

# LET T T E R F R O M L O M P O C

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EXACTLY 30 YEARS AGO, I WAS RELEASED  
FROM LOMPOC FEDERAL PRISON CAMP. TODAY  
I HAVE RETURNED, INMATE ONCE AGAIN:

PHOTOS BY MALAIKA COSTELLO-DOUGHERTY

each time upheaved from an obsessively active criminal law practice; each time the consequence of my own volitional federal income tax resistance. At prison camp in 1976, I was a zealot of fiery political causes; at present, at age 71, I remain of similar persuasion. In essence, both the Camp, in its physical components, and I, in my ideological components, remain the same.

However, much water has flowed under the bridge in the past 30 years, and radical changes have occurred with respect to camp incarceration since I last tread on these grounds, built over an ancient Indian village near Lompoc. This part of central California is historically the gestation area of the state's outdoor-grown flower industry, and Lompoc is surrounded still by a checkerboard of brilliant flower beds. Situated close to the sea between San Luis Obispo and Santa Barbara, the fragrance of saline-laden breezes is pervasive.

I author this letter to inform the conscience of the legal community about the ruinous collapse of prisoner attitude since I was last here incarcerated. The attitude has gone from

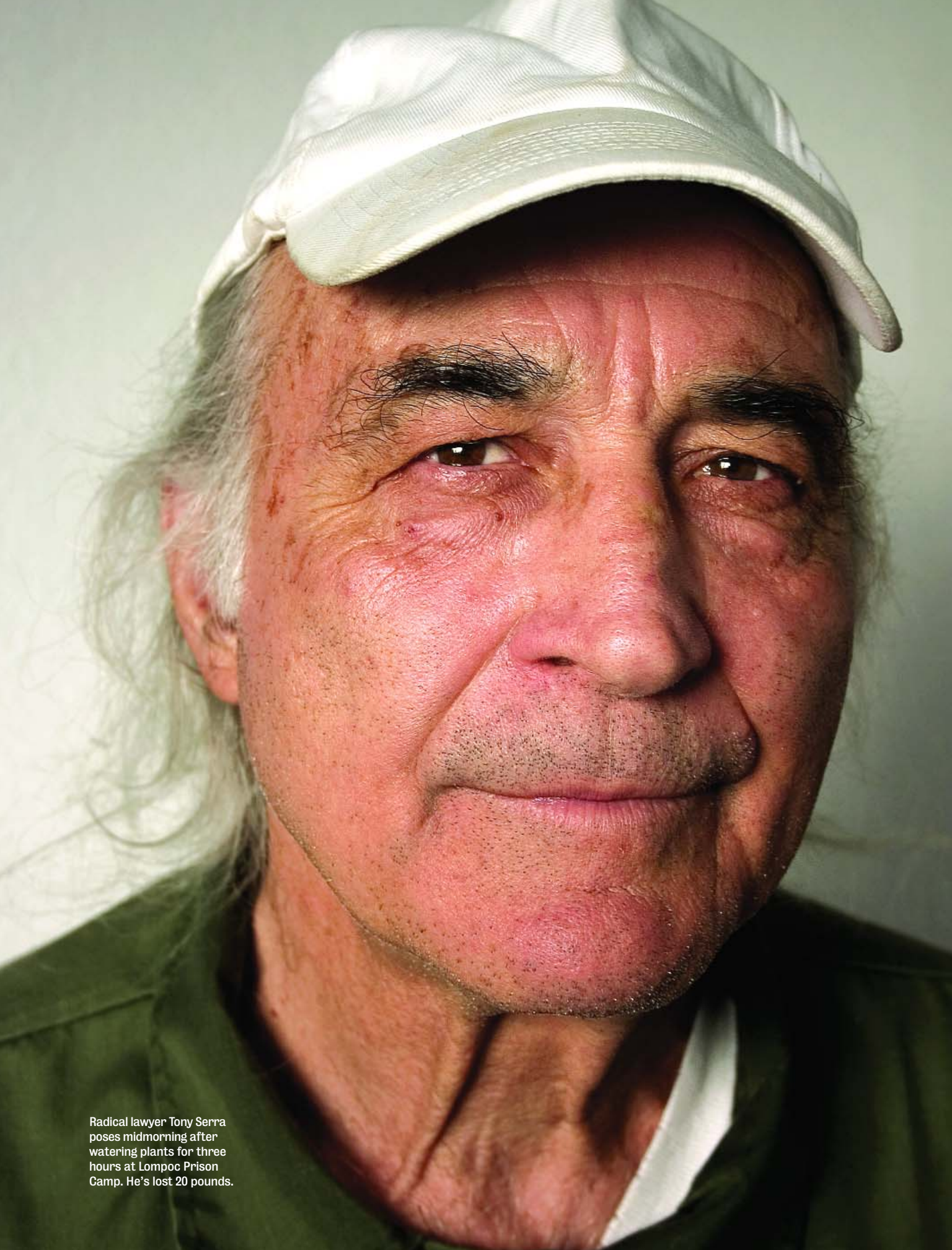
appreciation for being placed in a "camp" to disdain and hostility toward it. I share the present mood of antipathy for this penal colony. I am silently disturbed and at times outraged.

I am seven months finished with a ten-month misdemeanor sentence. For decades I have failed to pay my federal income taxes, at first on principle and later by indifference. I object strenuously to prison camp because we inmates are not treated humanely. I do not object to my sentence.

The present site is different from the prison camp in the 1970s, but its topographical features remain the same. There is a cruel, arresting beauty: multiple acres, situated on a bluff overlooking lush valleys, ringed by eucalyptus trees, the hub of camp life encased in green lawns and gardens of fecund plant and flower growth. Crows screech, blackbirds flit, cranes glide, and hawks circle the enclosure. Raccoons, ground squirrels, and deer abound freely; morning fog purrs listlessly, and sunsets are fireballs. Thus also was the esthetic of the Camp in 1976.

Outside the perimeter of the central hub of the sleeping barracks, eating hall, library, chapel, and administrative offices lies a softball diamond, basketball court, soccer field, sandy volleyball space, and areas for horseshoes, Ping-Pong, and bocce ball. And

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Radical lawyer Tony Serra poses midmorning after watering plants for three hours at Lompoc Prison Camp. He's lost 20 pounds.

beyond the sports areas are the Camp's work facilities: the dairy, the cow pastures, the fields of corn, machine shops, vehicle transportation center, carpentry facility, warehouse, and the giant Federal Prison Industries cable-manufacturing industry complex. The old Lompoc prison camp was similar, but without the inmate industry and with larger grounds and a smaller prisoner population.

At first blush, who would say that such an environment is penal? Who could know that the purpose of the camp is punishment and retribution? It turns out that the administrative guards are harassing technocrats, that involuntary inmate servitude is oppressive, that the forced routine and tedious repetition is mentally toxic, and that prisoners are reduced to automatons. No one who merely looks at the Camp can feel the enmity of the prisoners toward it, their calculated disdain and apathy toward job assignments, their ultimate unified rejection of Bureau of Prison policy and procedure. In 1976 inmates, as a generality, felt graced and privileged by their placement in the Camp; in 2006 inmates stolidly persevere in quiet dereliction.

Why the great difference in prisoner attitude between then and now? In general, our society has largely devolved in its perspective toward crime and outlawed behavior. In the '60s and '70s, we looked for the economic and social factors that produced aberrant behavior; we sought to identify the causative factors of crime and reform those conditions that produced it. For prisoners, it meant rehabilitation—education and job training as in-custody objectives. Today, the sole and articulated prison objective is punishment. In the '60s and '70s, sentences were fashioned to the particular needs and backgrounds of the accused; individualized and particularized “justice” was meted out. Now Draconian, frequently mandatory, and universalized sentences are the norm.

The bar dictates that I cannot practice law for about the first six months of my sentence, but I talk to many inmates as a father to a son about their legal, domestic, and psychological issues. In prison I am still 95 percent “counselor,” but not “lawyer” per se. I still collect the secrets of their conscience and their suffering. I still carry their albatross.

Not one prisoner whom I have talked to—and I have talked to hundreds—believes he has been treated fairly by the judicial system. Many young men, who in a past generation would have received probation, have had their youth taken from them—10, 15, 20 years of incarceration, with no parole, no conjugal, no furloughs, no real job training or education. They are harsh and bitter. Their attitude is contagious in prison subculture.

## TONY SERRA'S MANIFESTO FOR PRISON REFORM

*Based on my stay here, I have strong beliefs about prison reform. I would:*

**1. ELIMINATE** all prison-camp facilities. Send the prisoners home with bracelet monitoring. Camp inmates are nonviolent and no flight risk. Prison camps exist only to furnish involuntary labor for Bureau of Prisons industries.

**2. ELIMINATE** mandatory minimum sentences and sentencing guidelines; they are excessively cruel and inhumane. Return sentencing discretion to the courts. Reestablish the balance of power in government.

**3. MANDATE** probation for first-time offenders. Many of the prisoners here are first-time convicts. Their long sentences make them needless martyrs. Long sentences definitely contribute to recidivism. The option of probation will promote resurrection of lawful lifestyles.

**4. RETURN** parole to the federal prison system. Parole rewards good behavior, provides motivation for reform, allows prison populations to decline, and tests early the ability of the convict to rejoin society. There is no pragmatic rationale for eliminating the parole system.

**5. ELIMINATE** involuntary servitude. This historical remnant should be severed. Slave-labor camps cannot morally be society's answer to punishing criminals. If prison industry is to continue, pay the

inmates the minimum wage; the industry will still flourish.

**6. RESTORE** conjugal furloughs. The cruelest, most dehumanizing aspect of federal prison life is the forced celibacy entailed within it. The sublimations are horrific. The inmate's essential character is twisted and deformed. Let your imagination smolder on the gruesome substitutes created by prison life. There is no psychological recovery from this privation.

**7. ELIMINATE** informants from our system of justice. They are singularly responsible for more miscarriages of justice than any other component. The “Judas,” the “rat,” is universally scorned and isolated at prison camp. The inmate sanction imposed ranges from urination on the informant's bed to assault.

**8. RESTORE** education and job training. Bring back rehabilitation efforts. The puny efforts at education and job skills are laughable. Most prisoners really care about future success. A prisoner who becomes educated and secures a good-paying job is far less likely to re-offend.

**9. IMPROVE** library facilities. The so-called law library is a sick joke at Lompoc Prison Camp; it consists of a small collection of outdated codes and cases and a few form books. The remainder of the library is a random scattering of paperback books and old public library discards. Prisoners do seek to further their mental awareness through reading. Why deny us books?

Prisoners nowadays uniformly hate the U.S. government. And we sit around and ask why recidivism is on the rise!

The barracks-like dorm where about 175 of us sleep is a cacophony 18 hours per day. Five toilets and three washing machines serve us all. There is activity day and night. We cluster, we talk, we compare our daily events; we share complaints, ideas, discuss news events, and exchange the highs and lows of our mental lives. Most knowledge is derived from the shadows of rumor and hearsay cast in the dormitory of Plato's cave.

I am lucky. I am old, I am a lawyer, I am trusted. I am allowed to move from ethnic group to ethnic group, from youth to aged, from blue collar to white collar. At times I am a guide, at times a confessor, at times the articulator of inmates' concerns. These intimacies have stoked the fires of antigovernment sentiment within me. I will never retire from criminal law practice. I will die fighting for the vanquished.

Lompoc Camp itself supplies further reasons for inmate withdrawal and indifference. The minimum-security facility is described as a “working camp,” distinguished from a federal

prison by the absence of barbed-wire fences, gun towers, and barred cells. The government contracts with the federal Bureau of Prisons for industrial cable assemblage at Lompoc. The Bureau of Prisons profits hugely from this contract because prisoners are paid pennies per hour.

Prisoners realize that they are a part of a “slave labor” program. They have too much self-respect to be willingly exploited by the government. They hate their job assignments. Further, because presently there is effectively no parole for federal prisoners, no domestic furloughs, no early release, no “good time” credits, there is utterly no incentive to perform exemplarily. Why work hard, conform behavior, obey, and submit for nothing? In prison, there is only the stick, no carrot. Prisoner morale, contrasted to the '60s and '70s, is at a nadir. A wave of prisoner negativity is the prison's most infectious disease.

Thirty years ago my job assignment was garbage disposal—running alongside a huge garbage truck and hauling the cans to it—dumping garbage containers, in essence. Today, I am the camp waterman—a “river,” a “rainmaker.” I stand five hours per day in a green, janitor-type uniform with an orange hose in hand, nourishing lawns, gardens, and flowers. I blur into a surreal, introspective mental state where time passes timelessly. I receive \$19.20 per month as wages for a five-day week of camp watering. In my free periods, I read incessantly and write bad poetry and prose. But, mostly, my still-undiluted legal mind looks and listens to the inequities of prison-camp existence.

Medical attention is a large concern here at Camp. The staff nurse can do little; doctors visit irregularly. Treatment for all variety of ailments is postponed or avoided. Our incantation to each other is, “don't get sick,” “don't get injured”; “it will be the end of you.” A fellow inmate from Nevada came in about the same time I did, and he developed a foot infection early. He repeatedly went to Medical Service; he repeatedly complained. He wanted to see a doctor. He was obviously limping and in pain. Nothing meaningful was done for about two and a half months. His condition deteriorated—we all saw it. He was finally “rushed” to the hospital to have a portion of his toe amputated. I talk to him every day. He is still limping around. I wish I could sue the whole damn bunch of them.

The mark of a dysfunctional society is the magnitude of its prison population. It is well documented that the U.S. prison system is burgeoning with excess occupants, that allotted resources are shrinking, medical attention is deficient, and prison as a deterrent to crime is a failure. But the final criterion of a dysfunctional prison system is prisoners' attitude toward the resurrection of societal norms. By this measure, we have abjectly been remiss.

In 2006 federal prisoners are treated as discarded cultural rejects. They are banned from the collective gene pool by forced

celibacy. [Unlike California state prisons, federal prisons prohibit conjugal visits.] They are eliminated from the evolutionary process. Inmates are plucked weeds, warehoused to wither and perish. It is the action of the creeping, totalitarianism-embracing American government, the “KGB-ing” of the United States.

When I was an inmate at Lompoc in 1976, inmates were younger, the English language was the dominant tongue, and the majority of the prison population was white. There were no “rewarded” government informants at the Camp, furloughs were frequent, visiting was allowed three days a week, skinheads and tattooed weight lifters were few, buses took inmates to off-camp colleges, inmate mail was not read, nor were phone calls recorded. We felt freedom breezes in the incarcerated state. Big Brother was not sadistic and evil.

But now, because of protracted sentences, “gray power” is a visible component of the aging prison population. And self-segregation of the various ethnicities is blatant. Hispanics are the largest segment of the prison occupants; Spanish is the most-heard language. Middle Eastern and Asian languages are also prevalent. Tattooed skinheads of all races represent the preferred appearance. In 1976 we slept in cubicles. We now sleep in foul-odored, overcrowded, double-tiered bunks in military-like barracks. Our mail, our phone calls, our every move is scrutinized; each visitor or telephone-call recipient must be cleared. Visiting is only on week-ends. Half the camp inmates have been informants. “Roll ups” to isolation for minor infractions is the rule, not the exception. A poisonous drear smothers the consciousness of the Camp inmate. We are treated like robots, not humans.

It is well known that I am a legal medical user of marijuana. I haven't “medicated” for months! Has such deprivation affected my mental health, my sleep, my esthetics, my philosophic visions? Absolutely. It's like a rare flower has been rudely plucked from my imagination. But I am a “short-timer” and I will survive. What inmates cannot survive is celibacy: no touch of a woman, no softness in their lives, no love on the physical plane, no offspring. I will never relinquish my despise of government for such depravity.

Obviously, these patent transitions from the benign to the primitive have modified my personal prison ideology. Whereas 30 years ago I read Hesse and Castaneda, I now read Dostoyevsky, Tolstoy, Pasternak, and Upton Sinclair. I've gone from religious mysticism to political-oppression realism. Whereas then I was—even while in custody—a hippified marijuana smoker, I am now a politicized Socratic gadfly. Then I allowed the process to zenfully flow; now I am resentful and outraged. Then I preached forbearance; now I espouse activism. Being locked in a prison camp for me is like being a doctor locked up in a hospital. I cure rather than facilitate. My mind paces like a caged tiger, and when I am released I promise that I will attack! **CL**



The entrance to Lompoc Prison Camp's dairy