Revenge

The prison rebellion years included both organizing inside of prison and defense campaigns to keep people out of prison. The effort to free Angela Davis was certainly the biggest defense campaign of the time. While supporters called to “free Angela Davis and all political prisoners,” the emphasis remained squarely on Davis. Her case united the international Communist movement with the global Black Power movement in ways few others did or could. Defense committees for Davis sprouted up around the country as “Free Angela” demonstrations could be found as far away as Russia, Germany, France, India, Greece, and many other countries. Many prominent artists supported her freedom. Actor Ossie Davis led her Defense Fund, Aretha Franklin was one of many celebrities to donate money, and people such as Nina Simone and James Baldwin visited her in jail.⁵²

While no one garnered the level of support Davis did, activists continued to mobilize on behalf of those facing repression. That August, 11 members of the Republic of New Afrika, including cofounder Imari Obadele, were arrested in raids on two houses in Mississippi. Convicted of various offenses, the RNA members organized inside of federal prisons for the rest of the decade. The same was true for incarcerated members of the Black Panther Party. In Maryland, for instance, a Black Panther named Marshall Eddie Conway formed a prisoner union, started a newspaper, and held political education classes that ultimately produced an ongoing collective inside.⁵³

In Louisiana, prisoners formed a chapter of the BPP to counter racist brutality and the continuation of a slavery-style model of prisoner labor. Albert Woodfox and Herman Wallace met members of the New Orleans BPP when the Panthers were incarcerated while standing trial for a shootout with police. While the Panthers were acquitted, Woodfox and Wallace were sent to Angola. On the grounds of a former slave plantation—and named after the country in Africa where many of the enslaved people originated—Angola was the most feared prison in the state. The mostly Black prison population was forced to cut sugarcane under a punishing work regime that used disciplinary reports to compel men to work as much as seven days a week. Wallace organized other prisoners to conduct a work slowdown. He and Woodfox met in the prison yard to plan how to foster collectivity among the isolated prison population. They sent a letter to the BPP in Oakland seeking permission to open a chapter inside of prison. By 1972, it was granted. Their plan was to educate prisoners, end rape of prisoners, and improve other aspects of their conditions. However, Wallace, Woodfox, and another Black Panther named Robert King were falsely accused in the murder of a correctional officer and thrown in solitary confinement for the next 40 years.⁵⁴

The most significant aspect of prisoner organizing in 1971 was the increasingly militant tenor of uprisings. Some of the first rebellions of the year began in the south, where 1,200 prisoners at Florida State Prison launched a hunger strike and 96 prisoners in Georgia’s Chatham County Prison held a two-day sit-down strike.

a group called the Black Guerrilla Family (BGF). The group began with a politicized mission of revolutionary Black nationalism; it advocated retaliatory violence against guards. Like other unsanctioned prisoner organizations, the BGF also participated in the underground economy of prison.

George and Jonathan Jackson both symbolized the growing intensity of activism inside prisons and jails. At the same time as Jonathan Jackson attempted his ill-fated assault on a Marin courthouse, rebels brought the New York City jail system to a grinding halt. The city’s jail system had been overcrowded for several years, leading to abysmal conditions for both those incarcerated there awaiting trial and for guards who worked there. As a result, half of the people entering the jail had to wait at least a week to get a blanket or sometimes even a mattress to sleep on. Rats, roaches, and body lice filled the jails, while soap was in short supply. Members of the Black Panther Party, including members of the Panther 21 case, and the Young Lords held political education classes daily. Jails tend to have a fast turnaround, as people stand trial and either get released or sent on to a prison. But the system was so overcrowded that people were held in jail for long periods of time. They had more time to organize.

The rebellion began at the Manhattan House of Detention. Because of the architectural style of prior borough jails, and presumably because of its bleak conditions, the jail was known as “The Tombs.” In what had become a familiar pattern, prisoners pressed their grievances with officials but heard no response. On August 10, several prisoners at the Tombs took five guards hostage. They demanded to see media and the mayor. The *New York Times* printed their demands, and the uprising continued throughout the month. Prisoners broke windows and sent notes out on the city streets below. Some even boycotted their court hearings in protest. One of the key grievances was how long Black and Puerto Rican poor people spent in jail awaiting trial as a result of exorbitant bail fees and an overcrowded system. In a decisive, if short-lived, victory, officials held bail reduction hearings inside the jail as a result of the rebellion.⁴⁴

Officials also tried to stifle the rebellion by transferring some men to different jails. Yet it had the opposite effect: the uprising spread to five other facilities across the city throughout the fall. This turn of events was a microcosm of the prison rebellion years writ large, where punitive transfers often served to spread rather than contain discontent. In another sign of the larger zeitgeist, the citywide jail rebellions were multiracial affairs grounded in the radicalism of the BPP and YLP. Prisoners developed a handwritten newsletter to share word of the revolt; lacking even so much as a typewriter, men took turns copying the items by hand to circulate around the jail. They also attempted to involve the public as much as possible, hanging banners outside their windows or dropping notes onto the city streets. Meanwhile, four prisoners filed a federal class action suit against the city, alleging that the conditions violated their First, Sixth, Eighth, and Fourteenth Amendment rights.⁴⁵

The immediate response to the rebellion was repression: city officials placed all the jails on lockdown, reduced food portions, denied showers and visits, and cut off access to the commissary. In the next three years, however, city officials placed

a limit on pretrial detention and improved aspects of the physical conditions. The rebellion had left an impression. The YLP incorporated prison issues into their otherwise urban-based organizing, especially after one of their members, Julio Roldán, was found dead in the Tombs. His death was ruled a suicide, which the Lords disputed—especially as there was a rash of suspicious suicides inside the jail. On October 18, 1970, the group took over the First Methodist Church of Harlem and demanded it be turned into a legal center and that clergy investigate the local prison system. Other Puerto Ricans agreed. A local television reporter named Geraldo Rivera published a letter in the *New York Times* after the mayor had appointed him to a civilian review board of the jails. Rivera decried the “Bastille-like conditions” in which the city’s jail population, 90 percent of them Black or Puerto Rican, lived. “[A]fter spending hour after hour inside the Tombs and speaking with hundreds of inmates, I’ve come to the conclusion that perhaps there is only one meaningful reform: Let them out.”⁴⁶

Women’s jails also became a site of protest, in concert with the burgeoning women’s movement. New York City feminists took interest in the jail, setting up a “women’s bail fund” to help free women who couldn’t afford bail while awaiting trial on minor charges. Their efforts merged with supporters of the Black Panther Party and others. Activists staged a weeklong demonstration outside the Women’s House of Detention in lower Manhattan from Christmastime 1969 until New Year’s Day of 1970. The demonstration was in solidarity with two members of the New York BPP chapter, Joan Bird and Afeni Shakur, the only women defendants in the Panther 21 case. Activists continued to protest at the jail. The group Youth Against War and Fascism held an International Women’s Day protest at the jail on March 8. During a rally of several hundred people, a few activists broke windows of the jail and even rushed the doors to get inside. Police arrested six people in the melee, with Bird watching the entire protest from inside.⁴⁷

Activists returned to the jail yet again that fall after Angela Davis was arrested. Fearing for her safety, Davis had gone underground after Jonathan Jackson’s death. She was placed on the FBI’s Ten Most Wanted List before being caught by police in New York City that October. She was held at the Women’s House of Detention for two months while her attorneys resisted California’s attempt to extradite her to stand trial for Jackson’s raid. If convicted, she faced the death penalty. The CPUSA, a veteran of so many defense campaigns, quickly mobilized to defend Davis. Activists picketed outside the jail, demanding her release. Davis, who received tremendous support from the other women she was incarcerated with, used the occasion to advance a larger challenge to imprisonment. During a December 21, 1970, protest, women on the floor on which Davis was held chanted political slogans while a large demonstration in support of Davis gathered outside the jail. As the crowd outside the jail chanted “Free Angela,” Davis responded by shouting the names of other women on the floor with her: “Free Vernell! Free Helen! Free Amy! Free Joann! Free Laura! Free Minnie!” The spirited protests sustained Davis and fostered the already strong solidarity between her and some of the women

inside. Seemingly scared by the public attention Davis had generated, officials transferred her to California on a 3 a.m. plane days before Christmas.⁴⁸

Davis arrived back in California as prisoners there and in New York had launched a new effort in their attempt to challenge their conditions: unions. Prisoners throughout the country had toyed with the idea of a union, especially as rebellions often took the form of strikes. In 1970, Black prisoners at Auburn staged a work strike they called Black Solidarity Day, while a multiracial group of men incarcerated at Attica held a major strike demanding wages and better working conditions. At the time, Attica prisoners earned between six and 29 cents a day, yet their labor making cabinets and lockers netted over \$1 million for the state of New York.⁴⁹

A strike at Folsom prison in the end of 1970 accelerated these efforts. On November 3, more than 2,000 prisoners refused to work or leave their cells. Guards beat the prisoners and forced them to stand naked outside. The strike lasted for 19 days. They released an extensive document, which they titled a “Manifesto of Demands and Anti-Oppression Platform.” The document originated at San Quentin, where a group led by Black nationalists had been working on a campaign to unite prisoners across racial lines to fight against the institution. After an uprising weeks earlier at San Quentin, some of the men were transferred to Folsom, where they soon tapped into similar organizing that had been taking place there. The Folsom manifesto, as it was called, listed 29 demands that would prove influential to the prison movement over the next decade. The demands included issues relating to individual liberties (access to adequate legal representation, medical care, and reading material), political reform (fair parole policies, an end to the rampant and racist abuse of prisoners, and payment and union representation for prisoner labor), the right to organize, freedom for political prisoners, and prisoners’ ability to offer financial support to their family members on the outside.⁵⁰

In late November, a small group of attorneys and former prisoners supporting the strike launched the United Prisoners Union (UPU). The UPU proclaimed that prisoners were part of a “convicted class” who needed a union to bargain collectively for their interests. The union campaigns quickly spread around the country. Within two years, there were efforts to build prisoner labor unions at more than 30 prisons in nine states. The spread of the effort owed in part to *The Outlaw*, the UPU newspaper named after the clandestine broadsheet produced at San Quentin that helped organize the strike there in 1968.

Union activists shared many of the same aims as other prison rebellions at the time: multiracial unity, a right to organize, legal and medical care, and an end to a host of cruelties characterizing everyday life in prison. To this they added a strong class-based framework, including an emphasis on wages and working conditions. California unionists suffered some bitter organizational splits, a few of which turned violent. Yet, similar unionization drives took place in prisons across the country, until a 1977 Supreme Court ruling declared that institutional security trumped the First Amendment rights of prisoners to freely associate, organize, and raise demands about their living and working conditions.⁵¹