

Adult Authority

Twenty red-faced men; paunchy, over-fed, middle-aged, lounging in lush arm-chairs around a long oak table, sucking on pipes or cigarettes and casually determining the fate of California's 18,000 male prisoners, 850 of them in adjustment centers. Twenty men and one mini-skirted woman secretary.

Along one side of the room in three rows of folding chairs sit thirty to fifty of us: a few newspaper reporters, a few people from the Prison Law Project, one State Assemblyman, and a contingent from Connections, a San Francisco group doing a lot of good work for prisoners and their families. "No, I won't answer your questions. This isn't a classroom; you're here as observers," we are told by Curt Lynum, Vice Chairman of the Adult Authority and former head of the FBI in San Francisco.



JIM HOOVER
liberal member, formerly of Corrections Dept.
"If we bring a guy back (to jail) who's been recommended to remain on parole, SOMEONE ought to know why we're bringing him back."

The Adult Authority is a body made up of nine members appointed by the governor, with a chairman and vice-chairman, and eleven representatives (lackeys) who handle much of the work in the prisons for them. Members present at last Monday's meeting in Sacramento besides Lynum were Henry Kerr, Chairman, former L.A. police detective; Charles Brown, Richmond Chief of Police for thirteen years; Jim Hoover, resident liberal, formerly of the Corrections Dept.; Walter Gordon, token black, formerly of the Corrections Dept. and son of a one-time Governor of the Virgin Islands; Daniel Lopez, token chicano, formerly of the Corrections Dept.; Howard Erdman, former Los Angeles D.A. Another member, former U.S. Attorney Bowler, who along with Kerr and Erdman makes up the ultra right-wing faction of the Authority, was absent, and there is currently one vacancy. Pay for members of \$25,000 a year.

These men have full responsibility for setting the rules and conditions of parole throughout the California prison system, for conducting parole hearings, and for revocation of parole once it is granted. Most prisoners see a two-man panel of members or representatives for five to ten minutes a year at a closed hearing—the prisoner is permitted no lawyer or representative—and then dismissed. A day or two later he learns if he will receive parole or if he will have to wait another year til his next hearing. If the hearing is conducted by two representatives they have no power to grant him a parole date anyhow. Since virtually all California felons receive indeterminate sentences—e.g. 6 mos.-15 years, 5 yrs.-life—this small group of Reagan appointees has total sentencing power over every convict in the California penal system.

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The Adult Authority claims that by taking the sentencing power away from the emotion-laden courts they can distribute justice more impartially and compensate for the inequalities between the different courts around the state. In fact, this procedure means that sentences are determined by men who have no knowledge of what went on at a man's trial, who know nothing of any extenuating circumstances, who have never heard any defense on the man's behalf. At one point in Monday's proceedings they discussed the fact that they rarely receive the judge's comments at time of sentencing, even though they receive a detailed D.A.'s statement. Consequently, a man's sentence has no relation to his "crime," but depends merely on his conduct in prison and the subjective opinions of the guards, whose write-ups cannot be questioned. Under these conditions, sentence lengths have soared in the last ten years.

What sort of men are these, who hold total power of 18,000 lives? All twenty are former police, FBI agents, D.A.s, prison guards, etc. Dept. of Corrections literature describes them as having "worked for years in some phase of the administration of justice." They are very possessive of their god-like powers, and they don't intend to release anyone they see as a threat to society—their kind of white, property-owning, society. Furthermore, they judge men from a totally paranoid set of assumptions about human nature. "We want to get those men back out there just as soon as they can stand that kind of freedom." "...We're dealing with some potentially very violent, wild men." "...This man has an overt homosexual problem and he had a real negative attitude at the time." "...He reverted to his former behavior pattern—a transvestite." "Some of these men respond to parole—they need this guidance..." "...We have rougher cases at CMC—a lot of psychotics and homosexuals and so forth." Sex crimes particularly upset them, and sometimes produce a titter around the room. One former Authority member, now the warden at Soledad, always left the room to wash his hands after dealing with sex offenders at parole hearings.

Not surprisingly, the Authority members seem more interested in their own careers than in the welfare of the prisoners. Reforms are made for reasons of efficiency and public image, rather than for humanitarian motives. They discussed the situation of prisoners at Susanville being roused at 2:30 am every day for a 400-mile round trip to work at Iron Mine as a problem in staff morale. "Move them to South Seas?" someone suggested.

"There's political considerations there," was the answer, and the suggestion was forgotten. Some members suggested documenting reasons for long-term incarcerations, so as to appear less arbitrary in their judgements. Others preferred giving no stated reasons for denial of parole. The liberals claimed that was no longer politically practical.

The public meeting dealt largely with minor administrative matters, such as whether letter size paper will fit their filing cabinets better than legal size, and how to cash in expense accounts. This latter problem was one of only two on which Walter Gordon, the token black, felt safe to speak up. Ray Procnier, head pig of the California Dept. of Corrections was there to discuss "peanut butter beefs." These are minor disciplinary offenses, such as passing through the food line twice, not considered serious enough to warrant consideration at parole deliberations. Some members wanted to see them; some didn't. Procnier, sitting back and pointing his finger very folksily at the uptight Authority members, told them to just leave it to him, and his department would decide what was important enough for them to see. But Member Erdman, jealous of his authority and worried about missing out on some major offenses, insisted that Procnier write up some precise guidelines on what they would be shown.

The most important matter discussed before the public was a proposal by Lynum for conditional paroles. At present, a new prisoner spends his first six to eight weeks in a "reception center," where he undergoes extensive psychological and aptitude testing. Lynum proposed that each prisoner be given a conditional parole date at the end of this period. The date would be contingent on the prisoner entering whatever educational and trade programs are prescribed for him at that date, completing the programs before the parole date, and keeping out of trouble in the meanwhile. If the man should fuck up in some way, the date would be taken away from him. It may be necessary, Lynum said, to call the system something other than parole, such as conditional release, so that it can be taken away more easily. The fear here is that a court might rule that a parole date once granted could not be taken away without good reason.

Lynum advocated acceptance of the plan for two main reasons. First, the Adult Authority is coming under fire from the Legislature and the public over the whole matter of indeterminate sentences, and this would take some heat off



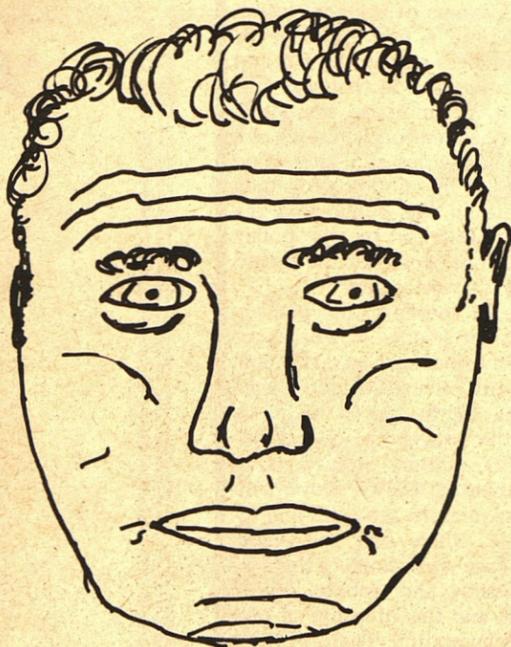
JIM HUTTON

Spokesman for representatives, spent seven years as a prison guard, an emotionless robot.

them. Second, he expects the plan to cool out the prisons since prisoners will be less likely to cause trouble if they already have a parole date "in their hip pocket" which they are afraid of jeopardizing.

"One problem," someone said, "will be that prisoners who have just had hearings under the old procedure will sue for new hearings if we make the change." "We'll just have to roll with those kind of punches," said Hoover, the Authority liberal. Ray Procnier objected that if you give a guy a date for longer than two or three years it might be too much for him to bear. He thinks it's easier to keep control if the prisoners never know when they might be paroled until it happens. Gordon wanted to know if a man who wanted to program but wasn't mentally capable would end up doing more time than someone who could. "We'll police ourselves on that," he was told. Charlie Brown outlined a similar program now in operation in women's prisons, where the prison staff determines the prisoners' programs and the parole date is set one month before the prisoners MEPD (minimum eligibility for parole date). "You've got to have faith in your staff with this program," he said. "If you don't, forget it."

Lynum has tried to have this system implemented elsewhere before he came to California. If he succeeds here, it will be a big feather in his political. With indeterminate sentences coming under a lot of pressure, this plan promises to relieve the pressure and still keep absolute sentencing power in the hands of the Adult Authority. That, combined with the tension in the prisons makes the time ripe for Lynum's plan to be adopted. His biggest supporter at the meeting was Hoover, who was brandstanding before the press and audience as a humanitarian liberal. The hard-line conservatives such as Kerr, Erdman, Hutton objected to any change, but when a hurried vote was taken (members only voted) it went 4-2 to adopt the measure in principle (said Brown: "I'm not voting because I don't know what you're voting on.") They called it a 5-2 vote and cleared the room so they could discuss their serious business in executive session.



CURT LYNUM
Vice-Chairman, former head S.F. FBI

"My plan will take sentencing away from the judge and the jury, which is a highly emotional situation, and give it to us."

This meeting, thanks to Connections, was the first Adult Authority meeting to have more than four or five observers present. The crowd makes them a little paranoid. Their next meeting is November 15. Get the Address from Connections in S.F. or Prison Law Project in Oakland. Attend and ask questions.