

Thursday, May 13th, 2004
Baton Rouge, Louisiana

PRISON ABUSE RIGHT HERE AT HOME

Most Louisianans, just like the majority of people throughout the country, are appalled by the abuse of prisoners being held in Iraqi prisons. It's abhorrent to us that an unremarkable assortment of decent Americans can put on uniforms, cross the globe and become tormenters of helpless prisoners. But let's get real folks. What happened in Iraq often takes place in prisons throughout America, and it's naïve for anyone to think otherwise.

If you have any doubts, just pull up "American Prisons" on any search site, and read the litany of complaints, investigations and lawsuits. *The New York Times* reported this week that "Physical and sexual abuse of prisoners similar to what has been uncovered in Iraq, takes place in American prisons with little public knowledge or concern."

Being stripped and left naked is routine in many Pennsylvania prisons. In Arizona, male inmates at the Maricopa County jail in Phoenix are made to wear women's pink underwear as a form of humiliation.. In Virginia, new inmates are covered in black hoods as guards reportedly beat and curse them as they are made to crawl on their knees.

As in many instances in this country, to find the worst of the worst, you go to the Fifth Circuit in New Orleans. The Court is presently considering the case of U.S. vs. Johnson. A Texas inmate was repeatedly raped by other inmates, even after he appealed to guards for help, and was allowed by the prison staff to be treated like a slave, being bought and sold by various prison gangs in different parts of the prison. The federal judge who tried the case wrote in his opinion about "the existence of violence, rape and extortion in the prison system and about the suffering from such abysmal conditions."

In recent years, some 40 state prison systems were under a federal court order for prison brutality, poor food or lack of medical care. In Louisiana, until warden Burl Cain took over and cleaned up the mess, Angola was referred to as "the bloodiest prison in America."

Reports are broadcast daily about the Abu Ghraib prison in Iraq where much of the torture and abuse took place. The fellow who was in charge of the opening of this prison and who directed the training of the guards there used to be in charge of the Utah prison system. He resigned from this post under pressure after an inmate died while shackled naked to a restraining chair for more than 16 hours.

I had no problems during my "sabbatical" at Oakdale last year. But remember that this is a minimum security prison with no fences. Many of the prisoners there had horrific stories of what went on "behind the wall" at medium security federal prisons around the country. And absolutely no pictures are allowed from inside the prison. None. Only with

family members in a designated visiting area. No pictures. No problem. Do you honestly think there would have been any public outcry if we had not been bombarded with pictures of the abuse taking place in Iraq?

It's really no surprise that such little concern is expressed about what goes on in American prisons. Unless there are family members or loved ones involved, inmates become a part of a disposable population of Americans that are irrelevant and off the radar screen.

So think about this when you become all upset about conditions of foreign prisoners half way around the world. If what's happening in Iraq bothers you, perhaps you ought to take a look in our own backyard.

Several other thoughts...

Can you believe the buck passing by the higher ups in the military? No orders down the chain of command. This was nothing more than a handful of lower ranking enlisted men who did all this abuse on there own. Can't you just see young National Guardsmen packing to go to Iraq? "Let's see now...what to pack? My tooth brush, soap, a razor, and, oh yeah, I probably ought to bring along several black hoods and a dog chain. You never know when they might come in handy." Yeah, right!

And isn't it interesting that not one Arab leader has condemned the American prison abuses. Lots of complaints form the Arab press and the masses over there. But nothing from the top guns. This should be no surprise. Abuse and torture is a "way of life" in prisons throughout the Arab world. They are quite happy to keep the focus off them and on us.

No More Street Basketball for the kids?

A proposed law is moving through the Louisiana legislature that will prohibit kids from playing basketball, football and other games on public streets. Kids and their parents could be fined \$25 plus court costs if the new law is put into effect.

Now that's all fine if our kids have some place else to go. Unfortunately, most Louisiana towns and cities have inadequate parks and other recreational areas. There's really no place to go. If you live in Baton Rouge, drive over to south Choctaw at Linwood, and see the kids playing basketball, kickball and stickball in the street. In New Orleans, you can view a lot of activity on any side street off of North Claiborne or Elysian Fields. In Shreveport, it's the Bottoms in the Allendale area. And in my old hometown of Ferriday, "two on two" takes place every day off the Doty Road.

Sure it's an irritant to motorists. But until local officials open up more publicly accessible areas and build more playgrounds, we have few options. Drive the kids off the homemade basketball courts, and they will have nothing better to do than hang around the street corner joining the drug scene.

(Some of the following material was posted last week, but a number readers could not access it.)

PRESIDENTIAL POLITICS; WHAT IT WILL TAKE TO CARRY LOUISIANA

Louisiana has been profiled by both President Bush and Sen. John Kerry as a "high priority" state for the coming campaign. Both candidates will be back in Louisiana in the next two weeks. And the Bayou State was one of 17 states to run the recent 50 million dollar television buy of the Republicans. The Kerry campaign has just begun a major T.V. effort in key "swing" states that includes Louisiana. So just what will it take for either candidate to win in the deepest of the deep southern states? Much more than either candidate is doing so far.

Several national issues will have some play here. The war and the economy resonate as national concerns throughout America. But the war effort has almost taken a life of its own. It's such a complicated mess that Kerry is having a hard time offering alternatives, and the President has little choice but to trudge it out in the months to come. Bush won't lose Louisiana on the war issue alone.

And we don't have a recent economic crisis here that can be blamed on the President. Louisiana's economic doldrums have been in place for some time. We haven't lost 200,000 jobs in the past few years like you find in Ohio or Pennsylvania.

There is an opening for either candidate to make hay down here by focusing on a few local issues, and voters here won't necessarily demand specifics. More a sense that one of these guys seem to understand the "pulse and feel" of the state. The political, social and economic mix that makes Louisiana unique. Don't tell us everything they think we want to hear. Just show some real concern that issues important to us will at least be reviewed and considered.

And remember that outside of New Orleans and, to some degree, in Baton Rouge, our demographic makeup reflects a rural, middle class sense of values and concerns, particularly north of I-10. If you want to make political headway down here Mr. President or Mr. Presidential wannabe, make a few key stops, loosen your tie and just get to know us.

Remember that a lot of Louisiana voters listen to James Dobson preach on AM radio and tune in to Reba and Travis on FM. They are in church on Wednesday evening, as well as

Sunday, and they know the difference between Jimmy Swaggart's preaching and other Pentecostal faiths. They can name four or five NASCAR drivers (stock car racing is the best attended sporting event in America; more so in the South.) They know what soybeans look like. A regular stop for them is Wal-Mart. They will never spend more than \$20 for a meal.

They are looking for a President to tell them that he will favor the "people" versus the "powerful." He should appeal to a Louisiana middle class that feels threatened by forces beyond their control, such as HMOs, big corporations, tobacco companies and globalization. If other parts of the country are becoming more affluent, the average Louisiana voter is not seeing much progress for himself. Actually, Al Gore in 2000 and Bush senior in 1988 did a pretty fair job of tailoring such a philosophy. Unfortunately for each of them, the messenger wasn't as strong as the message.

So what are the issues that will resonate with Louisiana voters? There are several.

Put the loss of hundreds of thousands of acres of Louisiana's wetlands at the top of the list. Unfortunately, neither candidate has given any meaningful support to this important issue. *The New York Times* last year (1/11/03) editorialized of how Bush has undermined protection for wetlands. And when Kerry was attacked by Florida Gov. Jeb Bush for favoring oil interest over wetlands, his campaign said he was talking about Louisiana, not Florida. (*The Washington Post*-4/2). Not much to cheer about from either camp.

Both candidates play to environmental concerns in Florida. "No drilling off the Florida coast," says Bush. Just do it in Louisiana. Kerry's comments mirror the President's. Our wetland losses far outpace any other place in the country. We are looking for strong concern and assurances that major funding will be forthcoming.

Make a commitment to revisit federal funding formulas that dramatically short-change Louisiana. Our state is at the low end or bottom of the totem pole when it comes to formulas involving federal highway funds, federal reimbursement for nursing homes, medicare funds, and royalty income from offshore oil and gas production. We don't want anything special. Just an equal share. A few examples:

- 1) A federal gas tax is charged on every gallon of gasoline that goes into a national road fund to build highways. For years, a formula has been used to distribute funds in a way that works against Louisiana's interest. For every dollar we send to Washington, Louisiana taxpayers are getting a little more than ninety cents back. California receives \$1.30 for every dollar it sends to Washington, the same for most states along the east coast. So Louisiana taxpayers are subsidizing roads and bicycle trails throughout California, New York and many other states. We are putting substantially more into the federal pot than we are getting out.
- 2) Louisiana receives federal reimbursement for nursing homes that take care of the poor under the Medicaid program. But the formula works dramatically

against Louisiana nursing homes. Where New York receives reimbursement for Medicaid patients of \$175.00 a day, the same patient in Louisiana receives only \$81.00 a day. Some states receive much more. Alaska, for example, receives per patient \$317.00 per day. Louisiana has the lowest reimbursement in the country. This, of course, makes it more difficult for Louisiana nursing homes to provide adequate care, and there is significantly less money turning over in our economy. There might be a slightly higher cost of living in New York and other states who receive as higher reimbursement. But three times our amount? Come on! We're just not being treated fairly.

- 3) Medicare reimbursement for seniors. Again, Louisiana is at the bottom of the barrel in reimbursement for payments to hospitals and medical facilities to cover the cost of citizens who receive Medicare. The fact that we have a higher percentage of older people living in our state works against us. If anything, it should be just the reverse. The formula for Medicare reimbursement is out-of-date, and is grossly unfair to Louisiana from infusing enough dollars in the medical community, and we are not seeing the turnover of spending in the Louisiana economy.
- 4) Louisiana gets the shaft when it comes to our state receiving any royalty money from the hundreds of millions of dollars the federal government makes off of oil and gas in Louisiana waters. All one has to do is drive down to Grand Isle to see the massive oil production that takes place off our coast. And there are direct costs to every taxpayer in our state. We are spending state tax dollars to subsidize this offshore drilling, yet we do not get one penny in return. ZERO! ZILCH! NOTHING!

What are our costs? We supply the infrastructure for the oil and gas industry to move offshore. We give police and fire protection for the crew and supply boats going to and from the rigs. We educate the children of workers who are employed on the rigs. We rescue those same workers when foul weather approaches. Yet we get nothing in return.

That's not the case in several other states, including Alaska. Oil and gas is also drilled on the coast of Alaska. Did you know that Alaskans pay no income tax or statewide sales tax? And it goes much beyond this. Every man, woman, and child is given a check every year because of the oil and gas production. This year's check will be a little over a \$1000.00 a person. In some years, when production was higher, every Alaskan got as much as \$2000.00. They are in no different position than we are. These minerals are part of our state, and we are spending millions of dollars to give support to this industry. Yet nothing is returned.

Back in the 1950's, President Eisenhower at first offered Louisiana 50% of all the royalty interest in this offshore drilling. Our state officials balked at making a quick decision, and then the offer was withdrawn. If we had accepted this arrangement, there would be no taxes of any kind in Louisiana today. And each one of us would have been receiving a regular check, far in excess of what Alaskans are receiving.

No, we can't turn back the clock and get the same deal. But fair is fair. Something ought to come back to Louisiana.

So there you are Mr. President to Be. A direct acknowledgement that Louisiana has not gotten a fair shake, and that a serious review of these complaints will be undertaken will go a long way in building strong support throughout Louisiana.

Both Bush and Kerry have high negatives with six months to go until election ay. What can each one do to build a more favorable image? Log on next week for a candidate review of strengths and weaknesses from a Louisiana perspective.

Bob Edwards signed off last week as host of National Public Radio's "Morning Edition" after being on the air each weekday for the past 25 years. When I practiced law in Ferriday years ago, he was about my only link to the outside world. He is apparently "over the hill" at the age of 57. Too bad. NPR has let go a first rate host. I'm moving on to other talk radio.

Now I'm not making a big deal out of this. But May 6th was my birthday.

And I'm joined by a pretty distinguished group. George Clooney(42), Prime Minister Tony Blair(50), Bob Seger(58), Willy Mays(72), Rudolph Valentino(108), and Sigmund Freud(147) to name a few. I'm one day off from the Big Guy. If I would have been born one day sooner(it was about one o'clock in the morning), I would have had the same birth date as the man himself. The Godfather of Soul. That's right! James Brown. He's 72. I'm 64. But you know what?

I still feel good!!!

The trouble with the world is that the stupid are cocksure

And the intelligent are full of doubt.

--Bertrand Russell

Being in politics is like being a football coach.

You have to be smart enough to understand the game,

And dumb enough to think it's important.

--Eugene McCarthy

Peace and Justice.

Jim Brown