

THE MANDATE TO REHABILITATE
AND
THE STATE AS A CRIMINAL ENEMY

by Timothy J. Muise

* * * * *

In the Commonwealth of Massachusetts we have a very unique legal situation as far as the treatment of prisoners is concerned. Massachusetts General Laws, chapter 124, § 1, "Powers and Duties of the Commissioner of Correction", makes it the law of the land that prisoners **MUST** be rehabilitated. Somehow, somewhere the state has failed in this duty and we will make the case that this failure is criminal. These criminal actions have been undertaken in a treasonous and premeditated fashion making the state an enemy of the people it was put in place to protect. The claim may seem outrageous but trust and believe that the facts are much more outrageous.

To understand why the citizens of this historic state cried out for such progressive measures as the mandate to rehabilitate one must understand the climate of social awareness that existed at the moment of its conception. Our country had been in an unjust war which caused great divides between freedom loving men and women. The ease with which we bombed poorer nations spawned an attitude in our government that they could act with impunity as far as the rights of classes of people were concerned. Groups perceived as less than were targeted both domestically and abroad. One group that was targeted was the incarcerated. The state saw dollar signs in our prisons and this vision spilled into the eyes of the ranks and file guards. The prison industrial complex was born and assaults on civility in the treatment of prisoners increased at an exponential rate. A tactic of "cause and effect, effect and cause" brutality expanded the ranks of law enforcement and their lucrative employment explosion. If you could cause the prisoner to lash out against his oppression you could bang the drum for more guards. Generations of these guards could be afforded job security by painting the fantasy of animalistic prison populations. The topic here does not call for me to fully elucidate the issue of the guards jobs program, but the issue must be mentioned in the context of this serious state failure.

As the treatment of the incarcerated rapidly declined the prisoners themselves were forced into a situation where they would have to address the situation themselves, by any means necessary, or face death at the hands of an escalating guard upon prisoner pattern of assault. Here in Massachusetts existed the pinnacle of where this barbaric decline can lead. This small state had the highest per capita prison murder rate in the nation. Walpole state prison became legend across the land due to the level of violence that existed there. It was truly a dark time for the state of Massachusetts. As this prison violence escalated so did the media attention. The fine citizens of the Commonwealth wanted to know why this was happening here? The men and women of Massachusetts, from whom many leaders in the peace movement had emerged, could not accept that a different sort of war was being waged right here within the borders of our state. The social progressives knew that this type of violence, although seemingly restricted to one class, always visits itself upon all

THE MANDATE TO REHABILITATE
AND
THE STATE AS A CRIMINAL ENEMY

by Timothy J. Muise

* * * * *

In the Commonwealth of Massachusetts we have a very unique legal situation as far as the treatment of prisoners is concerned. Massachusetts General Laws, chapter 124, § 1, "Powers and Duties of the Commissioner of Correction", makes it the law of the land that prisoners **MUST** be rehabilitated. Somehow, somewhere the state has failed in this duty and we will make the case that this failure is criminal. These criminal actions have been undertaken in a treasonous and premeditated fashion making the state an enemy of the people it was put in place to protect. The claim may seem outrageous but trust and believe that the facts are much more outrageous.

To understand why the citizens of this historic state cried out for such progressive measures as the mandate to rehabilitate one must understand the climate of social awareness that existed at the moment of its conception. Our country had been in an unjust war which caused great divides between freedom loving men and women. The ease with which we bombed poorer nations spawned an attitude in our government that they could act with impunity as far as the rights of classes of people were concerned. Groups perceived as less than were targeted both domestically and abroad. One group that was targeted was the incarcerated. The state saw dollar signs in our prisons and this vision spilled into the eyes of the ranks and file guards. The prison industrial complex was born and assaults on civility in the treatment of prisoners increased at an exponential rate. A tactic of "cause and effect, effect and cause" brutality expanded the ranks of law enforcement and their lucrative employment explosion. If you could cause the prisoner to lash out against his oppression you could bang the drum for more guards. Generations of these guards could be afforded job security by painting the fantasy of animalistic prison populations. The topic here does not call for me to fully elucidate the issue of the guards jobs program, but the issue must be mentioned in the context of this serious state failure.

As the treatment of the incarcerated rapidly declined the prisoners themselves were forced into a situation where they would have to address the situation themselves, by any means necessary, or face death at the hands of an escalating guard upon prisoner pattern of assault. Here in Massachusetts existed the pinnacle of where this barbaric decline can lead. This small state had the highest per capita prison murder rate in the nation. Walpole state prison became legend across the land due to the level of violence that existed there. It was truly a dark time for the state of Massachusetts. As this prison violence escalated so did the media attention. The fine citizens of the Commonwealth wanted to know why this was happening here? The men and women of Massachusetts, from whom many leaders in the peace movement had emerged, could not accept that a different sort of war was being waged right here within the borders of our state. The social progressives knew that this type of violence, although seemingly restricted to one class, always visits itself upon all

of society in various damaging ways. Here in the Commonwealth this violence spilled onto the streets of Boston and its suburbs, and eventually created the gang violence we have in those areas today, violence which has spread to many other cities and towns here in Massachusetts. The specifics of this social bleed over would need to be addressed in more depth by the author at another time but most social scientists agree with Dostoevsky's assertion that you can judge the level of a civilization by how it treats its prisoners. In Massachusetts we have hit great depths.

Now for one to understand our claims that the state is actually now an "enemy" of the populace we must touch upon the public safety nightmare of our abusive corrections system from a slightly different angle. To understand how the treatment of prisoners, especially lifers and long-termers, diminishes your safety you first must understand that the root issues of crime and the social ills that have plagued mankind throughout civilization go hand in hand. The poverty of our inner cities is not only creating crime it is created by crime. We have removed male role models and by doing so cast astray generations of children. We then return damaged men to the communities fresh from our prisons and then wonder why children kill each other simply because they live on different streets. Successful men and women leave these communities after achieving success, but do not return to pay it forward because property values and crime rates make it unfavorable for raising a family. What this creates is an underclass that more affluent citizens ignore or even despise. This social divide creates that biblical level hatred that allows one brother to kill another. It is truly that serious, but we must begin to see it in the progressive light that the entire civilized world has already viewed it. Members of the European Union do not keep men and women in prison for life. Almost no countries incarcerate juveniles for life. Prisoners with medical concerns of a serious nature are afforded a compassionate release when their incarceration no longer serves society. Why is this nation unique in those regards? The time to move into the future is now.

Our radical plan is to push for criminal charges to be urged against state actors. The Executive Branch, the Judicial Branch, and the Legislative Branch have acted in a sort of RICO conspiracy (the federal racketeering laws) to devoid prisoners of their constitutionally protected rights with an end result of placing the citizens of the Commonwealth squarely in harms way with the diminished public safety of high recidivism and stabilized crime. We know that calling for criminal charges is extreme, and may turn some moderates away from the concept, but we cannot escape the fact that the three branches of government have failed in major ways, failed after being made aware that their actions violated constitutional protections, thus making the continued denials malicious and criminal.

Republican rulers in Massachusetts used the Executive Branch to ignore the legal mandate to rehabilitate. William Weld openly used his executive authority to deny civil rights and create prisoners that would surely return to crime. The legislative branch lay dormant as their legal mandates were consistently ignored and the civil rights

violations were brought to their attention by numerous activists groups and the prisoners themselves. The judicial branch lacked the courage to impose monetary penalties upon state actors who had engaged in the malicious denial of rights, basically giving the green light to continue to strip men and women of the most basic of protections. The malfeasance of the three branches runs much deeper and can be explored ad infinitum, but the solid fact exists that the actions of our government have made the streets of our cities and towns far less safe and have visited an economic nightmare of epic proportions upon the citizens. We have more law enforcement, court staff, legislative support, and state funded business than ever before, but the crime rates never subside, unemployment continues to soar, and the social plagues that eventually ruin civilization are allowed to grow and prosper while we fiddle as Rome burns. The time is now for radical change. The time is now to charge the real criminals with the crimes they have visited upon the state for far too long.

We need you to join the fight. This fight will need to be brought to the streets. We will need to storm the state house with the angry mob just like it was Frankenstein's castle. The bell must be rung loud in calling for criminal charges against state officials. The people must again be in charge of their own welfare, a true sense of "Common-Wealth", as this state is supposed to be. Technology must be used. The fire can be lit on the internet. The cause can go viral. We need to use any and all methods at our disposal to right this wrong and bring real public safety back into focus. To get involved I would ask that you please contact me. We need a web manager to run a website. We have powerful content that will make the site self-supporting but we require an experienced web manager to get the site up and running and to continue to update it on a weekly basis. You can reach me at;

Timothy J. Muise, #W-66927
MCI Shirley
P.O. Box 1218
Shirley, MA 01464-1218

Throughout history it has always been a few individuals who have changed the course of events. We ask that you believe in this effort and become part of a new course in history. A course that will move all aspects of society forward. Dostoevsky's ideal can be achieved but only through aggressive and radical actions. Please join us in the call for criminal charges against those who have failed us for far too long. The time has come to bring us in line with the rest of the civilized world. God save the Commonwealth of Massachusetts!

by Timothy J. Muise