



TURNING POINT

The Newsletter of Missouri CURE

Citizens United for Rehabilitation of Errants

Missouri CURE ♦ P.O. Box 1245 ♦ Cape Girardeau MO 63702 63006

missouricure@hotmail.com phone 877-525-CURE (2873) www.mocure.org

From the Board

by Hedy Harden

Amnesty International Calls for End to Decades of Torture in Louisiana

Thirty-nine years ago, three young black men were placed in solitary confinement at Louisiana State Prison in Angola. Two of them remain in isolation to this day. Together the three men have spent more than 100 years in supermax lockdown.

Robert King, pictured here, was released from Angola in 2001 after 29 years in solitary when a judge overturned his conviction.

Albert Woodfox and Herman Wallace remain in solitary after 39 years. Both suffer from serious health problems either caused or made worse by their long years of close confinement. Locked down for 23 hours daily, they have had no opportunity for work or education.

Originally imprisoned for armed robbery, the men had helped found a Black Panther chapter at Angola to fight for better conditions. In 1972 they were convicted of killing a prison guard. No physical evidence

has ever been found linking the men to the guard's murder. DNA evidence that might exonerate them has been lost. Their trial was characterized by faulty evidence, manufactured testimony, bribed witnesses, inadequate legal representation, and discriminatory jury selection.



Robert King of the Angola Three

Guadalupe Marengo, Deputy Director of Amnesty International for the Americas, said, "The treatment to which Albert Woodfox and Herman Wallace have been subjected for the past four decades is cruel and inhumane and a violation of the US's obligations under international law." Marengo called the treatment of these men by the State of Louisiana "a clear breach of US commitment to human rights."

During the International CURE conference held in Baton Rouge in May, we viewed the film, "In the Land of the Free: The Angola Three." Some Louisiana CURE members present had served decades in Angola themselves. After the film we were greeted by Wilbert Rideau, who spent 44 years at Angola, some of them on death row, before finally being freed in 2005.

In this setting the film took on added meaning and was a sobering experience. ❖

"I suspect that all the crimes committed by all the jailed criminals do not equal in total social damage that of the crimes committed against them."
Karl Menninger:
The Crime of Punishment

Spring 2011

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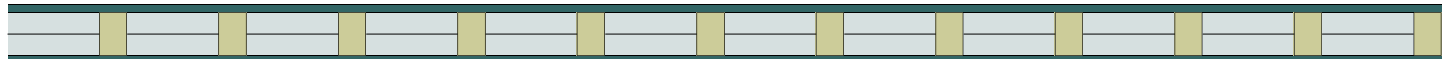
Inside this issue:

Registry Update	2
Support Webb bill	2
NAACP Report	2
Prisoners Fight Flooding	3
Legislative Update	3
Prisoner wins PEN Awards	3
The NAFI Project	3
Fighting Execution in Montana	4
Mumia Sentence Overturned	4
Geriatric Parole	5
Lethal Cocktail	5
MO CURE Annual Conference	6
Join CURE	6

International Conference Held in Baton Rouge

Hedy Harden represented Missouri at CURE's international board meeting and conference held in Baton Rouge Louisiana May 20-24. About 25 chapters attended from the United States and Africa.

The next such conference will be held in Washington DC in the autumn of 2012, commemorating 40 years since CURE began in Texas in 1972.



Registry Update

This is a follow-up to my article in the Autumn 2010 newsletter entitled "Change is Coming" regarding the Missouri Sex Offender Registry.

In 2006 Congress enacted the Adam Walsh Child Protection and Safety Act of which SORNA (Sex Offender Registration and Notification Act) is a part. The Walsh Act provides a comprehensive set of standards for registrants and notification in the United States. The requirements are retroactive, which has led to considerable litigation.

A fundamental problem with SORNA is that it lumps all offenders into one group regardless of the offense. In the article last



autumn, I wrote about proposed legislation that would bring Missouri in compliance with SORNA. This legislation was never addressed by the House or Senate this session. The deadline for all states to become compliant is July 27, 2011.

This year progress was made in the Missouri legislature that gives hope to the thousands of Missourians who have been caught up in the harsh and unfair requirements of SORNA. Missouri Citizens for Reform (MCR) hired a lobbyist and found a sponsor for HB 999 which seeks to reform the SORNA laws.

There would still be a tier system, but on this proposed bill, Tier 1 and Tier II (the

by **Becky Williams**

lower risk levels) would not be public.

After moving testimony was heard from citizens and members of MCR, the House Crime Prevention and Public Safety Committee approved the bill. It was then sent to the full House where it was overwhelmingly approved – 126 to 16.

Unfortunately the session ended before this bill could be heard in the Senate. It will be resubmitted next year and we are hopeful that it will be passed. There are still some areas we would like to see changed – for example, addition of an individual risk assessment.

MCR meets monthly in St. Charles County. If this issue affects you or your family, contact MCR at P.O. Box 265, St. Peters MO 63376; you may email them at showmreform@charter.net; website is www.missouricitizensforreform.com. ❖

Support Federal Webb Bill

On February 8, 2011, U.S. Senator Jim Webb of Virginia introduced S. 306 to establish the National Criminal Justice Commission. Senator Claire McCaskill of Missouri is a co-sponsor. An identical bill introduced in 2009 died when the Senate took no action.

The Commission would conduct a comprehensive 18-month review "of all areas of the criminal justice system, including Federal, State, local, and tribal

governments' criminal justice costs, practices, and policies." Upon completion of the review, the Commission is to publish, "recommendations for changes in oversight, policies, practices, and laws designed to prevent, deter, and reduce crime and violence, reduce recidivism, improve cost-effectiveness, and ensure the interests of justice at every step of the criminal justice system."

The last comprehensive review of the nation's criminal justice system was conducted by President Johnson's Commission on Law Enforcement and Administration of Justice established in 1965. That commission made 200 specific recommendations, many of which are still in place today.

In addition to the 22 co-sponsors of S. 306, the bill has received support from the Fraternal Order of Police, the NAACP, the National Sheriffs' Association, the International Association of Chiefs of Police, and the American Bar Association.

Supporters point to the following factors:

- ◆ With only 5% of the world population, our country now houses 25% of the world's reported prisoners.
- ◆ The number of incarcerated drug offenders has soared 1200% since 1980.

- ◆ Four times as many mentally ill people are in prisons as in mental health hospitals.
- ◆ Approximately 1 million gang members reside in the U.S., many of them foreign-based, and Mexican cartels operate in 230+ communities across the country.

- ◆ Post-incarceration re-entry programs are haphazard and often nonexistent, undermining public safety and making it extremely difficult for ex-offenders to become full, contributing members of society.
- ◆ There is concern as regards the over-federalization of crime. There are an estimated 4,500 separate federal criminal statutes



scattered throughout the federal code without any coherent organization.

- ◆ Few would disagree that extensive racial and ethnic disparities exist in the American criminal justice system.

The Webb bill would authorize \$14 million to support the work of the Commission. Please urge U.S. Senator Roy Blunt and your U.S. Congressman to support this legislation. ❖

NAACP Report

In a recent report, "Misplaced Priorities: Over Incarcerate, Under Educate," the NAACP explores the overfunding of prisons and underfunding of education in the U.S. A correlation was found between low school performance and high imprisonment rates in six major urban areas. In the last 20 years prison spending grew at six times the rate of higher education funding.

The NAACP urges improvement in sentencing and drug policy and supports the efforts of the Webb bill (S.306) to create a commission that will conduct systematic reviews of the criminal justice system.

Prisoners Fight Back Against Flooding

Men from four Missouri prisons took part in efforts to save imperiled communities from raging floodwaters during April and May in Southeast Missouri.

Prisoners from SECC (Charleston), Potosi, Farmington and ERDCC (Bonne Terre) toiled for many hours in the rain and mud to protect the lives and homes of Missourians threatened by this spring's historic flood.

The men labored to fill and stack sandbags, building temporary levees. Crews of 12 to 40 prisoners filled more than 55,000 sandbags during the peak period of April 30-May 4.



Prisoners from Charleston build an emergency levee on April 27.

Women from Chillicothe Correctional Center have been battling the flooding of the Missouri River in St. Joseph as well. The women were among hundreds of volunteers who filled 250,000 sandbags during a week in early June. Moving faster than any other volunteers, the women prisoners even outpaced the National Guard.

Missouri prisoners also take part in a wide variety of restorative justice projects inside prison, assisting victims, children, the elderly and veterans as well as poor and disabled individuals.

Many prisoners welcome opportunities to give back to the community. ❖

Legislative Update

Of all the prison-related bills listed in our last newsletter, only two were sent to Gov. Nixon for signing into law. **HB199** specifies that a prior or persistent offender of an intoxication-related offense must perform a specified minimum number of hours of community service as an alternative to imprisonment. **SB250** requires sexual assault offenders to complete certain programs prior to being eligible for parole or conditional release. Both of these bills were sent to Gov. Nixon on May 26; he has 45 days thereafter to either sign or veto bills.

Prisoner Wins PEN Awards

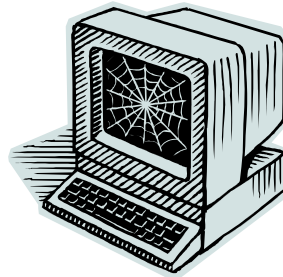
Christopher Zoukis, a federal prisoner at FCI-Petersburg VA, has won 2011 PEN American Center Writing Awards for drama and fiction. He has also authored a definitive reference book on prison education. In Writing and Publishing classes at the prison, Chris teaches prisoners professional writing techniques, including tips on submitting their work. Chris believes he and his class are making a difference and hopes to give his students marketable skills to help them stay out of prison.

Chris authors a weekly blog, in which he shares his struggles as a both prisoner and a prison-educator and describes the growth and success of the class. Federal prisoners have access to email, and Chris may be contacted at chriszoukis@gmail.com. ❖

The NAFI Project

Dear Missouri CURE membership:

My name is Garrett Mees and I am a co-founder of a not for profit organization called The National Association for Fighting Injustice (N.A.F.I.) Project. The initial drive behind NAFI comes from the apparent gap in communication between judicial reform advocates. It is NAFI's view that it is imperative there be a clear sense of unified direction among different organizations and individuals. Reformation will become increasingly difficult if those involved are on entirely different pages when it comes to approach.



If you are familiar with forums, then you know that a forum is an interactive website that allows users to post questions, information, and engage in discussion on a variety of topics that are accessible from almost anywhere at any time.

This letter is being sent to encourage your organization and its members to join our forum at www.thenafiproject.org to collectively pursue reformation through the exchange of knowledge, information and other resources. It has been our experience that having a moderated forum for open

discussion can be used as a catalyst to reformation.

If you have an announcement, and you would like to post it on our website or forum please contact me at thenafiproject@live.com. Please help spread the word, and keep up the good fight! ❖

Anyone who has battled with the judicial system can assure you that it is much larger than any one organization. It's much like if you have a hundred people shaking flashlights around in the dark — sure, you attract attention, but if we all focus our light together it can be used as a laser that can cut through steel. "United we stand, divided we fall!"

Our solution to achieve this is FREE, simple to use, and can greatly increase our chances of success. That solution starts with our online forum.

It takes Courage to change the criminal justice system – it takes people like You!

from Louisiana CURE

Fighting Execution in Montana

by Paula Skillicorn

When I received a call saying that Montana abolitionists wanted to include Dennis in their arguments against the death penalty, and they wanted me to be the messenger, I was caught by surprise.

I was thrilled that Dennis continues to make a difference two years after the state of Missouri murdered him. I wasn't sure that I was emotionally able to meet their request. After all, I had been unsuccessful in changing the minds of the people who wanted to kill my own husband. How effective could I be in another state?

Of course, there was no way I could say no. My promises to Dennis, as well as myself, were clearly tied to this request. I was honored that Montana thought we could be of help.

The challenge was daunting. The abolition bill had passed the Senate, and the Representatives would be voting in committee soon after my scheduled visit. I was going to be talking with the most conservative religious members of the legislature, all of whom were staunchly pro-death penalty.



Yikes.

I was impressed with the organized effort of the abolitionists in Montana. There are three main groups, and they seem to work together well. A coalition of church groups flew me up for three

days of back-to-back meetings. They had carefully developed a strategy that involved matching legislators with speakers. Death row exoneree Kirk Bloodworth was also in town, working

with legislators most likely to be swayed by evidence of innocence. I had been chosen to tell Dennis' story, because his life of redemption and change — along with the fact that he had not taken a life — was most likely to reach the religious legislators.

Missouri could take a lesson from the organized efforts of the three lobbyists for the group. Before I headed north, I received an annotated list of the people I would be seeing. Each list included the legislator's position and the points that he or she rested on for their support of the death penalty. There were indications of arguments that previously seemed to

have made an impression on them, and all types of personal information that helped me determine how I would approach each one.

I was greeted by Heather, who served as my hostess, escort, advisor, and lifeline for the three days I was there. Heather had a wonderful rapport with the religious right legislators and great insight into the arguments and approach to take with each one.

After the first couple of meetings, however, I grew discouraged. No one seemed to be changing his or her views.

That is when Heather confided that I had been given the toughest nuts to crack. She assured me that I was planting seeds, and I was getting the legislators to think about their position. Feeling somewhat renewed, Heather and I hunted down the next conservative on my list.

We worked all day, meeting at meals with the rest of the group to compare notes, review strategy, and provide tips to each other. By the time we arrived back at the hotel each night, I was beat.

I must say that the Montana group treated me like a queen. Besides flying me up there, they drove me around and fed me the most wonderful food I have had in a very long time. The hotel had a

See Montana—page 5

Mumia's Death Sentence Overturned

After more than 29 years on death row in Pennsylvania, the death sentence of former Black Panther Mumia Abu-Jamal has been overturned. The 3rd U.S. Circuit Court of Appeals ruled unanimously that the death sentence was unconstitutional, partly due to jury instructions given by racist judge Albert Sabo. This is the second time Mumia's death sentence has been overturned. Meanwhile the state Supreme Court is considering separate arguments as to whether or not Mumia received a fair trial at all.

While he remains in solitary confine-

ment on death row at SCI Greene, Mumia has remained an active journalist. He broadcasts weekly radio commentaries from coast to coast and has written six books.

Recently invited to speak to a conference at Princeton University on racial imprisonment, Mumia spoke through a cell phone held up to a microphone: "Vast numbers of men, women and juveniles ... populate the prison industrial complex here in America. As many of you know, the



U.S., with barely 5 percent of the world's population, imprisons 25 percent of the world's prisoners ... the numbers of imprisoned blacks here rivals and exceeds South Africa's hated apartheid system during its height."

Prosecutors were given six months to hold a new sentencing hearing or

agree to a life sentence. Pennsylvania is appealing the ruling to the U.S. Supreme Court. ❖

Support Geriatric Parole in Missouri

As students at Georgetown Law in Washington DC committed to the ideals of justice and fairness in the criminal justice system, we are leading an advocacy campaign to persuade Missouri legislators to adopt geriatric parole legislation.

Largely as a result of severe sentencing policies adopted by the Missouri legislature in the 1980s, the number of Missouri prisoners over the age of 50 has increased drastically in recent years, from 6% in 1998 to 15% in 2011. We believe it makes sense both in justice and economic terms to make parole available to elderly prisoners.

Studies show that the costs of incarcerating older prisoners are much steeper than those associated with younger prisoners, which means that the



financial toll of Missouri's harsh sentencing policies will continue to compound over time. Research also shows that elderly prisoners have much lower recidivism rates than their younger counterparts, suggesting that granting parole to elderly prisoners will not endanger public safety.

Geriatric parole represents a sensible and humane approach to controlling the Department of Corrections' soaring budget and redressing Missouri's severe sentencing policies. It is also an issue that carries currency across the political spectrum, appealing both to those troubled by budget deficits and those moved by the injustice of harsh prison sentences with little or no opportunity for parole.

We have had several promising conversations with legislators over the last couple months, and are hopeful that legislative action for geriatric parole will take place in the future. Please lend your voice to this growing movement by writing your representative or your local newspaper and urging those in power to exercise the courage to enact geriatric parole legislation.

We have created a website with a range of information and advocacy documents that we encourage you to visit and share with your friends and neighbors – <http://geriatricparole.com>. Passing this kind of legislation could go a long way toward addressing the harshness and cruelty of life without parole sentences, and we hope you will join us in advocating for this change.

Betsy Gwin and Timothy E Bazzle

Montana—from page 4

hot tub and – believe me – I appreciated it!

Throughout the day we evaluated the meetings and tried to figure out if we would be successful in getting the votes we needed to pass the bill to the floor.

Apparently, some of the people on the list talked with me much longer than expected, which was good. Some only listened, others asked questions, and one told me it was a good thing Dennis had been executed, because years from now, he might lose his salvation, and then he wouldn't be in Heaven.

Sigh.

One man, who at first told us it was a waste of breath to talk to him, was visibly moved by Dennis' story. He was especially appalled by the refusal of the courts to consider Allen Nicklasson's consistent insistence that Dennis did not know Mr. Drummond was going to be killed and was innocent of any premeditation or planning of the murder.

That legislator promised he would work hard to fix laws that allowed courts or prosecutors to ignore or keep evidence out of court when it is favorable to the defendant. He said I made him think

about his position. He went out of his way to hug me every morning. Unfortunately, he wasn't on the committee.

We all knew that getting the votes we needed was an uphill battle, but we were hopeful. Unfortunately, the votes fell short, and the bill died in committee.

Despite our loss and our disappointment, there are lessons to be learned from Montana. After

Lethal Cocktail

Across the country critics of the death penalty are challenging the use of thiopentone and thiosol sodium as substitutes for sodium thiopental, one of the drugs needed in the lethal injection cocktail. The last manufacturer of the sodium thiopental shut its doors based upon international pressure.



Some states are now bypassing the Food and Drug Administration and ordering the generic drugs from India in order to continue their executions.

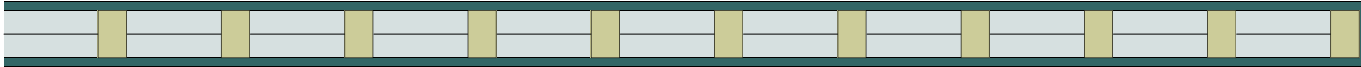
Organization for Black Struggle

all, they did mount a successful campaign in the Senate. I believe that came from having determined lobbyists who made sure they knew much more about the legislators than simply their political affiliation and general stance on an issue. We spoke first-hand to things that were important to them.

It was obvious that Heather was a frequent visitor with each of the legislators to whom she was assigned (the conservative religious group). The abolitionists provided the facts and evidence to back their position. They communicated frequently and effectively.

I can't help but believe that if we employ the same tactics here with the issues we support, we could be very effective at forcing change. The Montana folks had a grant to fund their efforts. We could be searching for similar grants. On the other hand, we don't need to fly in speakers, put them up in hotels, and feed them like royalty. Strategy could be done in meetings, and structured lobbying could be done to some degree without costing money. Even though CURE as a group cannot lobby, individuals acting together could.

It is something to think about. ❖



Missouri CURE

Annual Conference

Saturday, September 17, 2011
10:00 A.M. to 4:00 P.M.

Boone County Government Center
801 East Walnut, Columbia MO

Workshops:

- ◆ Re-Entry—Allen X McCarter
- ◆ Juvenile Justice—Tracy McClard

Speakers (to be confirmed):

- ◆ Parole
- ◆ Legislation

☞ Lunch Provided ☜

Free Admission — All are welcome!

If interested in carpooling, contact us.

Join Missouri CURE!

Date _____

Name/ID# _____

Facility _____

Address _____

City _____

State _____ Zip _____

Phone _____

E-mail _____

Please check the annual membership type:

- Prisoner \$2.00 *
- Individual \$10.00
- Lifetime \$100.00
- Donation \$ _____

* Stamps from prisoners are welcome

CURE is NOT a service organization. We are an all-volunteer non-profit criminal justice advocacy organization. CURE has NO legal services. We advocate for criminal justice reform, but cannot take on individual cases.

Missouri CURE
P.O. Box 1245
Cape Girardeau MO 63702-1245



MEMBERSHIP EXPIRES



Together We Stand — Together We CURE!