

USA (Massachusetts) County planning to introduce chain gangs

The Sheriff of Bristol County, Massachusetts, has announced that chain gangs will be introduced in his jurisdiction in June 1999. Amnesty International believes that the use of chain gangs constitutes cruel, inhuman or degrading treatment, in violation of international standards, and serves no purpose other than to publicly demonstrate a "tough" approach to criminal offenders.

According to reports, Sheriff Thomas Hodgson has proposed initially to create three male chain gangs, although he is also reported to be considering a chain gang for women prisoners. Each gang will consist of five men chained together at the ankle and separated from each other by five feet (1.7 metres) of chain, overseen by two armed guards. Those allowed to "volunteer" for the chain gang will be non-violent offenders without a history of escape. It is anticipated that the majority of participants on the chain gang will be drug offenders serving sentences of less than two years, and that they will be used to carry out such tasks as cleaning streets and painting kerbs.

The Convention against Torture, which the USA has ratified, forbids torture or other cruel, inhuman or degrading treatment. Likewise, Article 7 of the International Covenant on Civil and Political Rights (ICCPR), which the USA ratified in 1992, states that: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment". The prohibition in Article 7 is complemented by the positive requirements of Article 10 which states that: "All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person."

Article 33 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (SMR) states: "Instruments of restraint, such as handcuffs, chains, irons and straitjackets, shall never be applied as a punishment. Furthermore, chains or irons shall not be used as restraints." Article 45 (1) of the SMR states: "When prisoners are being removed to or from an institution, they shall be exposed to public view as little as possible, and proper safeguards shall be adopted to protect them from insult, curiosity and publicity in any form." The public humiliation that is inherent to the chain gang renders this practice incompatible with this international standard.

Sheriff Hodgson is reported as saying that participation in the chain gang will help to rehabilitate inmates and to prepare them for the outside world, and is not intended to be a "punitive" measure. However, Amnesty International believes that chain gangs, by any name, are inherently degrading and punitive in the way they scapegoat and humiliate inmates. Sheriff Hodgson is himself reported to favour the term "tandem work crews" over the term "chain gangs" because of the images of cruelty from the past that the latter conjures. Even if a chain gang is "voluntary", as Sheriff Hodgson proposes, a prisoner is by definition not in a position to make a free choice on such matters.

Amnesty International has documented the use of chain gangs in other states (see *Reintroduction of Chain Gangs - Cruel and Degrading*, AMR 51/135/95, November 1995)

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English or your own language:

- expressing concern that Sheriff Hodgson is intending to introduce chain gangs into Bristol County;
- explaining your belief that chain gangs constitute cruel, inhuman or degrading treatment, in violation of international standards;
- stressing that the adoption of chain gangs in Bristol County would be a retrograde step for human rights in Massachusetts as a whole;
- urging Sheriff Hodgson to find humane alternatives if he genuinely wishes to achieve his stated goal of maximizing the potential for prisoners to be successfully reintegrated into society.

APPEALS TO:

Sheriff Thomas M. Hodgson
Bristol County House of Corrections
400 Faunce Corner Road
North Dartmouth
MA 02747, USA

Telegrams: Bristol County Sheriff Hodgson, North Dartmouth, Mass, USA

Faxes: + 1 508 995 7835

Salutation: Dear Sheriff

COPIES TO:

The Honorable Paul Cellucci
Governor of Massachusetts
Executive Office, State House
Boston, MA 02133, USA
Faxes: + 1 617 727 9725

and to diplomatic representatives of USA accredited to your country.

Please also copy your appeals or write a brief letter outlining your concern to the Editor of:

The Standard-Times, 25 Elm St, New Bedford, MA 02742, USA.
Fax: +1 508 997 7491. e-mail: newsroom@s-t.com

The Boston Globe, 135 Morrissey Boulevard, Boston, MA 02107, USA.
Fax: +1 617 929 3481

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 30 June 1999.