

August, 2020

ATTN: Sheriff Laurie Smith, Santa Clara County Sheriff's Office
Santa Clara County Board of Supervisors, Public Safety Committee
Santa Clara County District Attorney's Office
City of San Jose, San Jose Police Department

From: S.C.C.J. PRISONERS

Re: S.C.C.J. HUNGER STRIKE IN SOLIDARITY WITH PROTESTS OF THE MURDER OF GEORGE FLOYD, RACISM AND PREJUDICE WITHIN THE SANTA CLARA COUNTY JUSTICE SYSTEM, POLICE BRUTALITY & THE SHERIFF'S BLATANT DISREGARD FOR OVERSIGHT

To all those concerned and/or interested,

Santa Clara County Jail prisoners will initiate a hunger strike beginning on Friday August 14th, 2020.

The purpose of this hunger strike is two-fold:

- 1) To support and stand in solidarity with our brothers and sisters across the nation marching in protest of the murder of George Floyd and systemic racism across the board.
- 2) To bring awareness and attention to our very own experiences within the Santa Clara County criminal justice system.

A system that is unjust and unfair. A system that disproportionately targets people of color. A system that enables police brutality upon Black and Brown communities, largely due to the immunity laws that protect such behavior and law enforcement's blatant disregard for accountability and transparency. A system that promotes and thrives off of mass incarceration of Black and Brown people. A system that is clearly plagued by systemic racism and prejudice.

The rule of law is relevant to and necessary to maintain peace and order in any civilized society. We understand this and respect its fundamental purpose. However, the rule of law has been abused and discriminatingly used to oppress people of color.

The law allows the police and DA to stack charges that derive from the same act (course of conduct) simply to incarcerate Black and Brown people for as long as possible. The law allows the DA to use the racist Three Strikes Law to send people of color to prison for excessive amounts of time, even absent of violence.

The law allows the DA to use racist gang enhancement statutes to criminalize being Black or Brown. As is apparent, law enforcement considers and views people of color overwhelmingly as criminals, gang members, thugs, etc. We can not socialize amongst our own race, family, or friends (who happen to be our fellow community members) without being labeled as gang members and/or associates, by law enforcement. Ultimately, falling victim to their racist laws. The gang statute allows the DA to change a non-serious felony (such as conspiracy to sell meth, auto theft etc.) into a serious felony, subsequently, tripling a person's sentence, and under the unjust Three Strikes Law, a non-serious felony may sentence a person to life... Sentences which amount to cruel and unusual punishment.

The law enslaves people of color to the criminal justice system by way of parole, probation, and indefinite criminal records.

The DA has the authority to reform their unjust policies and practices here within Santa Clara County. The DA has the authority to hold law enforcement accountable for their misconduct, brutality, and murdering of Black and Brown people. Maybe then, the negative culture and attitude which has bred such misconduct within law enforcement would change. However, the DA and criminal justice system has failed. The list of racist and arbitrary use of laws, policies, and practices towards people of color can go on and on.

The DA claims to be progressive and in support of criminal justice performs, yet, undermines those efforts by opposing, challenging, and/or circumventing laws, such as: AB-392 (use of deadly force) SB-1421 (police records) SB1437 (felony murder rule) SB-1391 (14-15 yr. olds cannot be tried as adults) SB-620 (judge discretion on gun enhancements) Prop. 36, Prop. 47, and Prop. 57.

This system of racist laws and institutions must be dismantled and restructured. All those who have supported, enabled, and/or allowed these unjust laws and practices to be enacted and enforced must be voted out of office. That is the right and power of people!

Our goal here, primarily, is to bring awareness and attention to:

- 1. RACISM AND PREJUDICE WITHIN THE SANTA CLARA COUNTY JUSTICE SYSTEM,** Specifically, the unjust practice of the Three Strikes Law and Gang Enhancements statute that exists solely to impose extreme sentences predominantly upon Black and Brown people.
- 2. POLICE BRUTALITY,** and disregard for true accountability and transparency through their refusal to release records of police misconduct per SB-1421.
- 3. THE SHERIFF'S BLATANT DISREGARD FOR OVERSIGHT,** accountability, and transparency through the unwillingness to fully cooperate with the Santa Clara County Office of Corrections and Law Enforcement Monitoring (OCLEM).

In conclusion, we send our love and respect to all those of like mind and heart. Onward in struggle and solidarity!

Respectfully,
S.C.C.J. PRISONERS

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