

# THE OPENING STATEMENT

of those who are supposed to remain silent

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## BLACK HISTORY IS... | The Coldest Moe-Moe

Black History is the civilization of a cultural development of a nation of people kidnapped, degraded, stripped down and brain washed by a nation of criminals that by any means meant to keep down, but with the effort and strength of perseverance, became a beacon of hope for a history starved by the digestion of lies, corruption, and murder.

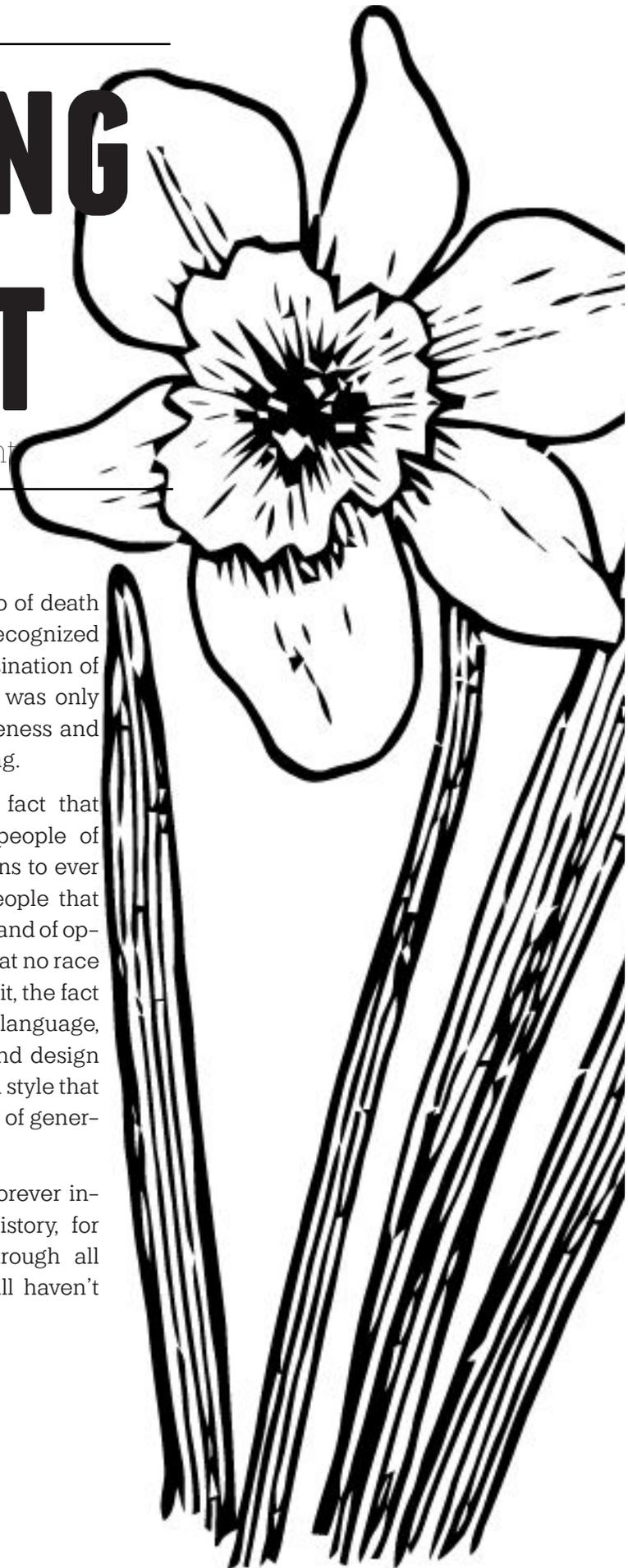
Black History is a monumental sacrifice of individuals' unselfish civility for others. It's the means of greatness, the end of victimization, it is the power of growth through the condition of life unexpected course of time. Black History is a custom of beauty, uniqueness, and originality, an adaptation of physical and mental ability to overcome the depths of a society that perpetuates the demise of its existence.

Black History is immortal a never ending standard of what humanity strives for. Black History is rich in salvation, rich in fortune, rich in resilience. Black History is the mother of the beginning, the root that feeds the spirit of a community that survives on the soul of unity within the act of fellowship that depends on the constitution of others. That have dreams of being heard not

forgotten by an echo of death that has only been recognized by the sinister assassination of humanitarians, that was only freed by the humbleness and grace of God's calling.

Black History is a fact that bring clarity to a people of universal connections to ever ancestor race of people that suffered under the hand of oppression. The fact that no race would exist without it, the fact that it transcends language, cultural evolution and design its own Identity with style that broaden the horizon of generations to come.

The world will be forever indebted to Black History, for the simple fact, through all the hardship we still haven't crack.



I'm sitting here watching Straight Outta Compton and I'm gratefully reminded of the passion, energy, and awareness of the overlooked youth in the ghettos, boroughs, and barrios all over, not only in this country, but the world. Also their plight that is ignored, due to the class politics of our societies. Where lines are drawn by financial status, and the stringent loyalty to your class is predicated on a "system," established by capitalistic tradition, at a time when "human rights" were based on the color of your skin, and although the overt conditions of that era are not enforced as inhumanely as they were back then, the socioeconomic mental conditioning passed down from generation to generation, strengthened by the longstanding prevalence of racially motivated deindustrialization, the color of law that is legislated to secure disenfranchisement, is as strong as ever.

While the adults living in these ghettos are forced, in order to just survive, to ignore the politics of these conditions, when providing necessities negates the ability to commit to fighting the condition, while the political system creates, in order to justify, these very same conditions and the bourgeois in our culture duck for cover, who is it that suffer the most--the

youth. Since the beginning of struggle, when the hope of overcoming cannot be seen in the immediate future, the outlet for downtrodden people has always and forever will be poetry, prose, song, the expressing of overwhelming emotions, speaks to, of, and for a culture. Which brings to mind something Howard Zinn



said in *A Power Governments Cannot Suppress*: "Rebellion often starts as something cultural." Since the African Diaspora hit these shores, the caste and class politics have suppressed and oppressed a people, they have weeded out the young, the strong, and endeavored to beat them into submission, in order to create a perfect subservient worker. But as conditions do, they also forced the seed of rebellion to flower in the minds of those same young strong people. The burdens of our

society are always placed on the backs of the youth who come after our society's blunders, it's a sad affair, but the youth always seem to shine through, they become our voices, our generals, on the battle field of change. So this missive is an ode to our young, I applaud you, I see you, and I acknowledge your courage and work.

This struggle though, has expanded beyond the hoods in America, and has touched with more and more frequency our most precious but undervalued system, our educational system. The tragic shooting in Florida is one example, but not the first, and our society's leaders have failed to address the situation properly, and have actually facilitated the possibility of these tragedies, to court financial political contributions. Once again the youth have been left with the burdens of leaders' blunders, once again their voiced have been enacted, creating a cultural rebellion, to try and ensure their future, while the leaders only care about their personal "to-days."

I would like to expound

upon this and why the frequency, and the mental conditioning that causes these mass shootings to exist. For so long the onus for the struggles in urban societies has been placed on Racism, and I'm not discounting it as a factor, but I am saying that it is only a product of the true mechanism, and a subterfuge to distract from the real designs of the powers that be. The true culprits and their designs are starting to become uncovered in the fact that these issues that have plagued urban gentrified communities, are starting to happen outside of the "hoods," and the responsiveness to them and those who speak out against them. Guns have always been an issue in the hoods of America, gun violence has always been the number one reason for black deaths in the hood, but as long as the racial issue was, by design, stressed, not only by the black communities themselves, but also by the true culprits (for very different reasons, of course). As long as they could keep the race game prevalent, they could sublimely keep a "versus" mentality active. Let's be honest, the partisanship of racial lines is, by default, bred into American societies, where when things occur that affect one or the other, the predominant mentality from the opposite is emotionally insensitive, and therein lies

the motive of the true culprits, they love that it exists and were able to not only firmly establish themselves, but also dupe an entire race of people to believe that they were a part of those in power. The true design is starting to leak out though in the advent of these mass shootings, misogynistic exposure, and patriarchal megalomania, that is the true underlying current of America.

The culprits I speak of have been whispered about for hundreds of years now, and have, to their delight, kept a cloak of anonymity, with an air of mysticism that causes just enough intrigue to feed their vanity. They have had many names: Illuminati, The Unseen Hand, Skull & Bones, Freemasons, etc. But

they are actually just plain old elitist, that not thanks to Trump's buffoonery, have been exposed and found to not be as mystical and intelligent as the romanticism of their mystery has inspired. Yes, they use the neo-Nazis, the anti-semitic, the KKK, and the alt-right, to keep their true intent covered up and veiled, but as can be seen from recent events, only as long as they suit their purposes. And these clowns of neo-Nazis proudly march to the elitist tune, believing they actually have a place at the table, and they do, every time a glass gets half empty, they are nothing more than servants tricked into believing they are masters, and secretly laughed at for their steadfast loyalty to those

who see them as nothing. The Bannons, Gilberts, and Trumps of this country, the NRA and other corporate entities that truly govern our society, that now threaten children for speaking out against them, who reduce the cries of women when abused to the subjection of whether or not the elitist who abused them admits it, who displace whole tribes at the whims of corporate interest. These are the real culprits behind the tragedies that plague our society, these are they who hope we stay divided by race, and promote racial divides to "Jedi mind-trick" one set of people while keeping their foot on the neck of the other. While they manufacture the reasons for the divide, and capitalize off its pro-

duce.

So to the youth who have picked up the torch, and hold the flame of rebellion high against the darkness of obscurity, who rally at the attempts to diminish your voice, who demand to be heard, I salute you, but not the American salute, the salute of rebellion that has no formal guise, but like your voices, is raised in whatever fashion, at whatever time, and at the proper place where it is called to be shown. Speak, write, shout, paint, sing, draw, rap, and make music from your hearts and desires of the future, because when it's all said and done, you are the ones who have to live in it!

## OPPRESSION OR CORRECTIONS | Earl Rodgers

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The system is set up to dehumanize men and women, but they justify the enforcement of it through deception to make it appear to the public as a justice system. There is no positive enforcement. If there is it's amongst our peers.

When you take a look at the justice system there is no true justice. It's a system built to punish, dehumanize, degrade, shame, oppress and corrupt... they try to break the human spirit through a systematic system of retaliation design to look like justice.

It's an "oppression system" that incarcerated men and women are living under day in and day out. The system's way of rehabilitation is through

a belittling system. A system that is set up to enforce respect through fear of punishment... which is suppose to make men and women submit.

But someone has misinformed the system. Because they believe respect is gain through oppression tactics but there can never be true justice through oppression... only slavery... you can incarcerate a people physically to a cell, but you cannot incarcerate the people's spirit.

The "MDOC" stands for: "Misusing - Dehumanizing - Oppression and Corruption." There is no form of "Corrections." No realistic rehabilitation programs are offered.

Prison is the modern-day slave trade. No matter how they try to dress it up as a justice system. It's slavery at its best. The system doesn't care about our skin color, it's a uniform predecided, "Grey and Black against Blue and Orange."

If we go against the system in any manner we're consider a threat. We're not supposed to think against it. Nor unify to find positive ways to create rehabilitation programs. Anything that challenge the system or its tactics is consider a threat. Any resistance is a threat and need to be punished. Submission is the only way to be rehabilitated in the so-called justice system (MDOC).

[M]easures devised and executed with a view to ally and diminish the anti-slavery agitation, have only served to increase, intensify, and embolden that agitation.

—Frederick Douglass

Back in April 2010, I wrote the article, “Your Right Not to Work in Michigan’s Prisons” where I pointed out state criminal statutes did not include a sentence to hard labor, with the exception being MCL 769.2. Consequently, Michigan prisoners could not be legally forced to work as allowed by the 13th amendment to the United States Constitution, and echoed in the Michigan Constitution of 1963, art. 1, §9:

Sec. 9. Neither slavery or involuntary servitude *unless for punishment of crime shall be tolerated in this state.*

[my emphasis]

Thus, the slaves were freed only to enslave, and strip of their human and civil rights, those convicted of “crimes”, which were primarily former slaves. The writers of the 13th amendment intended to give states the ability to re-enslave heretofore “freed” slaves using the justice system. This was made obvious by the opening of large state prisons on former plantations, such as Parchman Farm in Mississippi and Angola in Louisiana. For a brief history of the 13th Amendment see *Butler v. Perry*, 240 U.S 328 (1916). Accordingly, prisoners have no constitutional right to be free of slavery or involuntary servitude, and only retain some of their constitutional rights and very little, if any, of their human rights. See *Sandin v. Conner*, 515 U.S. 472 (1995); and *Jones V. North Carolina Prisoners Labor Union*, 433 U.S 119 (1972).

Fortunately, the 13th Amendment and its Michigan counterpart’s exception to the prohibition of slavery and involuntary servitude are inapplicable to Michigan prisoners because, in 1927, the Michigan state legislature removed the “hard labor” language from the punitive sections of the state’s criminal statutes and placed it in MCL 769.2. consequently, prisoners were only subject to sentences of confinement and fines, unless specifically sentenced to labor pursuant to MCL 769.2, which stated:

Sec. 2. Whenever any person shall be lawfully sentenced by any court to imprisonment in the state prison or county jail, it shall be competent for the court awarding sentence to incorporate therein a provision that the person so sentenced shall be kept in solitary confinement or at *hard labor*, or both, during the term of imprisonment, or any specific portion thereof.

[my emphasis]

See also the Michigan Criminal Law & Procedure, §22.5, and the *Corpus Juris Secundum*, §§ 24, 25.

Over the years many trial court judges, and prosecutors, seemed to have forgotten MCL 769.2’s existence. Prisoners rarely heard it tried at sentencing or saw it on their judgment of sentence. Several years ago, a local TV news segment showed the sentencing judge telling a man, who’d been convicted of going on a murderous rampage, “If I could I’d sentence you to life in solitary confinement because you’re not fit to be around people,” as he sentenced him to life without parole. Obviously, the judge was unfamiliar with MCL 769.2.

Which no longer matters as, since my April 2010 article, MCL 769.2 and its weapon statute MCL 801.9 have been repealed, effective 14 March 2016 when House Bill 4.711 was enacted, confirming the Michigan legislature’s intent that prisoners not be sentenced to labor. However, the bill’s sponsor, State Representative Michael Webber should’ve done his own research, instead of relying on my article, so he would’ve known to repeal MCL 66.1, MCL 93.2, MCL 56.5.371 and MCL 801.2 all of which provide for solitary confinement and hard labor as punishment for criminal convictions under specific circumstances.

In my previous article, relied on *Watson v. Graves*, 909 F. 2d 1549, 1552 (5th Cir. 1990), where the court stated:

We concur that *a prisoner cannot be sentenced to hard labor established by thirteenth amendment rights*; however, in order to prove a violation of the thirteenth amendment, *the prisoner must show he was subjected to involuntary servitude or slavery.*

[my emphasis]

However, *Watson* is no longer valid in Texas because after 1995 Texas statutes authorized prisoners to labor as part of their punishment. See Tex Gov’t Code § 497.090 (119, repealed in 1999 and replaced by Tex. Gov’t Code § 497.099(u) (Vernum sup. 2001)); also, *Ali v. Johnson*, 259 F.3d 317 (5th Cir 2001), and similarly *Borban v. Blackburn*, 727 5u. 2nd 602 (LA 1999).

Michigan, however, does not have these labor statutes. If you are a prisoner in Michigan sentenced before 14 March 2016, you should check your judgment of sentence to make sure you weren’t sentenced under

MCL 769.2. Those sentenced after 14 March 2016 have nothing to worry about. Then if you don't want to be a slave, unequivocally inform the classification director you do not want any of their slave labor, dollar-a-day jobs. Whereupon said director will threaten you with being reclassified as unemployable and placed on "OO" status, i.e., essentially locked-down for most of the day, pursuant to PD 05.01.100, paragraphs Z, AA and BB which is a form of physical restraint constituting coercion to alter your sentence illegally and subject you to slavery or involuntary servitude as defined in *United States v. Kozminski*, 487 US 931, 952 (1988). See also 18 USC §1584; and *United States v. Lewis* 54.9 F Supp. 109 (WD Mich. 1986). "A showing of compulsion is thus a perquisite to proof of involuntary servitude," *Flood v. Kuhn*, 316 F. Supp 271, 281 (DC NY 1970); also, *Clyatt v. United States*, 197 U.S 207, 215.216 (1905).

In *Hill v. United States ex rel. Wampler*, 298 US, 460 (1936), the U.S Supreme Court established the sentence imposed by the sentencing court is controlling, it is the only cognizable sentence, and any alteration to that sentence, unless made by a judge in a subsequent proceeding, is of no effect. Following *Hill*, the court in *Earley v. Murray* 451 F. 3d71 (2nd Cir. 2006), held the state department of corrections could not modify a prisoner's sentence unilaterally, with any sentence modification rendered a nullity but could move to correct the sentence through the juridical proceeding. See also *Hughten v. Mohr*, 2017 U.S App Lexis 18809 (6th Cir. 2017).

In Michigan, there is nothing to modify or correct in a prisoner's sentence as MCL 769.2 has been repealed. Consequently, any act taken to do so by criminal justice authorities, wheth-

er the Michigan Department of Corrections or those of a county jail, even if putatively authorized by a policy or procedure, that conflicts with, or alters, your sentence is illegal. Especially, the unlawful act of threatening to place, or your placing you on "OO" status in order to coerce you into slavery or involuntary servitude, i.e., forced labor, which is punishable by up to 20 years imprisonment and, potentially, any number of years up to life, pursuant to 18 U.S.C §1584. See also 18 U.S.C §§ 241, 242 and 371.

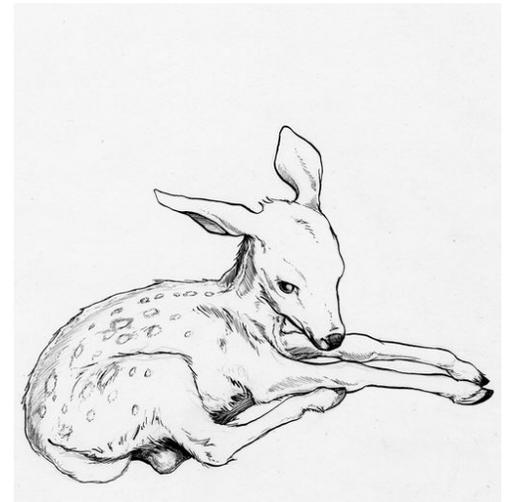
Said criminal act or acts would also constitute a compelling notion of well-established law which automatically strips the perpetrator of any 11th Amendment immunity they may have had. See *Saucier v. Katz*, 533 U.S 194, 201 (2001) and *Harlow v. Fitzgerald*, 457 U.S. 800, 818 (1982).

Moreover, 18 U.S.C §1593 provides mandatory restriction to victims in cases of forced labor and involuntary servitude, i.e., slavery, and states the order of restitution shall direct the defendant to pay the victim the value of the victim's labor under the minimum wage and overtime guarantees of the Fair Labor Standards Act, 29 U.S.C §§ 201 et seq. In *United States v. Shabani*, 566 F. Supp. 21139, 144 (EDNY 2008), the court stated it was "reasonable and just to apply [the] double damages rule applicable in a civil case, to restitution in a more serious criminal case." Further, 19 U.S.C §1544 requires the sentencing court in a criminal case to order forfeiture to the United States of any property used or intended to be used in the commission of such violations.

A victim of a violation or violations of 18 U.S.C §§1581 et seq. may bring a violation under 18 U.S.C §1595, as well as 29 U.S.C §§201 et seq. and 42

U.S.C §1983. The 13th Amendment itself gives rise to a cause of attention for damages and derivatization of civil rights. See *Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics*, 403 U.S. 388, 395-397 (1971).

As shown, it is undoubtedly your right not to be a slave under Michigan and Federal law, so long as you were not sentenced to hard labor pursuant to MCL 769.2. Therefore, at the first opportunity, let the prison classification director know this and that you have no intention of being the slave for peanuts and give him or her the chance to threaten you with being placed on "OO" status in order to coerce you into accepting a work assignment. Then, all you have to do is accept the job under threat and duress, contact the U.S Attorney General's office, advise them accordingly, and demand they prosecute all concerned to the fullest extent of the aforesaid laws, while simultaneously filing a federal lawsuit. They may not be sentenced to labor, or even prison time, but likely will get probation, fines and costs. Technically, the federal government could seize the prison, but unlikely. Nevertheless, their conviction, no matter how minor, would create a rebuttable presumption of guilt in your lawsuit for damages at double the prevailing wage. For all your forced labor – Slavery!



How come with certain people or organizations we give them the benefit of the doubt about good or evil. Titles create an illusion that nothing can be wrong. We forget people hold these titles. A police officer is always right because they hold that title. Yet he's a human with flaws. Why can't we just judge a man or woman by their character, not their title or label?

You have to be who you are. And playing a part can only last so long before your true self comes out. Finding yourself is a process. When you label me a felon or criminal it already triggers a subconscious definition on who I am as a person in your mind. A prejudgment of being deceitful and untrustworthy. So you never embrace the true essence of me. The progress of my growth will be foreign to you. My journey may be looked over. Because you already view me as the label.

Labels dehumanize the poor and immortalize the powerful. Think about these words: Ghetto, Thug, Prisoner, Homeless, Police, Governor, President, The Law, Officer, NBA Player, etc. Those are labels. What do they all have in common? They all represent people. We are all a part of the human family. We give labels their power. We choose to decide about a person before we really know that person good or bad. Sometimes we are right, other times dead wrong.

There is no question about it, I grew up in the streets. I was surrounded by crime every day. Selling drugs, stealing was a way to survive. Murder was considered as a way of punishment at the worst times.

Everybody I knew looked at the law as the enemy. I'm out in the streets 13, 14 years old sleeping in cars in the winter time. And the only people letting me in their house to live were involved in crime. The only people that cared about my sad orphan story was criminals. But you don't hear about that. When you think of a criminal you think of that? We all are at fault for letting labels control the narrative of life. I want to figure out a way we can all connect our stories. How can we relate? We all want to be loved, feel safe. I feel love is the connector for all of us. Another commonality we have with all people is struggle. Whether big or small we all face struggle in some way. In that feeling we can create common ground to connect with one another as people of all different classes or race. Struggle makes us look within yourself. And if you can't find the strength you look towards your love ones for that hope or help. Struggle pulls and push. It turns bad choices into a death sentence. In the streets, I may struggle with a loss of a friend

so that pain pulls me to the gun. Makes me believe the only way to fix this is by murdering the people that caused this pain. Why should my friend die and the people that's responsible live? These are the questions a guy in the street ask his self every day. Looking at your friend's children's eyes. Their mother crying. You get so emotional. The only sight answer at that time in your mind is vengeance. I still don't know the answer to these questions. But I'm ready for a conversation. What would you want if your family was murdered and you knew who did it? See we live a certain way all our life. I was taught the police was your enemy. I knew officers that planted dope on me. I been beat up and dropped in the enemy neighborhood by the police. So why would I call them? I also know that I'm in a prison cell right now I'm locked down 23 to 24 hours a day. I eat nasty food every day. These are consequences of my choices. Just because I believed in something doesn't make it right. Just because I felt I was doing the right thing, doesn't mean I was. I could never wrap my head around calling the police for help.

Now I'm in prison. So, am I supposed to lead people to their death or to a prison next to me? All I can do now is let people learn from my mistakes... Back to labels. Because a label can be the reason you take my writings serious. Or not even pay attention to me.

I often find myself judging people before I give them a chance. I have to force myself to listen to people that I don't agree with. I force myself to find common ground. And what we all have in common is we are loyal to our sides. Republicans loyal to Republicans Democrat loyal to Democrat. Me too movement loyal to me too movement.

In order for us to grow our cause. To build our community. We have to work with each other and find common ground.

I talk about incomplete families all the time. We are one big family whether you like it or not. When I write I try and bring you a voice that was formed from years of pain and struggle. I try and give you an orphan's perspective. And why I made the choices I made. My heart has always been in the right place. I wanted to be loved. I wanted a family. I wanted to be a part of something. Sometimes it feels like you want what you can't have and you have what you don't want. And that chase of that unidentified happiness leads to poor choice making. You may chase something in life and you don't even know what you're chasing. You ever feel like that?

I have often shied away from autobiographical ways of speaking and writing about this real-life nightmare. But I believe personal stories like mine are important because they give a human face to the pain and misery of imprisonment experienced by incarcerated people as a whole.

From time to time there is reporting on some major problem of imprisonment, but in my opinion, the reporting rarely conveys the connection between the specific crises they describe and the root cause of imprisonment itself. For example, in relation to the US leading the world in imprisonment, many issues have been the subject of investigative inquiry, including the disproportionate number of imprisoned poor people; long-term consequences, such as the making of a permanent underclass; the expected cycle of imprisonment from generation to generation; the decline in births among groups that are overrepresented in America's many jails and prisons; the school-to-prison pipeline; the connection between race and imprisonment; and the pay-to-play nature of the criminal justice system. But few of these matters are linked directly to the imperatives of economic expansion, monopoly capitalism, imperialism and the pursuit of super-profits. The net result

is a lack of clarity.

By telling my own story -- a story shared by the many working-class Detroit residents who were forcefully displaced through the brutal "redevelopment" of the city's Cass Corridor area -- I hope to shed some much-needed light on how the capitalist profit motives that drive gentrification are a core cause of mass incarceration in this country.

### **City Planners Wreak Disaster on the Cass Corridor in Detroit**

I first learned about people, about cruelty, about forced sacrifices, about being a hard worker [to build a life for others], about who is and isn't important, and about fair speech and diabolical actions during the 1980s and 1990s, in my hometown of Detroit, Michigan, under conditions of gentrification. I saw with my own eyes how economic and social development dismantled the downtown Cass Corridor area and created internal refugees of American citizens, many of whom join me in here, in prison.

In the 1970s and early 1980s, the Cass Corridor was suffused with vibrancy, joy and a tolerance of others that was clearly connected with Detroiters' self-esteem and a general sense of optimism about the future. When Detroiters elected their first Black mayor,

Coleman A. Young, in 1974, first-time home ownership was at an all-time high, and conflicts that plagued Detroit's labor movement for over half a century appeared to be resolved. Then life changed.

I don't know which came first, but the changes came hard and fast: mortgage foreclosures, the imposition of tax liens, governments seizing property through their power of eminent domain, the reduction and gutting of city services, city officials ignoring an influx of drugs and prostitution, rampant homelessness, and courts and prisons' increased presence in our lives. But I am certain we were being pushed out of the Cass Corridor, displaced through a complex network of public and private interests. In the mid 1980s, Detroit Mayor Coleman Young announced that city dollars would be used to finance the development of downtown hotels, so that Detroit could attract convention business. Homes were foreclosed. Businesses were dismantled. And everyday decision-making power was shifted from families and local business owners to state legislators, venture capitalists and a combination of financial institutions and interests.

It was as if a number of bombs just went off. Almost overnight the Cass Corridor resembled a war zone.

Vehicles that swept city streets and removed trash could be seen broken down on the side of the road. The stench from mountains of trash was unbearable. Two of the three supermarkets that provided food to the 2,000 or so residents of the Cass Corridor were burned down, never to be rebuilt. The city shut off power lines needed to keep the street lights on, giving a whole new meaning to the word darkness. Then, many men in the neighborhood took to scrapping, and the power lines were the first to go. At night on some streets, it was impossible to see three feet in any direction. I don't think anyone felt safe, including myself. Three of the area's four schools -- Burton Elementary, James Couzens Elementary and Jefferson Junior High -- looked more like abandoned factories than places of learning. Disinvestment made it appear as if every essential service required for a decent and safe living had come under rocket fire.

The immediate objective seemed to be to create unlivable conditions. The longer-term objective seemed to be to force us out of the Cass Corridor so it could be "renewed," the new phrase at the time meant to hide and shift public dialogue into a direction favorable to economic power. To accomplish these twin goals, city officials became

the linchpin of a strategy that involved radically reducing municipal spending -- including spending on health, education and welfare -- combined with giving greater resources and authority to police and prosecutors and expanding the criminal code before embarking on imprisoning many of the casualties of renewal.

I knew we were being pushed out but was clueless about what to do to push back. I just accepted the fact that we were being uprooted. Families were being broken apart and social stability was being destroyed. I did not have much help, not even from my parents. Both were incapacitated: My mother was dependent on drugs and my father was in prison. I had to improvise and fell into a lot of desperate activity. I learned how to make do with whatever resources were around -- wit, audacity, determination and the drug trade. It was a confusing time. A climate of heavy-handed abusive policing intensified as the police attempted to run us out of the Cass Corridor. Eventually, Detroit police arrested me and my decades of incarceration began.

### **Gentrification's Human Costs**

When Detroit mayors Coleman Young and Dave Bing began to publicly acknowledge the need for

the city to both shrink and radically reinvent itself, they [were] committing to additional outcomes besides "economic and social development." Where were we, the poor, working class, predominantly Black population, supposed to go after being pushed out? A few families relocated and found housing in other parts of Detroit. A few moved to other cities. A tiny fraction moved to other states. But the overwhelming majority of families could not just up and relocate. Some were housed in shelters and others [in] emergency placements. Many became homeless, living in makeshift tents that were considered eyesores and nuisances, and ultimately targeted for forced removal.

Foreclosing on mortgages, canceling leases and raising rents to prices that longtime residents could not afford, and thus forcing them to relocate, in some case was not necessary. Removal didn't exclusively mean physical displacement. There was also cultural displacement. For example, it was a different kind of forced removal that took place when my friends and I did not feel welcome in houses of worship and social clubs built primarily to cater to white dispositions and cultures, or when we did not feel welcome in restaurants and retail stores built to cater primarily to af-

fluent tastes and lifestyles.

The Cass Corridor became the shining example of how urban renewal could supposedly benefit Detroit. But before the 1980s came to a close, the emptiness of that claim was clearly apparent. The Cass Corridor virtually became a ghost town. There were two basic factors to explain this: first, the absence of an income-generating strategy for the poor and working-class people who historically took up residency there, and second, the absence of a democratic system by which area residents could participate in decision-making about the neighborhood. We were cut out of decision-making about the future of the place where we lived, learned, worked, loved, dreamed, created and did our best to resolve conflicts surrounding our lives. Perhaps we should ask society: What did all this development really mean?

How does gentrification alter the experience of everyday life? How does it affect the concepts of social participation, community and self-worth? How does it change education, work, family life and leisure? What are the implications for the environment, human health and disease? How does it serve to homogenize subcultures, or on the contrary, does it promote diversity and inclusiveness? And

considering that gentrification (capitalist-sponsored development) influences competition, who gains and who loses?

This does not mean that all "development" is undesirable -- but rather that every plan to gentrify a neighborhood or section of a city will necessarily have predetermined destructive effects. It also means that social planners, policy makers, bankers, venture capitalists, elected officials, corporations and others who partake in gentrification schemes are aware of the consequences of such development, but choose not to share these consequences with the public. These consequences are often hidden from investigative inquiry through the imprisonment of those who are displaced. I call this the gentrification-to-prison pipeline.

### **The Direct Line From Displacement to Incarceration**

Forcing people to evacuate a neighborhood or entire section of a city cannot be achieved by democratic means. It is inconceivable that anyone would vote to displace themselves, right? This explains why police, courts and prison are often used to remove and disappear some people. I was either stopped, arrested and/or conveyed to the police station once or twice a

month for the entire 10 years I lived in and frequented the Cass Corridor, supposedly for “identification purposes,” by regular beat police. Mind you, these same beat police worked the area for decades and were familiar with me, my friends and extended members of my family. I was told that if I did not like the treatment, I could always move.

A number of comprehensive studies admit that neighborhoods in Detroit, Baltimore, Brooklyn and Chicago, among other places that have undergone gentrification, created large populations of internal refugees and displaced and disappeared people. Unfortunately, these studies do not say to where they disappeared.

A much more nuanced understanding of the social role of “redevelopment” is required in order for society to give up the usual way of thinking about imprisonment being the inevitable consequences of crime. For many of my friends and neighbors and me, imprisonment did not result from inevitable “crime,” but rather imprisonment was linked to the agendas of social planners, politicians and real estate developers, and resulted due to the extraordinary powers given to the police and courts.

Years after I was imprisoned, local newspapers and

television stations began reporting that according to the FBI’s uniform Crime Report for 1998, one in every 13 murder arrests in the United States was made by Detroit police. Several investigations were launched around what were called dragnet arrests. These involved mass roundups and lockups of any potential witnesses until they talked. And if they did not talk, many were beat[en] and charged with manufactured crimes, like I was.

On July 8, 1994, I regret not running when I saw the roundup vans coming. Normally I would have, not because I had done anything wrong, but at a minimum, I knew I would be harassed. I never imagined I would be locked up, beaten up and charged for a crime of which I had no knowledge. The state’s star and only witness was a jailhouse informant who testified in numerous cases claiming to have received uncoerced confessions. If that is not unbelievable and tragic enough, the same thing also happened to several dozen other Cass Corridor residents who disappeared around the time I did.

The grim reality of gentrification for a large portion of the Cass Corridor’s population has been evident for years. In the eyes of city officials and the big corporations that now control

that section of Detroit, the “limits of development” did not call for public participation but for confinement. We were viewed as obsolete commodities that had to leave whether we had some place to go or not, and many of us didn’t. This is how the city of Detroit’s approach to “social development” came to rely so dramatically on the bricks and mortar of prison at the expense of other responses that would have been both more humane and more effective -- such as social development with people in mind, not profit.

If we are willing to take seriously the consequences of a justice system that is the extension of money and power, it should not be difficult to reach the conclusion that enormous numbers of people are in prison simply because someone else’s vision for the future did not include them. We were sent to prison not so much because of the crime we may have indeed committed, but largely for the expropriation of land (i.e., gentrification), which requires getting rid of the people who live on the land. Social development, urban renewal and the like are just new words for what sociologists in the past called imperialism, and what we can loosely refer to as colonialism. Gentrification and colonialism are the same processes largely because

they share the same goals -- dislocation, expropriation and the pursuit of profit.

My community’s experiences suggest that gentrification can and often does have substantial impacts on citizens returning to the larger society. Almost 25 years later, many of those who were forced out of the Cass Corridor and relocated to Michigan prisons are now being released. Released not only to a world that has technologically left them behind (as prison offers little more than a GED), but to a Cass Corridor that has erected nearly insurmountable barriers to education, housing, recreation and social services for working-class and poor people, prison’s majority clientele. People are being released into a permanent undercaste: This is how gentrification succeeds in disappearing working-class and poor people to make way for a more affluent population.

In *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, author Michelle Alexander writes that “prisoners returning ‘home’ are typically the poorest of the poor, lacking the ability to pay for private housing and routinely denied public assistance.” In other words, those of us who are able to get out usually lack access to the type of assistance that could provide some

much-needed stability in our lives. Alexander goes on to write that “for them ‘going home’ is more of a figure of speech than a realistic option.” Gentrification not only forces people out but also prevents them from coming back. In moving toward a more complete understanding of why imprisonment patterns

have been so persistent, we cannot limit our attention to characteristics of individuals and families, to policies targeting individual poverty, or to macro-level forces leading to growing income inequality. We must also consider places. We must consider the various forces that affect neighborhoods, cities and the ways that the

trajectories of people and places are connected over time.

The conditions and circumstances that influenced my imprisonment have helped me to think outside the conventional framework of prison abolition. I believe we will only rid society of prisons when we also find a way to abolish gentrification.

Prison abolition has to be seen in the context of the broader set of economic and political forces that have served to maintain imprisonment trends for the last several decades. Abolishing the gentrification-to-prison pipeline requires us to take on the founding of a new society.

**THE OPENING STATEMENT** is an abolitionist newsletter driven by the voices and visions of Michigan prisoners, as well as those on the outside impacted by the prison system.

**THE OPENING STATEMENT** hopes to foster ongoing discussion against the violence of incarceration.

## WE WOULD LOVE TO HEAR FROM YOU.

If you would like to contribute to the ongoing discussion, please send critical essays, reflections on your own experiences, poetry, or artwork to the address below. Feel free to write something in response to the pieces in this publication. We are particularly interested in publishing pieces exploring the personal and political impact of imprisonment, as well as envisioning a new world without the violence of cages, walls, and borders. Please tell us clearly if you want us to publish your work with your full name, a pen name, or anonymously. If you submit material for publication, we will automatically add you to our subscription list and publish your work online unless you clearly ask us not to.

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**ATTENTION MAILROOM:** The First Amendment to the U.S. Constitution protects free speech. Regulations that permit the government or its employees to discriminate on the basis of the content of the message cannot be tolerated under the First Amendment (i). Further, prisoners retain free speech rights. Thought control, by means of prohibiting beliefs, would not only be undesirable but impossible (ii). Fact of confinement and needs of the penal institution impose rational limitations on prisoner free speech rights (iii), but those restrictions must have a “valid, rational connection” to “legitimate penological interests” not related to the content of ideas (iv). Regulations and practices can only be justified when the practice “furthers an important or substantial government interest unrelated to the suppression of expression” (v). This means you cannot legally suppress the expression of ideas. Prison walls do not serve to form a barrier separating prisoners from the protections of the constitution (vi). Core political speech is most-zealously guarded and there is a public interest “in having free and unhindered debate on matters of public importance—the core value of the Free Speech Clause of the First Amendment” (vii). Thus, exclusion of printed material on the basis of its political perspective amounts to free speech retaliation and discrimination, which is illegal (viii). If you exclude printed material for an unlawful basis, or if you simply conjure up a false pretext for its exclusion, you have broken the law. The prisoner recipient of this mail has cause for bringing a civil rights action against you and has cause for gaining punitive damages—which means money. You and everyone who permits this action, from your supervisor to the director of the prison system, may be named in those civil actions, and you may also be subject to termination from your employment. Because this primer is included in this mailing, you will not be able to claim you did not know your actions were illegal. For these reasons, we ask that you conform to federal law and refrain from unlawful discrimination against the enclosed materials, permitting mail service of this literature that objectively meets all legitimate criteria set forth in prison regulations. i, *Reagan v. Time, Inc.*, 468 U.W. 641, 648–49, 104 SCt 3262 (1984). “[T]he fact that society may find speech offensive is not sufficient reason for suppressing it. Indeed, if it is the speakers’ opinion that gives offense, that consequence is a reason for according it constitutional protection.” *Hustler Magazine, Inc. v. Falwell*, 495 US 45, 46, 108 SCt 876, 882. The government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable, *U.S. v. Eichman*, 496 US 310, 319, 110 SCt 2404 (1990). “[A]bove all else, the First Amendment means that government has no power to restrict expression because of its message, its ideas, its subject matter, or its content.” *Police Dept. of Chicago v. Mosley*, 408 US 92, 95, 92 SCt 2286, 2290 (1972). ii, *Jones v. North Carolina Prisoners Labor Union*, 433 US 119, 97 SCt 2532 (1977). iii, *Pell v. Procunier*, 417 US 817, 822, 94 Set 2800, 2804 (1974). iv, *Turner v. Safely*, 482 US 78, 107 SCt 2245 (1987) v, *Turner, supra vi*, *Turner, supra vii*, *Pickering v. Board of Education*, 391 US 563, 573, 88 SCt 1731 (1968). viii, *Abu-Jamal v. Price*, 154 F3d 128 (3rd Cir., 1998); *X v. Blatter*, 175 F3d 378 (6th Cir. 1999)