

Pam Africa is sending out this memo to the movement. Please call these officials, forward information to others and use all forms of social media to get the word out far and wide:

MUMIA STILL HELD IN SOLITARY CONFINEMENT – A LEGAL UPDATE

Mumia is still in Administrative Custody (AC)—the hole—at SCI Mahanoy. The confinement conditions in all the Restricted Housing Units (RHU) are degrading and tortuous.

Mumia is on a cell block that houses AC as well as disciplinary custody inmates. He is in solitary confinement, with lights glaring 24/7, without adequate food, or the opportunity to buy food to supplement his diet. He is shackled and handcuffed whenever outside his solitary cell—including when he goes to shower. And he is isolated without regular phone calls, or access to his property, including legal materials, books and typewriter. His visiting hours are limited. In short, Mumia is being subjected to conditions in AC that are more onerous than those on death row.

There is no legal basis for Mumia to be confined in AC. At the point he was no longer under a death sentence, he should have been transferred into general population. This is not dependent on a court date for Mumia to be formally resentenced to life imprisonment.

On January 3 and January 6, 2012 I submitted demand letters on Mumia's behalf to John Wetzel, Secretary for the Pennsylvania Department of Corrections (DOC), and to John Kerestes, Superintendent SCI Mahanoy, to immediately transfer and assign Mumia to general population with full visitation, phone and commissary privileges and access to all programs and services. The stated legal grounds are the following: The degrading, dehumanizing, tortuous conditions of Mumia Abu- Jamal's confinement in administrative custody at SCI Mahanoy are an abuse of authority, counter to DOC regulations, punitive, discriminatory, in violation of his protected liberty interests and his civil rights, including First Amendment rights.

The DOC regulations allow only two permanent categories of imprisonment, death row and general population. AC is by law only a temporary placement. It must be based on defined grounds, justified and implemented subject to procedural due process. None of the grounds listed in the DOC regulations for placement in AC apply to Mumia. In fact, on December 8, 2011 the DOC transferred Mumia from death row at SCI Greene and onto a cell block that does not house capital inmates. On December 14, the DOC ordered Mumia moved to a medium security facility, SCI Mahanoy, which by regulation cannot hold death row prisoners.

The response by the DOC via telephone by Chief Counsel Suzanne Hueston was that Mumia is in AC pending resentencing and further evaluations. These are bogus explanations. The December 2001 federal court ruling that Mumia's death sentence is illegal has been upheld on appeal. The District Attorney has stated there will be no trial to obtain a new death sentence. Therefore Mumia should be in general population.

Nor is there a reason or basis for "further evaluation." Mumia has been confined in Pennsylvania prisons for some thirty years. The DOC unquestionably knows his history, conduct and behavior. There is nothing in Mumia's personal record to justify holding him in Administrative Custody.

The DOC's treatment of Mumia is punishment for depriving the FOP and Philadelphia District Attorney of his execution. This is the latest attempt by this frame-up system to silence Mumia, an innocent man, and to subject him to tortuous, punitive conditions in the hole.

Rachel Wolkenstein, Attorney
January 7, 2012

1) Write Call Phone and email the Secretary of Corrections

Tell them that Mumia must be immediately transferred to General Population.

John Wetzl, Secretary Department of Corrections
2520 Lisburn Road,
P.O. Box 598
Camp Hill, PA 17001-0598
717) 975-4928 Email: ra-contactdoc@pa.gov

2) Write Call Phone and email the Secretary of Corrections

John Kerestes, Superintendent
SCI Mahanoy
301 Morea Road
Frackville, PA 17932
(570) 773-2158
fax 570-783-2008

3) Write Call Phone and email the Philadelphia DA

Seth Williams, DA Philadelphia
Three South Penn Square
Philadelphia, PA 19107-3499
(215) 686-8000
Email: DA_Central@phila.gov

Write to Mumia

Mumia Abu-Jamal
AM 8335
SCI Mahanoy
301 Morea Road
Frackville, PA 17932