

Turning Point: The Newsletter of



Citizens United for
Rehabilitation of Errants

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From the Chair:

by Hedy Harden

Who Are The Criminals Here?

Missouri CURE's mailbox has lately been flooded with letters from prisoners and family members complaining about the Parole Board and extension of prison terms.

Here is a sampling:

➤ Money is at the root of current evils:

Truth-In-Sentencing legislation was passed by Congress in the mid-90s to encourage states to incarcerate prisoners for 85% of their sentences, and the federal government offered to pay the states to do so. Hence, while the funds were available, Missouri sought a means of obtaining as much funding as it could, and built five new Level 5 prisons during the 90s to hold as many prisoners as it could obtain funds for. This of course required the state to make certain a desired number were "85 percenters," and if there were not enough of them, then some system had to be devised to "create" them. (Editor: In our last issue, we reported that the Board has been repeatedly holding prisoners to 85% terms who were sentenced before such legislation was passed.)

➤ How does the Parole Board have the right to change the amount of time that an offender plea bargained to?

Example: I agreed to a *blind plea*, was sentenced to 10 years (for non-violent crime), to do 50% of the time (50% law, 3rd incarceration); prosecutor, judge and I all agreed. I go before the Parole Board and am given a Conditional Release (CR) date amounting to 66%; I have had no violations, am attending required classes, etc. Can I appeal this? (I have an attorney.)

➤ The Parole Board is using erroneous

application of the *Edger* ruling to prolong sentences of Armed Criminal Action. I have filed suit in Cole County Circuit Court. The Board is making prisoners serve a greater mandatory minimum sentence on their ACA than the law allows. I was granted a parole release date just to have it taken away because of an erroneous reading of a case the Parole Board lost in court (*Edger*).



Thousands of prisoners are affected by this injustice. I have even heard that parolees have been taken off the street over this issue. Instead of the mandatory 3 years Missouri law prescribes for sentences of ACA, the state is applying a regulatory minimum of 15 years. The 15 year rule, adopted from Edger v. Missouri Board of Probation and Parole, is unlawful as applied to ACA sentences because Missouri

law SS217.690.4 R.S.Mo only allows Respondents to adopt rules that are not inconsistent with law, to wit: "The board shall adopt rules not inconsistent with law, in accordance with section 217.040, with respect to the eligibility of offenders for parole."

In addition, over and over, prisoners who are being given such devastating setbacks are informed that the parole board's decision is not a grievable issue and not subject to appeal.

See Parole Board—page 7

Correction

In our last issue it was stated that truth-in-sentencing and 85 percent legislation were passed in 2004. It actually originated in 1994. We apologize for the error.

Spring 2012

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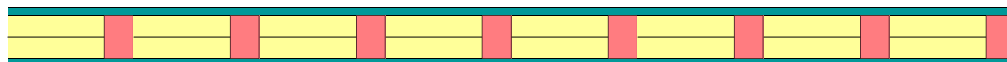
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Looking into the Eyes of Youth

by Hedy Harden

As we walked the halls of the St. Louis City Juvenile Detention Center, “fragile” and “damaged” were words Agnes Wilcox of Prison Performing Arts used to describe the youth. We had just watched the onstage production of the Hip Hop Poetry Project.

My impression was of energy, enthusiasm, but also sadness. I had counted 20 boys wearing red pants, 10 younger boys in green pants, and four girls wearing regular clothing. Fourteen teachers, who obviously cared about their charges, played a big role in the presentation.

Each of the young people had written poetry, which they recited at the mike in a rap mode. Excited, nervous and sometimes scared, most of them hurried through the words. Fortunately, the script was printed in the program so we could follow along.

For the entire week preceding the show, workshops had focused on the four

elements of Hip Hop – lyric writing, music, dance and design. “The goal of the program,” says the literature, “is to motivate young people to think, write and learn. The workshops respond to many of the challenges facing an at-risk population, particularly the critical need to communicate, have confidence, and build literacy skills.”

The excitement built as we waited

for the young people to arrive. A DJ played music and an emcee repeatedly told us to ‘sit back, relax, and enjoy’ the performance. Thunderous applause and chanting accompanied the arrival of the stars as they paraded into the auditorium. Several of the youth wore big smiles as they

caught sight of parents or loved ones in the audience.

A highlight of the program was the “Soul Train” Revue. A young man wearing a huge Afro wig played Don Cornelius, while the recording of actual Soul Train broadcasts played in the background. Groups of youth mimicked R&B groups, dancing to the music.

Then, one by one, youth and teachers alike did their own thing as they strolled across the stage and down the steps to wild applause by the audience.

The refrain “Rise Again” was the theme throughout

the night’s performance:

*Look in my eyes when I’m falling down
And you’ll see I’ll rise again
We will rise from the ground
When we have fallen*

Mats below the stage formed the base for two young gymnasts who performed acrobatics with skill and style.

Sitting next to me were the proud parents of one of the stars. As we spoke, it appeared that they too were damaged and rather fragile.

The most poignant moment of the evening came when a younger boy at the mike began to sing. A disparaging remark from an older youth was enough to immediately destroy the younger boy’s confidence, and he retreated to his seat. But the teachers, the other youth, and then the audience started chanting his name, giving him props, and the youngster finally got up and sang his song, earning a resounding ovation.

At the end of the program, it was announced that parents could remain for a few minutes to visit with their children when the rest of the audience left, after which the youth would have a celebratory pizza party.

But the couple sitting next to me got up to leave, the woman reluctantly, it seemed, while the man called to his son, “I’ll see you tomorrow!”

I wondered if the man would really make it out the next day, when he couldn’t even stay a few minutes longer while already on the scene.

These words from a young man named Trevion express it well:

*Look in my eye—we have fallen
In the future we was balling
Sent a prayer and now he calling
For us to rise and stop stalling
Old dude left and never called in
Wanna run but keep on crawling
Heads stay up when things get rough
We can pray to God and still be tough
In my dreams my life is better
I can make it through this weather
No more time—the sun is shining
Off the streets but still I’m grinding
Every day I’m working hard
Staying off the boulevard
Never can let down my guard
Hoping that I make it far. ❖*



What Would Freedom Feel Like?

by Norman Brown

On March 20, 2012 the United States Supreme Court is set to have oral arguments in the Cases of **Jackson v. Hobbs and Miller v. Alabama**. (Ed: *At issue is whether juvenile life without parole is contraindicated by the constitution's ban on cruel and unusual punishment.*) The nation stands at the crossroads of justice, poised to move forward or retreat into barbarity.

As lawyers and advocate organizations ascend to the halls of the nation's highest courts, they will plead for the lives of children who have committed crimes during the unstable stage of their youth. Despite the terrible wrong they have done, the lives of these 2,400 plus juvenile life without parole offenders have the potential to change drastically. It is this possibility of a Second Chance that has put me face to face with a reality that I've only dreamed of.

Truth be told, it's a little frightening. Not the kind of fright that produces fear that paralyzes you, but the kind of nervous fright that propels you to face the challenges ahead with all the force you can muster.

The last time I was free I was a 15 year old child living with my mom – carefree, responsibility-free. I relied on her totally for food, clothing, shelter and guidance. My biggest responsibilities were cleaning the kitchen and making sure my brothers and sisters were in the house before dark.

Now I am faced with the very real possibility of having to feed, clothe, shelter and transport myself. Finding work is my number one priority. I've worked my entire 20 years in the

system. So getting up every day at a set time and doing a job is not new to me. I'm sure I'll fit easily into that mode. However, I imagine it's a whole other thing to work 40 to 80 hours a week, then have to give all the money away toward bills, food, and life's other necessities and pleasures.

Millions of people do it every day. I've watched my mother and my aunts and uncles do it all their lives. So I know it can be done.

I'm sure that having to meet and live around new people and adjusting to the functions, sounds and personalities of my family, their friends and neighbors will have its own challenges.

I am aware that I'll be "center stage," under the microscope. They'll be watching me, studying me, learning the man I have become. Truth be told, I don't want to disappoint them like I did 20 years ago when my crime took place. They have done this time with me, and I want to show them that their love and support over the years wasn't in vain. Show them that I've grown into a man with values, vision, with a healthy love for myself, God, and people in general.

I don't worry about losing myself in my need to be what they want or expect me to be, because they only want and expect the best of me. Their watchful eyes will serve as my moral compass and serve to keep my actions in check,

on the straight and narrow.

What perplexes me the most is the fact that I don't have any children. I would love to pass my genes forward. I am mindful that my circumstances are unique. I'm 35, and 40 is right around the corner, and I wonder if it's fair bringing a child into my world when it is so unstable and uncertain. I haven't lived free long enough to fully get the hang of taking care of myself. Why bring an innocent child into my drama? Is it unfair to deprive myself of fatherhood – or unfair to bring a human being into so much uncertainty? This is my biggest question.

I also wrestle with the fact that there is someone in this world I hurt. The pain that person and their family suffered at my hands humbles me tremendously – to the point of torment. I fully understand now that every human being has the right to walk down the street safely, without fear of harm or being victimized. And no one has the right to violate that right. I don't have the audacity to ask or expect forgiveness for that day. Not because I don't want to, but because I think it would be further disrespect to ask or expect anything from them. I don't want to cause any more harm.

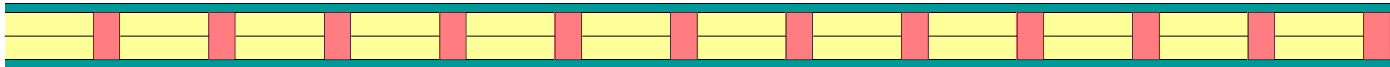
As March 20, 2012 approaches, the reality of the possible outcome of the Supreme Court decision pits the man in the mirror I am now with the child I was then. If hindsight really is 20/20, then a second chance at freedom should be a success for me and for society. ❖



40 Years of Solitary Confinement

Since 1972 Albert Woodfox and Herman Wallace have been held in solitary confinement, mostly in the notorious Louisiana State Penitentiary at Angola. Along with Robert King, now released, the "Angola 3" have spent over 100 years in lockdown for political reasons. The men are suing Louisiana authorities, asserting that their prolonged isolation is cruel and unusual punishment and violates the U.S. Constitution.





Bills Passed

HB 1525 is currently awaiting signature by Governor Nixon. It will give certain non-violent parolees or probationers 30 days of credit toward their sentence for every month they go without a violation. The new law also allows for short periods in the County Jail as an alternative to revocation, the first time no more than 48 hours. It provides for 120-day shock jail sentences for some felons who violate their probation or parole for the first time and shorter jail sentences for subsequent violations.

SB 628 will reduce the disparity in sentencing for those convicted of a crack cocaine charge compared to a powder cocaine charge. The bill lessens the ratio, by raising the quantity for Class A crack felonies.

HB 1647 passed, a small part of which discusses expansion of expungement of financially related crimes.

SCR 28 (Senate Concurrent Resolution 28) passed, which creates a committee to revise the criminal code in Missouri.

Did Not Pass

Although **House Bill 1067**, which would have provided for parole hearings for those with long sentences including life without parole, did not survive, the bill had a very positive hearing on April 18. Most bills die in committee without ever having a public hearing. We were told that the committee was much impressed with the showing and the testimony and that the majority of committee members expressed agreement with the bill. All of our grassroots efforts made a big impact on them. Like so many bills, however, it was not subsequently put on the schedule for a hearing of the full house.

Missouri CURE had lobbied for an amendment to HB 1067 that would reform the 85% law, and such an amendment was placed in the House Journal to that effect. However, the bill itself did not advance.

Kansas City's Criminal Justice Task Force (CJTF) has fought for many years



to pass reforms found in HB 1067. Since 2006 they have gotten bills introduced every year, with mixed results. When it became clear that HB 1067 would not make it to the full House, CJTF was instrumental in getting language from the bill added as amendments to a larger bill, which did pass the House. It went to the Senate but ended up in conference, and time ran out.

HB 1700 to reform the sex offender registry passed the House and was referred to a Senate committee; a public hearing was scheduled for April 29, but was cancelled.

HB 1175, which would have allowed parole hearings for prisoners 60 years and older with LWOP or 50 years without parole, had a public hearing February 15, but did not advance further.

Only a tiny percentage of bills get through the rigorous process of passing both houses and make it to the governor's desk for signing into law. ❖

Legislative Wrap-up

Prisoners Certified as Braille Transcribers

by Kevin Hammerschmidt

Rehabilitation Services for the Blind (RSB) offers employment for men here at JCCC. The position entails a grueling training course to prepare us to transcribe and format books in Braille, large print and narration on CD's. There is a Nemeth Course (Math), and we are taught to read Braille.

We format books in Microsoft Word and translate the material to Dux-



bury Braille where the material is formatted to specifications of the Library of Congress. Duxbury provides a code that is read by a Juliet printer that converts words to Braille dots on a special paper.

We are able to help process educational and leisure material for those who are visually impaired. It is a privilege to help educate and provide reading

material for these individuals.

Men here are provided a rehabilitative program that helps them learn a trade and compete in today's job market. A Certification Course is offered here at the Center that consists of 19 lessons and a Braille manuscript of a book of our choice. This is a wonderful opportunity for prisoners.

Having passed my Braille Certification will open many doors for employment when I am released from prison. ❖



Change Criminal Thinking, Inspire Youth

Omowali Menelik (Virgil Washington) is a New Afrikan Elder. He is a founding member of Gaidi Jamaa, an Afro-centric nonsectarian organization in Missouri that seeks to work with all who fight for human rights, justice and liberation.

A new member of CURE, Omowali is dedicated to building CURE membership among family members and other prisoners. In his 21 years of imprisonment, he has been active in the NAACP,

has supported religious programs and contributed to independent publications.

Gaidi Jamaa has circulated a quarterly newsletter and funded a quarterly Afrocentric History quiz. For the second year in a row, they have produced an inspiring Afrocentric calendar.

Omowali feels a responsibility and duty to teach youth the principles and values that will instill the Love, Respect and Dignity they need to change criminal thinking into positive thinking. ❖

Supreme Court expands rights in plea bargaining

Summary: In an opinion by Justice Kennedy, the Court vacated the decision of the Missouri Court of Appeals (Western District) and remanded the case for further proceedings consistent with its opinion.

The Court held that the Sixth Amendment right to effective assistance of counsel extends to consideration of plea offers that lapse or are rejected and that right applies to all critical stages of criminal proceedings.

The Supreme Court ruling in *Missouri v. Frye* is at:

<http://www.supremecourt.gov/opinions/11pdf/10-444.pdf>

Summary: In an opinion by Justice Kennedy, the Court vacated the decision



of the U.S. Court of Appeals for the Sixth Circuit and remanded the case for further proceedings consistent with its opinion.

The Court held that where counsel's

ineffective advice led to an offer's rejection, and where the prejudice alleged is having to stand trial, a defendant must show that but for the ineffective advice,

there is a reasonable probability that the plea offer would have been presented to the court, that the court would have accepted its terms, and that the conviction or sentence, or both, under the offer's terms would have been less severe than under the actual judgment

and sentence imposed.

The ruling in *Lafler v. Cooper* is at:

<http://www.supremecourt.gov/opinions/11pdf/10-209.pdf>

Prisoners can obtain copies by writing to the Public Information Office, Supreme Court, One First St. NE, Washington DC 20543. Be sure and mention the two opinions you want. They are:

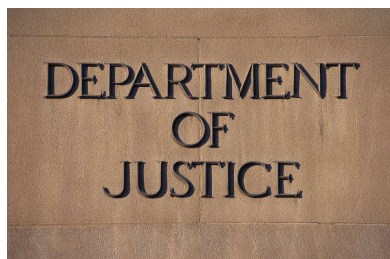
Missouri v. Frye (5-4, Opinion by Justice Kennedy, on March 21, 2012)

Lafler v. Cooper (5-4, Opinion by Justice Kennedy, on March 21, 2012)

Those on the outside can download them or call the Supreme Court and have them mailed to you or the prisoner. The phone number is 202-479-3211. ❖

Justice Department Publishes Standards against Prison Sexual Abuse

The Department of Justice on May 17 published much-delayed national standards to eliminate sexual abuse in prisons, jails, juvenile detention facilities, community corrections facilities, and police lock-ups. The standards were mandated by the Prison Rape Elimination Act (PREA) of 2003. By law Attorney General Holder was supposed to have released them no later than June 23, 2010. The US Bureau of Prisons is required to begin compliance upon publication. State and local facilities must begin compliance within one year.



Protections for Youth

One of the newly released standards restricts placement of youth in adult facilities. The rule places strong limita-

tions on the confinement of adults with juveniles. The new regulation will protect youth from sexual abuse by limiting contact between youth and adults, banning the housing of youth in the general adult population, prohibiting contact between youth and adults in common areas and mandating constant supervision by staff, and limiting the use of isolation that causes or exacerbates mental health problems for youth.

According to Liz Ryan, president and CEO of the Campaign for Youth Justice, "The PREA standards will protect hundreds of thousands of kids prosecuted in the adult system every year, and get us one step closer to completely removing youth from adult jails and prisons. We hope that as States implement these important standards they use this opportunity to reconsider the practice of trying youth as adults overall."

Every year, says CFYJ, about 250,000 children are exposed to the dangers of the adult criminal justice system. The states that will be most affected by this new rule are the 13 states (CT, GA, IL, LA, MA, MO, MI, NC,

NH, NY, SC, TX, and WI) which end juvenile court jurisdiction at 16 or 17, instead of the age of 18. Although defined by state law as "adults", this new rule clarifies that all youth under the age of 18 deserve extra protections. ❖



Hedy Harden with Azizi Blissett, who came from Atlanta to accept the spotlight award for Jamala Rogers at the annual dinner program of MADP's St. Louis chapter on April 14. Jamala is on sabbatical.

Missouri Gears up Killing Machine

by Paula Skillicorn

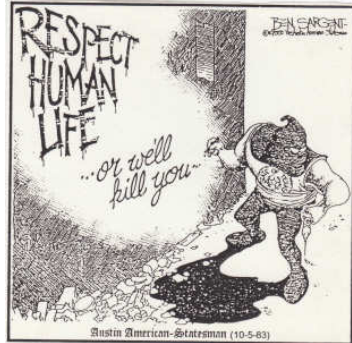
On May 17, Potosi Correctional Center staff called in 19 men and told them that Missouri Attorney General Chris Koster had requested an execution date for each of them. The men also were told that the state would use a new one-drug protocol.

Two days earlier, the Department of Corrections had officially changed its execution protocol, without public announcement or notice to attorneys or to the Missouri Supreme Court.

The new protocol calls for the injection of propofol, the drug that killed Michael Jackson.

Propofol is used as an anesthetic, but commonly causes pain when injected intravenously, as it would be in an

execution. No other state or country has used this drug for executions, nor are there any known studies of its use in large quantities such as those used to kill a prisoner.



Koster has asked for execution dates for David Barnett, Cecil Clayton, Andre Cole, Paul Goodwin, Herbert Smulls, Walter Storey, Leon Taylor, Michael Worthington and David Zink. In addition, Koster renewed Nixon's previous

requests for execution dates for 10 other men: Jeff Ferguson, John Middleton, William Rousan, Michael Taylor, John Winfield, Russell Bucklew, Earl Ringo,

Mark Christeson, Joseph Franklin and Allen Nicklasson.

Koster claimed that unless the Missouri Supreme Court sets execution dates once defendants' legal process is exhausted, the people of Missouri have no other legal remedy. Koster neglected to point out that the state of Missouri does have the option of life without parole as a sentence for first-degree murder.

The Missouri Supreme Court, while seemingly miffed at the way this was handled, has called for attorneys of six men (David Barnett, Jeff Ferguson, Joe Franklin, Allen Nicklasson, Will Rousan, and Herbert Smulls) to show why the state should not set an execution date. There appears to be no rhyme or reason in the manner in which men are selected for execution.

Challenges are in the works. ❖

Parole Blues

by Shawn "Fredd" Seburn

I have been locked up for about 5 years, and unless they give me a CR extension, I will be released 2/4/13, 10 months from now. I will admit this is not my first release. I came back on a new crime.

That is why I am writing. I know exactly what I am getting into when it comes to parole; others (including the powers that be) don't.

Please bear with me as I explain. ICVC, ICTC, and Pathways to Change are great for "rehabilitation," but what comes next? The average person when released is supposed to receive their state tip (let's say \$8.50) and a half (total of \$12.75).

Ah, but wait! If you have to take the bus "home," they take your money to pay for your bus ticket. So now you have no money, and once you get to the bus station (hopefully closest to where you're going) you're stuck. So you're out your first day and you're already losing hope. So somehow you get to your parole office, where they talk real bad to you, and threaten you with going back if you breathe wrong. (I wish I were exaggerating, but this actually happened to me in Boone County!) They then tell you that if you don't find a job in 30 days, they're gonna send you back.



I watch the news; do you? This is an almost impossible task. If you ask your P.O. if they have any suggestions, they laugh and tell you it's not in their job description. Go out and find one yourself, "or else!" Now, being outside on regular parole, at least you have a couple of possible resources – food stamps, maybe a church might help you get some clothes, and if you're really lucky, you find a

business willing to hire an ex-con, and a way to get there. If not, well, you have two choices: Your P.O. violates you, or you commit a crime to survive – and hope you don't get caught. Guess which way a lot of parolees go! Hello, recidivism.

And that's if you have a place to parole to. How about what they laughingly named the "Honor Centers" (level one prisons for parolees). You are not eligible for most resources, and they are only required to put food in your stomach and a roof over your head. They do not clothe you, help you find a job, help you with mass transit, or anything else. They will, however, send you back to prison if you don't find a job within their time limits.

Oh, and by the way, did you know that if you're lucky enough to parole out of state, that Missouri will only pay to get you as far as the state line, and you have

to figure out how to get the rest of the way home? And just because simple convenience is against the rules, the prison is now refusing to tell me what time they will be taking me to the bus on the day of my release (I am trying to go to Oregon to my father, and might have someone to buy me a plane ticket, but...) because somehow this poses a security threat. So my family cannot even plan ahead and save some money.

The government wants to give lip service to "reducing the recidivism rate," and yet kicks us out on our head with no resources and no money in our pocket.

Rehabilitation in prison only goes so far. They need to fix the parole system also. Paroling people is good; keeping them from coming back is better.

As a side note, can you please publish the voting laws for felons in Missouri if you have room in your newsletter? Too many people inside are under the impression that they are never allowed to vote again. Of course, that's mostly because that's what the caseworkers in here tell us.

Thank you for your time and your efforts to improve the system.

Fredd

Ed: In Missouri, ex-offenders can vote once off papers, so long as their crime did not involve voting. ❖

Private Prison Threat Looms

National CURE has joined the ACLU and a broad coalition of 60 policy and religious groups in urging states to reject an offer by the nation's largest private prison company to buy and privatize prisons. Corrections Corporation of America (CCA) has sent offers to officials in 48 states to buy their prisons and operate them privately. CCA's "corrections investment initiative," wants guarantees that the prisons will contain at least 1,000 beds and be kept at least 90 percent full during a proposed 20-year contract.

A letter from faith groups states says there is a "moral imperative in reducing incarceration through evidence-based

alternatives to imprisonment and re-entry policies that ease the transition of prisoners back into society."

CCA's proposal, said the ACLU letter, "is an invitation to fiscal irresponsibility, prisoner abuse and decreased public safety. Selling off prisons to CCA would be a tragic mistake...It should be promptly declined."

The CCA offer urges states to take on more debt while increasing CCA's profits and blocking serious criminal justice reforms needed to deal with the nation's mass incarceration crisis.

"It is unconscionable to line the pockets of private companies whose

existence depends on the nation's addiction to incarceration, a grave social crisis that exacts a huge toll on taxpayers while providing no public safety benefit and leaving a disproportionate number of people of color behind bars," said David Shapiro, staff attorney with the ACLU National Prison Project. "In order to reduce corrections spending, we need to commit to the systemic reform of our criminal justice system."



Missouri has attempted to privatize its prisons at least 3 times in the past. Each time the state had to go back in and take over because of inhumane conditions. ❖

Parole Board—from page 1

➤ Victims rights legislation passed last year as RSMO: 595.209 (2011) states that, "Victims' rights...shall be granted and enforced regardless of the desires of a defendant and no privileges of confidentiality shall exist in favor of the defendant to exclude victims or prevent their full participation in each and every phase of parole hearings or probation revocation hearings. The rights of the victims granted in this section are absolute and the policy of this State is that the victims' rights are paramount to the defendants' rights."

The language and application of this statute is in direct violation of the due process and equal protection clauses of the United States Constitution. One group's rights must never be paramount or supersede another group's rights and still comport with the constitution.

Furthermore the Missouri Parole Board has implemented a policy to deny parole release if an offender has opposition, despite the offender having served all the retributive and deterrent portion of his/her sentence, despite the offender having a good institutional record, having completed many rehabilitation programs and furthered his/her education, despite his/her being a first-time offender, and despite having an excellent home plan.

Offenders serving consecutive

sentences generally have more than one victim. Under the victims' rights statute, a victim of one crime can oppose parole for a different crime. The State has contacted, encouraged, and provided funding for victims to appear at parole hearings in which they have no standing. This unconstitutional policy promotes a never-ending circle whereby a prospective parolee with opposition shall never receive parole release.

➤ Any recommendation for change should be aimed at clarifying societal attitudes and priorities regarding crime and punishment. The fiscal limitations argument is a red herring to permit continuing diversion of money from other social concerns. The fiscal pie is divided in favor of incarceration. The most difficult problems for current inmates involve those presented

by a powerful, secret operation – the parole board. Eliminating the parole board and all of its proliferating operations would swiftly eliminate the fiscal problem.

➤ My husband is currently incarcerated in Moberly Correctional Center; he was sentenced to 20 years when he was 23 years old. He is now 40 years old, he has been incarcerated for 17 years; he went before the parole board, but was given an out date of 19 years on his 20 year sentence.

The parole board met with him for all of seven minutes; they acknowledged he had done a lot of good while incarcerated

but felt that he wasn't remorseful enough and ended the meeting.

Needless to say, after being in prison for so long, doing the right things, holding offices within various organizations in the prison, tutoring, etc., it was very debilitating to his resolve to be dismissed so quickly and viciously without being given the opportunity to express himself.

Your poignant article regarding the 85% sentencing law resonated with me, and you expressed the feelings, concerns and worries that I have perfectly.

➤ Why is it that violent offenders never get any relief when it comes to their 9-month review? Most of the ones in prison that rehabilitate themselves are the violent offenders, yet it seems like everything they do to justify a second chance doesn't matter to the Board. Give them a chance!

Discrimination is rampant. Offenders can have the same sentence, whether it's life or 30 years, and some get out after serving 20 or 21 years and others are made to do 25 years.

A person can come in with 0% (no mandatory minimum), and by the time the Board sees them they put 60 to 85% on them. Offenders sentenced to 0% (usually women sentenced to voluntary manslaughter) are being made to do 85% by the Parole Board. It's not technically called 85%, but that is what it is when one is kept until the conditional release date. That is the same as if sentenced to 2nd degree murder.



NAACP Branch 44AA Freedom Dinner

By Debbie Herald

On May 10, 2012, I attended the NAACP Branch 44AA annual Freedom Fund Banquet at Southeast Correctional Center in Charleston. I'd like to thank the gentlemen of this branch for inviting me out to enjoy a great program and speak on behalf of Missouri CURE.

The theme of the banquet was "Giving Back" and appropriately so, as this chapter does more than its share of giving back to the community through donations to charitable groups. I applaud the efforts of these gentlemen to be productive members of society despite their current situation.

Despite the many efforts of this chapter to become a unified organization that can continue to do good works, there are obstacles to overcome. For one thing, the group at present operates without a VIC. A dedicated VIC would no doubt help to facilitate the growth of the branch.

Chapter 44AA hopes to expand its connections with outside organizations as

well as to increase support within the prison population.

One member was questioned as to why he was on the out count for a black organization. Corrections officers could perhaps use some education on the fact that the NAACP is not simply a "black" organization, but a group concerned with the social and civil rights of all people.

One of the group's major goals is to help bring current technology into the institution, so that prisoners can learn skills that will make them marketable upon release. The point was

made to me that, since they are allowed to purchase radios, typewriters and other small electronic devices, why could laptops not be available for purchase as well?

Although the suggestion was for the computers to be modemless, the Federal System does allow prisoners to access the Internet. This could be easily monitored by the DOC through installing blocks to certain websites and ip address traces.

This would allow prisoners the ability to

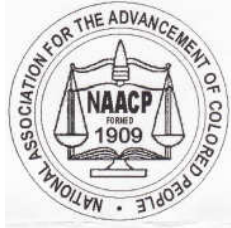
research things that are not available in the libraries, while obtaining skills that are needed to find jobs in the free world.

This is not a new idea for Missouri. In 1993 *Turning Point* published an interview of William A. Foster advocating rehabilitation through computers. Foster pointed out that volumes of legal documents can easily accumulate during years of incarceration. The DOC spends its precious resources maintaining crowded space for storage of excess property rather than simply allowing prisoners to purchase their own computers to store legal materials.

"Requesting specific documents can mean repeated trips to the storage area. This ties up prison guards unnecessarily and may result in delays in court proceedings, costing the state more time and money."

Foster said the DOC can "maximize its efforts and save money, while providing a means for prisoners to implement their own rehabilitation by

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To the Women at WERDCC

from Hedy Harden

Most of you have children, so I'm sure you can understand, but still it hurts to disappoint you.

On Saturday, May 26, Deborah Herald and I were scheduled to speak at an NAACP seminar there at Vandalia. Ruby Jamerson and I had been planning this for months. She'd even sent us \$50.00 of her own money to pay for our transportation.

The women had posed some tough questions for us. I'd written my speech and prepared handouts on the process of passing laws in Missouri. Background checks and approval had been obtained long ago. Close to 100 women prisoners were on the out count to attend the seminar.

My son Rob is intelligent, caring and lovable. He is 43 and lives with me. Rob suffers from epilepsy, diabetes and multiple other ailments, but the most serious problem currently is caused by his advanced liver disease. Rob never drank, smoked, or did drugs, yet he has cirrhosis. He's been hospitalized eight times since

Christmas, mostly for seizures and resulting head injuries. Lately he's been vomiting blood.

On April 23 Rob was placed in ICU and was transfused with 8 units of blood and plasma. He was intubated, put on a ventilator, and sedated into a coma for 9 days. After 26 days in the hospital and then a rehab facility, he finally returned home on May 17. He seemed to be making progress, but was still restricted in his eating and he still



didn't have his full voice back due to the previous intubation.

On May 25 he was again vomiting blood and back in Intensive Care at SLU Hospital. His condition was reported as guarded. Devastated, I called Debbie and told her I wouldn't be able to make the trip to Vandalia the next day.

Saturday morning Ruby called, and I

told her the bad news. When I expressed the hope that they would have a good seminar regardless, she said she would have to contact the control center and that the entire event would be canceled.

Saturday evening I got a distressing call from Debbie. She was in ICU after waking up that morning in severe pain. Blood clots were found in both her lungs.

Debbie has returned home now, but her activities are restricted, at least temporarily. She wants you to know how much she regrets not being able to make it.

I emailed IAC Angelica Beaver the speech and the handouts I had prepared, and she agreed to give them to Ruby. I hope you'll be able to get copies.

Rob is home again as well, and we're keeping our fingers crossed that he'll stay out of the hospital.

I know I don't have to tell you how sorry I am about missing the seminar.

I know you'll understand. You are women. Most of you are mothers. ❖

Parole Planning Advance Program Crafted by SECC NAACP by Ricky Kidd

Parole Planning Advance (PPA) was established here in 2007, initially called the Parole Planning Program (PPP). It was created by me (then NAACP President). Members Damon Johnson and Derek Holmes joined in the vision to make it a reality.

Recognizing that many of our friends or associates were returning to prison after being released, we concluded that they were not being properly armed with post-release information that would aid them in what can sometimes be a tumultuous reintegration back into society. We saw the basic programs offered at SECC (substance abuse, ICVC and RJO) as not hitting in all the right areas we felt were needed. It was as if a man went into the gym to work important areas of his body, but neglected the legs, which are needed for support. Men leaving prison needed more to increase their chances of success on the outside.

Eventually PPP (a six-week course) grew into PPA (a 14-week "pass or fail" course). We envisioned a no-nonsense program that set would aside friendship or "buddy-buddy" overtones and present the general population with the option of either receive and retain the information – or fail the course and try again. Many programs only require that one attends class and participates; however, over the years offenders learn how to get around that. With PPA, there would simply be no getting around it. Further, it would

give the offender a genuine sense of accomplishment.

Parole Planning Advance is broken into two parts:

- ◆ **Pre-release information** covers topics such as activities while confined; changing one's decision-making process; goal setting; resume building; and job interview skills.
- ◆ **Post-release information** covers topics such as rules and regulations that govern probation or parole; where to find job centers; and continued family support and rehabilitation.

It is important that offenders develop an understanding of part one before they can effectively apply part two. This results in increasing an

control what a person will ultimately do, but we can provide him with mental re-training and information that gives him a real option of making better choices.

PPA is an offender-led program overseen by the IAC office. All facilitators are certified through the "Facilitator Training Program," which I also created. This program carefully selects qualified offenders and instills in them standard leadership and training qualities used in society, thus increasing PPA participants' likelihood of actually benefitting from the program.

PPA has concluded approximately three class cycles per year since 2007, which translates to 13 successfully completed class cycles to date. Approximately 25 men start each class; however, only about half actually graduate. Of the 325 men who have come through our class, roughly 160 have successfully completed the program.

While the program was built to include collection of data, the DOC has not yet officially endorsed the program, which doesn't allow us to know or track how many have made parole and what their progress is. Once official endorsement is obtained, we will be able to have a better look at what numbers mark our true success rate.

However, for now, we are seeing more guys leaving better prepared, and less of people we know coming back.

Thank you and your organization for taking an interest in prisoners' achievements. ❖

"We are seeing more guys leaving better prepared, and less...coming back."

offender's ability to successfully integrate back into society. Additionally, if an ex-offender possesses one of our certificates, the person on the viewing end can have more confidence that this individual at least has what it takes to make it – whether or not he actually applies these tools. We know we can't

Branch 44AA—from page 8

building computer literacy and skills."

Since the computers would be purchased at prisoner expense, progress would be made at no cost to taxpayers.

Having the dedication to changing one's lifestyle is hard enough. When one is released into a world totally different from the one they left, and our system has left them unprepared for the challenges they face, society shares the blame for their unsuccessful reintegration.

Prisoners who have been away from society for many years must compete for

jobs with other applicants—people who not only do not have a felony on their record, but who have spent years getting to know technology as it is today.

The men of Branch 44AA are eager to get a head start on learning about the world around them. They desire not only to give back, but to get involved. They wish to truly change their lives and take the steps necessary to learn how to become productive citizens from the time they step foot outside of the prison walls. They want this not only for themselves, but for anyone who wants to learn.

NAACP Branch 44AA is a noteworthy chapter that can and will do important

things. Members are seriously dedicated to strengthening and improving the branch and look forward to a positive future.

When I attend next year's banquet, I hope to be able to report progress in their stated goals and movement forward to new goals as well.

I believe they can do it.

More importantly, so do they. ❖

No one is free when others are oppressed.

Parole Board—from page 7

Why is there such discrepancy in paroling and sentencing of men vs. women?

➤ A prisoner reports that his former cellie was transferred from CRCC to a level 4 prison due to a change in the classification system, although the change officially has not taken place. He enclosed a 2009 letter from the CRCC warden announcing the change in classification system. (Editor: After repeated promises by MODOC that this classification system change was imminent, it has now been relegated to a "possible" future pilot program at one prison.) ❖

Editors's note

We keep hearing stories about things the Missouri Parole Board is doing to deny parole to prisoners who should be eligible. At the same time we're told that Corrections Corporation of America is appealing to Governor Nixon to privatize the prisons.

One of CCA's requirements is assurance that the prisons will remain full, so they can make the desired profit. Is there a connection?



Be sure to check Missouri CURE's website for updates on our Annual Meeting/Conference, which will be held in Columbia in August or September. Go to www.missouricure.org

Join Missouri CURE!

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* 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.

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