1619 · **Slavery.** Wealthy Virginia tobacco planters enslave the first Africans in the American colonies, setting in motion a system of chattel slavery (slaves are property, but are counted as 3/5 of a person).

1790 · **There are 750,000 slaves,** mostly in the South, and by 1860 there are 4.4 million African Americans, 90% in the South and almost 90% are slaves. 1 In total, roughly 50 million Africans are forcibly taken from Africa, 10-15 million survive the middle passage to be enslaved throughout the Americas. 2

1800 · One of nation’s first penitentiaries opens in Virginia

1823 · In the earliest critique of prison labor by free workers, the New York Cabinetmakers Guild objects to prisoners being used to make cabinets. 3

1825 · **Assimilative Crimes Act passed by Congress.** This allows for an increase in the number of crimes that can be tried in federal courts (rather than by the tribe) when an offense is committed on Native lands. However, the act is limited to interracial crimes and is not applicable when a crime is committed between American Indians on Native lands.4


1845-1860’s · **Urban Police Forces:** The growth of cities, including slave and immigrant populations, results in the formation of police forces in all major US cities and in many smaller ones by the mid-1860s. They are formed in New York city in 1845, New Orleans and Cincinnati in 1852, Boston and Philadelphia in 1854 and Chicago in 1855. 5

1846-1848 · **Mexican War:** The Treaty of Guadalupe-Hidalgo in 1848 ends hostilities and cedes to the US what becomes the American Southwest for $15 million. Mexicans are now “illegal” in their own land. 6

1857 · **The Dred Scott Decision,** issued by Chief Justice Roger Taney, declares that Blacks, both free and slave, are not citizens, and cannot sue in the federal courts. Taney writes that Blacks “had no rights which a White man was bound to respect.” This decision makes the Civil War inevitable. 7

1865 · **Slavery Abolished, But Not for Prisoners.** The U.S. ratifies the 13th Amendment to the Constitution in December 1865. The Amendment reads that slavery is abolished "except as a punishment for crime whereof the party shall have been duly convicted."

· **Black Codes:** Though the industrial North defeated the slave-owning South in the Civil War in 1865, the northern section of the ruling class hesitates about what to do with the freed Black men and women. The old confederacy is definitive; they pass the Black Codes (e.g. prohibiting Blacks
from entering into contracts, suing, etc.), attempting to return Blacks to a state of servitude to insure a plentiful supply of cheap agricultural labor.

1874 · First Women’s Facility: Indiana constructs the first completely separate women’s prison after a five-year campaign by two Quaker women (Sarah Smith and Rhoda Coffin) to end the sexual abuse of women in detention. 8

1877-1900 · Defeat of Reconstruction & Rise of Convict Leasing. The Hayes-Tilden Compromise of 1877 and the withdrawal of federal troops from the South set in motion the ratification of Jim Crow constitutions and states’ rights throughout the South. In combination with the Black Codes, African-Americans are arrested and sentenced to harsh terms. As convicts, their labor is leased from the state by plantation owners, companies and others.

1878 - The Carlisle Indian Industrial School. The Carlisle school in Pennsylvania, one of the most famous boarding schools for native peoples in the United States, is started by Captain Richard Pratt. It tries to assimilate and "civilize" Native children, and Pratt’s goal is to “kill the Indian, not the Man.” This includes not allowing them to speak their native languages, call each other by native names or have long hair. The schools also create alienation and cultural rifts within tribes and families when children returning home from the schools remember little of their culture after having been away. After Carlisle opens, boarding schools become a part of official U.S. Government Indian policy with mandatory attendance.9

1881 - Crow Dog case. A Lakota named Crow Dog kills another Lakota, Spotted Tail. Crow Dog’s family pays restitution to the victim’s family, and this under Lakota law resolves the issue. Tribal custom does not call for punishing Crow Dog further. White people are angry at this resolution, and demand that the United States punish Crow Dog “properly.” Ex Parte Crow Dog (1883) shows that the United States does not have the jurisdiction to punish an American Indian when a crime is committed against another American Indian. This case likely leads to demand for the passage of the Major Crimes Act of 1885 (see 1885).10

1883 - Regulations are written for the Court of Indian Offenses by Thomas Morgan. These regulations criminalize Native American tradition and religious activities such as medicine men, certain dances, polygamous marriages and destroying the property of other American Indians (such as during mourning customs).11

1885 - Major Crimes Act of 1885. Passes in response to the Crow Dog case, and gives the Federal government jurisdiction in Indian County when offenders are American Indians over seven (later fourteen) felonies. The federal government therefore assumes the “power to punish,” and begins a pattern of removing offenses from tribal jurisdiction to federal control which persists today. The act also means than an American Indian charged with a major crime on a reservation may face harsher penalties than a non-American Indian committing the same crime on a reservation.12

1890’s · Georgia is the first state to institute the chain gang
as a cosmetic substitute for convict leasing. The chain gang lasts in the US until the late 1950’s. 13

1891 · **Tennessee labor resists mining companies use of convict leasing.** In 1891 miners in Briceville turn down a contract which called for illegal concessions (pay in scrip and release of a check weightman). The company responds by bringing in 40 convicts who are directed to tear down the miners’ houses. Ten (10) days later the miners march on the stockade and put convicts, guards and officers on a train to Knoxville. Over the next year the government calls out the militia three times. At one point the miners agree to a truce if the governor convenes the legislature with the purpose of ending convict leasing. Although the session is convened, the law doesn’t pass. Eventually a fort is erected in the county. Miners lay siege to the fort. Although the revolt is crushed, almost no citizen is convicted and the convict lease system is thoroughly discredited throughout the state. 14

1894 · Mississippi passes a constitutional amendment ending convict leasing. However the changes are cosmetic and the practice continues under a different name. 15

1900-1920’s · **Women’s Reformatories.** Originally established by prison reformers as an improvement in treatment of women prisoners through separate facilities. These facilities only existed for women to correct “moral offenses.” The activities, if conducted by men, were not considered crimes. More than half of women imprisoned were there for “sexual misconduct,” but only 8.5% were there for prostitution. Some moral offenses were: lewd and lascivious carriage, stubbornness, drunkenness, vagrancy, fornication, keeping bad company, adultery or venereal disease. The reformatories were overwhelmingly white. Black women were not deemed worthy of rehabilitation. 16

1904 · **Parchman Farm** (now Parchman State Penitentiary) in Parchman, Mississippi means forced prison labor, brutality and torture, and political prisoners. Established in 1904, by 1905 it makes a profit of $185,000 and in 1918 makes a profit of $825,000 — the most profitable prison farming at that time at $800 per working prisoner. Murders, rapes, beatings, and torture at Parchman from 1969-1971 are the basis of *Gates v Collier*, a key case in the prisoner rights movements. 17

1905 · 86,034 prisoners involved in prison labor in 296 institutions around the country. 18

1919 · In the first strike in U.S. history by public safety workers, the Boston police strike. 19

1920 · On January 2, US Attorney General A. Mitchell Palmer launches the “red scare.” J. Edgar Hoover, named by Palmer to head the General Intelligence Division, amasses files on more than 60,000 “dangerous” people and groups. Immigrant labor leaders and activists suspected of communist or anarchist activity are especially targeted. Those arrested are held in detention *incommunicado* and summarily deported. 20

1927 · Nicola Sacco and Bartolomeo Vanzetti, Italian-born anarchists, are executed for a 1920
Massachusetts robbery where two men are killed. There was overwhelming evidence of their innocence and an interna-
tional campaign was launched demanding their freedom. In the 1980’s, then governor Michael Dukakis grants both men a posthumous clemency.

1929 · The Hayes-Cooper Act regulates the shipment of prison labor goods in interstate commerce.

1935 · Under pressure from the labor movement, Congress passes the Ashurst-Sumners Act which prohibits the transport in interstate commerce of prison-made goods unless prisoners are paid the minimum wage. 21

1936 · San Juan Federal Court orders the arrest of Pedro Albizu Campos and several other Puerto Rican nationalists for “seditious conspiracy to overthrow the U.S. Government in Puerto Rico.” A jury of seven Puerto Rican and five North Americans votes 7 to 5 not guilty. Judge Cooper calls for a new jury, this time ten North Americans and two Puerto Ricans, and the verdict is guilty. Campos spends more than 24 years (not consecutively) in prison in total. During that time he presents evidence that the US government is conducting human radiation experiments on him and others.

1938 · Representative Martin Dies chairs the House Un-American Activities Committee (Dies Committee or HUAC) established in May to monitor “un-American” activities; it targets radical left and communist activities. 22

1942 · President Roosevelt signs executive order 9066 on February 19, requiring Japanese Americans, both citizens and non-citizens, living within 200 miles of the Pacific coast to evacuate their homes and go to 10 internment camps for the duration of the war. More than 100,000 (of a total of 120,000 throughout the US) are interned. In 1988, Congress appropriates funds to pay $20,000 in reparations to each of the surviving 60,000 internees.

1943 · Women in New York’s Sing Sing prison riot in response to overcrowding and inadequate facilities. 23

1950s - 1960s · Prison gangs form in California and Illinois as a means of self-protection. They begin spreading to other prisons around the country. 24

1953 - House Concurrent Resolution 108 passes. This resolution of the House of Representatives terminated the sovereignty of 100 Native nations. 25

1954 - Public Law 280 passes. P.L. 280 offers states the opportunity to assume jurisdiction over reservations within state borders, and passes without any tribal consent. It responds to fears of Whites living near or on reservations that reservations are “lawless,” that American-Indian law is irresponsible, and that federal law is too remote to help the situation. In 1968 the law is amended to include tribal consent, but the same amendment limits the penalties that can be decided by tribal courts to six months incarceration and/or a $500 fine, meaning that tribal courts will only be able to handle misdemeanors. This law denies tribes the right to govern themselves, and has created concern that

Be patient. It may take 30 years, but sooner or later they'll listen to you. And in the meantime keep kicking ass.

- Florence Kennedy
courts are treating American Indians and Whites unequally.26

1960-Present · COINTELPROs are the FBI domestic counter-intelligence programs developed to destroy individuals and organizations considered to be politically objectionable by the FBI. The primary target of COINTELPRO in this period is the Black Power Movement, especially the Black Panther Party (BPP). The assassination of Black Panther Fred Hampton, the violent police attack on anti-Vietnam War and Black radical demonstrators at the 1968 Democratic Convention in Chicago, the incarceration and eventual assassination of BPP field marshal George Jackson, the incarceration of Geronimo Ji Jaga (Pratt) in San Quentin (released in 1977), and the arrest & imprisonment of Assata Shakur (now living in exile in Cuba) and Sundiata Acoli, represent some major cases of state repression in this period. Other recent cases include the targeting of First Nation organizations like the American Indian Movement (AIM) and Central American solidarity groups during the 1980’s.

1960 · As a result of a decade-long recruitment drive, the Nation of Islam has between 65,000 and 100,000 members, many of whom are in prison. Prison officials react harshly, even though the Nation advocates submission to authority. The group is banned, meetings are broken up and militants are put in Adjustment Centers, the predecessor to the Security Housing Unit. 27

1965-1968 · Urban rebellions in response to intolerable conditions of poverty and injustice occur throughout the US. The most well known are Watts (1965), New York and Chicago (‘66), Detroit and Newark (‘67) and Washington, DC (‘68). In the spring of 1968, following the assassination of Rev. Dr. Martin Luther King, Jr. in Memphis, more than 100 cities rebel. Police brutality is often part of the provocation and, along with National Guard troops, is used to quell the rebellions. The Kerner Commission Report acknowledges police violence and harassment as well as racial makeup of police forces and calls for police reform.

1966 · SWAT Teams: In a synthesis of technology transfer (from military to civilian) and military-style organization, Special Weapons and Tactics (SWAT) Teams are created in Los Angeles. The teams are armed with assault weapons and body armor and are originally trained at Camp Pendelton. However, the FBI quickly takes over the training. 28 By 1995, 80% of police departments in US cities (of 50,000 or more) have police paramilitary units. 29

1968 · California governor Ronald Reagan signs the inmate bill of rights.

· The American Indian Movement is founded in Minneapolis, Minnesota by Dennis Banks, Vernon Bellecourt, and Clyde Bellecourt, all recently released convicts. The group quickly becomes a national organization with chapter across the nation.

1970 · US Congress repeals almost all of the federal mandatory minimum sentences for drug offenders.

The Police Foundation is founded with a $30 million grant from the Ford Foundation. After years of confrontations between police and communities of color, the Foundation is charged with developing new policing strategies. It conducts numerous early experiments and studies on police-community relations. In 1982 it unveils the “Broken Window” theory, which holds that police can reduce violent
crime through the reduction of disorder created by quality of life crimes. 30

1971 · George Jackson, imprisoned in 1959 for stealing $70 from a gas station, is murdered in an alleged escape attempt. A member and leader of the Black Panther Party, Jackson had achieved worldwide fame for writing Soledad Brother while in prison. The book helped launch a prisoners rights movement and forced revolutionaries and radicals in the US to include prisoners in their analysis and work. 31

1972 · The term “Control Unit” is first coined at the US penitentiary (USP) at Marion, Illinois. Marion becomes the country’s first control unit in 1983 after two prison guards are killed and the facility is put into permanent lockdown. More than 30 state prison systems, as well as the federal system, have some form of control unit. 32

Santa Cruz Women’s Prison Project. Begun as an interdisciplinary academic initiative, the project became a statewide educational, political, cultural, artistic, spiritual and entertainment network. It was one of, if not the, first organized prisoner support programs for women. Collectively run on a decentralized basis, the Project connected the work of organizers on the inside with organizing work on the outside. 33

1972-1976 · In the 1972 decision, Furman v. Georgia, the US Supreme Court rules the application of the death penalty (not the death penalty itself) unconstitutional. The Court rules that the manner the penalty is applied is “arbitrary and capricious.” In 1976 in Gregg v Georgia the Court rules the death penalty constitutional if used with “guided discretion.” Since 1976, 700 people have been executed in the US. 34

1973 · New York governor Nelson Rockefeller gives a State of the State speech in which he demands, among other things, that every drug dealer receive a mandatory sentence of life without parole. This speech forms the basis of the Rockefeller Drug Laws. These set of laws, passed a few months after Rockefeller’s speech, make prison sentences for drug possession, drug sales or a second felony conviction mandatory regardless of the circumstance. 35

1975 · Pine Ridge & Leonard Peltier. With tensions high between the conservative tribal chairman and traditional people the Pine Ridge reservation in North Dakota, AIM is asked to come to the assistance of those wishing to live in traditional ways. GOONS (Guardians of the Oglala Nation, a vigilante squad hired by the Chairman) murder 60 people in three years and beat hundreds of others, including American Indian Movement members. Despite the reservation having the highest ratio of FBI agents to citizens in the US, nothing is investigated. On June 26, 1975, local residents and two agents are in a shoot-out. Both agents and one Native man are killed. Of the threewho go to trial, two are found innocent. Leonard Peltier flees to Canada and is illegally extradited. He is sentenced to two consecutive life sentences in a trial filled with prosecutorial misconduct. Today an international campaign exists supporting Executive Clemency for Peltier. 36

1976 · California governor Jerry Brown signs a law which ends indeterminate sentencing. The law
also amends the California penal code, changing the ultimate goal of imprisonment from rehabilitation to punishment. 37

1977 · In Jones v. NC Prisoner’s Labor Union the US Supreme Court removes court protection for prison union organizing. 38

1978 - Oliphant v. Suquamish. This Supreme Court decision makes non-American-Indians immune from prosecution by a tribal court. Thus, non-American-Indians who violate the law on reservations may not be held accountable for their actions in states where “cross-deputization has not been worked out.” 39

1979 · Assata Shakur Exiled to Cuba. After being wounded in a 1973 ambush by state troopers on the New Jersey Turnpike, Assata Shakur is convicted in 1977 for felony-murder. Although not having fired a shot and not even possessing a firearm, she sentenced to life plus 33 years. With the aid of friends, Assata breaks out of prison and escapes to Cuba. She lives in Havana as an exile. Silvia Baraldini (now serving her sentence in Italy), Marilyn Buck and Sundiata Acoli. 40

1980 · The longest, most peaceful strike in US prison history. In August Marion inmates present the warden with eight demands including freedom of religion, an end to beatings and harassment, extended visits and better medical care. In September they strike the factory. In January 1981 the strike ends only when the administration closes the factory. 41

1981 · New York governor Mario Cuomo uses the Urban Development Corporation (UDC) to build prisons. The UDC, created on the day Rev. Dr. Martin Luther King, Jr. was buried, was originally designed to build housing for the poor. After voters defeat a $500 million bond issue, Cuomo uses the UDC to fund the construction because it does not need voter approval to issue bonds. Over the next 12 years the UDC spends $7 billion on prison construction. 42

1982 · Reagan launches the so-called “War on Drugs.”

Mumia Abu-Jamal, a Black Panther Party member and supporter of MOVE, is found guilty of killing Daniel Faulkner, a Philadelphia police officer. While driving a cab, Mumia sees a cop beating a Black man. He then recognizes the Black man as his brother and stops to help. He is shot in the chest and the police officer is killed. However, there is great concern over the fairness of his trial (witnesses were coerced, a fictitious confession was documented, etc.). With many of his appeals exhausted, Mumia faces execution at any time. There has been an international groundswell of support for a new and fair trial. Today, Mumia is most probably the best known political prisoner in the US.

1983 · Corrections Corporation of America (CCA) founded by a Nashville businessman and a former chair of the Tennessee Republican Party with backing from Kentucky Fried Chicken. 43
1984 · CCA accepts its first Texas inmates. With no facility to house the prisoners, they are kept in motel rooms. Some escape by pushing the air conditioning units out of the wall. 44

The US Sentencing Commission is created by Congress to develop federal sentencing guidelines. Among its goals are to reduce unwarranted sentencing disparity. 45

1986 · After crack cocaine receives massive media attention, in part because of college basketball star Len Bias’ death (later found to be powder), Congress passes the first of two federal sentencing laws (the second in 1988). The laws created a 100:1 quantity ratio between the amount of crack and powder cocaine needed to trigger certain mandatory minimum sentences for trafficking and created mandatory minimum penalties for simple possession. 46

1987 · McClesky v Kemp. The US Supreme Court assumes the validity of a study showing the effect of racism in death sentencing but rejects the implications. It rules that defendants cannot use statistical evidence to show race bias, but must prove specific intent. Writing for the majority, Justice Powell states, “McClesky’s claim, taken to its logical conclusion, throws into serious question the principles that underlie our entire criminal justice system.” 47

1988 · The 5th Circuit Court of Appeals describes USP Marion as ghastly, sordid, horrible, and depressing in the extreme, but maintains that conditions are necessary for security reasons and do not violate prisoners’ constitutional rights. 48

After a two-year campaign led by Puerto Rican prisoner of war Alejandrina Torres and political prisoners Susan Rosenberg and Silvia Baraldini, the Lexington Control Unit for Women in Kentucky is closed. The judge acknowledges the women were sent unjustifiably and because of their political beliefs.

1989 · Pelican Bay state prison opens at a cost of $277 million. The model for today’s supermax prisons, it was built to hold 1,056. Within two years it was 20% over capacity. 49

1990 · The L.A. Times reports that 80% of all drug users are white, but that the majority of those arrested for drug crimes are African-American.

California passes Proposition 139, The Inmate Labor Initiative, which in effect overturns the state’s 1882 abolition of convict leasing. The initiative repeals the principle that prison labor should be voluntary and mandates that prisoners work to pay for their imprisonment. Additionally, it reintroduces private industry into the prison. By 1994, 13 corporations are operating in California prisons. 50

1993 · While still in prison, Little Rock Reed (Lakota) publishes The American Indian in the White Man’s Prison: A Story of Genocide. Now used primarily as a college text in criminology and criminal justice courses.
Leonel Herrera v. Collins. The US Supreme Court abandons all pretense morality in regards to the death penalty. The Court sets the standard for examining evidence of innocence after the conviction so high that, in effect, a person can be executed despite not being guilty. In the words of Chief Justice Rehnquist, this was done “because of the very disruptive effect that entertaining claims of actual innocence would have on the need for finality in capital cases.”

1994 · Congress passes the Violent Crime Control and Law Enforcement Act (also called the Crime Bill). The bill rolls back fourth amendment protections but its greatest effect is the creation of prisons. It authorizes $10.5 billion in new prison construction over five years.

California voters approve a ballot initiative (Proposition 184) which dictates that people who are convicted of three felonies can be sentenced to life in prison. Other states begin adopting the “Three Strikes” law and some have adopted a “Two Strike” version.

1995 · The US Sentencing Commission concludes that the violence associated with crack is primarily related to the drug trade and not to the effects of the drug itself.

The federal crime bill passes. It adds 100,000 additional police officers to the streets.

Florida becomes the third state to reintroduce chain gangs, joining Alabama and Arizona.

1996 · The Government Accounting Office examines studies on private prisons. It finds that the CCA-run prison in Tennessee is only 1% cheaper to operate than two state-run operations in the state.

Oak Park Heights Prisoner Work Strike. One hundred twenty (120) prisoners refuse to show up at Minncor, Minnesota state prison industry. They demand: minimum wage pay; an improved law library; return of cable television; and an end to restricted visiting policy, systemic brutality in segregation complex, excessive medical and phone costs, poor air ventilation, inflated canteen prices. A new security housing unit was built to house the strikers and the strike was broken. The action, however, generated great solidarity efforts from students, labor and prisoner rights organizations. It served as a landmark in a re-awakening prisoners’ rights movement.

Illegal Immigration Reform & Immigrant Responsibility Act passes. This legislation makes detention of asylum seekers who arrive without proper documents mandatory. IIRIRA marks a shift in US attitude of refugees. According to Amnesty International, “Many provisions of the IIRIRA serve to seal and control the USA’s borders; others fundamentally weaken the rights previously enjoyed by those seeking to enter the USA.” By 1998, the INS has more agents with arrest powers than any federal agency and the number of INS detainees is now estimated at 13,500.

The Anti-Terrorism and Effective Death Penalty Act passes. It gives the federal government the ability to try immigrants in abstentia, relaxes electronic surveillance laws and gives the President the power to target domestic groups and criminalize behavior deemed a “threat to national security.”

1997 · Wackenhut Corporation becomes the first private company hired by the Federal Bureau of
Prisons to manage a large facility. 59

1998 · **California has the largest prison system in the Western industrialized world.** Forty percent larger than the Federal Bureau of Prisons. The state has more inmates in jail and prison than France, Great Britain, Germany, Japan, Singapore and the Netherlands combined. 60

CCA is the 6th largest prison system in the US with 40,000 inmates. 61

1999 · **Release of Puerto Rican Political Prisoners.** President Clinton offers conditional clemency to 11 Puerto Rican political prisoners and prisoners of war. The restrictions limit who the independentistas may associate with as well as where and how they can speak. However, Edwin Cortés, Elizam Escobar, Ricardo Jiménez, Adolfo Matos, Dylcia Pagán, Alberto Rodríguez, Alicia Rodríguez, Ida Luz Rodríguez, Luis Rosa, Alejandrina Torres, and Carmen Valentín attend a rally in Lares, Puerto Rico, site of a 19th century popular uprising against Spanish colonialism and symbol of independence. Despite the victory, other independentistas – including Juan Segarra Palmer, Antonio Camacho Negrón, Oscar López Rivera, Carlos Alberto Torres, José Solís, and Haydee Beltrán – who didn’t accept the conditions, must serve 5-10 years more years as part of the clemency offer or were not offered clemency remain in prison.

· There are 145,160 beds in 190 facilities under contract or construction as private secure adult facilities in the US, UK and Australia. 62

2000 · **The United States incarcerates 2 million people,** more than any other country. The number of people in prison is equal to the entire prison population of Western Europe, Eastern Europe and Russia.
http://xroads.virginia.edu/~HYPER/INCORP/Native/school.html
12. Source: Ross, p. 19
15. Rosenblatt.
16. Rosenblatt.
22. Goldstein
23 Rosenblatt
25. Source: Ross, p. 24
26. Ross, p.24-26
27. Rosenblatt.
28. Parenti
30. Parenti
33. Rosenblatt
35. Schlosser.
37. Schlosser.
40. Schlosser.
43. Schlosser.
44. Schlosser.
46. The Sentencing Project.
47. Rosenblatt.
48. Committee to End the Marion Lockdown.
49. Committee to End the Marion Lockdown.
50. Rosenblatt.
52. Rosenblatt.
53. The Sentencing Project.
54. Rosenblatt.
55. Bates.
56. Burton-Rose.
58. Rosenblatt.
59. Schlosser.
60. Schlosser.
61. Schlosser.