

"WE SHALL EITHER FIND A WAY OR MAKE ONE."
- HANNIBAL BARCA

## PRESIDENT'S MESSAGE from Angela Trop

Dear Friends and Supporters,

It is a true privilege to write to like-minded individuals — I cherish being part of the LPP community. How affirming it is to know that others not only understand but also share the frustration — if not outrage — at the daily assaults on our Constitution and on human rights. You inspire us with your compassion and your courage to care about the two million people currently incarcerated in our country. LPP has remained steadfast in pursuing our primary goals:

- 1. Responding to every letter we receive from incarcerated individuals seeking resources or support. In 2025, we have received and answered 706 letters.
- 2. Educating the public about issues and rights violations occurring inside prisons committed by staff or, at times, sanctioned by elected officials.
- 3. Updating our legal bulletins, which explain the constitutional rights of people who are incarcerated in plain language.

While we're proud to have stayed true to our mission, we also acknowledge it hasn't been easy. For example, during our work on the updated Medical Rights bulletin, we faced a disheartening setback: executive orders aimed at stripping transgender individuals of critical medications and protections from abuse. Challenges like these only underscore the importance of our work.

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#### PRESIDENT'S MESSAGE (continued)

Still, we continue to move forward. This year, we've strengthened our collaborations with other organizations, particularly those who have expertise that we lack — such as immigration law. We intend to reach out and collaborate with more organizations. These partnerships will allow us to broaden our reach and help more people.

Looking ahead, we hope to make our educational bulletins more widely and easily available in Pennsylvania's county and state prisons, as well as federal prisons. Incarcerated individuals are sometimes afraid that simply requesting information about their rights could put them at risk. That's why we've recently brought on a student intern to help us improve and promote access to these critical materials.

This newsletter includes highlights from the past year, updates we hope will encourage you to learn more, take action, and advocate. We're also proud to introduce you to this year's Isabelle and Karl Patten Award recipient, EJ Rymsza, and to welcome our newest board members. Thank you for standing with us.

In solidarity, Angela Trop



Fill out our <u>Volunteer</u>
<u>Interest Form</u> (scan here) or
email Jennifer @
jct021@bucknell.edu

#### **FEDERAL FACTS:**

A 1/20/25 executive order signed by President Trump prohibited gender-affirming care for transgender people in federal prisons, required all BOP staff to misgender transgender people and placed transgender women in men's facilities. Several class action lawsuits have been filed and several district court judges have granted preliminary injunctions blocking enforcement of the executive order. The defendants have filed appeals that are pending.

On September 25, 2025, BOP Director William Marshall III terminated the BOP union contract with the Council of Prison Locals-33. Union employees will no longer have a right to union representation during meetings with management, investigation interviews or other proceedings. LPP has not always seen eye to eye with CPL-33 regarding inmate issues but we do not support the unilaterally termination of a union contract by the President and Attorney General. This may be just another step in the direction of having more private prisons.

# A Right Without a Remedy - Dave Sprout

There was a longstanding congressional recognition that a federal right is of little practical value without a corresponding remedy for a violation of that right. A federal statute allows a person whose federal constitutional rights may have been violated by a state actor to sue in federal court for damages to be compensated for any harm they may have suffered. This statute is 42 U.S.C. 1983 (the Civil Rights Act of 1871). The Supreme Court also interpreted this statute to apply to local government actors who, acting under the color of state law, violate federal constitutional rights. By contrast, Congress has not enacted a statute similar to 42 U.S.C. 1983 that provides a damage remedy for persons whose federal constitutional rights have been violated by federal actors. Without that, incarcerated people in federal prisons do not have a means to sue for damages.

In 1971 the U.S. the Supreme Court allowed a lawsuit for damages against federal law enforcement officers who violated 4th Amendment rights to proceed directly under the Constitution. This case is entitled, Bivens v. Six Unknown Agents of the Fed. Bureau of Narcotics, 403 U.S. 388 (1971) The Supreme Court decision on the case became known as the Bivens remedy. From 1971 to 1980, the U.S. Supreme Court allowed persons who alleged their federal constitutional rights had been violated by federal actors to seek relief in federal court.



However, since 1983 the Supreme Court has not allowed "Bivens" remedy lawsuits to proceed. So at this time, except for a few extremely limited circumstances, the rights of a person to sue for damages to enforce their federal constitutional rights against federal actors is severely limited. For more in-depth information regarding Bivens, visit our website where you can review our Bivens Fact Sheet prepared by Attorney Jennifer Tobin.

Federal actors who violate someone's federal constitutional rights should face the same liability for damages as their state actors. If you feel the same, you can contact your Congressional representatives to ask them to fix this problem by passing a law which allows individuals to assert constitutional claims for monetary damages against individual federal government employees.

#### **FEDERAL FACTS:**

The Bureau of Prison (BOP) has 122 facilities, 155,000 inmates, and an annual budget of more than \$8.5 billion.

According to a U.S. Government Accountability Office (GAO) report, as of February 2025 the BOP had 12,153 employee misconduct cases awaiting investigation or discipline. At that time, more than 37% of the open cases had been unresolved for 3 or more years.

#### LPP Welcomes New Board Members - Deirdre O'Connor

LPP is delighted to welcome two new members to our board: Kim Daubman and Elayne Sobel.

Having worked as LPP's legal assistant from 2007 to 2010 and again from 2015 to 2019, Elayne is no stranger to us. In fact, in 2012, she received the Isabelle and Karl Patten Award, which is given to a community activist who embodies the spirit of Lewisburg Prison Project Founders Isabelle and Karl in their pursuit of social justice in the Susquehanna Valley. As LPP's legal assistant, Elayne responded to hundreds of letters from incarcerated people and sees herself as a "worker bee" who will continue to contribute to LPP's mission.

A native of Cincinnati, Elayne holds a BA in criminal justice from the University of Cincinnati. She spent much of her career working in in legal contexts, including the Portland, Oregon Public Defender's Office, law firms in Detroit and Chicago, and the Iowa Attorney Disciplinary Board in Des Moines, Iowa, where she served as an investigator. Elayne and her late husband, Allan Sobel, raised two daughters, and moved to Lewisburg in 2006. In addition to serving on the LPP Board, Elayne is both a mediator and the board treasurer of the Susquehanna Valley Mediation Center.



Elayne Sobel



Kim Daubman

Native mid-westerner Kim Daubman, who grew up in Omaha, Nebraska, has also been interested in and committed to the rights of incarcerated individuals for decades. As a college student in Lincoln, Nebraska, Kim worked in an organization similar to LPP, and more recently she taught positive psychology at Muncy Prison in the Inside Out model, which enables Bucknell and incarcerated students to participate together in courses. Kim taught at Muncy for seven years during her thirty-three years as a psychology professor at Bucknell. Kim's interactions with students as well as prison staff at Muncy increased her understanding of the wavs that incarcerated people can experience both extreme oppression and rehabilitation while they are serving time.

Kim sees LPP as playing an important role in helping incarcerated individuals know their rights and the actions they can take when those rights are violated. She hopes to help LPP advocate for and protect immigrants from violations of their civil and human rights. She would also like to see LPP play a bigger role in monitoring conditions in our local county jails, and looks forward to contributing to both of these efforts.

We are so glad that both Kim and Elayne have joined the board! Their deep experience in and commitment to advocating for the rights of incarcerated people will help LPP continue to advance our mission.

### Annual Party & Award - Deirdre O'Connor

The Lewisburg Prison Project's annual party was held on Saturday, September 20 at The Shanty at Brendan's Towne Tavern in Lewisburg. About 60 people joined us in support of our mission of advocating for the rights of incarcerated people and to celebrate this year's recipient of the Isabelle and Karl Patten Award, Edward J. (EJ) Rymsza. LPP Board President, Angela Trop, welcomed guests, thanked prison rights attorney Jennifer Tobin for updating three of our legal bulletins, and introduced new board members, Elayne Sobel and Kim Daubman, before presenting the Isabelle and Karl Patten Award to EJ.



2025 Isabelle & Karl Patten Award Winner, EJ Rymsza

The Patten Award is given to a deserving community member who embodies the spirit of LPP Founders Isabelle and Karl in their pursuit of social justice. As a partner at Miele and Rymsza, P.C. in Williamsport, EJ's practice focuses exclusively on federal and state criminal defense, including trial, appellate, and post-conviction litigation. He serves on several distinguished committees, such as the Defender Services Advisory Group to the U.S. Courts' Committee on Defender Services, and is the Criminal Justice Act (CJA) Panel Representative for the Middle District of Pennsylvania.

EJ is also a member of the CJA Panel Selection and Management Committee, the Advisory Committee for the Model Criminal lury Instructions for the Third Circuit, and has held leadership roles as the past Criminal Law Section Chair of the Federal Bar Association and past-president of the Middle District Chapter of the Federal Bar Association. A graduate of the City University of New York School of Law, EJ was also the executive notes and comment editor of the New York City Law Review. He is admitted to practice in the Middle, Eastern, and Western District Courts of Pennsylvania, the 3rd and 9th Circuit Courts, and the U.S. Supreme Court. EJ is deeply engaged in his work, not only as a litigator but also as a mentor and advocate. His dedication extends to committee work and includes numerous capital trainings. More importantly, he is fully committed professionally and personally to the clients he represents.

Beyond his impressive legal career, EJ has made a significant impact in advocating for humane prison conditions behind the scenes. Over the years, he has worked with LPP to address issues faced by incarcerated individuals. EJ will reach out to the LPP when he has a client who isn't receiving adequate medical care or is facing poor conditions in prison so that we would be aware and so that his client is safe. El has also been willing to listen to our concerns about a prison where he may know a client. He has gathered "intel" for us, helping the LPP know how widespread a problem might be. When we have had serious concerns about an institution, he has shared those with fellow attorneys on the criminal justice panel, requesting that they get information from their clients who might be housed in a particular institution. These kinds of inquiries and concerns speak to his dedication to justice and respect for others. This commitment to improving the lives of those most in need makes him truly deserving of the Isabelle and Karl Patten Award.







# Immigrant Detention - Jennifer Thomson

Under the second Trump administration, immigrant detention has skyrocketed. According to the Global Detention Project, there are over 37,000 migrants currently detained in local, state, and federal facilities, as well as in privately-owned facilities, across the country. The vast majority of these detainees have no criminal record, and are experiencing overcrowded, unsafe, unhealthy, and uncertain conditions.

The Middle District of Pennsylvania has been strongly affected by this national trend. Currently, more than immigrants are detained in federal and state prisons as well as county jails in our district. including Clinton County Correctional Facility and Allenwood FCI. More migrants are housed Moshannan Valley Processing Center in Clearfield County. (Moshannan Valley, a private facility owned by the GEO Group, is capable of housing nearly 1,900 individuals.) As of late September 2025, Moshannan Valley's detainees included Kilmar Abrego Garcia, who was transferred to the facility from Virginia.

#### FEDERAL FACTS:

BOP has entered into an interagency agreement that allows ICE to place detainees in five BOP facilities. It was reported in a June Daily Item newspaper article that ICE officials visited FCI Lewisburg and that immigrant detainees for ICE may be held there.



Immigrant detention and deportation in the Middle District has a long history. In 1935, at the height of the Great Depression, sixty-six men incarcerated at USP Lewisburg were deported back to their countries of citizenship, which included Italy, China, England, and Austria. That same year, in a case that made national news, Umberto Migliaccio, incarcerated at Lewisburg, pleaded to stay in jail rather than be deported to Ethiopia to serve in the Italian army. During World War II, twelve former Lewisburg inmates found themselves in limbo in the Lycoming County jail. As the United States was at war with their home countries, their deportation was uncertain. And, of course, in the late 1980s, nearly a decade after the Mariel Boatlift, more than 100 Cuban refugees were still detained at USP Lewisburg, despite having committed no crimes.

In a new book entitled <u>The Migrant's Jail</u>, historian Brianna Nofil writes about how local jails across the United States have detained migrants for more than a century, largely in order to make money. As the current administration continues its aggressive policy of apprehending and detaining migrants, it is worth asking ourselves: who is benefiting from this system?

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## LPP by the NUMBERS - Carol Pavlick

October 2024 - 2025

938

845

Letters Received

Letters Answered



#### Become a member; help us grow!

We welcome new members and others who want to support our mission. Share our information and/or help others find us at:

HTTPS://WWW.LEWISBURGPRISONPROJECT.ORG/CONTACT

# Thank You! to our donors, members, & especially our volunteers



A special thank you to our Prison Board meeting volunteers Jackie Villadsen, who is attending Union County Prison meetings, and our newest volunteer, Stanley Frankel, who is attending prison board meetings in Northumberland County. If you're interested in learning more or volunteering, please reach out to admin@lewisburgprisonproject.org.











Lewisburg Prison Project P.O. Box 128 Lewisburg, PA 17837

### Lewisburg Prison Project Mission

The Lewisburg Prison Project, Inc. is a non-profit organization that provides advocacy, information, and legal assistance to people incarcerated in Pennsylvania regarding their conditions of confinement. We also provide incarcerated people across the United States with information and legal bulletins regarding conditions of confinement.

We are dedicated to the principle that incarcerated people have incontestable human and constitutional rights.



**JHYNK**