

Family Members and Friends of CMU Prisoners

Jennifer Synan
Brooklyn, NY 11217

June 2, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management
Units**

To Whom It May Concern:

My husband, Daniel McGowan (#63794-053), is currently serving his seven-year sentence in the Communication Management Unit (CMU) at the United States Penitentiary in Marion, Illinois. I am writing to express my strong opposition to the extremely troubling proposed rule that was published in the Federal Register on April 6, 2010. For the last two years I have already experienced the devastating, heart-breaking effects of having a spouse in the CMU and cannot fathom how much more difficult our lives will be if the proposed rule moves forward.

As it stands, I was only able to visit my husband for a total of 20 hours in 2009. That is less than a day. I also have not been able to embrace him or even touch him for over two years. If the Bureau of Prisons (BOP) truly believes that maintaining strong ties with family and friends serves an important part in the rehabilitation of prisoners, I cannot understand how the rules of the CMU are in line with this general belief. In a statement to the United States Sentencing Commission, BOP Director Harley Lappin notes "...we know that maintaining family and community ties is very important to inmate reentry,"¹ and the BOP says on its website that it "encourages visiting to help inmates maintain morale and ties with family members, friends, and others in the community."² In addition, the proposed rule calls for the already minimal, non-contact visits to be reduced even more. It states that "the frequency and duration of regular visiting may also be limited to a one hour visit each calendar month." Yet the BOP states on their website, "By law, an inmate gets at least four hours of visiting time per month."³ Either way, the meager number of visits, as well as phone calls, that CMU prisoners are afforded and the ban on physical contact with loved ones during visits inflicts pointless suffering of the prisoners and their families alike.

¹ <http://www.ussc.gov/AGENDAS/20091119/Lappin.pdf> - Statement of Harley G. Lappin Director, Federal Bureau of Prisons before the United States Sentencing Commission Regional Hearing on the State of Federal Sentencing Western District of Texas Austin, Texas November 20, 2009

² http://www.bop.gov/inmate_programs/visiting.jsp

³ http://www.bop.gov/inmate_locator/visiting.jsp

Comments Submitted by Family Members and Friends of CMU Prisoners

Considering my husband had no prior infractions, communications-related or otherwise, at his previous institution (FCI Sandstone), his designation to this unit is cruel, punitive and seemingly politically motivated. He has not been told in any meaningful way why he was moved to the CMU, or what evidence was used to make that decision. There has been no hearing to challenge his designation nor is there a legitimate review process to transfer out. The CMU fails to follow any due process.

Overall, without question, the CMUs have a devastating effect on the prisoners and their families and violate basic constitutional protections.

I strongly urge the BOP to abandon this proposed rule. I truly hope the BOP will take my thoughts and concerns into account when making its decision.

Thank you for your time and consideration.

Sincerely,

Jennifer Synan

cc: Center for Constitutional Rights

STEPHEN F. DOWNS, Esq.
Selkirk, NY. 12158

May 16, 2010

To Whom It May Concern;

Below are my comments about the Communication Management Units (CMU), in response to the requests for public comments:

1. The assigning of prisoners to the CMU appears to be completely arbitrary. One of my clients, Yassin Aref, was assigned to a CMU first in Terre Haute and then in Marion Ohio, while his co-defendant Mohammed Hossain was not assigned to any CMU. Both of the defendants were convicted in a sting conducted by the FBI and neither defendant had any connection whatsoever with any terrorists. The reason given for assigning Yassin Aref to a CMU was that he provided material support for a terrorist organization – JEM. However, during the sting Aref repeatedly told the FBI informant who was secretly tape recording the conversation that he (Aref) did not know anything about JEM except what he had heard on the television. After the convictions, the government prosecutors made the following statement at a press conference about Aref:

“Did he [Aref] actually himself engage in terrorist acts? Well we didn’t have the evidence of that, but he had the ideology...Our investigation was concerned with what he was going to do here and in order to preempt any, anything else, we decided to take the steps that we did take...

Assuming that the purpose of a CMU is to prevent prisoners from communicating with criminal elements outside the prison, there was absolutely no reason to believe that Aref knew any terrorists or would have any reason to communicate with them. His assignment to a CMU appears to have been completely arbitrary and not based on any showing that he was a threat to communicate with any bad elements.

2. The CMUs, being situated in the middle of the country, are very difficult to access from the East and West Coasts. It is very hard for families of prisoners to stay in touch with the inmates. It was impossible for the family of Aref (a wife and 4 young children) to visit him because they had no money or transportation and a drive from Albany to the CMUs and back would take a total of 4 days.

Eventually I (being one of Aref’s lawyers), drove the Aref family twice to the CMU in Terre Haute. However, the case manager was very uncooperative and made visits very difficult. On one occasion, I drove the children 2 days to see their father, and less than

one hour into a 4 hour scheduled visitation (through a Plexiglas window and on a telephone) the guards abruptly terminated the visit because they claimed I had brought a secret recording device into the visit – a pen. This was the kind of petty vindictive harassment that the guards at Terre Haute used to discourage visits. (By contrast, the guards at Marion were considerate and helpful)

3. The CMUs appear to have been designed to prevent communication with the outside world rather than manage it. The one telephone call a week is very difficult for families to adjust to. Children have school, and parents have to work or tend the house. It is hard for the whole family to be present at the allotted time when the inmate calls. Then all of the business of the family has to be discussed in 15 minutes. This is virtually impossible in a large family with many children. Inevitably some of the children are left out and their concerns are not heard. This is devastating to them. Inmates are placed in the position of having to either call their families, or other persons who are important in their lives. For example, if the business of the family requires that the husband (inmate) call a friend to ask for help on some family issue, the family must forgo the next weekly call, and it will take 2 weeks to get an answer, assuming that the inmate was able to get through to his friend. This puts a great burden on the families of the inmates.

4. The CMUs actively discourage visits by friends of the inmates. In the case of Aref, the only persons who have ever been approved for visits are two of the lawyers who represented him (myself and Kathy Manley). None of the many people who knew him before he was convicted have been approved, and none of the many people who have come to know him after he was convicted have been approved. The decision seems arbitrary and although many people have written to the CMU, sometimes repeatedly, there has never been a change in this policy. As a result there is a great deal of pressure on the two lawyers to provide some visitation for the family, although as pointed out, the guards at Terre Haute went out of their way to cut short one of the visits in an obvious attempt to discourage any visits at all.

5. Finally it should be noted that most of the inmates assigned to the CMUs are Muslims who have been preemptively prosecuted by the government because of suspicions that they might engage in criminal acts in the future. The preemptive program by its very nature (convicting Muslims of contrived crimes to preempt them from possibly committing real crimes in the future), is illegal, and results in many innocent Muslims being sent to jail for long periods of time. There is something extraordinarily cynical about locking innocent Muslims up in a CMU to try to convince the public that these people are real terrorists. The government well knows that most of them are not real terrorists at all, and were convicted of contrived crimes only because the government was suspicious that they might become involved in criminal activity in the future. The idea of treating a religious minority in such an illegal and discriminatory manner is shocking to anyone who believes in the Bill of Rights.

Comments Submitted by Family Members and Friends of CMU Prisoners

The CMUs as presently establish and administered, are illegally establish, and serve no purpose except to scare the American public into believing that the government has caught many real terrorists. They are arbitrary, vindictive and harsh, discriminate against a religious minority (Muslims), and are a disgrace to the American system of justice.

Sincerely,

Stephen F. Downs

Susan G. Synan
Kingwood, Texas 77339

May 30, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

Dear Sir:

I felt it was important to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am upset by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

Below are some of the following issues that are not only of concern to me, but are very unsettling.

The first issue of lack of due process is very upsetting to me in that it has to do with injustice. Pursing justice is what our country stands for. This is very bothersome for me. I dont believe this is the way our legal system should work. **I dont see the pursuit of justice around these issues, but I do believe things can change. Hopefully, letters like these will bring about positive change and renew our faith in our Countries pursuit of justice.**

Lack of due process at the CMU: None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.

Overrepresentation of Muslim and political prisoners at the CMU: Because there is no oversight procedure of who gets sent to the CMU and why, there has been an unchecked pattern of Muslim prisoners and politically active prisoners being sent to the CMU. Somewhere between 65 and 72% of prisoners at the CMU are Muslim. Others are, and have been, politically active individuals, such as environmental activists, or individuals who have advocated for themselves while in prison. In the absence of specific allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.

This next issue is also critical in importance. The extreme limits on visits for family members, especially spouses, is so unnatural. The concept that a spouse cannot even touch hands or experience a brief hug seems so unhealthy and cruel. Humans need some physical contact to maintain some shred of emotional balance. Verbal contact is also vital to normal balance. Ideally, prisoners returning to society, have had some rehabilitation. I think this type of isolation and extreme limits negatively affects rehabilitation and certainly hurts the family unit now and later. ***The family unit is the backbone of our society.***

Destructive effect of the CMU on families: The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones including children during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike.

Conditions at the CMU amount to cruel and unusual punishment: The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

Susan G. Synan

cc: Center for Constitutional Rights

Please do not implement the proposed restrictions of communications at the Communications Management Units. Please consider eliminating the Communications Management Units altogether.

The proposed restrictions should not be implemented for these reasons:

- ***The fundamental illogic of the new regulations:*** *Communications restrictions were relaxed at the beginning of 2010. The proposed new regulations reduce communications even below the restrictions of 2009. There have been no actions or incidents that would suggest that the 2010 practices are inappropriate and need to be rolled back. In light of the changes for 2010, the proposed new regulations simply do not make any logical sense.*
- ***Lack of due process at the CMU:*** *None of the CMU prisoners have been told why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.*
- ***Destructive effect of the CMU on families:*** *The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones – including children – during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike.*
- ***Conditions at the CMU amount to cruel and unusual punishment:*** *The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.*

-Joe Synan

May 26, 2010

Ms. Sarah Qureshi
Rules Unit
Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

Dear Ms. Qureshi:

We are writing to express our concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. Our father, Kifah Jayyousi, was transferred to the CMU at Terre Haute in June 2007. We have not hugged him since.

Here are our comments for your consideration.

* * *

A DESCRIPTION OF WHAT IT'S LIKE TO VISIT MY DAD:

The air is sticky and hot. The room is small and claustrophobic. The object that separates me and my father is a thick, voice absorbing glass window. I hold the cold, black telephone to my ear as I listen to my father telling me that everything will be okay. But the thing that hurts the most is that I can hear him but I can never touch him. I haven't hugged, kissed, or held my dad since December of 2007. Not even on Eid, the Islamic holiday. But only because they claim "they don't have enough security." Even I know that that is so low. Why would a father, especially mine, harm his daughter in any way? I only talk to him once a week for 3 minutes and when I hear his voice I forget everything, but only because I know I have a limited time to talk to my *own* father. I remember everything the second I hand the phone to my sister. I recently won first place in science fair in the entire 9th grade, but I couldn't call him to tell him when I wanted to, I had to wait until the next call. Do I get to contact him when I want to? Yes, I can email him, but only when I know my email will reach him in more than 2 days. Before, when my father was in the FDC in Florida, we only got 2 hours of visitation. You think that's worse? No, it isn't, but only because I got to hold his hand and hug him the entire time we were there. I also got to buy snacks from the vending machines close by and share it with him. My best memories are the ones when I got to sit with him, and taste the sweet chocolate on my lips that he was also enjoying at the same time. This experience has shattered my life especially that I am a teenager. I usually went to him with my hard

Math problems, and now I cannot even take my homework with me because it is “too dangerous.” If the visiting room is that small, I wonder how small my dad’s cell is. We have to travel for 7 hours, in an uncomfortable car ride, just to see my dad for 4 hours. What does that tell you? We tried to move him here but they refused. The look on his face and the look on mine, take one look and you’d know what we have been through. Do you want to know what the worst sound I have ever heard is? The sound of the officers keys rattling as he tells us that our time is over on visitation days. I want to sit in my dad’s lap again and I want his warm smile to be visible, not checkered with the lines that are on the glass window. I was a young child when I first went to court, I don’t want to be an old teenager when I see my dad suffer like the way he does everyday.

A POEM I WROTE ABOUT MY EXPERIENCES

Remembering

I remember.

The way you swung me on your back and ran across the living room.

The way you and I went to the gym and worked out together.

The way you helped me with all my homework.

The way we sat together pretzel style on the carpet.

The way you were proud of me everyday.

The way your grin stretches wide across your face.

The way you were always there when I needed you.

The way your barbecue tasted the best.

The way you ate all the leftovers.

The way your hug was the last touch I felt before I went to sleep.

I remember.

When I sat in court and watched you the whole time.

When they told you you couldn’t turn around and smile at your own daughters.

When you had to wear the black tracker on your ankle.

When it beeped every time you sat pretzel style on the carpet.

When it always seemed like you were saying goodbye.

When your hugs seemed like they were your last.

When I thought you were going to downtown Miami on a regular court day.

When the hug you gave me before you left was actually your last.

When I noticed the look of pain flash in your eyes for a second.

When I found out you weren’t coming back.

When Mom held your briefcase and you weren’t standing beside her.

When I realized you were gone.

When they stole you away.

I remember.

-Sara Jayyousi

* * *

**A COMPARISON OF WHAT IT WAS LIKE TO VISIT MY FATHER
WHEN WE HAD CONTACT VISITS AS COMPARED TO NOW THAT HE'S AT THE CMU**

I walk into the visitation room and see my dad, I run and hug him, and sit down with him and talk for a while, when I'm hungry, I ask my mom for money and we go to the vending machines located right in front of our table, I get chips for my dad, and soda for myself. I hurry back to the table and give my dad his soda, we eat and tell each other jokes, and when I need to use the bathroom, I can just simply walk across the room to the restrooms located 3 tables down from our table. The heating and air conditioning environment is perfect. It's never too hot, or never too cold, the tables are big and the chairs are comfortable, just keep in mind that this is maximum security...

I walk into the room seeing my dad; I sit down on the small, thin uncomfortable chair. With the lack of air, I feel like falling on the floor. In the summer, the room is hotter than it is outside, and in the winter, it's freezing. The only way to hear my dad behind the glass is with one phone, everyone gets a 5 minute turn using the phone because of the time limit for the visit. When someone needs to use the bathroom, the visit is over, and when someone is hungry, they have to deal with it, I find myself getting up and walking around because of the uncomfortable chair. Four ants are scanning the floor, and five cobwebs are in the corners of the room. The room is about the size of an average bathroom; the only reason that keeps us from complaining to my dad is that we want him to know that no matter what, we are happy, and we are okay. Keep in mind that this is a minimum security.

-Maryam Jayyousi

* * *

We thank you for your consideration of our above stated comments.

Sincerely,

Sara and Maryam Jayyousi
Daughters of CMU inmate, Kifah Jayyousi

cc: Center for Constitutional Rights

Sarah Jayyousi
Carlsbad, CA 92009

May 29, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

My brother has been a prisoner and I have only been able to speak with him once per year. His phone calls are very limited and he wants to stay in touch with his wife, children and parents, and has not been able to call me due to the limit placed on the phone calls. My young nieces ranging in age from middle school to high school children are forced to see their father behind a glass and are unable to hold his hands, hug him or kiss him goodbye. This is truly an injustice and punishment of family members and innocent children.

Lack of due process at the CMU: None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.

Overrepresentation of Muslim and political prisoners at the CMU: Because there is no oversight procedure of who gets sent to the CMU and why, there has been an unchecked pattern of Muslim prisoners and politically active prisoners being sent to the CMU. Somewhere between 65 and 72% of prisoners at the CMU are Muslim.

Comments Submitted by Family Members and Friends of CMU Prisoners

Others are, and have been, politically active individuals, such as environmental activists, or individuals who have advocated for themselves while in prison. In the absence of specific allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.

Destructive effect of the CMU on families: *The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones – including children – during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike.*

Conditions at the CMU amount to cruel and unusual punishment: *The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.*

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

Sarah Jayyousi
Carlsbad, CA 92009

cc: Center for Constitutional Rights

Dr. Abdolhamid Karimi
Carlsbad, CA 92009

May 29, 2010

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I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

My brother in law has been a prisoner and I have not been able to speak with him for several years. His phone calls are very limited and he wants to stay in touch with his wife, children and parents, and has not been able to call me or my wife due to the limit placed on the phone calls. His young children are forced to see their father behind a glass and are unable to hold his hands, hug him or kiss him goodbye. They are only able to visit him infrequently due to the limitations on visitations. This is truly an injustice and punishment of family members and innocent children. My wife is very saddened not only by the loss of her brother, but also by not having phone contacts with him, and by watching his wife and children suffer. This is truly cruel and unconstitutional.

As a psychologist, I learned that punishment is most effective when it is applied in moderation. When punishment is too strong, it is more likely to produce undesirable behavior. Treating the prisoners harshly, violating their constitutional rights, and punishing their family members will not produce any positive results and will create a whole system of injustice.

Lack of due process at the CMU: *None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.*

Overrepresentation of Muslim and political prisoners at the CMU: *Because there is no oversight procedure of who gets sent to the CMU and why, there has been an unchecked pattern of Muslim prisoners and politically active prisoners being sent to the CMU. Somewhere between 65 and 72% of prisoners at the CMU are Muslim. Others are, and have been, politically active individuals, such as environmental activists, or individuals who have advocated for themselves while in prison. In the absence of specific allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.*

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Sincerely,

Dr. Abdolhamid Karimi
Carlsbad, CA 92009

cc: Center for Constitutional Rights

Wael Jayyousi
Detroit, MI 48209

May 29, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

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I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

My son has been a prisoner and I have had extremely limited contacts with him. Phone calls are very limited and I have not been able to see him for years due to distance and also due to my health condition. Because of my physical limitations, I am unable to travel and phone calls are the only contacts I have with him. Further limiting the phone contacts puts a strain on the family and negatively impacts our emotional health. It's important that we maintain regular phone contacts to help us maintain a good relationship, and assure him of our health condition. Please reconsider the proposal to further limit our contacts. I am in my 70s and emotionally suffer because of the situation with my son. Please help us maintain our phone contacts as we both desperately need to stay in touch.

Lack of due process at the CMU: None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.

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Sincerely,

Wael Jayyousi

cc: Center for Constitutional Rights

Istiklal Ameri
Detroit, MI 48209

May 29, 2010

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Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

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I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

My son has been a prisoner and I have had extremely limited contacts with him. I have been in and out of the hospital for several weeks and have been too weak to visit him. I have not seen him in years and rely on phone calls to help me stay in touch with him. I am in my 60s and physically weak and my heart aches due to not seeing my son and having very infrequent contact with him. I am also unable to use Email system and I have not learned to use the computer. Phone calls are the only contacts I have with my son and even those are very limited. He also has to stay in touch with his children and wife and because of the limitations on phone calls I get to speak with him very infrequently. Please reconsider the limitations on visitations with his family and phone calls as it is crucial for the family to stay in regular contact with him. Please consider my request as it comes from the heart and it is the humane thing to do. I desperately miss my son and need to have contacts with him to emotionally support him and to assure him that I am alive and well.

Lack of due process at the CMU: None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU

designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.

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cc: Center for Constitutional Rights

Sabrine Jayyousi
Detroit, MI 48209

May 29, 2010

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Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

My brother has been a prisoner for several years and I desperately miss him. I have not been able to visit him due to the long distance and due to having responsibilities as a single mother and as a primary care taker for my sick parents. Phone calls are the only contacts I have with him and I need those to stay in touch with him and make sure that he is in good health. I also use the phone calls to assure him that his sick parents are being well taken care of by me. Please reconsider this proposal to limit the phone call. It is important for families to stay in touch and it is the humane thing to do. It is unnecessary to place undue hardship on the family by further limiting the few phone calls that we have. Please consider my request and help families stay in touch.

Lack of due process at the CMU: None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.

Overrepresentation of Muslim and political prisoners at the CMU: Because there is no oversight procedure of who gets sent to the CMU and why, there has been an unchecked pattern of Muslim prisoners and politically active prisoners being sent to the CMU. Somewhere between 65 and 72% of prisoners at the CMU are Muslim. Others are, and have been, politically active individuals, such as environmental activists, or individuals who have advocated for themselves while in prison. In the absence of specific allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.

Destructive effect of the CMU on families: The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones – including children – during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike.

Conditions at the CMU amount to cruel and unusual punishment: The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

Sabrine Jayyousi

cc: Center for Constitutional Rights

Thaer Jayyousi
Detroit, MI 48209

May 29, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

My brother has been a prisoner for several years and I desperately miss him. I have not been able to visit him frequently due to the long distance and my responsibilities in care taking for our sick parents. My parents have not been able to visit due to their failing health and we rely on his phone calls to help us stay in touch. Please reconsider the proposal to further limit the phone calls and visitations. It is very important for the family to stay in contact with him to provide him with emotional support, and to assure him of our well being. Please do the humane thing and allow the phone calls to be consistent along with the visitation. Thank you for considering this request and for doing the right thing to keep families together and in regular contact with each other.

Lack of due process at the CMU: None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.

Overrepresentation of Muslim and political prisoners at the CMU: Because there is no oversight procedure of who gets sent to the CMU and why, there has been an unchecked pattern of Muslim prisoners and politically active prisoners being sent to the CMU. Somewhere between 65 and 72% of prisoners at the CMU are Muslim. Others are, and have been, politically active individuals, such as environmental activists, or individuals who have advocated for themselves while in prison. In the absence of specific allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.

Destructive effect of the CMU on families: The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones – including children – during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike.

Conditions at the CMU amount to cruel and unusual punishment: The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

Thaer Jayyousi

cc: Center for Constitutional Rights

Halima Le Ray - MALKI

92700 Colombes

France.

May, the 24th 2010

Rules Unit, Office of General Counsel

Bureau of Prisons (BOP)

320 First Street, NW

Washington, DC 20534

Re: BOP Docket #1148-P

Communication Management Units

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

My brother Noureddine Malki 63740-053 is unjustly in jail since 2005. He is in the Marion super max jail. He is innocent and I a sure of it, He is open minded he served America during Irak war and saved American soldiers lives. He was first at NY where we could with my sister visit him once a year. Since he is at Marion, he is allowed to give one call a week to his wife. He has no visit. He is already under sever restriction, He is considered as terrorist or murderer when he can have the same right as general population until his case is over.

Lack of due process at the CMU: *None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.*

Overrepresentation of Muslim and political prisoners at the CMU: *Because there is no oversight procedure of who gets sent to the CMU and why, there has been an unchecked pattern of Muslim prisoners and politically active prisoners being sent to the CMU. Somewhere between 65 and 72% of prisoners at the CMU are Muslim. Others are, and have been, politically active individuals, such as environmental activists, or individuals who have advocated for themselves while in prison. In the absence of specific allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.*

Destructive effect of the CMU on families: *The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones – including children – during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike.*

Conditions at the CMU amount to cruel and unusual punishment: *The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.*

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

Halima Le Ray MALKI

May 25, 2010

Rules Unit
Office of General Counsel
Bureau of Prisons
320 First St, NW
Washington DC 20534

Subject: BOP Docket No. 1148-P

We write in opposition to the Proposed Rule Making.

The Proposed Rule Making states, §540.202 (c) (3), “Designation to the CMU is not punitive”. Any time an inmate is moved from a less restrictive environment to a more restrictive environment the action, by definition, is punitive in nature and is subject to the due process procedures set forth at 28 CFR 541. Identifying the movement from less restrictive to more restrictive as being punitive is already codified at §541.40 as is the due process required at §541.43

The Proposed Rule Making at §540.202 (c) (4), requires that inmates be “provided an explanation in sufficient detail, unless providing specific information would jeopardize the safety, security, or orderly operation of the facility, or protection of the public”. None of the inmates have been told why they were designated to the CMU so the exception cited above must be routinely used to deny an explanation of the designation. At §540.202 (c) (6), the inmate is given the opportunity to challenge the CMU designation decision, and any aspect of confinement therein, through the Bureau’s administrative remedy program. If an inmate is given no reason for designation the the CMU how can the inmate present any meaningful challenge to the designation? This clearly deprives the inmate of the right to due process.

Seven specific instances from 1987 through 2005 are cited as justifying the proposed draconian restrictions on Written correspondence; Telephone communication; and Visiting set forth at Proposed §540.203 through §540.205. These examples would have us believe that all inmates designated to or housed in CMU’s are intent on plotting grave crimes or waging jihad to change the world order. This one size fits all approach ignores the fact that many of the crimes committed by CMU inmates occurred long ago and the inmates committed no further crimes. The use of these examples suggests that the Bureau of Prisons has none involving present inmates of CMU’s in spite of the liberal communication opportunities that currently exist. None of the examples cited to support the proposed rulemaking involved physical contact visits with a spouse or minor children. They will needlessly tear families apart as well as inflicting pointless suffering on both inmates and their families. These limitations fail to take into account that the inmates in

Comments Submitted by Family Members and Friends of CMU Prisoners

CMU's are not serving life sentences but will return to their families and communities. The proposed restrictions will create yet another unnecessary and difficult adjustment process. These restrictions, for this category of inmate, may well be interpreted as being in violation of the 8th Amendment to the U.S. Constitution.

The criteria for selecting inmates for designation to a CMU are remarkably similar to those set forth at §541 Subpart D - Control Unit Programs. So similar in fact that the CMU appears to be a specialized form of Control Unit designed in a manner to deny due process to inmates designated to a CMU. There are only three significant differences between them:

- 1) The inmate not being told why the designation to a CMU is being made.
- 2) The lack of due process afforded inmates designated to a CMU compared to carefully defined due process for inmates designated to a Control Unit.
- 3) The much greater restriction on Correspondence and Visiting imposed upon inmates in the CMU compared to those in Control Units.

For all of the reasons set forth above, if The Bureau of Prisons is to continue operating Communication Management Units it must afford all inmates presently assigned to a CMU the full due process required by 28 CFR 541 for inmates designated to a Control Unit including valid reasons for greater restrictions on Written correspondence; Telephone communication and Visiting tailored to each individual inmate's circumstances. Should the Bureau of Prisons decline to do this, the CMU's must be abolished and all inmates currently housed in CMU's must be returned to the custody level they were in prior to their designation to a CMU.

Sincerely,

D. John Luers

Judy A. Luers

Brad Taylor
NY, NY 10036

May 17, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To whom it may concern:

I'm writing to comment on the proposed escalation of anti-inmate rules to be instituted at the unwise and inhumane "Communications Management Units" of the federal prison system. My friend Daniel McGowan is held – and singled out for extraordinary punishment - at the CMU at Marion, Ill. The CMUs punish inmates by depriving them of privileges available to other inmates of federal prisons. My comments come, in part, out of my concern for Daniel's well-being, but of even graver concern is the unfairness to all CMU-segregated inmates, driven, as it is, by bigotry and animus.

Daniel, like other prisoners scapegoated to the infamous CMUs, has never been informed, practically or legally, by the BOP, as to why he has been singled out for punitive abuse – a clear denial of Constitutionally guaranteed due process. Like other CMU inmates, Daniel's privileges of visitation, telephone time, correspondence and literature are harshly reduced and proposed BOP regulations would intensify these deprivations cruelly and toward no practical purpose whatsoever. Like other CMU inmates, Daniel is prohibited from ever physically touching his family, friends, loved-ones during visits – a reprehensible and malicious form of persecution – again, devoid of practical purpose.

But unlike 70% of CMU prisoners, Daniel is a non-Muslim white American. That Daniel is being singled out for persecution because of hatred for his political views held by leadership in the BOP or elsewhere in the criminal justice system, and that his and other whites' confinement in CMUs functions largely to deflect public criticism of the CMUs as racist, xenophobic and bigoted with regard to religion appears certain – since Daniel has never been disciplined for any untoward activities in prison. There is no basis in deed for particular abuse. And the large majority of the prisoners in the CMUs, both in Marion and in Terre Haute, are Muslim people of color, a fact irreconcilable with the demographic prevalence of these communities in society and with these peoples' broad profiles as moral and upright citizens – no less, or more, than anyone else.

Daniel is in prison following his acceptance of a plea deal connected to alleged involvement in a project to destroy dangerously harmful genetically-modified cash crops to protect the environment. He shouldn't be in prison at all. For him to be singled out,

Comments Submitted by Family Members and Friends of CMU Prisoners

castigated and attacked in ways that harm not only him, but everyone in his family, is intolerable and wrong.

Imprisonment in a CMU is cruel and unusual punishment in the most classical sense. These facilities are fundamentally unconstitutional and should be abolished immediately – for reasons of the most basic societal sanity and decency, but also because they produce not the slightest benefit in terms of public safety, or any other good whatsoever to justify their existence. An escalation of the inhuman and horrible repression in these units must, urgently, be stopped.

Respectfully,
Brad Taylor – father, family member, business owner, media producer, citizen

Cc: Center for Constitutional Rights

Lack of due process at the CMU: None of the CMU prisoners have been told why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.

- **Destructive effect of the CMU on families:** The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones – including children – during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike.
- **Conditions at the CMU amount to cruel and unusual punishment:** The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.
- **No consideration for good behavior and complying with the existing communication rules at the CMU.**
There is absolutely no recognition and rewards for a CMU's good behavior and following the rules.

And in summary, these conditions have unjustifiably interfered with the men's ability to maintain relationships with their loved ones – relationships that are the key to their successful transition back to society. **The CMU COMMUNICATION PRACTICES ARE IMMORAL, MIS-QUIDED AND ILLEGAL.**

Please make appropriate changes ASAP.

Sincerely,

Michael D. Burke
San Antonio, TX 78209

Jenny Esquivel
Sacramento, CA

May 27, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern,

I am writing in regards to the proposed regulations for Communications Management Units within the BOP (BOP Docket No. 1148-P). It is perhaps telling that these regulations are being proposed now - after the CMUs have been in existence for more than three years – less than one month after a lawsuit concerning the CMUs was filed against the Attorney General and the BOP itself. The BOP's last-minute effort to legitimize these illegal units is an absurd spectacle of trying to save face. Unfortunately, the BOP seems to be attempting to use this as an opportunity to make the outrageous restrictions already placed on prisoners even more draconian.

There are numerous problems with the CMUs, many of which are currently being litigated. These include things like the lack of due process within the CMUs, the overrepresentation of Muslim and political prisoners at the CMUs, and the conditions those living within the CMUs must endure (which amount to cruel and unusual punishment). Due process is supposedly a basic tenet of our legal system. By denying people within the CMUs any hearings to challenge their designation to a CMU, or refusing to show them any evidence on which that decision was based, is antithetical to the very system the BOP was purportedly designed to enforce. Perhaps in a further cruel, paradoxical twist many of the folks caged at the CMUs are there for political transgressions. If being thrown in an illegal prison without due process and then being forcibly cut off from everyone you love doesn't make one question the integrity of a political system, I'm not quite sure what will.

The overrepresentation of Muslim and political prisoners at the CMUs is incredibly alarming. The BOP claims that one's placement at the CMU is not in and of itself punitive. But these claims are laughable when one examines the makeup of the population at the CMUs. The proposal states that "Past behaviors of terrorist inmates provide sufficient grounds to suggest a substantial risk that they may inspire or incite terrorist-related activity, especially if communicated to groups willing to engage in or to provide equipment or logistics to facilitate terrorist-related activity." The BOP already monitors communications between inmates and the community. There is no reason to

Comments Submitted by Family Members and Friends of CMU Prisoners

create separate units with inhumane regulations to “protect” the public. This is a clear attempt to silence voices within specific political movements (including voices pushing for change within the prison system) – voices that carry the dangerous power to “inspire.”

As someone who has a loved one in prison, the piece of the CMU puzzle that I feel the most in my gut are the restrictions on communications with family and friends. It is hard enough for people in prison to maintain meaningful human connections with people on the outside. These are the kinds of connections that the BOP itself has long held up as key to a prisoner's “successful” transition back into society. The regulations in place now at CMUs destroy the last threads holding together families and friends. The new regulations the BOP is proposing are even worse. These regulations would effectively cut off all communication between the prisoners and their loved ones. How does one choose between a phone call to a son, or a phone call to a daughter? Or a dying mother? These are the kinds of choices that destroy a person's sanity – or their humanity. This is the very definition of cruelty.

Let's not get too mired in the details here. The bottom line is, these units are not only an affront to civil liberties, they defy what it means to be human. They strip human beings of their chances for human connection, to be close to the people they love. They destroy families. They destroy people.

It is my sincerest wish that not only will this new proposal be denied, but that the CMUs which are already in existence will be abolished.

Sincerely,
Jenny Esquivel

Comments Submitted by Family Members and Friends of CMU Prisoners

My husband Zvonko Basic (a Croatian Catholic) was one of the first prisoners to be sent to the CMU unit, in December 2008. At the time, he was the only non-Muslim prisoner, so it was obvious that he was sent only to avoid lawsuits for religious discrimination within the BOP, as he had been a model inmate in his previous institution and, in the staff's opinion, did not deserve to have been transferred. In fact, they were shocked. He arrived there from Allenwood, where we had had contact visits in a large visiting room, could speak in his native language, Croatian, and had ample time to speak on the telephone as well. (I live in Croatia, so this was important)

In the CMU, we were not allowed any physical contact whatsoever, and everything written was censored, as well as everything spoken (only English). He was therefore unable to speak to or receive mail from his family, none of whom knew English. We had fifteen minutes a week to speak on the phone, so were unable to accomplish anything whatsoever except to exchange a few terse greetings.

It was a horrendous experience, on every level. First, there was no security concern justifying these conditions; second, it was enhanced punishment without any due process whatsoever; third, it was totally arbitrary. Some who might have belonged there were not there, and others who didn't were. The criteria were inexplicable.

Fortunately, my husband was finally released, after 32 years, after being held two years longer than was legal in our case, and was able to rejoin his family. I am a writer, so I decided to write about what it meant to be separated under such conditions, to wait for a loved one's return, to have every word censored, etc. My second book, "Your Blood and Mine" is composed of letters written to him, comments to the censor, etc....

Julienne Eden Basic

Rules Unit, Office of General Counsel
Bureau of Prisons
320 First Street, NW
Washington, DC 20534

May 5, 2010

RE: BOP DOCKET #1148-P COMMUNICATION MANAGEMENT UNITS

I am writing to express my disapproval of the Communications Management Units (CMUs) that the Bureau of Prisons has quietly established in the federal prison system beginning four years ago.

Most of the people consigned to these CMUs are Muslim, out of proportion to the general prison population, indicating a racial bias to this system. There is a lack of due process -- people are not told why they are being sent to the CMU, and there is no meaningful review process to make a case for their transfer out of the CMU.

The person I know who is imprisoned in a CMU has only just been able to increase his phone calls to twice a week and his personal visits to twice a month. How can someone maintain family ties and a necessary social network with such limited contact (which, again, represents an *increase* from his original allotment)? Furthermore, physical contact is completely banned, which is detrimental to the prisoner's well-being while serving no security-related purpose.

In the analysis of the Center for Constitutional Rights, "Many CMU prisoners have neither significant disciplinary records nor any communications-related infractions. However, bias, political scapegoating, religious profiling and racism keep them locked inside these special units."

It has come time for these secretive and unjustifiable units -- which are really embodiments of cruel and unusual punishment -- to be dismantled.

Sincerely,
Anonymous

May 17, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons
320 First Street, NW.
Washington, D.C. 20534

Re: BOP DOCKET #1148-P COMMUNICATION MANAGEMENT UNITS

To whom it may concern:

I offer the following comments about the CMUs during the public comment period.

Illegality of CMUs

1. The existence of the CMUs, which were designed to hold mostly Muslims of Middle Eastern descent with terror-related convictions and segregate them from the general prison population, is akin to religious apartheid. I have not been able to find in American history (except pre-Revolution) any precedent for governmentally sanctioned segregation of a group based on religion. The closest historical precedents are the presidential order interning Japanese-American citizens during World War II, and the segregation in all ways of African Americans prior to the Civil Rights Act of 1964—much of that segregation being officially supported by the U.S. government's Jim Crow laws of the time. Thus I believe that the CMUs are illegal because they are in direct opposition to the Civil Rights Act of 1964. In addition, Title VI of that act prevents discrimination by government agencies that receive federal funding (BOP is a government agency that receives federal funding).

In 1988, Japanese-Americans received an official governmental apology for their internment via legislation, which stated that government actions were based on "race prejudice, war hysteria, and a failure of political leadership." Perhaps the same terms can apply to 2006, when the Terre Haute CMU was created in violation of the Administrative Procedures Act (APA) without the opportunity for notice and public comment. The way to remedy the CMU's illegal segregation of Muslims is to close both CMUs immediately and relocate prisoners into other existing prisons.

2. In addition, the CMUs also prohibit the free expression of religion, thus violating the First Amendment. One standing rule at both CMUs is that Muslims are not allowed to pray in a group. Since the CMUs are overwhelmingly Muslim by design, this prohibition of group prayer directly interferes with the Muslim religious requirement to pray in a group. Why segregate Muslims and then prevent them from practicing their religion? In addition, at Terre Haute, there is no provision for fasting during the month of Ramadan, another requirement for observant Muslims; during this time, food can be eaten only before dawn and after sunset. Although in 2009 during Ramadan, several prisoners requested that they be allowed to store their meals in a refrigerator in the CMU kitchen

(with no extra work for prison staff) until their daily fasting period was over, their request was denied.

Designation to CMU

1. Prisoner Yassin Aref was originally designated to the Terre Haute CMU in May 2007. However, his co-defendant, a Muslim convicted at the same time and for many more of the same charges as Aref, including material support for terrorism, was never designated to a CMU, rather to USP Fairton in New Jersey, a medium-security facility, where he remains. Why do some prisoners go to CMUs and others not, and on what basis is the designation made?

2. Aref's CMU designation reads:

Your current offense of conviction includes Providing Material Support & Resources to a Foreign Terrorist Organization, & Conspiracy to Use a Weapon of Mass Destruction. Your offense conduct included significant communication, association and assistance to Jaish-e-Mohammed (JeM), a group which has been designated as a foreign terrorist organization.

But Aref's "significant communication, association and assistance" to JEM (a Pakistani *mujahideen* group fighting against India for Kashmiri independence) is **false**. Aref was convicted via a fictitious sting operation, thus his supposed association with JEM was deliberately fabricated by the FBI and the government informant as part of the sting plot. Aref never showed any sympathy whatsoever for JEM; the opposite is true. In the sting tapes, Aref could be heard stating that he knew who the group was only from television, but advised the government informant (masquerading as a jihadist) **not** to support them, rather to help women and children. The FBI and the U.S. Attorney's Office readily and publicly acknowledged that there was no evidence that Aref actually had any relationship with JEM in the past or in the present, since all the details of the sting operation were fiction created by the FBI. Indeed, they acknowledged that no terrorist activity actually took place. (Aref's supposed association with JEM also strains credulity: he is an Iraqi Kurd, has maintained a strong, lifelong ethnic identity as a Kurd, and worked for an organization in Syria that helped Kurdish refugees. Why would he support a Pakistani group?) For Aref to be designated to a CMU on the strength of a piece of fiction is at least erroneous, and at best an official lie deliberately told.

Prisoners are given no viable means to challenge their designation to a CMU, nor is there a review process for them to earn their way out of a CMU. This amounts to lack of due process.

Aref's sentencing judge officially recommended to BOP that he be incarcerated as close to home as possible (Albany, New York) because he was the sole support of his wife and four young children. BOP disregarded this recommendation. Aref was 900 miles from home in Terre Haute, Indiana, and is over 1,000 miles from home in Marion, Illinois, making it extraordinarily difficult for his family, or anyone else, to visit.

No Contact Visits by Family Members

1. I believe that the policy of no contact visits for family members (which includes children) violates the Eighth Amendment, which prohibits cruel and unusual punishment. There is no discernable reason for prohibiting family contact visits. The ban by both

CMUs on such visits, whereby a young child must speak to his or her father on a telephone, through a Plexiglas window, without being able to so much as touch him after traveling 1,000 miles to see him, incarcerates the children as well as the prisoners. A child requires physical contact with a parent; a parent requires physical contact with a child. This is a basic principle of human interaction and a family relationship. Not only do children grow up without their parent; they are expected to be satisfied with two fifteen-minute phone calls per week (one per week at Terre Haute), which are not nearly enough to hold a family together. Letters are no substitute for a parent's responsibilities; e-mail is scrutinized to make sure no "terrorist communication" is being transmitted to one's eight-year-old child; and a two-day trip on even a twice-yearly basis is financially and logistically out of reach for a working-class family. Is BOP in the business of destroying families and keeping children away from their parents just so "security" can be maintained? To prohibit contact visits because BOP apparently cannot figure out how to perform simple security on a child begs belief.

2. The following is a short creative writing assignment that Yassin Aref recently completed for the College Guild, a college-level, non-credit, correspondence study program for prisoners. His assignment was to write fictional diary entries from the points of view of several different people. One of the points of view he chose was that of a security officer at a prison. I have permission from Aref to reproduce this piece in any way I see fit.

During his 2006 trial, Aref's own diary entries and a poem (from the 1990s) were instrumental in convincing the jury that he was a terrorist. I have taught creative writing for thirty years in various capacities, and I still cannot believe that art—the deliberate creation of an individual's imagination—was cynically used as **fact** by the U.S. government to convict him of a serious (and spurious) crime. It's fine for the FBI to fabricate a sting plot, but it's damning for the defendant to exercise the free privilege of art? So perhaps there's some "poetic justice" in the reversal of presenting Aref's clearly fictional diary entry, written by a fictional prison officer, to express his emotions about no contact visits. While the basis for this piece is fact—an incident that occurred when his family visited him at Terre Haute in 2008, corroborated by an eyewitness—Aref has used the medium of art deliberately, as it should be used, to present not fact but feelings.

Q-14b entry from an officer's diary

I was working in the special unit, it was visiting day, and I was assigned to the visiting room. I was sure there would be no contact visits, so I thought there would not be much for me to do. I picked up a book to busy myself with while I was watching and supervising. It was 8:00 a.m. and they brought the first prisoner. I know him, he's really nice and a very polite man, but why he is in such a unit I don't know. He took his seat behind the glass, then they brought his family in, his wife and four young children, their ages were between 4 and 12. As soon as the second-youngest son (6 years old) saw his dad, he started crying and saying, "I want to go in there, I want to hug my daddy, Daddy I want to come in there!" Everyone started crying, but it was my duty to keep the area quiet, so I asked the children's mother to keep them quiet or I would cancel the visit. She started begging her son to be quiet and asking me to be patient: "We drove for

two days, we came 1,000 miles, for two years we have been collecting money for this visit, please do not cancel, he's just a child!" I really understood their situation, but I had a duty as an officer, too.

For the entire visit, this poor mother tried to keep her children quiet, but all the children were crying to see their dad. I watched them and asked myself, why is this man not allowed to see his children? Why is it too dangerous? What will happen if we allow his children to hug him? How this will jeopardize our security? Many more questions came to my mind, and I tried to find some answers for them, but many times we can't make any sense of our system and rules.

Then their time came to an end and the children started to kiss the window, and their father from the other side was crying and kissing the window too. The last thing everyone said was, "I love you and I will see you again."

But what are those children's feelings since, and why should they experience this, and how this will affect them forever? I am not sure whether such a visit is a privilege or a torture.

Difficulty in Others Visiting

1. In February 2010, a group of Aref's friends and supporters wrote to the warden at Marion CMU requesting permission to visit Aref. CMU visiting regulations say that the only people who can visit are those who had a relationship with the prisoner prior to his incarceration. That leaves out the majority of Aref's friends and supporters (including me), who only came to know him after his conviction. However, the regulations state that "Exceptions to this rule must be approved by the warden." (Institution Supplement MAR-5267.08B) A request for the warden to grant us exceptions is why we wrote to her; she responded by saying that we as individuals should follow the guidelines in the supplement for visitors. Below are excerpts from our letter to her:

...Since the beginning of his sentence in May 2007 at the CMU in Terre Haute, Indiana to date at Marion (he was transferred from Terre Haute to Marion in March 2009), Yassin has had a total of four [now five] visits. Three of them were at Terre Haute: one from his lawyers alone; another from his lawyers, who brought with them two of Yassin's four children; and a third from his lawyers, who brought all four children and Yassin's wife. At Marion, Yassin has had one visit from his lawyers alone (this past summer) [2009], and they will visit him again shortly, in February [2010]. In just under three years, this averages about two visits per year—but these were all legal visits, and only two were from his family...So far, only his lawyers and his family have been approved to visit him.

... all of Yassin's immediate family is in the Kurdish region of Iraq, so there is no possibility of them coming to visit him at the present time; one of his brothers is not even on his approved e-mail list, though Yassin has repeatedly requested this. The only family members in the U.S., his wife's cousins, live in Seattle, but it would be a long and expensive trip for them to come to Illinois.

...Yassin has friends in the Albany area, primarily mosque members whom he knew before his conviction and who could apply to visit him. But the Albany mosque's working-class members have neither the money nor time away

Comments Submitted by Family Members and Friends of CMU Prisoners

from their jobs to make the two-day trip to Marion and back; if they had either, they would have applied to visit him by now. In addition, some of them converted to Islam in prison, and so have criminal records; this could make them ineligible for visits. The rest are frankly afraid to apply for visits, since the entire Muslim community in the Capital District was terrorized by the case that ultimately put Yassin and his co-defendant in prison. We are sure you'll agree that being Muslim in America in 2010 unfortunately requires Muslims to remain as quiet and unobtrusive as possible. So that leaves us, his friends and supporters who met him and came to his aid during and after his 2006 trial, as potential visitors.

...For any prisoner to maintain his mental health, it is necessary for him to have in-person visits, so he does not feel abandoned by the outside world. Thus the possibility of our visits over the next eight years would be an important component of his continued mental health. Visits would give him something to look forward to within the isolation of the CMU. And visits would also allow us some necessary respite from the difficult tasks we have to undertake on his behalf.

From Albany, New York, Marion is a round trip of four days and 2,000 miles. But what's the alternative? To allow his isolation to continue for the remaining eight years of his sentence?

2. Why do the CMUs make it so difficult for prisoners to have visitors? If the purpose of a CMU is to monitor all communications by prisoners, why focus so much energy on monitoring their visitors? Why not just have us comply with standard security procedures that are applicable for all visitors to any medium-security federal prison? Don't the prison officials and the monitors in Washington already know all about our backgrounds, having checked us out thoroughly so that we are allowed to e-mail, send postal mail, and talk to a prisoner on the phone? If we can do that, why can't we visit him? Together with the no-contact-visit-for-families rule, I can only conclude that the hidden purpose of the CMUs is not only to isolate these prisoners from the world, but also to block the world from them. How is this anything other than cruel and unusual punishment?

Jeanne Finley
Albany, NY 12203

Comments Submitted by Family Members and Friends of CMU Prisoners

I have been one of Yassin Aref's attorneys since his arrest in 2004, and I have continued to advocate on his behalf, because I believe he is innocent. I visited him four times since he was placed in the CMU, twice at Terre Haute and twice at Marion.

In the summer of 2008 attorney Stephen Downs and I drove to Terre Haute with Yassin's wife, Zuhur, and four children. This was the only time Yassin saw his wife or two daughters since he was designated to the CMU in 2007. (Steve Downs had driven Yassin's two sons for a visit in 2007, but the visit was cut short arbitrarily and abusively after only about 15 minutes, allegedly because Steve had a pen with him.) In 2008, I was permitted an attorney visit where I was in the same room with Yassin, whereas his wife and four young children were forced to share a tiny room and speak to him through glass, sharing a single telephone between the five of them. Afterward Zuhur was very upset that I had been allowed a contact visit with her husband while, despite having driven two days to get there, neither she nor the children had been able to touch him or speak to him in person. That visit was so traumatic for Zuhur and the children that Yassin very reluctantly agreed that it was not worth it for them to visit again under those circumstances.

According to the Notice of Transfer to the CMU, Yassin was placed in the CMU because he was said to have communicated with Jaish-e-Mohammed (JEM), a designated terrorist group. However, his case was a sting operation which admittedly had no actual connection with JEM, and when Yassin pointed out that it was proven that he never even tried to communicate with JEM, the BOP eventually changed its rationale to simply say that the designation was based on his conviction, with no specific facts alleged.

The Proposed Rule does nothing to improve the unconstitutional and illegal nature of the CMUs. In fact, the Proposed Rule makes things worse because it allows for telephone calls to be reduced from one per week to one per month; allows for limiting written correspondence to three sheets a week per recipient; allows for limiting visits to one per month; and allows for limiting visits to immediate family and approved attorneys (ie not even friends who knew the person before incarceration.) And it allows a CMU designation based on the wildly vague and generic catchall provision on page 3 of the Proposed Rule (top of second column) - that there is "any other evidence of a potential threat." This allows for far too much discretion in the hands of BOP officials. Moreover, unlike disciplinary units, there is no real mechanism for ever getting out of the CMU – how could there be, when the designation can be based only on the offense of conviction? The CMUs need to be shut down.

-Kathy Manley

Hedaya Jayyousi
Detroit Michigan
48210

Tuesday, June 01, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
Washington, DC 20534

**Re: BOP Docket #1148-P
Communication Management Units**

To Whom It May Concern:

I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

My husband Kifah Jayyousi is an inmate in the FCI (CMU) Terre Haute, Indiana. The new rules that the BOP are trying to change will limit the visits to one hour during each month and our phone calls to 15 minute calls each month come to me as a shock because my sons and daughters and me are already tortured enough through the current CMU rules. One of which is allowing us to see him through netted glass during our visits. His elder parents can't visit him because they are sick and they can't travel the long distance. The only contact they have with Kifah is through the phone call. I can't even imagine it being 15 minute a month how ten people including my family and his parents family is going to fit though one 15 minute call a month. Please discontinue this unjust inhumane decision, which in my opinion the people that brought it up don't think of themselves as a father, mother, sister, daughter, son, husband, or wife perspective and doesn't have any mercy in their heart.

Lack of due process at the CMU: None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.

Overrepresentation of Muslim and political prisoners at the CMU: Because there is no oversight procedure of who gets sent to the CMU and why, there has been an unchecked pattern of Muslim prisoners and politically active prisoners being sent to the CMU. Somewhere between 65 and 72% of prisoners at the CMU are Muslim. Others are, and have been, politically active individuals, such as environmental activists, or individuals who have advocated for themselves while in prison. In the absence of specific allegations of wrongdoing, their designation to the CMU is both discriminatory and retaliatory.

Destructive effect of the CMU on families: The meager number of phone calls and visits that CMU prisoners receive, and the blanket ban on physical contact with loved ones – including children – during visits tears families apart and inflicts pointless suffering of the prisoners and their families alike.

Conditions at the CMU amount to cruel and unusual punishment: The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

Hedaya Jayyousi

cc: Center for Constitutional Rights

Kareem Jayyousi
Detroit Michigan
48210

Tuesday, June 01, 2010

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I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

Kifah Jayyousi is my father and an inmate in the FCI (CMU) Terre Haute, Indiana. I sacrifice my visits and my phone calls so my grandma, grandpa, my sisters, and my mother can speak to him and see him. It already is tough for them to talk to him imagine how much harder it will be if you limit everything even more? That doesn't even make any sense. You will put more pain then what is already there on me and my family. I really hope that you will rethink your decision.

Lack of due process at the CMU: None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.

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Comments Submitted by Family Members and Friends of CMU Prisoners

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Kareem Jayyousi

cc: Center for Constitutional Rights

Maryam Jayyousi
Detroit Michigan
48210

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I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

Kifah Jayyousi is my father and an inmate in the FCI (CMU) Terre Haute, Indiana. Do you think its normal to see your father through glass? Do you think its normal to talk to him through a phone once per a month? Do you think its normal to see your father for an hour a month? If you do then that's ok you can go on and proceed with your decision to cut down on everything just because you aren't willing to spend some money. Just know that you are preventing a girl like me from seeing her father, think about how many others are in the same situation as me. Think about how many relationships you are separating. Think about the pain you will cause us. Just think.

Lack of due process at the CMU: None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.

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Comments Submitted by Family Members and Friends of CMU Prisoners

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Maryam Jayyousi

cc: Center for Constitutional Rights

Mohammed Jayyousi
Detroit MI
48210

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I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

My father is in the FCI (CMU) institution in Terre Haute, Indiana. I was informed a few days ago that the visiting times and hours along with call times and hours will soon change. I find this to be very absurd and unjust. It is not fair for me to see my father for an hour per a month. Me and my family live in Michigan and we drive 16 hours in total for one chance of seeing him, I don't see how you think its logic to travel 16 hours to see him for an hour each month. You don't even understand how much this will put me through as a son, or what it will but my father through. You don't want to spend a few extra dollars for more visits but you will be willing to have the American government spend even more on our depression pills and mental health. It is not normal for me to see him as it is. Please rethink your decision.

Lack of due process at the CMU: None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.

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Sincerely,
Mohammed Jayyousi

cc: Center for Constitutional Rights

Reem Jayyousi
Detroit MI
48210

Tuesday, June 01, 2010

Rules Unit, Office of General Counsel
Bureau of Prisons (BOP)
320 First Street, NW
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**Re: BOP Docket #1148-P
Communication Management Units**

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I am writing to express my concern over the establishment of, and conditions at, the Communications Management Units (CMUs) that are being run by the BOP in Terre Haute, Indiana and Marion, Illinois. I have read the proposed rule that was published in the Federal Register on April 6, 2010, and I am troubled not only by the conditions and policies proposed in that rule, but also by existing practices at the CMUs. The CMUs are needlessly destructive to families, have been used to disproportionately confine Muslim and political prisoners, and violate basic constitutional protections. I urge the BOP to abandon this proposed rule.

I would like to highlight the following issue(s) at the CMU that are of particular concern to me.

I am the daughter of Kifah Jayyousi, one of the inmates in FCI (CMU) Terre Haute Indiana. I find it very disappointing that people are willing to separate me away from my father because you aren't willing to spread an extra dollar. I couldn't even imagine me being away from my father in visits. Yes I did say away, that glass that separates us might be an inch or two thick for you but for us its miles and miles thick. Life is already tough on me, I can barely even see my father because of the long distance and its conflict with college. This is truly unjust! He is my father not my friend or neighbor he has a HUGE impact on me and my family's life. He already is away from me, please don't take him any farther than he already is. The current rules are already limited and they already are harder than they should be. I shouldn't be begging you to see my own father longer this should already be a given option to begin with. Please don't change the rules it will destroy me, my sisters, my brothers, and my mother. It will destroy us all.

Lack of due process at the CMU: None of the CMU prisoners have been told in any meaningful way why they were designated to the CMU, or what evidence was used to make that decision. They have received no hearing to challenge their CMU

designation. Likewise, there is no meaningful review process to earn their way out of the CMU. This lack of transparency deprives prisoners of their due process rights.

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Conditions at the CMU amount to cruel and unusual punishment: The isolation experienced by CMU prisoners, and the ways in which they are prevented from maintaining their family ties, is cruel and serves no legitimate purpose.

I hope that the BOP will take the above concerns into account as it decides whether to adopt this proposed rule. I thank you for your consideration of my above stated concerns.

Sincerely,

Reem Jayyousi

cc: Center for Constitutional Rights

Comments Submitted by Family Members and Friends of CMU Prisoners

To whom it may concern:

I write to you today to express my concerns about the proposed rules for Communication Management Units (Document ID BOP-2010-0006-0001.)

To begin with, I am very concerned that all prisoners have due process and be told why they are being held. Furthermore, it is imperative that they be told why they are being held in a particular unit. It's absolutely unjust that such information is routinely withheld from CMU prisoners. I see no evidence of a case review process for CMU prisoners, which should be implemented in order for them to know what they can do to change their status as CMU inmates. Because the conditions in these units are so harsh, it is imperative that cases of inmates be regularly reviewed by non-biased parties.

It concerns me very deeply that such a high percentage of CMU inmates are Muslim. That this is the case immediately brings the proposed rules into question. Such a long history our country has of isolating large groups of people based on their ethnicity and/or religious culture—let us work to change this historical pattern. Rules for the CMUs need to be reviewed and overseen not only by the Federal Bureau of Prisons, but by leaders in anti-racist policy, organizational psychologists attuned to the prevalence of racism in our judicial systems, and experts on patterns in racial profiling. A team of thoughtful people must be assembled to review regulations any time human beings are placed behind bars, let alone when these prisoners are being cut off so seriously from their family and friends.

Our strategies for managing the communication of prisoners will be judged by future generations. I implore you to choose to be on the right side of history with your decisions regarding the Communication Management Units. It is of great importance that decisions regarding the CMUs be made with care and integrity.

Regards,
Laurel Smith
Olympia, WA

June 7, 2010

**RE: Communications Management Units
[BOP Docket No. 1148-P]**

RIN 1120-AB48
28 CFR Part 540

Dear Bureau of Prisons,

My name is Lynne Jackson and I am an American citizen and live in Albany, New York. I am writing to you to object to the proposed Communications Management Units. These Communications Management Units are cruel, and should be shut down.

As a citizen of this country, I believe in the constitution and the Bill of Rights, including the 8th amendment. The 8th amendment states in full:

Excessive bail shall not be required, nor excessive fines imposed, ***nor cruel and unusual punishments inflicted.*** *[emphasis added]*

The proposed CMU regulations violate the eighth amendment. It is cruel and unusual punishment to:

- 1) Send a person to the CMU because of the crime he committed with no reasonable appeal process to get out
- 2) Restrict a prisoner's communication with family members to one hour a month and one 15-minute phone call per week.

Yassin Aref was convicted of material support of terrorism after a highly publicized, and highly controversial trial in Albany, New York and is currently incarcerated at the Marion CMU. He was a victim of an FBI sting. No evidence was ever produced that he had any ties at all to terrorism. He is a Kurdish refugee, having survived Saddam Hussein's Anfal or extermination of the Kurds. Please see the attached article (reprinted on albanyweblog.com) published in the *Daily Gazette* the day after Mr. Aref's conviction and written by Carl Strock.

Mr. Strock summarizes the sentiments of many people in the Albany community — that Mr. Aref is quite innocent. Mr. Strock sums up exactly what happened to Mr. Aref:

The time may come when Congress will pass a resolution apologizing to you and others like you who got swept up in the fear that followed 9/11, just as it passed a resolution apologizing to the Japanese-Americans who got swept up in the fear that followed Pearl Harbor, but that will probably come too late to do you any practical good. Your lives will have inched away by then, and your children will be long grown. . .

It is just your great misfortune that you were who you were at this time and in this place, that you were brown-skinned, bearded Muslim men speaking in foreign

accents, in Albany, after the attacks of 9/11. The local FBI office needed to prove itself in the new War on Terror, and you were it. As simple as that.

Mr. Aref has never had any disciplinary problems while at either of the Communication Management Units he has been in. Currently, Mr. Aref is permitted two, 15 minute phone calls per week. He was the only wageearner for his family (a wife and four young children). Currently, his family cannot afford a telephone. Mr. Aref has many relatives and friends. He was much loved by people in his community, and is now much-missed. For one of his weekly phone calls, he schedules to call his two sons and 4-year-old daughter at their school, and, on occasion, relatives in Iraq. On very rare occasions, he schedules to call friends.

For the other weekly phone call, he calls my cell phone when I am visiting his wife and children. Weekly, I get to see how his family tries to keep up a relationship with Mr. Aref on just one, 15-minute phone call. His children simply love him. His 14-year old daughter wants nothing more than to speak to her daddy on the phone. It is a struggle to allow each child a few minutes to speak to their father. And, of course, his wife is always anxious to speak to her husband. There is simply not enough time for Mr. Aref to speak to each family member. The worse part of the phone call is that no one ever knows when the phone will go dead, and so, no goodbyes are ever said. The call is ended at the whim of the prison. Though his calls make his children very happy, the way the calls end are quite distressing. Also, the very time limit of 15 minutes causes discord between family members, because they all want so much to speak to Mr. Aref.

The current policy of allowing prisoners at the CMUs two 15-minute phone calls a week is bad enough, and causes much pain to the families of prisoners. To further restrict the calls to once a month is cruel and serves no security purpose whatsoever.

The Marion CMU is 1000 miles from Albany, New York. Though at sentencing, the Judge requested that Mr. Aref be incarcerated close to home for his family's sake, he was, instead, sent to a CMU. His wife and daughters have only seen him once in the three years since his sentencing. There is no easy public transit to the Marion CMU and travel is time-consuming and expensive. And, there is the ultimate cruelty that once the family has made the trip, they can only speak to Mr. Aref through glass.

Not allowing Mr. Aref to sit with his family and touch them while they are visiting is simply cruel. There is no need for "public safety" that could possibly justify not allowing Mr. Aref to hold his four-year old daughter.

It is a complete mystery as to why Mr. Aref was sent to a CMU. No ties to terrorism were ever produced at trial. Carl Strock, writing for the *Daily Gazette*, wrote eloquently on this very issue in a column published in October, 2007. (See the complete article, reprinted in albanyweblog. com)

Mr. Strock summed it up well, when he said:

The most damaging thing he could get Yassin to say was, "I believe if you know

them, you trust them and you believe they are doing right, and you believe they are fearing Allah, and you believe they are working for Allah, I believe it is wise for you to help if you can.”

And for that he is now confined as someone whose offense included “significant communication, association and assistance” to this JEM outfit. Can you imagine?

Mr. Aref has a defined sentence. After suffering for 15 years in the CMU, Mr. Aref will be released. This brings up the question — what is the purpose of prison? Is the purpose to rehabilitate the prisoner? Surely, since Mr. Aref will be released at the end of his sentence, that rehabilitation must be one of the goals.

Rehabilitation must include supporting Mr. Aref’s relationship with his family. Since it is clearly obvious to anyone who knows that Mr. Aref will go back to his family after his incarceration, it serves the public good to encourage his relationship with his family. But, with the proposed policy of one call a month, and only a one hour visit a month, these new rules will only work to destroy family relationships.

On page 17326, second paragraph from the end, the new proposed rules state:
The Bureau allows communication with these individuals to help inmates maintain family ties . . .

This is a lie. These regulations would only serve to attempt to limit relationships with family. The Communications Management Units seek to severely isolate prisoners from the outside world. This type of isolation is very bad for a person’s psyche. This type of isolation does not prepare a prisoner to go back into society, as the majority of prisoners at the CMUs will do some day. I suggest you read the excellent article entitled *“HELLHOLE, The United States holds tens of thousands of inmates in long-term solitary confinement. Is this torture?”* by Atul Gawande published in the *New Yorker* on March 30, 2009. It explains in excruciating detail what happens to us as humans when we are isolated from other humans.

Though the regulations proposed for the CMUs are not quite as severe as solitary confinement, they come so close as that they can be considered cruel and unusual punishment.

Much is written in these new, proposed rules about “security”. The Communication Management Units make the United States less secure. The CMUs primarily house Muslims and people who are considered “domestic terrorists”. These prisons are illegal because they segregate people based on their religion or political beliefs. The United States has this magnificent document — the Constitution and the Bill of Rights — which clearly states our highest ideals of equal protection, rights before trial, freedom of religion and freedom of speech. We set the high standards of how all people should be treated. But, when we engage in cruelty, when we target a specific population of people because of their religion, the United States is just seen as a big, hypocritical bully. Just

Comments Submitted by Family Members and Friends of CMU Prisoners

like another third world, banana republic. Why should people respect our laws if we violate them by creating such cruel prisons like the CMUs?

Some people in the media call the CMUs “Little Guantanamos” (see article from *Democracy Now! “Little Guantanamo”—Secretive “CMU” Prisons Designed to Restrict Communication of Jailed Muslims and Activists with Outside World*). Guantanamo is considered world-wide to be a place of torture and cruelty. Where almost all of the prisoners are innocent, yet they were tortured anyway, and kept in unimaginably cruel circumstances. Where *Habeas corpus* did not exist. The Communication Management Units are only a step or two away from Guantanamo, the “Little Guantanamos”. This is not the America I grew up in. An America that takes out its anger on innocent people. Muslims in our country are being targeted and preemptively prosecuted and then sent to these extremely restrictive prisons — the “Little Gitmos”. This sets a terrible example for the world. We have changed from a nation of laws to a big bully.

Examine closely the cases of the Muslims and others incarcerated at the CMUs. Many are there because of an FBI sting operation. Think of all the big, so-called “terrorist” plots supposedly foiled by the FBI in the past nine years or so. Almost all of the plots were created by the FBI.

Look at one of the newest cases — the Newburgh 4 from Newburgh, NY. A year ago, these men were arrested with an incredible amount of media hoopla that the FBI had foiled an attack. In court, on Friday, May 28, I heard with my own ears, the judge in that case say “This is the unterrorism case.” The prosecutor even admitted that the men had no ties to terrorism.

I believe if a special prosecutor was appointed to review these cases, most, if not all, of these men would be freed. The Inspector General of the Department of Justice, in a July 10, 2009 report on U.S. surveillance programs recommended “that Department of Justice carefully consider whether it must re-examine past [terrorism] cases to see whether potentially discoverable but undisclosed Rule 16 or Brady material was collected under the President’s Surveillance Program, and take appropriate steps to ensure that it has complied with its discovery obligations in such cases” (report p. 19). On April 5, 2010, the Albany Common Council passed a resolution asking that this review take place.

The Communication Management Units are illegal. They constitute cruel and unusual punishment. They should be shut down immediately.

Sincerely,
Lynne Jackson

May 24 - 2010

Comments Submitted by Family Members and Friends of CMU Prisoners

Naden/Lean, LLC

A PROFESSIONAL SERVICES COMPANY OF
CERTIFIED PUBLIC ACCOUNTANTS AND BUSINESS CONSULTANTS

Attn: Rachel Menoropol.

Mrs. Edna Booze
600 Light St. Apt 316th
Balt.-Md 21230
410 234 0776

2005

January

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Attn: Rachel Menoropol.

Dear Sir - B.O.P. Dcket - No - 1148-P.

To whom it may concern, my

Name is Edna Booze. I am

Grandmother of Patrick A. Beyer Jr.

Whom is here in Terre Haute. In

ID. No. #43310 - 037. I been visiting him

My grandson ever since he been there.

I Am 79 yrs old, Dietibus, Arthritis etc.

But I visit & it means so much to me I

do I sad to know that they did not

Acknowledge the blanket ban on contact visits

Just a Hug or Hand Shake would

mean so much to kids of Patrick &

me. Its been 5 yrs. since we contact

And it hurts. Kids love & miss

Their daddy, as much as me, myself

do. We wanted love to have a

Hug or Hand Shake. I pray you do

take this in to great considering care

for kids & me. I will certainly pray for

it & hopefully God will see it through

& you. I pray this goes through &

hopefully kids & family on visits will be able

to have grace of a Hug. Amen &

thanks for take time to read my letter

& I pray to hear from someone. I thank

you again. Yours

Sincerely & C.M.U. Prisoner

(Grandmother) Edna Booze

P.S. Hope you find someone of good news.

Thank you for your help.

Spoke to Ms Rachel Menoropol - May 17-2010