

Filing a Formal Complaint

If you believe that your loved one is being abused or mistreated in an institution you may file a formal complaint. The institution has procedures in place for filing a complaint. These complaints may be ignored or covered up. Before filing a complaint, carefully document evidence and information about witnesses. Know what rule or law has been violated. Once you have filed a formal complaint in writing, ask what the procedure is for processing the complaint and follow up periodically. If the condition is not remedied to your satisfaction, several options might apply. Seeking competent advice from council or a support group is recommended before proceeding with the complaint. Options might include filing a written complaint with a superior in the agency, suing the enterprise with the aid of an attorney, publicly addressing the misconduct through the media or filing charges with an outside agency.

Making the Most of Education and Association

Many groups are already working on the issues of prison reform, by seeking them out; you can provide yourself with invaluable resources. Check out groups like:

The November Coalition www.november.org

National Alliance for the Mentally Ill

<http://spacecoast.nami.org>

Making the Walls Transparent www.journeyforjustice.org

The Catholic Bishops message on rehabilitation

<http://www.nccbuscc.org/sdwp/criminal.htm>

Families Against Mandatory Minimums www.famm.org

Communication is the Key

You may be angry at the behavior that led to your loved ones incarceration. That is natural. Keeping the lines of communication open is the best way you can protect your loved ones and advocate for their rehabilitation. In spite of your feelings, you must make an attempt at regular communication by letters and phone calls. It is recommended that you make yourself familiar with persons they are incarcerated with and their family members. If communication between yourself and your loved one is broken whom can you contact to give you current and accurate information? Whenever communicating with staff, always document the contact as recommended in Know Your Rights # 8 "Developing a Case File".

Universal Declaration of Human Rights

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

*The complete articles are available at
www.unhchr.ch/udhr*

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FL CAN's

Just Say Know Series # 5



Save Our Families

A Guide to Advocating for a loved one who is incarcerated

*"What you do unto the least of them,
you do unto me."
~Jesus Christ*

**Ideas and resources
for friends and family members**

The Psychology of Incarceration~

Our society has determined that people who cannot or do not conform to standards of conduct should be set apart from society. Several mechanisms are in place to remove these people from society. Actions considered criminal or crimes against another person are handled through the judicial system and might include incarceration in a penal facility, treatment center or mental health assessments. The Baker Act is a federal mandate that allows the Court to order persons into approved treatment or care facilities after being found unfit to care for themselves or a danger to themselves or others. Facilities of forced care are a breeding ground for abuses. The public often prefers to not examine the practices inside these walls, rather allowing Government regulations to determine the quality of care.

The Doctrine of Rehabilitation ~

The Goal of setting aside persons who have not conformed or cannot care for themselves has been rehabilitation. Increased rates of incarceration, resources diverted from educational programs and the withdrawal of funds for mental health facilities has overwhelmed the rehabilitation system. Persons incarcerated are receiving fewer opportunities for mental health counseling, life skills training and work force re-entry skills. As the focus becomes housing rather than rehabilitation society will find that more and more people will require long term in-patient care becoming a further burden on the tax system.

What Can I do?

Join or start a support group for the institution
Write and publicize the story
Organize a vigil; invite the media.
Talk to Legislators
Talk to community based groups
Financially Support Core Reform Groups
Write Letters to the Editor

A Microcosm of Society ~

Places of forced incarceration such as prisons, treatment center and even nursing homes become their own society. Inside the walls, your loved one will need to learn new skills in order to be safe in their person and build relationships. Since jailers are put into difficult positions with over crowding, funding cuts and lack of facilities they have begun to use inhumane punishments and drug therapies to control persons under their care. Persons are routinely isolated for long periods of time, denied access to safe food and abused physically by their keepers.

A new lingo, a new look and a new attitude ~

Your loved one will begin to take on a new personality as they continue their confinement. Some of this is an effort to conform to the surroundings, the effects of nerves or medication on their physical health or could be mistreatment by guards or other inmates. Anticipate them using new words or unusual slang and don't be surprised by the effects of forced incarceration on their personality. Learning to cope in new surroundings is hard under the best of circumstances. Encourage your loved one to seek out programs that can help them be quickly adjusted and rehabilitated.

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Choose your battles carefully ~

By recognizing and documenting changes in your loved one you will surely find yourself concerned for their well-being. Anticipate conditions that seem unsafe and impractical. The penal and in-house care systems have long been neglected; abuses of power and wastefulness should be expected. Criminal behavior on the parts of caregivers and guards is not unheard of. As you can expect certain changes in your loved one, make sure you choose your battles carefully. Follow the guidelines for communications, visitation and contraband. When you see a gross neglect, inhumane treatment or criminal offenses, document them as completely as possible and report them through the chain of command. Choosing battles that you can win sometimes means leaving certain fights to other people or for another day.

Researching Rules and Regulations~

Be an informed consumer; get copies of all the rules and regulations governing the institution where your loved one is housed. Know what the chain of command is, who is in charge of your loved ones care and what services are provided. Help your loved one by encouraging them to make the most of their incarceration. When they are not provided for according to the rules and regulations it may be necessary to file a formal complaint.

www.saveourfamilies.com

Save our Families is a project of
the
Florida Cannabis Action Network