

Turning Point: The Newsletter of



Citizens United for
Rehabilitation of Errants

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From the Chair:

by Hedy Harden

Annual CURE Conference Held in Columbia

More than 30 people attended Missouri CURE's Annual Conference in Columbia on September 17. An exciting agenda featured DOC leaders, ex-offenders, and experts in Juvenile Justice and Guardianship.

Tina Waldron, Reentry Coordinator for Missouri DOC, was our keynote speaker. She

stated that there are more than 30,000 people incarcerated in Missouri and 70,000 on probation or parole. Over 100,000 children are affected. Every year 20,000 people are released and 34 to 40 percent come back.



In 2002, the Missouri DOC started working on *Road to Reentry*. They started Missouri Reentry Process (MRP) teams. Now nine state agencies work together and there are 44 MRP teams throughout the state.

Tina distributed a packet of information including a booklet with contact information and meeting schedules of the 44 teams. She invited us to join the reentry teams. Ex-offenders are welcome. The Boone County Offender Transition Network (BCOTN) is one of these teams.

Reentry is not only about leaving prison. It is a transition that starts in prison and continues at home. It is not a program, but a process. Tina had spoken in Sikeston the day before to five or six MRP teams.

Reentry teams assess what is needed, asking, "What is each person's internal moti-

vation that makes them want to change?" They find out what needs a person has and then find services to help with those needs. Teams increase positive reinforcement and engage ongoing support in the community. The Reentry Court in Boone County is "Second Chance" in action.

When offenders are six months prior to

release, they are sent to Transitional Housing Units (THUs), where they take classes and get help with such necessities as applying for birth certificates, state IDs and possible Medicaid. THUs only exist in medium and minimum-security institutions.

Dana Thompson, District Administrator of Probation & Parole, and Mike Webber, Central Region Administrator, answered questions. Asked what criteria the board looks at in granting parole, Dana mentioned institutional behavior, participation in programs, and the severity of the crime. Curtis Johnson said that his son has been in prison for 19 years and has done everything possible, but keeps getting turned down for parole due to the "severity of the crime."

Michelle Dodson asked what family members can do to help prepare their loved ones for parole hearings and avoid the "seriousness of the crime" turndown.

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Summer 2011

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Survey Results

Our last issue of Turning Point included a survey asking for input regarding Missouri CURE. We received many responses, mostly from prisoners, who provided excellent suggestions. We thank you for your participation and appreciate your input.

The three main issues members want Missouri CURE to focus on:

- ◆ By far, the most frequent issue cited was reform of the 85% law and other mandatory minimums, including life without parole. Suggestions included shorter and alternative sentences and improving parole policies. A couple of prisoners suggested abolishing the parole board.
- ◆ Fight to improve prison conditions and to monitor treatment of prisoners.
- ◆ Provide information and hope to prisoners and their families; inform public about prisoners' humanity.
- ◆ Communicate with legislators; lobby; give prisoners a voice.
- ◆ Advocate for older prisoners, including geriatric parole.
- ◆ Medical care; mentally ill housing; discrimination against handicapped.
- ◆ Rehabilitation programs in prison — make available to all who want them.
- ◆ Reform sex offender laws.
- ◆ Reentry programs.
- ◆ Bring groups together.
- ◆ Dialogue with DOC.
- ◆ Improve response time to letters, etc.
- ◆ Suggestions for recruiting members.
- ◆ Other issues mentioned included having a toll-free phone number for prisoners to call, abolishing the intervention fee, fighting the death penalty, prosecuting judicial and prosecutorial misconduct, starting in-prison CURE chapters, and creating an interactive website.

Asked what they expect most from CURE, the most frequent issue cited was information, especially concerning legislation. Three items involved ratings of 1-10. Asked how well CURE meets their expectations, the average was 7 out



of 10. Asked how likely they were to contact CURE, again the average was 7 out of 10. Asked to rate CURE in comparison with other organizations, the average rating was 8.5 out of 10.

Asked what they liked most about CURE, responders cited perseverance, dedication, hard work and devotion, caring, fairness, understanding, the fact that CURE is run by families trying to effect change, that we exist to fight for prisoners, the newsletter, providing information and hope, legislative news, information on exonerations, response to letters, birthday cards, and retaining membership for indigent prisoners.

Asked what they like least about CURE, respondents cited slow response to letters, not enough organized activity by members, need for more members and unified voice, and a need for prison chapters. They wish we were more powerful and influential, wish the newsletter came out more often and had more pages, with more articles by prisoners.

Asked how we can improve, responders suggested we send Turning

Point to prison libraries, speak at prisons, more media contact, provide more information on how prisoners can help and how families can be involved, get more input from public officials and allies, do more outreach for contributions/donations, have an interactive website/blog for families that legislators and the DOC can read, provide more contacts for prisoners to have a voice, ensure that facilities use the same procedures and policies, speak the truth about inside conditions so that families will know, letter-writing campaigns to legislators, work on sentence reduction, unite other groups, and build prisoner memberships.

We noted that many responders were new members. When asked if their families were involved, we saw that many prisoners have no contact with their own families. Some are in other states, some are deceased, and others are estranged.

Asked how they would help, the most frequent ways cited were writing letters to editors, contacting legislators, sharing and discussing the newsletter, acting as reporters for their institutions, and donating stamps or money. ❖

Our Response

The complaint of slow response to letters is well taken. Sometimes the letters we receive from prisoners contain difficult questions and issues, and we have at times been negligent in our response. We will strive to respond to letters more quickly.

With the Spring 2011 issue, we began sending copies of Turning Point to all prison libraries and chaplains' offices.

We began a dialogue with DOC Reentry and with Probation and Parole at our recent annual conference, and we hope to continue the process.

We encourage prisoners to report on conditions inside, even though sometimes we can't do much about them.

We will continue to provide information as possible via the newsletter.

We will support the effort to reform the 85% law by way of the newsletter, our website, our email group, and by contacting legislators. Prisoners can also contact legislators (see page 10).

Two CURE members will be attending the JCCC NAACP banquet in October.

We are involved with these groups:

MADP: Hedy is now a board member of *Missourians for Alternatives to the Death Penalty*.

Jaws of Justice: Michelle is a board member of *Jaws of Justice* radio program in Kansas City.

MCR: Becky and Dolores are board members of *Missouri Citizens for Reform of Sex-Offender Laws*.

FORJ-MO: Missouri CURE is in coalition with *Families and Friends Organizing for Reform of Juvenile Justice*.

MISD: Missouri CURE is a partnering organization with *Mothers of Incarcerated Sons & Daughters*.

OBS: Hedy is a long-time member of the *Organization for Black Struggle*.

MASW: Hedy is a long-time member of *Missouri Association for Social Welfare*.

We will use your suggestions as a basis for improving our work.



RSOL National Conference Held in St. Louis

by *Becky Williams*

The National Conference for the group Reform Sex Offender Laws (RSOL) was held in St. Louis over the weekend of August 12-14. The event was sponsored by Missouri Citizens for Reform (MCR), which has been working on this issue at a state level.

Over 120 people from groups around the United States were in attendance. Several CURE chapters were represented, including Indiana and Ohio, as well Wayne Bowers from CURE-SORT (Sex-Offenders Restored through Treatment). The NAFI Project chair was in attendance, as well a representative from Prison Legal News.

We learned from other RSOL chapters some ideas for team building,

sharing success, and how to reach out to new members. The administration team of RSOL shared their by-laws and new vision.

An exciting new group that has branched out is called WAR – *Women Against the Registry* (www.women-againstregistry.com). There were several workshops including fundraising, how to kill bills, building coalitions, and networking with other organizations.

Featured speakers included Amy Borror from the Ohio Public Defender's office.

Ohio was the first state to become compliant with SORNA (Sex Offender Registration and Notification Act) two years ago, which led to 7,000 lawsuits. On June 3, the Ohio Supreme

Court said that the legislature, in its rush to comply with the federally mandated Adam Walsh Act, gave the state attorney general inappropriate power to retroactively undo judicial sentences that had been imposed.

We also heard from Missouri Representative David Day, from Janice Bellucci on how to lobby in the Capitol, and from Tim Russo, the first American with a sexual felony to run for office.

One evening there was a panel on "Extending Our Reach" that included a representative from ACLU, ATSA (*Association for the Treatment of Sex Abusers*) and a defense attorney.

The next RSOL conference will be held in September 2012 in New Mexico. ❖



Mothers of
Incarcerated
Sons and
Daughters

Invite You to Join Us
As We Honor

Women of Courage
For their generous support and
service in our mission.



Save the Date!
Saturday, November 5, 2011 2-4 pm
St. Monica's Catholic Church
1616 Paseo Blvd. KCMO 64108



RSVP: Bev at 816-337-5876
E-Reply: bev@misd-kc.com

MISD Monthly Meetings



Kansas City MO

2nd Saturday of each Month
(Except holiday weekends-

Meetings the following Saturday)

Noon - 1:30 pm

Waldo Library

201 E. 75th St



St. Louis MO

1st Saturday of each Month

Noon - 2 pm

108 South Spring

(Off Spring & Chouteau St.-North Door)



Mailing Address

MISD, 3401 Broadway #52, KCMO 64111

Contact: Bev Livingston 816.337.5876

Rosalyn Bey 314.495.7649

Prisoners Resume Hunger Strike Protesting Supermax by Hedy Harden

For 21 days in July, thousands of prisoners in California were on hunger strikes which began in the Security Housing Unit (SHU) at Pelican Bay State Prison. As of July 1, the California Department of Corrections and Rehabilitation (CDCR) admitted that more than 6,000 prisoners were refusing meals. At least 6,500 prisoners from 13 or more of the state's 33 prisons joined the historic strike. Existing for years, some even decades, under inhuman conditions, many SHU prisoners vowed to strike to the death, if necessary. Supporters held protest demonstrations in cities throughout the state and around the country.

On July 12, supporters became particularly alarmed, as they had received reports that some prisoners were suffering from severe dehydration, had lost consciousness, and/or were on the verge of kidney failure.

A temporary halt was called July 21 after officials promised to overhaul policies involving SHUs.

These changes have not materialized, and prisoners resumed the hunger strike on Monday, September 26. Besides Pelican Bay, strikers include prisoners at Calipatria prison, located in the hot desert on the Mexican border, as well as other prisons throughout California.

As many as 5,000 prisoners have refused meals. Prisoners in general population who have joined the strike face threats from prison officials to be put in ad seg and to have canteen items removed from their cells, including any food.

"I'm very concerned that prisoners may die or be seriously injured," said Donald Specter, director of the Berkeley-based Prison Law Office.

Some lawmakers are asking the Inspector General's office to take action, requesting a review of CDCR's

response to the issues raised in the July hunger strike.

Background of the Strike

In May the Supreme Court ruled in *Brown vs. Plata* that conditions in California prisons violate the Eighth Amendment's ban on cruel and unusual punishment, ordering the state to reduce its prison population by about 32,000 over the next two years. A lower court had found it was "an uncontested fact" that "an inmate in one of California's prisons needlessly dies every six to seven days due to constitutional deficiencies."

This was one of the items cited in the hunger-striking prisoners' formal complaint. Other demands included clean, adequate and wholesome food, an end to group punishment, and a chance to get out of long-term isolation from human

contact, in which prisoners are locked up for 23 hours a day.

California prisoners accused of gang alliances are put in the SHU (long-term solitary confinement or administrative segregation — adseg). Often evidence used is false or highly suspect. Prisoners may be kept in isolation for decades under conditions of torture. Their only hope of release from SHU is to "debrief," meaning to give information about gang activity. This often produces false information, which wrongfully puts others in the SHU, a never-ending cycle. Those who debrief to escape SHU endanger their own lives and the lives of their families.

A family member reported on conditions before the strike:

"They are deprived of all natural light, food, warmth — sweats and night caps are not allowed, even though the prison is located on the coast in the mountains. They never turn on the heat, so the concrete walls keep the cells cold as freezers. Milk will stay cold in a cell for days. The food looks like vomit, and

when refused the guards will say, 'I don't blame you.'"

Previous prison strikes during the past year had helped prepare the ground for the Pelican Bay initiative. In December 2010 Georgia prisoners conducted a major work strike, and in January 2011 Lucasville Ohio prisoners went on hunger strike.

For six days in December, thousands of prisoners in 30 Georgia prisons refused to work or leave their cells to buy anything at the prison store. They were demanding better educational opportunities, more nutritious food, access to their families, and most importantly some kind of payment for their prison labor. In Georgia prisoners are the single largest work force in the state, since it is mandatory for them to work for Prison Industries, a subsidiary completely owned by the Department of Corrections. Their labor is completely unpaid.

Retaliation began with turning off the heat and hot water in the cells. There were violent beatings and a reign of terror that went on for months, long after the strike was over. Although none of the prisoner demands were met, the Georgia prisoners' strike is widely considered an inspiration simply for having happened.

Just weeks later in Youngstown Ohio three members of the Lucasville 5 went on hunger strike January 3. Siddique Abdullah Hasan, Bomani Shakur, and Jason Robb were protesting the severe conditions of isolation they had suffered for 18 years. The Lucasville 5 had helped negotiate a peaceful resolution to the 1993 uprising at the Southern Ohio prison. They were subsequently framed for murder and sentenced to death. Two of the five were too unhealthy to participate in the January hunger strike, which demanded that the men be granted the same living conditions as other death row prisoners. The prison administration agreed after 12 days to meet these demands.

Across the country more than 25,000 prisoners are in state supermax facilities and another 11,000 are in federal solitary confinement. Studies show that more



Short Subjects

New Phone Carrier in Missouri:

Securus has taken the place of PCS as the DOC's phone provider. According to the Securus rep, calls will cost 9 cents per minute, and there does not appear to be a connection fee. However, there is a \$2.99 monthly fee if anyone has anything other than a pre-paid account. So if collect calls are received and you get a bill, you will be charged an additional \$2.99 fee just to receive the bill. And if you have more than one cellular phone set up to receive calls you will be charged an additional \$1.99 per month.



Criminal Justice Reform Study

Committee: Gov. Nixon has formed a 13-member study group with representatives of the judiciary, the legislature, prosecutors and public defenders. It will be analyzing trends and making recommendations to increase public safety and decrease cost of Corrections. They are working with the Pew Center (a granting source), putting greater emphasis on treatment programs and rehabilitation. Nixon expects the group to make recommendations for legislation in the 2012 session. While we applaud any reform effort, we urge true bipartisanship by inclusion of prisoner advocates and family members.

Shackling of Pregnant Prisoners:

Virginia's prison system will join ten other states in prohibiting shackling of pregnant women. Virginia CURE was a member of the coalition that brought about this change.



The new regulations prohibit use of restraints during labor, delivery or post-partum recovery. Front-end handcuffs may be used, but only during transport. If the prisoner poses a danger to herself or others, documentation is required before further restraint can be used. Delegate Patrick Hope worked with DOC Director Harold Clarke to implement the plan. Other supporting organizations include the American Medical Association, American Congress of Obstetricians and Gynecologists, the Virginia Chapter of

the American Congress of Obstetricians and Gynecologists, Legal Aid Justice Center, ACLU of Virginia, NARAL Pro-Choice-Virginia, Planned Parenthood-Virginia, and the National Religious Campaign Against Torture.

California, Colorado, Illinois, Pennsylvania, New Mexico, New York, Texas, Vermont, Washington, and West Virginia have also banned the practice. The Federal Bureau of Prisons and the U.S. Marshals Service also have policies that block the shackling of women during childbirth.

Arizona to Charge Visitor Fees: All adult visitors to Arizona prisons are now required to pay the state \$25.00 for a so-called "background check fee." However, Wendy Baldo, chief of staff for the Arizona Senate, admits that the fees will not actually pay for background checks, but will go into a fund for maintenance and repair of the state's 15 prisons.

Middle Ground Prison Reform, an affiliate of CURE, has filed a lawsuit against the Corrections Department. Donna Leone Hamm, director of Middle Ground, said the law is unconstitutional, amounting to a special tax on a single group. Middle Ground, based in Tempe AZ, has also filed suit against another provision of the law, which imposes a one percent charge on deposits made to a prisoner's spending account.

"We know that one of the best things you can do if you want people to go straight and lead a law-abiding life...is to continue family contact while they're in prison," said David C. Fathi, director of the National Prison Project of the American Civil Liberties Union. Family members of prisoners often travel long distances already, incurring expenses that make it difficult to visit.

Crack Sentence Reduction Retroactive: The U.S. Sentencing Commission voted June 30 to retroactively apply the amended guidelines resulting from *The Fair Sentencing Act of 2010* to prisoners who were incarcerated under the earlier, harsher 100 to 1 crack cocaine sentencing law. Some 12,000 prisoners sentenced before the law went into effect

could have their guideline sentences reduced by an average of 3 years. The Commission came to its decision after receiving public comments from over 40,000 citizens who supported retroactivity of the guidelines. It heard testimony from a broad spectrum of witnesses at a June 1 hearing. — *from Marc Mauer, The Sentencing Project.*

CURE Calls for AC for all Prisons: Prisoners in Missouri and around the country suffered in this summer's extreme heat, many with no AC. After numerous reports of inhumane conditions, CURE prepared a resolution to air-condition all prisons and jails. The resolution was submitted to the American Correctional Association (ACA), which creates standards for prisons and jails to be accredited. The ACA will vote on our proposal at its national meeting early next year.



Dianne Tramutola-Lawson, chair of National CURE's executive committee and director of Colorado CURE, represents CURE at ACA meetings.

Nixon's Son Cited for Marijuana: Gov. Nixon's younger son, a junior at Mizzou in Columbia, was cited for possession of less than 35 grams of marijuana. Police were called to investigate complaints of a loud party near campus in the early morning of September 10. Willson Nixon, 21, tried to get rid of a pipe containing marijuana when he saw police.

Jay Nixon called his son "a fine young man," and said it was a private matter.



On July 6, Governor Jay Nixon signed a statewide ban on so-called "synthetic marijuana." The bill, which took effect Aug. 28, makes possession of K2 punishable by jail or fines, with penalties the same as those for marijuana. As Attorney General, Nixon prosecuted drug users, some of whom have spent years in prison for less than 35 grams of marijuana. ❖

In/Justice Update

from the Organization for Black Struggle

World Day Against the Death Penalty is Monday, October 10.

A rally and other activities in St. Louis will be a part of a worldwide effort to bring attention to the failures of the death penalty system.



Dale Helmig of Missouri has finally received his freedom papers. Dale was convicted by an overzealous Kenny

Hulshof in the 1996 murder of his mother. Last year Dale was released on bond after a judge overturned the conviction, citing Dale's innocence. He and his supporters had a long wait but the state recently decided not to retry the case, opening the door for total exoneration.

not, Reggie may be home in a couple of months.

Reggie Clemons We have been informed that Reggie's attorneys have asked for an extension, and Judge Manners has granted it. The hearing was changed from November 7, 2011 to March 5, 2012. This allows more time for continued examination of the DNA evidence and discovery related to the DNA testing.

Reggie has spent half his life on death row in Missouri. Supporters celebrated his 40th birthday August 30 with a "Flashing for Justice" action in St. Louis. His parents also hosted a celebration and dinner at their church. Reggie sends his heartfelt appreciation for all the kind thoughts, actions and cards. ❖

Troy Davis was

executed by the State of Georgia on September 21 after a decades-long fight for his life, and despite mass support and international attention to the gripping doubts in the case. It was a sad day in the history of American justice.

More than 1,000 people attended Troy's funeral October 1 in Savannah.

Reginald Griffin has served 25 years for a murder of a fellow inmate. The Missouri Supreme Court overturned that conviction when it was discovered that prosecutors withheld evidence that would have freed Reggie. Now Reggie must wait to see if the state will retry him. If

Forensic Guardianship

by Christopher Cross

In Missouri there are three different types of guardianships, i.e., *Full Guardian*, *Limited Guardian*, and *Stand-By Guardian*. While a child can be appointed a guardian simply because the child is a minor whose parents are deceased or are unable to care for the child, an adult can only be appointed a legal guardian if the court finds the adult is either totally or partially incapacitated, disabled or both, and unable to successfully function in one or more of the six major life activities: self-care, receptive and expressive language, learning, self-direction, independent living, and mobility.

The term "*Forensic Guardianship*," regardless of the ward's age and type of guardianship, specifically entails guardianship of a ward who is either actively involved in or is at significant risk of becoming involved in the criminal justice system. Generally, *Forensic Guardianships* involve a ward with a chronic history of high-risk behaviors that have led or can lead to criminal acts. They also entail the ward having mental health or developmental disabilities, and in some cases neurological, brain damage, or brain dysfunction disabilities.

There are two primary mandates

every guardian has and must fulfill. The first is to act in the best interest of the ward, and the second is to protect the ward. In this, the guardian is required to provide for the ward's care, treatment, habilitation, education, support and maintenance. The guardian accomplishes these things by (1) assuring that the ward



resides in the best and least restrictive setting reasonably available; (2) assuring that the ward receives needed medical care and other services; (3) promoting and protecting the care, comfort, safety, health and welfare of

the ward; (4) providing required consents on behalf of the ward; and (5) exercising all powers and discharging all duties necessary or proper.

State law mandates that the roles, duties, and authority of a guardian penetrate the walls of jails and prisons. In fact, there is a state law specific to the Missouri Department of Corrections that prohibits those working in a prison from restricting or preventing a guardian's ability to discharge his or her official duties in the exercise of statutory

authority. This applies both to prison conditions and to the ward receiving medical, dental, and mental health care and treatment.

The subject of *Forensic Guardianships* involving wards who are incarcerated is not widely discussed among correctional officials, social-educational organizations, and advocates, and there is an enormous need for this to occur. The importance is two-fold: First, to ensure that anyone who has a guardian is not falling through the cracks due to the guardian not knowing how to fulfill his/her duties for a ward who is incarcerated; second, to help ensure that the veil is lifted from what occurs inside jails and prisons, so that better legislation can be enacted into law.

The decision to petition the court for guardianship of an adult, and what type of guardianship to request, should not be made lightly because it means that the ward surrenders legal rights. Not everyone who has disabilities needs a guardian. But for those who genuinely need a legal guardian, it is an invaluable tool for ensuring that the ward has the support needed while in jail or prison and equal access to participation in programs, services and activities. —by Christopher Cross, M.A., R.D.S.P., Court Appointed Legal Guardian, with full powers. ❖

Conference—from page 1

“You can *be* there,” Dana said (at the parole hearing), “to support them.”

Hedy Harden asked about the intervention fee. Intended for community-based programming and services, it has been used to buy laptops for probation and parole officers to use in the field. Mike Webber said basically that the money had to come from somewhere.

Our first workshop, Living Reentry, was led by **Allen X McCarter**, president of

BCOTN, who was joined by other former prisoners **Keith Scott**, **Steve Daniels** and **Paul McClain**, and by former guard Captain **Marion Mitchell**.

The group gave a dramatic portrayal of what it’s like to go to prison as youngsters, serve decades behind bars, and finally get out and try to make a life on the outside. The men spoke candidly of their faults and obstacles to staying free, such as alcohol, gambling, and fear of rejection. Allen stressed that it is absolutely essential to have a support group of men (or women) who have been there and can prop you up when you’re in danger of falling back into old habits that could land you back in prison.

Marion Mitchell was a guard for 32 years, retiring as a captain. He wasn’t of the “us and them” mentality, but supported prisoners who he saw were making a change in their lives. Captain Mitchell explained how young men in prison get tricked into becoming victims of sexual predators. He brought with him handcuffs, chains and shackles, which he used on a participant to illustrate his point. Captain Mitchell displayed a wooden box filled with prison-made shanks, which he also uses to bring home to youth the reality of what they will face if they end up in prison.

The men speak to young people through a group called Reach Out, trying to steer them away from prison.

Tracy McClard presented a workshop on Juvenile Justice. In 2007 her 16-

year-old son Jonathan was arrested for shooting another teen. Drugs were involved. Jonathan was certified as an adult and given a sentence of 30 years to be served in adult prison. He was sent to Bowling Green in mid-November, then to Bonne Terre in December. He was kept in solitary and turned 17 on January 1, 2008. When Tracy visited her son

along, offering food, lodging and transportation.

She is also associated with *Justice for Families*, which is working in ten major cities. *The Office of Juvenile Justice* is conducting a national survey and is looking for information on juveniles who have gone through the system during the past five years — facing court,



January 2, Jonathan was behind glass, handcuffed and shackled. There was no phone, just a vent, and they had to yell to hear each other, as Tracy’s back was to the loud visiting room.

Two days later Jonathan was found hanging in his cell. The entire process, from arrest to his death, took only six months.

Tracy got involved in the *Campaign for Youth Justice (CYJ)*, which has been educating policymakers for the past 3-4 years. Formerly a special education teacher, after Jonathan’s death she was unable to continue, and finally resigned.

Since then she has received a great deal of education and training in advocacy work from CYJ. She has testified several times in Washington.

Tracy started **FORJ-MO** in September 2010. This stands for Families and Friends Organized for Reform of Juvenile Justice, or “For Jonathan.” Its mission is to ensure that no one under 18 is incarcerated in an adult prison. She is working with Representative Wayne Wallingford from Cape Girardeau County on proposing legislation for next year in Missouri. Wallingford is making juvenile justice reform his main agenda for 2012. Tracy plans to meet with him and others in Jefferson City. She invited us to come

juvenile facilities or prison.

Tracy passed out a booklet called “State Trends,” which explains what is going on around the country. In Missouri, 100 kids per year are certified as adults.

Missouri is a model state for youth facilities, in the way they’re run. Young offenders can remain under the Missouri Department of Youth Services (DYS) until age 21, at which time they go back to court before the same judge. Jonathan had been accepted by DHS, but the judge vetoed it.

Tracy distributed a handout on the *National Parent Caucus*, which started in 2009 and now exists in 48 states with 400 families involved.

October is “National Youth Justice Awareness Month.” FORJ-MO is sponsoring a 5K Walk/Run on October 30 in Cape Girardeau to bring awareness to youth justice issues.

You may contact FORJ-MO at 5587 State Hwy 72, Jackson MO 63755; phone 573-837-7346; email forjmo@gmail.com.

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Tracy McClard

Many thanks to JCCC NAACP Branch 4097, which has generously donated \$250.00 to Missouri CURE.

Supermax—from page 4

than ten days in supermax-type of confinement can cause negative psychological effects including hypertension, uncontrollable anger, hallucinations, emotional breakdown, chronic depression, and suicidal thoughts and behavior. Experts say that extended prisoner isolation deteriorates brains and behavior and is considered torture under international law. Only the United States, where it has become common over the last 25 years, uses it for massive numbers of prisoners. Not only is such



treatment inhumane and counterproductive, but it costs 2-3 times that of regular imprisonment.

Supermax in Missouri We have received reports of suspicious prisoner deaths in Potosi ad seg, where some men have been kept for years. One prisoner reportedly died while on hunger strike. Although death-sentenced prisoners in Missouri are normally housed in general population, prison staff have told some death row prisoners that they will remain in lockdown until they are put to death.

Although policies vary from state to state, the torture of long-term lockdown is constant.

Reducing Supermax Some states, including Illinois, Colorado, Mississippi, Texas, Pennsylvania, Oregon and Virginia, have moved to reduce use of long-term solitary.

Maine has taken the lead in reducing supermax. The state's new Republican governor, Paul LePage, and Corrections Commissioner, Joseph Ponte, have dramatically reduced the supermax population without an increase in violence.

Within a few weeks this past spring Maine's supermax population was reduced nearly 60 percent, from 132 to 54. The unit has been calmer since the change, with no major disruptions in general population. Maine's Special Management Unit (SMU) had been plagued by suicides and attempted suicides, hunger strikes, assaults and unexplained prisoner deaths. It was considered a torture chamber, especially for the mentally ill.

Many long-time recommendations of prison reformers have been adopted. Ponte even appointed two members of Maine's Prisoner Advocacy Coalition to a DOC committee coordinating the reforms. "For the first time," said coalition leader Judy Garvey, "we have a good relationship with the Commissioner."

Other disciplinary changes imposed by Ponte include an order that prisoners cannot be placed in isolation longer than 72 hours without his personal approval. Ponte placed a 7-day limit on supermax stays for investigation of in-prison crimes. He moved many prisoners out of supermax who appeared to be there unnecessarily.

In May Ponte ended the frequently brutal cell extractions of uncooperative and often mentally ill prisoners. He now requires guards to use informal sanctions to discipline disruptive prisoners, such as taking away commissary or recreation privileges as alternatives to the hole.

Prisoners who have endured conditions of solitary confinement for long periods cannot help but suffer post-traumatic stress disorder (PTSD) once released. It is in society's best interests to treat prisoners humanely. ❖

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

Conference—from page 7

Christopher Cross spoke on Forensic Guardianship of prisoners with mental or developmental deficiencies. Christopher was once a Correctional Officer in Colorado, working in hospitals as a forensic specialist. He is now a Court-Appointed Forensic Guardian with full powers.

His ward ("Brad") has been essentially incarcerated since the age of three in mental institutions. Brad's first imprisonment was for two years for bad checks. He is mentally incapable of balancing a checkbook. Now he is a convicted sex offender.

Christopher talked about the difficulties of dealing with the DOC, which doesn't acknowledge the fact that prisoners with legal guardians are not wards of the state.

Last year Christopher testified against a bill that sought to send the mentally ill to prison. He plans to file a lawsuit against MHM Services, the provider of mental health within the DOC.

Hedy welcomed new members to the Board Meeting. It was decided by consensus that Hedy will take over as Chair. Michelle will move to Vice-Chair. Becky will continue as Secretary, and Maria will continue as Treasurer. Deborah Herald, a new member, will become our Public Relations officer. Debbie will oversee the website and media. Christopher Cross, another new member, will help with legislation. The new session begins in January, with bills being pre-filed in December. He will provide the list of relevant criminal justice bills and inform members which bills we should follow. Gerry will help with writing legislators as needed.

Regarding the Advisory Board, it was agreed to remove Nelson Hopkins, Sr. Our current Advisory Board consists of Allen X McCarter, Dolores Owen, Jamala Rogers, Paula Skillicorn, and Jon Marc Taylor. ❖



George Allen: 29 Years of False Imprisonment

by Hedy Harden

On January 30, 1982, I attended the second anniversary of the Organization for Black Struggle in St. Louis. Freezing rain was falling as we entered the hall. When we exited a few hours later, four inches of snow covered the ground. We skidded home on icy streets.

Through the night there was weird intermittent thunder, and snow fell steadily. We awoke to a record 24 inches of snow, historical for St. Louis.

The first day my family couldn't even get to the tool shed out back to use the shovel. I was attending UMSL, and school was closed for four days. It was like being in another world.

We spent the days making paths and digging out cars. One day my niece Karen and I trudged up to the bakery a block and a half away. The snow reached Karen's waist. It took us 1½ hours, a major trek through the wilderness.

School resumed on February 5.

Meanwhile we heard on the news that a woman had been found raped and murdered near downtown St. Louis on



February 4. Mary Bell had been a court reporter in St. Louis Circuit Court.

In March, police investigators were looking for a known sex offender whose brother lived in Mary Bell's apartment complex. They mistakenly picked up George Allen several blocks away.

When they realized their mistake, they interrogated Allen anyway.

Allen, who lived in University City, was at home with his mother ten miles away when Bell was killed. He had helped to push his sister's car out of the snow that morning, and had not left the house afterwards, according to three witnesses. He had no access to a car.

Profoundly mentally ill with schizophrenia, Allen had been admitted to psychiatric wards several times. In a recorded confession, police prompted Allen to give the answers they wanted, asking him frequently to change his story to fit the crime.

As happens far too often, critical evidence of innocence was withheld at Allen's trial. He was convicted of capital murder and barely escaped the death

penalty, receiving a sentence of 95 years.

George Allen has now served 29 years in prison. Finally evidence has come to light of his innocence. The Innocence Project and the Bryan Cave law firm have taken up his case. On September 26 they filed in Circuit Court compelling evidence establishing that Allen did not commit the crime. They provided DNA evidence, a serology report recently uncovered that was not produced at trial, and discovery that a key prosecution witness was hypnotized to provide testimony.

Said Bryan Cave attorney Ammer Gado, "False confessions have played a role in 25 percent of the 273 DNA exonerations. People with mental illness, such as Mr. Allen, are particularly vulnerable to making a false confession."

Attorneys request that the court overturn Allen's conviction and free him from prison.

"I have been waiting a very long time for justice for my son," said Allen's mother, Lonsetta Taylor. "I know that nothing can replace the many years that he has lost, but it is my greatest wish that I see the day when he walks out of prison." ❖

"Life" in the US

"The essential feature of a life sentence is that it imposes a terminal, unchangeable, once-and-for-all judgment upon the whole life of a human being and declares that human being forever unfit to be a part of civil society. Life sentences were enacted to deal with dangerous and incorrigible individuals who would be a constant threat to society, but more often than not individuals end up caught in a never-ending punishment for a single criminal act out of the norm of their law-abiding lives. As sentences get longer and politicized parole/pardon boards refuse to give long-time prisoners a chance to redeem themselves, prisons are seeing an increasing number of older men and women living in cells well beyond the time when they pose any significant risk to anybody and well beyond any reasonable punishment for crimes that were committed decades earlier."

David Ditter (*Lifer 32+years*), Tecumseh NE

The Facts

- There are 140,610 individuals serving life sentences, representing one of every 11 people (9.5%) in prison.
 - Twenty-nine percent (41,095) of the individuals serving life sentences have no possibility of parole.
 - The number of individuals serving life-without-parole sentences increased by 22% from 33,633 to 41,095 between 2003 and 2008. This is nearly four times the rate of growth of the parole-eligible life-sentenced population.
 - In five states—Alabama, California, Massachusetts, Nevada, and New York—at least 1 in 6 people in prison are serving a life sentence.
 - The highest proportion of life sentences relative to the prison population is in California, where 20% of the prison population is serving a life sentence, up from 18.1% in 2003.
- Among these 34,164 life sentences, 10.8% are life without parole.
- Racial and ethnic minorities serve a disproportionate share of life sentences. Two-thirds of people with life sentences (66.4%) are nonwhite, reaching as high as 83.7% of the life-sentenced population in the state of New York.
 - There are 6,807 juveniles serving life sentences; 1,755, or 25.8%, of whom are serving sentences of life without parole.
 - Seventy-seven percent of juveniles sentenced to life are youth of color.
 - There are 4,694 women and girls serving life sentences; 28.4% of females sentenced to life do not have the possibility of parole."
- (*No Exit/The Expanding Use of Life Sentences in America*, Pg. 3, 2009 *The Sentencing Project*.)



Amnesty International to Hold Regional Conference in KCMO

The AI Midwest Regional Conference will be held October 28-30 in Kansas City MO. Celebrating 50 years of human rights victories and challenges throughout the world, activists from 13 states will come together to learn, discuss, network and gain momentum.

Interactive programs and workshops, speakers and exhibits will be featured. Participants will be challenged to expand social awareness and inspired to initiate change within local communities.

For more information visit Amnesty's conference page at: <http://www.amnesty-usa.org/events/regional-conferences/midwest-regional-conference> ❖

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Jefferson City MO 65102

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P.O. Box 720
Jefferson City MO 65102

Prisoners can contact legislators in the district where they lived prior to arrest.

Join Missouri CURE!

Date _____

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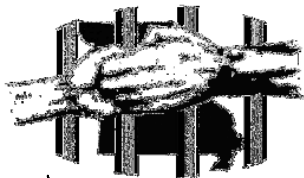
- Prisoner \$2.00 *
- Individual \$10.00
- Lifetime \$100.00
- Donation \$ _____

* 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.

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MEMBERSHIP EXPIRES



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