

MP3s

By Jason Gerhard

When the federal Bureau of Prisons first started selling MP3 players in late 2012, I was pretty excited. At that point I was only five years in on a 20-year sentence. Needless to say, I could have used a distraction in my life.

Initially the allure of the MP3 players was the ability to cruise down memory lane at the press of a button. It has often been said that music is the soundtrack to our lives and there were definitely periods of my life that far better than what my present circumstances offered. Living with two other grown men in what could best be described as a 7 foot by 11-foot closet complete with toilet, sink, table, 3 metal wall lockers, and 3 green plastic lawn chairs left much to be desired.

As was to be expected the time machine soon lost its shine. There was another facet of the MP3 to explore however--educational material. Since the BOP claimed one of the reasons for introducing the MP3 players was to provide educational material I naively believed they were going to follow through on their word. Well, it's five years later and I'm still waiting.

Before delving into the wide variety of "educational material" on offer to inmates I believe it is important to relate the official positions of BOP administrators regarding this matter first.

-FCI Fairton Warden, Mark Kirby on September 22, 2015: "...all material available for use with the MP3 player is decided by Central Office and the contractor who controls the software.... Because of this, we are not able to resolve this issue at this level."

-Northeast Regional Director, J. L. Norwood on February 23, 2016: "The vendor the Bureau of Prisons (BOP) utilizes provides access to different genres of music as well as some educational material that can be purchased. The BOP has limited control over what materials are offered; however, there is research being conducted to find different ways to offer more educational material."

-Northeast Regional Counsel, Michael Tafelski on February 15, 2017: "In response to your request for information regarding educational material provided to inmates via MP3 players, to date, there are no educational materials available in the media library."

-BOP Central Office Administrator, Ian Connors on April 10, 2017: "The Warden and the Regional Director adequately addressed the issues raised in your complaint and we concur with the responses provided. As advised, the MP3 Player vendor determines the type of materials that are offered. In addition, the institution is researching ways to offer more Educational materials."

Within the MP3 library are four genres that would seem to relate to educational material: Spoken Word; Spoken Word>Educational; Spoken Word>Educational>Jewish Content; and Spoken Word-Literature.

There are a total 247 tracks in the Spoken Word>Educational category. Of these, 216 are from Mordechai Ben David. According to Wikipedia, Ben David's real name is Mordechai Werdyger. It describes him as, "an American Hasidic Jewish singer and songwriter popular in the Orthodox Jewish Community. He is also known as the "King of Jewish music."

But wait, it gets even weirder. "Ben David's music is considered 'soul touching' and 'spiritually uplifting' with most of the lyrics based on Hebrew prayer, Biblical passages, and religious poetry, known as Zemirst. His recordings include traditional melodies of Eastern European folk-style alongside more modern jazz, pop, and rock music." For those who are curious, "His father, David Werdyger, was a hazzan (cantor) and Holocaust survivor originally from Krakow." This category also contains one track from Rabbi YY Jacobson and two tracks from Rabbi YY Palatial. The remaining tracks are not in English.

Prior to receiving Mr. Tafelski's surprisingly honest admission that no educational material exists I hatched a plan to force the BOP to admit the obvious. The idea was to purchase one of the ostensibly "educational" tracks and then file a grievance claiming that I was improperly charged a mark-up fee, which according to policy may not be added to religious or educational materials. As such, in August of 2016 I purchased Rabbi YY Patiel's hit single, The Life and Times of Rabbi Zalman Aaron Schneerson. This mind-numbingly boring lecture which runs nearly 15

minutes, leaves one with the feeling it was recorded inside of a cardboard box, and left me \$1.20 poorer.

Within "Spoken Word-Literature" are such well-known classics as "A didergo kiraly" and "Borsoszem hercegkisasszony" from Claudia Liptai and Karoly Gesztesi. Practically household names--in Hungary! Joining these two tracks are 26 others not in English.

The "Spoken Word" category contains some worthwhile material but it is prohibitively expensive. For example, Noam Chomsky's album "The Clinton Vision" has 22-tracks. Three tracks are less than one minute 20 seconds, and none is longer than six minutes, yet each track is \$1.55 making the album's total cost \$34.10. The only Biblical album that I found, "the New Testament-Mathew," [sic] is similarly very expensive. It contains 28-tracks at \$1.20 each making the whole album \$33.60.

All of these wonderful "educational" tracks are provided through the BOP s contractor, Advanced Technologies Group (ATG) based out of West Des Moines, Iowa. CEO Atul Gupta, judging by the disturbingly large number of Jewish-themed tracks in the library, seems to be a Hebrew-phile of the highest order. Why ATG felt that these would be a big hit among the mostly Black and Spanish prison population is confounding to say the least.

Given that it has been over five years since MP3 players were first introduced and this is the best the BOP can do, there can be no doubt there is absolutely no concern for providing educational opportunities within the federal prison system. For those of us who believe education is truly important, we must demand the following:

1. Free educational material is made available within the MP3 library. If need be, inmates can be enlisted to record audio books.

2. Complete transparency of the financial arrangement the BOP has with ATG. This would include information as to whether the BOP receives any financial remuneration from MP3 media sales.

3. The BOP immediately starts looking for another MP3 media provider if ATG proves unwilling or unable to perform as expected.

BOP apologists will probably be quick to argue that the contractor is primarily responsible and prison officials are at worst simple incompetent. Yet, two recent incidents demonstrate that even local BOP officials are actively hindering education.

While at FCI Fairton, in New Jersey, I purchased a digital Spanish/English translator from Amazon.com. Since arriving at LSCI Allenwood, Pennsylvania, in March 2016, I've been trying to purchase a different translator with more languages. The Warden however, refuses to allow inmates to purchase them. I have filed an administrative remedy on this, but it has been denied at all levels. Why this item would be allowed at a medium security facility but denied at a low security facility is beyond me.

Additionally, last summer I enrolled in the Public Speaking class that was offered through the Adult Continuing Education (ACE) program at Allenwood. Inmate taught ACE courses are usually pretty fake and designed to make the education department look like they're actually doing something and provide programming credit for inmates so that they can transfer to a lower security facility.

At Fairton I signed up for one that, if my memory serves me right, was called Automotive Engineering. After arriving I learned that the entire course was to be taught without any actual auto parts. Only poor photocopies of engine components were allowed due to "security concerns." After two classes I'd had enough and never went back.

The Public Speaking class had an inmate heading it who obviously cared and did a good job of getting everyone involved. After the two-month course finished I was hoping to keep developing my public speaking ability. Remembering a program I heard on National Public Radio that focused on Toast Masters, the international public speaking organization and how they offered classes in prisons, I sent an electronic request to the Supervisor of Education asking whether they could come to Allenwood. This request was sent back in December of 2016 and over nine months later he still hasn't found the time to answer.

For all its faults, the American Prison System does present a few opportunities to those captured in its grasp. One of these is an enormous amount of free time. Thanks to a Mother who

instilled the importance of an education on her three sons, I have been imbued with a deep desire to learn.

Granted, this desire did hibernate for most of my teens due to various chemicals, but the flame never went out. This flame, I believe, exists in most people; even those in prison. The goal then is to locate it and throw gasoline (i.e., educational material) on it until it turns into an uncontrollable, self-sufficient blaze.

From where I'm sitting, the BOP seems to be a firefighter obsessed with squelching any flame, no matter how small. They truly embody one of the tenets from George Orwell's book, 1984: Ignorance is Strength.

