



Frontiersman

Facing the truth, however great the cost.

October 2018

A Conversation and a Test

Sam Aurelius Milam III

In a recent conversation with a friend, I asserted that the power of the U.S. government today isn't any less absolute than was that of medieval governments. My friend objected. He claimed that there's a big difference between those past governments and the present U.S. government. That difference, he insisted, is that we have due process, and that they didn't. Due process, he claimed, gives us a means to prevent or to redress abuses of power by the U.S. government.

My friend understands due process to be a doctrine, or maybe a set of procedures, by which the powers of the government are managed in such a way as to protect people from abuse. Known past events and the present circumstances of American society don't support his opinion. In fact, there isn't any such thing as due process, as my friend understands it. There is due process of law, but that's a different thing entirely.

Due process of law is mentioned only twice in the U.S. constitution.

... nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law....
—Amendment 5

... nor shall any State deprive any person of life, liberty, or property, without due process of law....
—Amendment 14

Neither of those provisions prevents the U.S. government from depriving someone of life, liberty, or property. Quite the contrary. Each of them empowers it to do so, provided only that such deprivation has been authorized by due process of law.

Regarding due process of law, the U.S. constitution provides this *carte blanche*.

...[The Congress shall have power] To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

—U.S. constitution

Article I, Section 8, clause 18

Thus, the legislation itself is all of the due process of law that's needed. Only the Con-

gress gets to decide what's necessary and proper. The people don't have any control over the enactment of such legislation. There isn't any effective limit on such legislation, or on the powers that it can authorize. Due process, as my friend understands it, is a myth. It doesn't exist. I tried to explain that to him but he was unconvinced.

My friend asserted that it's possible, nowadays, to use the courts to overturn bad legislation. In fact, a person who accomplishes that loses more than he gains.

Appearance. ... The voluntary submission to a court's jurisdiction....

—*Black's Law Dictionary*
1979

To appear in court at all, win or lose, is to voluntarily submit to the jurisdiction of the court and, thereby, to the jurisdiction of the government. By voluntarily petitioning a court to overturn bad legislation, even if he wins, a petitioner acknowledges, legitimizes, and submits to the authority behind the legislation. My friend remained unconvinced.

My friend also claimed that the U.S. government is less authoritative than those medieval kingdoms because it's possible, nowadays, to go into the courts and seek some kind of relief. I tried to explain that the people's ability to beg the government for mercy, exceptions, or leniency doesn't disprove the absolute power of the government. In fact, such appeals are a tacit acknowledgment of that power. After all, the decisions of the courts are final and they will be enforced. Again, my friend was unconvinced.

The authority of the U.S. government is every bit as final and as absolute as was the authority of any king who ever ruled. If the present regime happens to be temporarily benevolent, then that doesn't keep it from being absolute. Governments with absolute authority don't need to stay benevolent. The U.S. government will punish anyone who refuses to obey. It will initiate the use of force against anyone who resists the punishment. It will kill anyone who resists effectively. Anybody who doesn't believe me can test my claims for himself. He can test them by refusing to obey the U.S. government and then by resisting the punishment. I'll write to him in prison, if he survives the test.

Letters to the Editor

Happy birthday, Sam.

—Steve, Wahiawa, Hawaii

Thanks for printing my letter in your Aug 2018 Frontiersman. I still am in the hole about the drama I wrote of in the last letter I sent [September 2018]. (Note; the letter after the one you printed in Aug 2018 newsletter) One thing I'm going to always do is keep it real and truthful with you. In the beginning of 2017 I went to a lifer parole hearing. As of that time, I did not qualify for the youth offender act. A couple of weeks ago I was conversing with another prisoner and he said that they raised the age of those under the act to 25. Before it was 23 and under. If you committed your crime one day over the age of 23 you did not qualify as of the date. I went to board in 2017. On this other prisoner's advice I wrote my prison counselor and he sent me paperwork saying I am now under the youth offender act and was eligible for parole under the youth offender act 10/4/17. But I did not fall under the act until April 9th, 18. And I don't go back to board until 5/11/2020. So now I'm really confused?! But I know this much. If I can stay out of all the drama I will go home within the next 5 years! When I went to board I missed the act by 2 weeks. I was 2 weeks over the age of 23 when I was charged with murder. So I have real hope now Sam! So maybe the r in CDCr can now be capitalized? They claim they have paroled 5,000 lifers so far! I may need to file some writ to make them bring me back to board early now that I fall under the act and I'm passed my eligibility date. I'll keep you posted my elder. Also please send me the name and address you want me to send donations to. I'll try to send something before the end of the year.

Note to anyone reading this, the prison did not inform me when the law changed. If you are a lifer and you committed your crime allegedly before your 26th birthday in California you are now eligible for youth offender act.

Truly, yours in struggle & solidarity.

—a prisoner, Corcoran, California

I accept donations as explained on the bottom of page 4. The mailing address is shown at the bottom of each page of the newsletter. —editor

Dear Sam,

I'm writing in response to the old Corcoran prisoner who wrote a response to my letter [September 2018, pages 1 - 2].

For starters, I return your desire to not disrespect one another. Now, let me jump right in. For starters, I'm not in Camp Snoopy, nor am I a fish to the C.D.C.R. system. I'm a 50

year old who started my time in old Folsom back when it was a level 4, back in the 1980's.

Currently, I'm a level 3 on a level 4 yard in Salinas Valley. And Corcoran 4B isn't the only level 4 yard they're trying to force to "non-designated". Here's what they are doing in Salinas Valley.

They have a level one yard here (Camp Snoopy) which is S.N.Y. They are bringing level 1 and 2 G.P. inmates and putting them on m yard, SNY here in Salinas. The Associate Warden here put the word out that, as long as there's no weapons, the S.N.Y. inmates can defend themselves with no risk of a write up. So, the S.N.Y.'s are handing the G.P.'s their ass the second they walk onto the yard, the S.N.Y.'s outnumber them 1000 to ?. The G.P.'s are then being taken to D5, D yard, which is a level 4, SNY. Which D yard, Salinas Valley, is more active than the G.P. yards, everyone is packing.

So, the same stuff is happening everywhere, from level 1 to level 4 yards. I didn't question your sincerity, and providing a RVR only proves my point, it sounds like you are putting yourself in the mix.

On the real, you can be part of the "boo-dee-fucking-hoo" game, or you can pull yourself up.

You're doing life, how do you want to spend it? Trust me, I know. Prison is prison, on a level 4 yard sometimes you have to hurt. Sometimes you get hurt. But at 50 years of age, I've gotten smart enough to pay attention to what's happening to not put a bull's-eye on my back.

And Sam, like always, I love your words.

Till later, sincerely,

—a prisoner, Soledad, California

I've suggested before (Divide and Control: A Speculation, October 2014, page 3, editorial comment, November 2016, page 2, and possibly elsewhere) that the prison authorities might be intentionally manipulating prisoners, causing them to waste their energy against each other, instead of doing something useful about the prisons. The way that you two guys have started bickering with each other, you're starting to remind me of that idea. Are you allowing prison policies to manipulate you into an argument? Granted, you're in prison, where you can't do much about your situation, and I'm acting like an armchair quarterback. Even so, maybe you can indulge me briefly and, if I'm being presumptuous, forgive me.

When a prisoner is in a situation in which he can't do anything useful about that situation, then maybe he's also in a situation in which he can avoid doing something that would make →

things worse. As the preacher said, "Oh Lord! If you can't help me, for goodness sake don't help that bear!" Maybe, without intending to do so, prisoners are helping the bear. If the prisoners can't do anything to improve their situation, then maybe they can avoid doing things that will make it worse. Consider this. Maybe if there weren't so many prisoners hurting or killing each other, then it might be more difficult for the prison authorities to get away with the kinds of things that they keep doing. Maybe a little détente among the prison factions and gangs might be useful to the prisoners. Peace, not as a goal but as a strategy — what a wild idea.

—editor

Greetings Sam:

I just received the September *Frontiersman*. Thank you for keeping me on your mailing list after all these years & contributing to my sanity.

I am writing in response to one of the recent "letters to editor". Specifically, the gentleman in the level-4 pilot program. Most of what he says hit home and I applaud his resilience, especially after serving 23 years, already. I'd like to suggest that — perhaps — the way he has been doing things is not working and maybe it is time to think outside the box. I'll share a condensed version of my story.

I came to CDCR, on my 2nd term, in 2007 and was sent to a newer ISO about ten miles south of his location. I was handed a 15 to life sentence. At first I was pissed off, getting myself into the mix and all that entails (he knows what I mean). After two years of madness, I had an epiphany while in AD-SEG. If I ever wanted to share life with my children, feel the embrace of a woman, walk freely in society, experience freedom, I needed to come up with a better plan and put it into action. I needed to "rehabilitate".

At the same prison, I went SNY, and they rolled me over to "C" yard. I felt like a total piece of shit traitor, but my kids & family were more important. I bucked the system at first, earning a few RVR's. Eventually I enrolled in groups & my thinking started to change. Sorry to say — I bowed down to the system. At UCC I convinced a captain that, regardless of my C-file, I desired change and asked for a program yard. Over the years I went from Delano to Ione to Soledad to Chowchilla, where I am now, a level 2.

This is a program yard on steroids. There are 40-something ILTAG's here, as well as OMCP and many VOC's. If a person wishes to reduce his time, come here. They are integrating mainline's here. I see them get off the bus,

weekly, chips on their shoulder, filled with piss & vinegar. They either put up or shut up. Most find they like it here, in a place originally built for women. We have 8-man pods, private shower & toilet, 120 channels and most cops are laid back. When was the last time you [*that other prisoner*] took a crap & your cellie's face was not two feet away? Seriously ... when? Or, took 3 private showers, daily?

My point in this soliloquy is to suggest a change in thinking. The CDCR will not "rehabilitate" you; you need to take the initiative. They provide the tools, but you must use them.

For two years I have watched my peers go to board & get dates. Three months ago I went and was found suitable. Yesterday I learned that my official release date will allow me to attend my daughter's college graduation, in 2019. For eleven years I have kept my eye on the prize (family & freedom) even when that meant being a lame, sometimes.

My advice: kiss some ass, ride some leg, do what it takes to get to a program yard, especially this one. Alter your thinking, embrace change and persevere. If you do nothing, THEY win and you rot in this place. I took another man's life and will be a free man soon. I know 20 to 30 lifers who have gotten dates in the last year. You can, too, or you can do nothing while bitching about the injustice.

God bless you,

—Sticky of San Diego

A prisoner soon to be free

I just re-read your Sep. 2018 *Frontiersman*. I agree with you, I don't know if your writings have made things any better [*Some Good Ideas, page 1*]. And then again, how could they. The internet is wonderful and awful at the same time. The wonderful is the ability to reach millions with your intelligent writings, the awful is it seems people only care about the social aspect of the web. People are even more cattle like now. God forbid they have a voice of their own. They might be considered an outcast, a conspiracy theorist. And I don't mean to be a negative Nelly but where I watch what's happening in the world, not just through local, national, and world news, but more importantly, I get a feel of the pulse by paying attention to what's on prime time T.V., commercials, and programs. And brother, is the U.S. people more screwed up than ever.

Our nation is going to [*turning into*] shit right before our eyes and nothing is being done about it....

Have a good day.

Sincerely,

—a prisoner, Soledad, California



Nation in Distress

To compel a man to subsidize with his taxes the propagation of ideas which he disbelieves and abhors is sinful and tyrannical.
—Thomas Jefferson



Acknowledgments

My thanks to the following: El Dorado Bob; Betty; Steve, of Wahiawa, Hawaii; and Eric, of Ione, California.
—editor

Websites

<http://frontiersman.org.uk/>
<http://moonlight-flea-market.com/>
<http://pharos.org.uk/>
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Blonde Jokes

Original Source Unknown. Forwarded by Don G.

Q: What do you call an unmarried blonde in a Rolls Royce?

A: That old rich guy's widow.

Q: Why did the blonde keep a coat hanger in the back seat of her car?

A: In case she locked her keys in the car. ∞

Funny Stories

Original Source Unknown. Forwarded by Marilyn, of Bingham County, Idaho.

• On the first day of school, a first-grader handed his teacher a note from his mother. The note read, "The opinions expressed by this child are not necessarily those of his parents."

• A mother was in her kitchen, trying to get some ketchup out of the bottle. The phone rang and her 4-year-old daughter answered it. The little girl said, "Mommy can't come to the phone right now. She's hitting the bottle."

• A little girl, watching her parents dress for a party, noticed that her father was putting on his tuxedo. "Daddy," she warned, "you shouldn't wear that suit."

"Why not?"

"You know that it always gives you a headache the next morning." ∞

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—Sam Aurelius Milam III, editor