

The Pro Se Self-Help Guidebook Series

# **Jail: An Inmate's Survival Guide**

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# *Jail: An Inmates Survival Guide*



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Dedicated to all the unfortunates suffering under lifetime alimony who are threatened with incarceration.

*“In jail a man has no personality. He is a minor disposal problem and a few entries on reports. Nobody cares who loves or hates him, what he looks like, what he did with his life. Nobody reacts to him unless he gives trouble. Nobody abuses him. All that is asked of him is that he go quietly to the right cell and remain quiet when he gets there. There is nothing to fight against, nothing to be mad at. The jailers are quiet men without animosity or sadism. All this stuff you read about men yelling and screaming, beating against the bars, running spoons along them, guards rushing in with clubs -- all that is for the big house. A good jail is one of the quietest places in the world. Life in jail is in suspension.”*

**-- Raymond Chandler**

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## Preface

**W**hat is Pro Se? What does it mean? It is Latin "for himself," "on one's own behalf" A person who represents himself in court alone without the help of a lawyer is said to appear pro se.

The Pro Se Self-Help Guidebook series are written mainly for the benefit of the person who doesn't know their way around the legal system, who doesn't have the ability to afford an attorney, and who has no other avenue of help other than to try to face the court and possibly jail by themselves.

There is any number of reasons why you might be facing jail for either civil or criminal transgressions. No matter what the reason, when you are incarcerated, there is no distinction as to your "crime" between the inmates.

From the author's experiences, he tells you what you can expect when you have to go to jail. Even though most all jails in this country vary to some degree in the type of facilities that will be encountered, the procedures and principles involved should be similar regardless of the where you will be incarcerated.

The goal of this book is to prepare you mentally to remove most of the unknown factors that you will be facing and give you some insight as to how to conduct yourself while there. There are many misconceptions about what goes on inside and hopefully, this chronicle will clear them up.

This book evolved as a result of the author being jailed for contempt of court resulting from non-payment of court-ordered alimony due to a change in his income, which made him unable to comply with that order. What is presented here is a first hand account of what he encountered and recorded daily in a diary until he was released after almost a month of incarceration.

The author feels that this experience will help others because a lot of the things that were learned were only found out through trial and error by going through the process. This is not the way you want to learn what happens.

While this guidebook will not answer your every question or handle every situation, it will provide a basic understanding of the accommodations, inmates, processes and procedures you will encounter.

To the best of the author's knowledge, all the information presented here are factually correct and any opinions are solely those of the author.

Additional material can be found on this book's support site at [www.panama-publishing.com](http://www.panama-publishing.com)

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## Introduction

*“Injustice anywhere is a threat to justice everywhere.” --Martin Luther King Jr.*

**A**re you curious about what happens in jail? Do you feel that you are immune to being incarcerated and that it can't happen to you? Do you feel that only criminals go to jail? Are you aware that you are only a heartbeat away from being faced with incarceration for any number of reasons?

On one hand, you can be incarcerated if you have committed some criminal acts such as DUI, drug usage, burglary, theft, etc. for which you will be jailed for a period of time before you are released or sent to another institution.

On the other hand, you might commit a civil crime for which you can be incarcerated. If you are married there is a good possibility this will happen to you.

According to the Dept. of Justice's statistics for midyear 2005, 1 in every 136 U.S. residents were in prison or jail and growth continues as rising admissions outpace releases. During the last 12 month period, the number of jail inmates per 100,000 residents rose from 193 to 252.

On June 30, 2005, 4 States incarcerated more than a third

of all local jail inmates: California (82,138), Texas (66,534), Florida (63,620), and Georgia (44,965). Louisiana and Georgia held at least 1% of their State population in prison or jail.

Louisiana led the Nation with 1,138 prison and jail inmates per 100,000 State residents, followed by Georgia (1,021) and Texas (976). The states of Maine (273), Minnesota (300), Rhode Island (313), and Vermont (317) held the fewest inmates relative to their State populations.

## **Incarceration As A Result Of Divorce**

For a married person, there is a 50% or greater chance that you will be divorced and thereby become involved with the family law injustice system. Once you get involved with it, their tentacles have you in their hold for the rest of your life.

With a divorce, there will be a good likelihood you will end up paying alimony and/or child support. As a result, there is a probability that somewhere down the line that you will face some hard times and be unable to meet your court-ordered obligation. Your ex-spouse will then come after you and you will be facing contempt of court and possible incarceration if the judge thinks he can coerce you into paying money you are unable to pay.

Possibly you are reading this book either because you are facing some jail time for one reason or another or you are just curious as to what really happens when you are arrested. The television and movies do not always depict real life situations to satisfy your curiosity.

With the material in this book, you will be able to satisfy your mind in this respect and get a first-hand reality check. It will also will answer a lot of your questions and provide you with a survival guide should you happen to be one of the unlucky ones.

## **Criminal vs Civil Contempt**

As you will find, when you are facing the possibility of civil contempt, you have fewer rights and are treated far worse

than a criminal. Criminal defendants are entitled to have a “due process of law” and are assumed innocent until proven guilty, provided a public defender at taxpayer expense if they can’t afford one, given a trial by jury and given every consideration to guarantee that their civil rights aren't violated in the process of ascertaining their guilt. If they are convicted, they receive a jail term that is for a definite time period. However, a non-paying spouse, whose only crime is that of a marriage gone bad can be deprived of children, home, assets, life savings, and freedom with none of these constitutional protections.

In civil court, child support and alimony trials operate on a presumption of guilt where ‘the burden of proof is shifted to the defendant, according to the US National Conference of State Legislatures, all of which favors aggressive prosecutions and ignores due process of law.

Contrary to Common Law and the US Constitution, courts have ruled that ‘not all child-support or alimony contempt proceedings classified as criminal are entitled to a jury trial,’ and ‘even indigent obligors are not necessarily entitled to a lawyer.’ Thus impoverished spouses who lose their ability to pay alimony and/or child support through literally ‘no fault’ of their own are the only defendants who must prove their innocence without counsel and without a jury of their peers.

Despite prohibitions on incarceration for debt, a spouse can be jailed without trial for failure to pay not only child support and alimony but also the fees of lawyers, psychotherapists and other professionals whom he has not hired. A judge can summon a legally unimpeachable citizen who is minding his own business and order him to turn over his earnings and assets or go to jail.

Family law is now criminalizing such basic rights as free speech and freedom of the press. In many jurisdictions it is a crime to criticize family court judges or otherwise discuss family law cases publicly. Under the pretext of ‘family privacy’, parents are gagged from publicly disclosing how government officials have seized control of their children.

Be aware that there are several types of facilities e.g. jails, stockades, detention centers, prisons, etc. for housing inmates who

have committed various types and degrees of crimes. This book details one of those county jails in Florida. In the cell where I was under lock and key, my cellmates were ones who had committed the spectrum of crimes from DUI to murder. It created an environment that was indeed diverse as you can get.

Like you will be, I was very apprehensive from what I had been let to believe from all that I had seen on television or in movies. They had given me the only impression of what jail was like and nothing can compare you to the real experience of being incarcerated.

The process usually begins with you being in front of a judge for some reason or other. He will then find you guilty and then begins the journey as indicated in the next chapter. If this happens to you, hopefully you have put Plan B into effect and have an attorney waiting to file a Habeas Corpus on your behalf. (See appendix)

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