

VOL. 2  
NO. 6

# Don't Mourn, ORGANIZE!

SEPT.  
1978

A COMMUNICATIONS NETWORK OF GRASS ROOTS ORGANIZERS

Published by: **United Struggle Press** 1133 Broadway (Room 517), New York, N.Y. 10010 (212) 243-7300

## The People Say Yes ... The Parole Board Says No!

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Last November a jury in Dutchess County, in conservative upstate New York, acquitted Salvador Agron of charges of absconding from the educational release program at Fishkill prison. The acquittal, on grounds of "mental disease or defect", came after Salvador, his lawyers and a psychiatrist showed the jury that he failed to return to prison because his treatment there put him in a state of mind where he had to flee in order to preserve his sanity. (See DMO, Vol. 1, No. 8, p. 10, for details.)

The jury acquitted Salvador Agron on the basis of the following argumentation presented by attorneys William Kunstler, Harry Jackson and Barbara Swartz: Guards and officials at Fishkill acted in a way which totally undermined the goals of the program, which was to give prisoners an opportunity for an education and to be reintegrated into society. He was called a "spic" and a "murderer" (he had been convicted 18 years earlier of causing the death of two white boys in a New York City gang fight) and told he didn't deserve an education. He was harassed and punished for infractions of petty rules he either didn't know about or didn't violate.

The jury correctly concluded that it was those misdirecting the program, not Salvador, who were responsible for his absconding. This victory was a

major step in Salvador Agron's long struggle for freedom and dignity. He was to be eligible to see the Parole Board as soon as the Department of Mental Hygiene (as required under the verdict) certified him as not dangerous to himself or others, which they did in May of this year. After 19 years of struggle, after overcoming the systematic brutality and dehumanization of New York State's "correctional facilities", after educating himself and develop-

ing into a serious, intelligent and political human being, his goal was at last in sight.

On August 23 Salvador saw the Parole Board. On August 24 he was informed that parole had been denied on the grounds that his absconding showed him unwilling to embrace opportunities for self-improvement. This decision by the Parole Board is a direct repudiation of the jury's verdict and Salvador's long struggle. It is a decision which, like the Bakke decision,

the tax revolt, the anti-gay movement and Big Business' anti-labor activities, raises critical political and legal questions at a time when the state apparatus is more and more moving to rid the U.S. of "democratic excesses". Salvador's lawyers are planning a legal challenge to it. His supporters are mounting a campaign to expose this blatant injustice and to continue the fight to free Salvador.

**Freda Rosen, Coordinator**

**Printed below is a statement by Salvador Agron:**

After seeing the Parole Board on August 23, 1978 and patiently waiting for the Parole Board decision, finally today on August 24, 1978 the guard handed me an envelope about 10:45 p.m. while I was in my cell (D-7-9) at Auburn Correctional Facility. The decision says "Held 12 months to reappear before the 8/79 Parole Board. Parole denied."

The reason for the denial given by the Parole Board, composed of two Blacks and one white male, was the following:

"To parole one serving a sentence for homicide who recently rejected correctional influences which included college training in addition to a Bachelor's Degree at public expense would be incompatible with the welfare of society and likely to undermine respect for law."

This reason is faulty, null and void, and a practice in illogical logic. I have never rejected "college training . . . at public expense. . . ." This, of course, comes from the absconding which was a form of civil disobedience which I used to protest the behavior modification of the so-called temporary program at Fishkill Correctional Facility which the Parole Board ignorantly calls "correctional influences". But, being that my name is not Richard Nixon nor was I involved in the Watergate scandal, the fact that I was found "not guilty" by a jury from middle class Dutchess County is of no concern to the powers of the state in persecuting and oppressing me further as a poor person from the underclass.

I want to thank the thousands of supporters and the many groups and organizations who wrote in my support, who are members of the "society" of which the Parole Board, without any class analysis, would even dare speak for defensively, i.e., hypocritically.

I will continue to love and struggle, to fight injustice and oppression of the "underclass" and working class and people in general by those who rule over us with a fascist iron fist. I love humanity and I remain in struggle.

**Always Until Victory**