

Turning Point: The Newsletter of



Published in April 2014

Citizens United for Rehabilitation of Errants

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From the Chair:

by Hedy Harden

A Legacy of Hope

Hearing Room 2 at the State Capitol in Jefferson City was filled with an overflow crowd on April 9. Citizens from around Missouri were gathered to lobby for Criminal Justice reform. Most were family members and loved ones of Missouri prisoners. Of the approximately 80 people gathered, about 50 of us were there to support House Bills 1318 and 1319, proposed by Missouri CURE and sponsored by State Rep. Rory Ellinger.

We were devastated to learn that our champion had died earlier that morning.

It was only a few months ago that people had gathered in the University City Loop for Rory's re-election campaign kick-off. Spirits were high as officials spoke of his dedication to the people of our district and to the citizens of

Missouri. Rory singled out Missouri CURE while giving credit to people fighting for progressive change.

I was in frequent contact with him as we checked the progress of our bills, which had been assigned to the Judiciary Committee. Then one day in February he told me he was under the weather. A week later he said once again that he was "under the weather," but planned to be back in the Capitol by Monday. Then on March 6 Rory announced in his regular E-mail report to his constituents that he would not run for re-election due to heart problems. When I called his cell phone, he said he'd had a heart attack, but hoped to retain his seat until the end of the session. From his hospital room at St. Mary's, I heard him asking Freddie, his legislative assistant, if

there was any news on our bills.

Shortly thereafter I heard from two sources that Rory had liver cancer. I called his house and spoke to his wife, Linda Locke.

The discovery was sudden, she told me with tears in her voice, and "He's in hospice."



"I hope that whomever is chosen by the voters will carry on my commitment to helping the vulnerable and the powerless, to addressing issues of injustice and unfairness, and to representing the needs of all Missourians."

State Rep. Rory Ellinger

Rory, appearing a mere shadow of his former self, received more than one standing ovation. He told me he was sorry the bills did not succeed. He told my son Rob that the doctor had said he might live six months, but I knew I was saying goodbye to this great man.

Six days later he was gone.

On April 11 long lines of people gathered at a funeral home in U. City for visitation with family and friends. There was no casket, as Rory had donated his body to science.

Pictures and memorabilia were scattered throughout the room. Linda stood with their two children and greeted fellow mourners.

Their daughter Maggie is an attorney working in Rory's law firm. Their son Martin, named after Dr. Martin Luther King Jr., lives in Chicago with his wife. Having

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**Note Our New
St. Louis
Address Above!**

stood in the reception line for hours, Linda had removed her shoes, but nobody seemed offended.

The next day several of us left early from a death penalty board meeting in Jefferson City and rushed back to attend Rory's Memorial Service at the Ethical Society in St. Louis County. Entering the large auditorium crowded with people, I took a seat next to Missouri Supreme Court Justice Richard (Rick) Teitelman, whom I'd known as a people's lawyer back in the '70s. In speaking of Rory, Rick told me, "He was my hero."

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Missouri CUREExecutive Board:

Chair: Hedy Harden

Vice-Chair: Keith Brown-El

Secretary: Yolanda Gunn

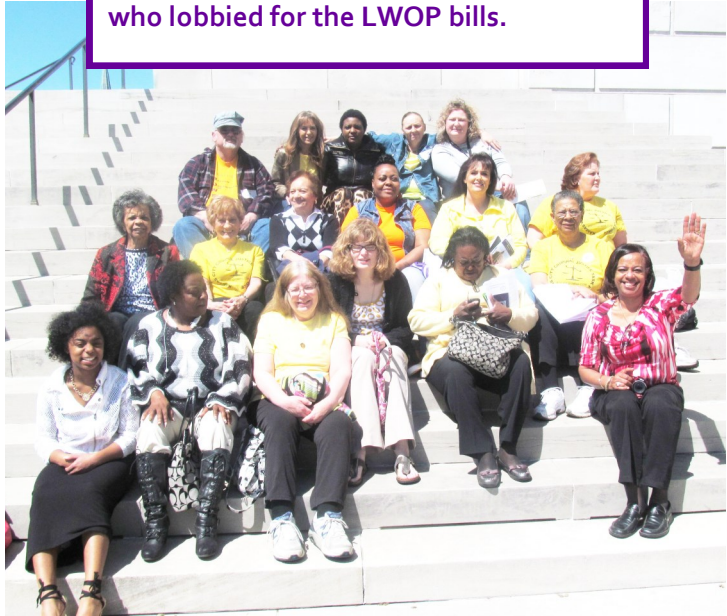
Advisory Board:

Ruby Atkins	Michelle Dodson
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Patricia Prewitt	Roosevelt Price Jr.
Jon Marc Taylor	

Special Liaisons:

- Curtis Johnson, Kansas City Criminal Justice Task Force
- Mary Hutchison, MO Association for Social Welfare Criminal Justice Task Force
- Bev Livingston, Mothers of Incarcerated Sons & Daughters

Some of the folks organized by the Kansas City Criminal Justice Task Force who lobbied for the LWOP bills.



Many of us wore yellow to signify freedom or coming home.



MASW provided a free lunch for us lobbyists on April 9.



We were saddened to hear of the death of Rep. Rory Ellinger that morning (L-R: Rob Silvestri and Hedy of CURE, Christine Woody of MASW).

Hedy with Supreme Court Justice Richard Teitelman at memorial service for Rep. Ellinger.



Legacy of Hope—from page 1

Rory Ellinger was inspired by the Civil Rights movement. As a student he joined an NAACP picket of Woolworth's, which refused to serve black people at their lunch counter. Rory marched with Dr. Martin Luther King Jr. in Selma, Alabama, acting as his bodyguard and going to jail with him. He protested the Vietnam War as president of Students for a Democratic Society while in graduate school at Mizzou. He graduated law school at UMKC and practiced law for more than 30 years.

In the majority Republican House and Senate, Rory was known as the state's most liberal legislator. He embodied Atticus Finch's definition of courage: "It's knowing you're licked before you begin but you begin anyway and you see it through no matter what. You rarely win, but sometimes you do." He died wearing a T-shirt bearing a favorite quote from Winston Churchill: "Never, ever give in." A true statesman, Rory was known to say, "You can make change, if you don't care who gets the credit."

His Republican colleague, Rep. Jay Barnes of Jefferson City, said that Mr. Ellinger realized that he wasn't going to win the big battles. But he used "logic and sincerity" to win battles he wasn't supposed to win and to advance his causes in the "nooks and crannies of the law" that don't make headlines, Barnes said.

Rory fought hard for prison reform, an unpopular cause. House Bills 1318 and 1319 would reduce the 85% mandatory minimum sentences for up to 6,000 prisoners. For first-time offenders the minimum would be 50%. Those with a previous but nonviolent incarceration would see the parole board after 60%; with continued good behavior and rehabilitative efforts

they would be released after 66%. For prisoners aged 70 or older, the minimum would be 40%.

In 1993 "Truth-In-Sentencing" legislation was passed in Missouri and many other states in response to Federal incentives. With millions of dollars in Federal grant money, Missouri built five new maximum security prisons in the 1990s.

New laws requiring mandatory minimum sentencing guaranteed the prisons would remain full. Even though crime rates are at a record low, the prison population has climbed to a record high. The

Keith and Hedy outside Rep. Ellington's office April 9.



Federal money pot has dried up, yet Missouri law still requires those classified as dangerous offenders to serve a minimum of 85% of their sentences before even being considered for parole.

Many people's initial reaction might be to approve or even applaud such laws. But our state can ill-afford to continue housing people who pose no threat to society. It costs us taxpayers more than \$57 per day to incarcerate one person, while parole costs only \$5 daily. For each prisoner paroled, we save \$19,000 annually. Instead of a drain on the state, rehabilitated prisoners can become contributing taxpayers.

Thousands who fall under this law

committed crimes as teenagers and have already served 10, 15 or even 20 years. How they do their time matters not at all until that magic 85% mark is reached.

Many of them have matured and changed their thinking. They have and are doing all they can to change their lives, taking rehabilitative classes and even facilitating such classes to assist others. Yet these prisoners will do the same amount of time as those who have done nothing to address their crimes or change their thinking and behavior. What kind of message does this send to prisoners and, even more, to the public? Which type of former prisoner would you rather have as a neighbor?

The Department of Corrections does not allow prisoners to sign up to take educational or vocational programs until within three years of their parole release date. Yet the waiting list for these programs is more than a year long. The majority of prisoners serving under the 85% law would be lucky to even begin such a program, and have virtually no chance to complete it before being paroled. This impedes crime prevention efforts and compromises public safety.

Once released, these former offenders will serve a shorter amount of time under parole supervision than those with minor, non-violent crimes. Prisoners incarcerated for many years need resources and longer supervision to help them acclimate successfully back into society.

With Rep. Ellinger's death, it is unlikely that his bills will succeed in this legislative session, but we will seek a new champion for the 2015 session. Let us hope that rational minds prevail and the changes sought in HB 1318 and 1319 are enacted to protect the citizens of Missouri.

May Rory's legacy be one of hope for prisoners and their families and loved ones and a safer Missouri for us all. ♦

A Call to Action

by Maurice Davis #1008866

Over the last decade we're all heard about the wrongful convictions here in Missouri. With the increased exposure by news outlets, it is necessary that we as prisoners take responsibility for ensuring that the ground we've gained in the courts is not lost. NAACP Prison Branch 4072 at JCCC has an Innocence Committee that launched an Innocence Project in 2012. When I was asked to lead this effort, to be honest I really didn't want to get involved. I was in the middle of preparing a Traverse in the Federal District

Court. And like too many others, I didn't have the courage to take on another person's fight. Yet, shortly thereafter I looked at myself in the mirror while washing my hands, and a mature thought came to my mind... "If you want a blessing, you first have to be willing to give that same blessing to someone else before you are truly worthy."

I know there may be some skeptics, because everyone knows that most inmates talk a good game, but when it comes down to it, they don't do jack. But this time is different. As chairman of the Innocence Committee I have been working tirelessly over the last year and a half to establish



rapport with prison advocacy groups, attorneys and investigators, all of whom applaud our efforts at JCCC and have agreed to assist us in exposing wrongful convictions if we can produce a convincing claim of innocence. We even have a sponsor who will be launching an Internet site at justicegonewrong.com to publicize the cases we discover.

We apologize to those who have sent requests for questionnaires. We've been experiencing difficulty both receiving the requests and getting the questionnaires out. We believe that having Innocence Committees at other prisons will help to eliminate

See Call to Action—page 8

Women Warriors—Then and Now

by Hedy Harden

Months ago the Gavel Club at SCCC invited me to speak at their Women's History Month event on Sunday, March 28. After more than a month of effort, final approval was given, and my son Rob and I drove from St. Louis to the prison in Licking—some 150 miles. John Shriver, the VIC, drove 20 miles to meet us and escort us into the prison, since the IAC was off for the weekend.

Well, you guessed it; we were denied entrance. We were told, supposedly due to miscommunication between staff, that we were not authorized. Back we drove another 150 miles to St. Louis, disappointed but not shocked. After decades of experience with the prison system, nothing surprises me. Since the men at Licking were unable to hear my prepared speech, here it is for all to see.

Thanks for inviting me here to speak today. I'm honored to be in such good company. This is my first time visiting SCCC, although I've had many dealings with members of your organizations. I'd like to thank you and congratulate you. You men here at Licking have been the most active in working with CURE, in getting your family members involved and supporting changes in legislation. More than 100 people attended Missouri CURE's annual conference last September. The majority of them had loved ones at Licking. If the other prisons had people as dedicated and hard-working as you are, there is no limit to what we could accomplish. Give yourselves a round of applause.

My heart goes out to our brother Jon Marc Taylor who has suffered a major stroke and cannot be with us today. I join you in the hopes that his recovery will be rapid and total. You should know that he has a lot of support on the outside as well as from you in here.

Missouri CURE has grown phenomenally over the past 2-3 years. At the same time, we've had quite a bit of upheaval out here, with several officers coming and going. Yet we've managed to keep growing and making a difference.

Our vice-chair, Keith Brown-El, spent 36 years in Missouri prisons, and he is as passionate about the cause as I am. Our new secretary, Yolanda Gunn, is doing a remarkable job. We now have meetings in Kansas City as well as St. Louis, and we're thinking about holding our next annual conference in KC.

The assigned topic of my speech is, "Women who were Warriors." However, I'd like to alter it slightly and speak of "Women Warriors: Then and Now," since history is a living thing. And in case you didn't know, a large part of his-story is now being referred to as her-story.

When I studied history in elementary school, it was pretty boring. It was all about memorizing names, dates and places of battles and wars, of violent government takeovers, of killing and dying. There was no black

history back then, no women's history.

The written history of black people in this country was the history of slavery and the great white emancipator. The only woman I remember clearly was Joan of Arc, who was burned at the stake. Someone gave my sister Joan a book about St.

Joan of Arc, and she practically memorized the entire book. She used to recite it all the time, which is why I can't

forget it. But I honestly can't remember what St. Joan did that was so memorable, other than being burned alive.

What we perceive as history depends on who records it. The people who record history decide on what events and what people are important enough to be remembered. Many of you have seen our newsletter, Turning Point.

That is a form of recorded history. It is your history. We record the struggles of incarcerated people and their loved ones in the State of Missouri and throughout the country. History is being made every day. It's being made right here at SCCC, where you all have some of the largest groups of prisoners gathered in one place doing something positive, educating yourselves and each other.

Let's talk about warriors. It takes a mighty struggle to create a mighty warrior, whether a woman or a man. If women wrote history, or if history were focused on women instead of men, it would be a totally different dynamic.

Women can be fierce warriors, but women are also the caregivers of our society. Throughout history great women have fought courageously for justice, for their rights and the rights of others, for

their children, their parents, and their men.

The fight against slavery in this country created countless woman warriors. Most people know of Harriett Tubman and a few others, but most of them we've never heard of. The fight women waged for the right to vote, also known as suffrage, created some mighty warriors. Most of their stories are buried in the history that was never recorded.

Many people don't realize that women, as well as men, were once imprisoned in the old Missouri State Penitentiary. There was at that time no federal prison for women.

Emma Goldman, a native of Lithuania, was a popular activist for women's rights and social issues. She was a writer and lecturer who attracted crowds of thousands. Emma was incarcerated in MSP for fighting against U.S. involvement in WWI and for distributing information about birth control. She witnessed and recorded some of the history of the women who spent time behind the Walls.

Missouri at that time was known to have the most wretched and congested prison in the country. Conditions for women were horrific. One woman was placed in a cell with three male prisoners. When she was not at work during the day, her cell was left unlocked, permitting any male prisoner or guard to "visit."

Prisoners were not allowed to speak to one another. The "hole" was actually a black hole where prisoners were kept in total darkness and without a bed or any furnishings. Women were put in the hole when they failed to meet quota on their "piecework." They were given half a teacup of water and two small squares of thin break a day. After being starved in the hole for 21 days, a woman named Minnie Eddy died from a perforated colon when she gorged herself with prison food.

When Goldman was released, reporters gathered outside and she told them of



What we perceive as history depends on who records it.

the horrors at MSP. She talked about “the blind cell for the punishment of women convicts, which she called “a human atrocity.” She was then taken to New York to face deportation hearings.

A couple of quotes will tell you the sort of woman Emma was. She wrote, “The history of progress is written in the blood of men and women who have dared to espouse an unpopular cause, as, for instance, the black man’s right to his body, or woman’s right to her soul.”

Here’s another one: “The most absurd apology for authority and law is that they serve to diminish crime. Aside from the fact that the State itself is the greatest criminal, breaking every written and natural law, stealing in the form of taxes, killing in the form of war and capital punishment, it has come to an absolute standstill in coping with crime. It has failed utterly to destroy or even minimize the horrible scourge of its own creation.”

One well-known historical figure I admire is **Eleanor Roosevelt**.

Wife of a former U.S. President, she was called the “First Lady of the World” for her human rights achievements. When her husband Franklin became increasingly paralyzed with polio, she convinced him to stay in office and began making speeches and public appearances in his place.

Eleanor fought for the families of unemployed miners in West Virginia, for expanded roles of women in the workplace, for the civil rights of African Americans and Asian Americans, and for the rights of WWII refugees. After her husband’s death, Eleanor became one of the first U.S. delegates to the United Nations. She was the first Chair of the UN Commission on Human Rights, overseeing the drafting of the most important world document, the Universal Declaration of Human Rights.

The UDHR, as it is known, serves as a model for activists everywhere. Among other things, the document describes specific human rights of prisoners. Unfortunately the US has yet to completely ratify it.

Jamala Rogers is a living part of history. Jamala was part of the Congress of African People (CAP) back in the ‘70s when I met her. Jamala fought to defend the rights of Missouri prisoners and supported the Black Studies groups. She investigated reports of abuse. Every year Jamala brought a group of people to MSP for a Citizens

Investigative Tour under the auspices of former State Rep. Charles “Quincy” Troupe. I was part of one of those tours in 1989, my first exposure to Missouri prisons. Five months later I started Missouri CURE.

In 1980 Jamala and other members of CAP formed the Organization for Black Struggle, a mass organization that fights for political empowerment, economic justice, and the cultural dignity of



Jamala

the African-American community, especially the Black working class. OBS led the campaign that resulted in freedom for Ellen Reasonover in 1999 after 17 years of wrongful imprisonment.

Jamala, longtime OBS Chair, now leads the support group seeking justice for Reggie Clemons on death row. She has won numerous awards, most recently the Rosa Parks award in St. Louis. Jamala writes a weekly column in the St. Louis American newspaper and has recently published her first book. I have worked with Jamala since 1974, and she is my she-ro.

Today I want to focus on the unsung she-ros who fight for you, here, every day. They are your grandmothers, your mothers, your wives or fiancées, your aunts, your sisters, maybe your daughters. They are out in the world trying to survive, to take care of themselves and their families, but they haven’t forgotten you who languish in here. Whatever you may or may not have done wrong, they still love you and fight for you. They send you money, letters and cards. They accept your phone calls and try to keep you hooked up with other family members. They come and visit you, often at great hardship to themselves, but they love you, so they do it and try to cheer you up. They often hide their own heartaches, not wanting to worry you—just as you hide many of your own daily trials, not want-

ing to trouble them. When you have medical problems, they go to bat to get you proper treatment. They help fight your cases. And they do this without compensation, simply out of love.

There are countless such women warriors, but here are a few stories:

Lisa is a lead miner who spends grueling 12-hour days underground. On weekends she travels back home for a brief respite. She has a son here in this room at Licking. In her spare time, Lisa fights to reform the 85% law. Last year and this year at Lobby Day Lisa brought her two sisters and two of her son’s friends. They have gathered hundreds of signatures on our petition.

After much hard work, Lisa has gained the support of her Republican State Representative, Jeff Pogue, for our bills to change the 85% mandatory minimum. A courageous and dedicated warrior, Lisa is a modern-day she-ro.

Paula’s husband spent many years on death row at Potosi before being executed in 2009. A former reporter for the Kansas City Star, Paula met her husband while investigating his case. She and her son Regi moved to Potosi, and Paula started working at least two jobs, visiting Dennis every chance she could.

Together they were a dynamic couple, actively making things better for other prisoners and their loved ones. They established the first 4-H LIFE group at Potosi, a parenting program that allows prisoners to spend quality time with their children and grandchildren. The program has since spread to other prisons and has won national awards. Paula continued in the struggle after Dennis’ death. A former CURE officer, she recently moved to Arizona where she continues to assist in clemency efforts and is writing a book about the death penalty.

Maria has supported her elderly father in prison for more than 20 years. One of the first members of Missouri CURE, Maria has served as secretary and is now our long-time treasurer. Although under great pressure from a demanding job, Maria travels hundreds of miles on weekends to visit her dad. She brings all his favorite things for food visits. Meanwhile she makes numerous phone calls on his behalf and fights for him in many other ways.

See Women Warriors—page 10

House Bill	Sponsor	2014 Criminal Justice Houses Bill Information	Status
1101	Roorda, Jeff	Specifies that any person who unlawfully distributes or delivers any controlled substance to any person which causes that person's death will be guilty of involuntary manslaughter in the first degree (O)	1/27/2014 Referred: Judiciary
1122	Peters, Joshua	Establishes the End Racial Profiling Act of 2014 (S)	1/16/2014 Referred: General Laws
1173	Burlison, Eric	Establishes a statutory cause of action, replacing the common law action, for damages against a health care provider for personal injury arising out of the rendering of or failure to render health services (S)	4/15/2014 Placed on Informal Calendar
1240	LaFaver, Jeremy	Abolishes the death penalty and provides that any person sentenced to death before August 28, 2014, will be sentenced to life imprisonment without parole (S)	1/16/2014 Referred: Judiciary
1243	Black, Linda	Creates criminal penalties for acts of violence committed by a sexually violent predator while in a secure facility operated by the Department of Mental Health	3/12/14 Voted Do Pass (H)
1318	Ellinger, Rory	Changes the minimum sentencing requirements for felons who have no previous prison commitments and are first-time dangerous felons (S)	1/16/2014 Referred: Judiciary
1319	Ellinger	Requires a felon who has a previous prison commitment for any felony offense and is a first-time dangerous felony offender to be granted parole after serving a specified portion of his or her sentence (S)	1/16/2014 Referred: Judiciary
1322	Ellinger	Allows a person convicted of a drug-related felony to become eligible for Supplemental Nutrition Assistance Program benefits upon meeting certain conditions (S)	1/16/2014 Referred: General Laws
1325	Ellinger	Changes the laws regarding the possession of less than 35 grams of marijuana and the possession of marijuana drug paraphernalia (S)	1/28/2014 Referred: Judiciary
1371	Cox, Stanley	Changes the laws regarding the Missouri Criminal Code (S)	Executive Session scheduled 4/28/14 at 8:30 PM
1394	Ellington, Brandon	Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation (S)	1/28/2014 Referred: Judiciary
1395	Ellington	Repeals the provision allowing the Board of Probation and Parole to charge an offender an intervention fee (S)	1/28/2014 Referred: Corrections Committee
1402	Ellington	Requires the Department of Corrections to perform specified actions to improve the ability of working inmates to obtain employment upon release from incarceration (S)	4/9/2014 Voted Do Pass (H)
1407	Ellington	Requires any criminal justice entity conducting eyewitness identifications to adopt specific procedures for conducting photo and live lineups that meet specified requirements (S)	1/28/2014 Referred: Crime Prevention and Public Safety
1409	Rizzo, John	Creates the Commission on Lethal Injection Administration and places a moratorium on the death penalty until certain procedures and protocols are adopted and implemented (S)	1/28/2014 Referred: Judiciary
1448	Ellington	Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole (S)	1/29/2014 Referred: Judiciary
1470	Brattin, Rick	Allows the department of corrections to administer a judgment of death by firing squad (O)	2/03/2014 - Referred: General Laws
1471	Brattin	Requires all inmates receiving an on-site non-emergency medical examination or treatment from correctional center personnel to be charged fifty cents per visit (O)	4/09/2014 - Voted Do Pass (H)
1505	Ellington	Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole (S)	1/29/2014 - Referred Judiciary; refiled as HB 2090
1560	Cox	Changes the laws regarding penalties for first degree murder when the person is under 18 years of age when the offense was committed (O)	3/12/2014 - Referred: Rules

House Bill	Sponsor	2014 Criminal Justice Bill Information	Status
1561	Kratky, Michele	Specifies that a person commits the crime of unlawful use of a weapon if he or she possesses a firearm while also knowingly in possession of a specified amount of a controlled substance (O)	4/8/2014 Referred: Rules
1562	Ellington	Specifies that a person applying for state employment, public assistance, or state housing assistance cannot be required to disclose any prior nonviolent felony plea or conviction with certain exceptions (S)	2/11/2014 Referred: Crime Prevention and Public Safety
1666	Shumake, Lindell	Authorizes a sales tax exemption for sales made at prison canteens (S)	4/3/2014 Rules - Reported Do Pass (H)
1700	Burlison	Authorizes the Department of Corrections to promulgate rules to administer the death penalty (O)	3/13/2014 Referred: Rules
1737	Walton Gray, Rochelle	Allows certain incarcerated parents to petition the court to delegate visitation time and access to a family member or other person with a close and substantial relationship to the parent's minor child (S)	4/16/2014 Public Hearing Completed (H)
1754	Walton Gray	Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits (S)	2/26/2014 Public Hearing Scheduled, Bill not Heard (H)
1756	Kelley, Mike	Requires the Missouri Supreme Court to conduct a review of all death penalty cases within 30 days and to set a date for execution to occur within 60 days of its review being completed (O)	4/9/2014 Public Hearing Completed (H)
1817	Lair	Authorizes the early parole of certain offenders over the age of 65 (S)	4/1/2014 Public Hearing Completed (H)
1855	McGaugh, Joe Don	Requires the state auditor to conduct an analysis of the cost of administering the death penalty (S)	2/25/2014 Referred: Judiciary
1986	Gardner, Kimberly	Changes the laws regarding penalties for first degree murder for a person under 18 years old at the time the offense was committed (S)	3/4/2014 Referred: Judiciary
(S) following Bill description means Missouri CURE supports the bill; (O) means we oppose it.			
2082	Kelley	Requires a majority of jurors to agree upon a jury verdict imposing the death penalty (O)	3/26/2014 Referred: Judiciary
2090	Ellington	Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole (S)	3/6/2014 Read Second Time (H)
2142	Webber, Stephen	Changes the elements of the crime of disarming a peace officer or correctional officer	4/10/2014 Public Hearing Completed (H)
2190	Ellington	Permits marijuana convictions to be expunged for certain persons, with a contingency (S)	4/1/2014 Read Second Time (H)
2234	Ellington	Proposes a constitutional amendment legalizing marijuana use for persons 21 years or age or older (S)	4/1/2014 Read Second Time (H)
HJR 86	Cox	Changes the laws regarding judicial procedures	4/10/2014 Referred: Rules



Keith with Rep. Lindell Shumake

HB 1666 Would Repeal Canteen Sales Tax

Rep. Lindell Shumake (Republican, Joplin), who spent years as a VIC at NECC Bowling Green and WERDCC Vandalia, has filed legislation to exempt prisoner canteen sales from state and local sales tax. The bill had a public hearing and was voted "Do Pass." It is now in the Rules Committee awaiting a vote of the full House.

Show Me No 85!

Prisoners at SCCC in Licking MO, along with their loved ones, have started a website on Facebook called ShowMeNo85. Check it out!

Call to Action—from page 3

this problem. Until this is rectified, please do not send us any additional requests for the questionnaire.

The NAACP at JCCC asks that you look at yourself in the mirror. Now is the time. While the iron is hot, we have to strike. NOW! And so I respectfully request that every Missouri prisoner who is proficient in the law initiate contact with me to discover what you can do in your own community to continue the momentum of exposing wrongful conviction cases here in our State.



If you are a member of the NAACP, we members at JCCC respectfully challenge you to take this article to your next meeting to inspire further conversations about getting involved in this matter. Ask the President of your Prison Branch to institute an Innocence Committee and to nominate someone with legal knowledge to begin communicating with us here at JCCC. If you are not a member of the NAACP, know that you do not have to join. We welcome your inquiries and support in this matter because ultimately this is OUR dilemma. At some point in our lives we must stand on the side of Justice. Otherwise, when it is your opportunity to present your case to the Court, that same injustice you knew existed in other people's lives will find its way into yours. Get involved!

Juvenile LWOP

The Supreme Court ruled last year that juveniles convicted of first-degree murder could not automatically be sentenced to life without parole. States must revamp their laws to accommodate this change. State Rep. Stanley Cox has filed **HB 1560** to make the sentence either LWOP or a minimum of 50 years without parole, even for juveniles as young as 13-14. We oppose this punitive measure.

A different version sponsored by Reps. **Kimberly Gardner and Penny Hubbard (HB 1986)** specifies that such juveniles can be resentenced to 25 years without parole if they meet certain requirements. We support this latter bill as the best we can hope for at this point.

Senate Bill	Sponsor	2014 Criminal Justice Senate Bill Information	Status
491	Justus, Jolie	Modifies provisions relating to criminal law (S)	4/24/2014 - Truly Agreed To and Finally Passed
530	Libia	Allows for drug use or convictions to be considered in determining parental fitness in termination of parental rights proceedings (O)	4/22/2014 - Referred: Rules
681	Justus	Provides a process for the Parole Board to review the case histories of offenders serving more than 15 years in prison and recommend clemency or allow release on parole (S)	4/14/14 - Public Hearing Completed (S)
682	Curls, Kiki	Allows judges to suspend the imposition of an adult criminal sentence for juvenile offenders (S)	1/30/14 Referred Judiciary (S)
732	Keaveny, Joe	Modifies provisions relating to criminal procedure (S)	4/10/14 Voted Do Pass Judiciary (S)
753	Keaveny	Requires the state Auditor to compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought (S)	4/2/14 Voted Do Pass GAO Committee (S)
775	Walsh, Gina	Abolishes the death penalty (S)	3/12/14 Hearing Completed P&D Committee (S)
787	Justus	Creates the Capital Sentencing Procedures and Protocols Commission (S)	4/28/14 Informal Calendar for perfection (S)
790	Dixon, Bob	Modifies penalties for first degree murder when the person was under the age of 18 at the time of committing the offense (S)	4/28/14 Informal Calendar for perfection (S)

The 2014 Legislative session ends at 6:00 PM on May 16.

804	Schaaf, Rob	Modifies rulemaking provisions relating to executions, prohibits use of paper money to buy execution drugs, and bars certain people from being members of execution teams (S)	Combined with SB 787
807	LeVota, Paul	Expands the list of criminal offenses eligible for expungement and specifies that courts close petitions and hearings for expungements of certain suspended sentences (S)	2/20/14 Referred Judiciary (S)
879	Sifton, Scott	Requires every individual who is 17 years old or older and arrested for any felony offense to provide a biological sample for DNA profiling (O)	3/6/14 Referred Judiciary (S)
889	Parson, Mike	Requires the state to pay the cost of incarceration and electronic monitoring of criminal defendants found guilty of felony offenses (S)	4/7/14 Hearing sched. but not heard Judiciary (S)

Publication Class Notice - for CURE

I've attached the following Notice from the Court:

You may wish to share it with CURE members and their family and friends. Since they are members of the Class and have actually used the process, they can be encouraged to write to the Judge about how it works, or does not work.

from the ACLU

Jeffrey A. Mittman, Executive Director
American Civil Liberties Union of Missouri
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www.aclu-mo.org

NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION LAWSUIT CONCERNING CENSORSHIP OF MATERIALS MAILED TO INDIVIDUALS IN THE CUSTODY OF THE MISSOURI DEPT. OF CORRECTIONS

This notice gives information about the settlement of a lawsuit challenging how the Missouri Department of Corrections censors material that is mailed to individuals who are in its custody.

BACKGROUND

In August 2012, a lawsuit, Lane d/b/a Caged Potential v. Lombardi, No. 12-4219, was brought claiming that the Missouri Department of Corrections was not giving notice of censorship decisions and an opportunity to appeal to senders of material mailed to individuals in its custody. The lawsuit claims that failing to provide senders of censored materials notice of censorship and non-delivery and failing to provide an opportunity to appeal censorship decisions violates the Due Process Clause of the Fourteenth Amendment to the United States Constitution. In November 2012, the court certified the case as a class action. The parties have now agreed to a settlement in the case, which must be approved by the court.



PROPOSED SETTLEMENT

You can see the entire proposed settlement at the website for the plaintiffs' counsel: American Civil Liberties Union of Missouri Foundation, <http://www.aclu-mo.org/legal-docket/bobbie-lane-v-modoc/>.

The plaintiff class consists of "All current and future publishers, distributors, and authors of written materials, who mail books, publications, or other written materials to inmates incarcerated in prisons operated by the Missouri Department of Corrections."

The basic terms of the settlement are:

- Publications received in the mail and thought to violate censor-

ship guidelines will now be reviewed by the censorship committee before any censorship occurs. Furthermore, the sender of publications that are censored will receive written notice of the decision and will have the opportunity to appeal the censorship. Within 30 days of receipt of the appeal, the division director or designee of equal or higher ranking will respond to the appeal. The Chief Administrative Officer will be advised of the decision.

- Recorded materials and personal correspondence will not be reviewed by a committee before censorship; however, the senders of such materials that are censored will be given notice of the decision and the opportunity to appeal.
- The defendants will pay the plaintiffs' counsel \$33,479.45 to reimburse litigation expenses and in attorneys' fees.

RIGHT TO OBJECT

Any class member has the right to let the court, the attorneys, and the parties know if he or she objects to the proposed settlement. The court has set a hearing for this purpose on July 1, 2014, at 10:00 a.m. at the following address:

Honorable Nanette K. Laughrey
United States District Judge
United States District Court for the Western District of Missouri
United States Courthouse
80 Lafayette Street
Jefferson City, Missouri 65101

Class members may also object to the settlement by sending a letter marked "Lane v. Lombardi Settlement" before June 26, 2014, to the court at the address listed above. Class members may also call the American Civil Liberties Union of Missouri Foundation, which represents the class in this lawsuit, with any questions, at: (314) 652-3114.

Missouri CURE has begun collecting stories of medical abuse, neglect and wrongful death of Missouri prisoners. Send information to Missouri CURE by regular mail or to our email address:
missouricure@hotmail.com.



The following people made donations since our last newsletter, which we greatly appreciate: Mark Engstrom, Dawon Hennings, Curtis Johnson, Joami Ray, Qusai Mahasin, Marcus McCombs, Albert Moore, Rodney Northcross-El, Dorothy Oden, Jack Pepperdine, Craig Wersching, Donald Willen, and Don Wright. Special thanks to the Restorative Justice Organization at Farmington Correctional Center for their generous donation of \$200.00.



Together We Stand — Together We CURE!

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 we cannot take on individual cases.

Women Warriors—from page 5

Sharon Snyder worked 34 years as a Jackson County Court clerk in Kansas City. She has always enjoyed helping people. Last year she helped free an innocent man, Robert Nelson, from prison after 30 years of wrongful incarceration. Nelson's sister, **Sea Dunnell**, had been fighting for years for her brother's freedom. Sea met Sharon while trying to help Robert obtain DNA testing. Twice his motion had been denied. Sharon found a motion that was filed correctly, blacked out the names, and gave a copy of it to Sea. Robert was able to adapt the motion and obtain DNA testing, which finally bought him his freedom.

As a result of her courageous act, Sharon was fired from her job at the age of 70. Sharon now manages Missouri CURE's Facebook page. Both of these courageous women are the kinds of warriors I greatly admire.

Audrey's son James is paralyzed from the waist down, an innocent victim of a gunshot wound at the age of 15. While in the St. Louis Workhouse, he was bitten by a

spider and his leg became infected. He was sent to prison, and eventually his leg had to be amputated. James has suffered terrible complications as a result of his disability and may have to lose his other leg. Audrey has fought for years for his necessary medical care, and her fight continues. James' suffering is his mother's heartache, and she is devoted to his well-being. Audrey works hard at a low-paying job she has held for decades while supporting her son in prison. When her time allows, she is an active CURE member.



Angie's husband Robert died in January while shackled to a hospital bed only a few days after being denied medical parole. He had advanced liver cancer. Autopsy revealed that several other types of cancer had invaded his body. Even while mourning her beloved husband's death, Angie has dedicated herself to helping ensure that others don't have to endure such misery.

These are just a sampling of the stories of bravery by women in our society, women in history and women who are making history today. I'm sure there are many others.

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** \$ _____

Make checks payable to Missouri CURE.

*** Stamps from prisoners are welcome if permitted by your institution.**

If you'd like to pay tribute to a woman who has made a difference in your life, send a brief description to Missouri CURE, and we'll select a few to highlight in our newsletter. Thank you. ❖

