

# Turning Point: The Newsletter of



Citizens United for  
Rehabilitation of Errants

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From the Vice-Chair:

by Keith Brown EI

## Time to Make Your Voices Heard

Yes, it's conference time again. And once more *Missouri CURE* wishes to thank everyone who made the conference we held in St. Louis last year a great success. This year our conference will be in Kansas City MO and our goal is to attract at least 300 people. The theme of this conference will be "Is This What They Call Rehabilitation?"

We will be addressing many of the issues that prisoners and family members have brought to our attention in letters and phone calls. The conference will feature speakers, workshops, networking and presentation of awards. Admission is free and lunch is provided. All are welcome.

One of the reasons our previous conference was successful is because many of the men and women incarcerated throughout the state had encouraged their family members to attend. For this reason we are calling on all of you to help us in this area again, and we are going to need you to work extra hard.

The conference will be at *St. Mark's Union Church*, 1101 Euclid Ave. in KCMO on September 27, 2014. The time is from 10am - 4pm. We expect to have people coming from areas in and around the city and the state, including St. Louis, and points beyond. In addition to all State Senators and Representatives and the Media, we are inviting Governor Nixon, Attorney General Koster, DOC Director Lombardi, and all institutional wardens to attend.

Realistically, we don't expect many of the state officials to show up (especially Gov. Nixon) because they know they are going to get bombarded with issues they will have trouble trying to explain or justify. However, if we get the media and several hundred people there, then state officials

who don't show up are going to be looking awfully bad.

Still, we do need participation at this conference by these officials, since there are far too many serious abuses taking place in the DOC. Governor Nixon, Attorney General Koster, Director Lombardi and the wardens at various institutions are really the only ones who are in a direct position make necessary changes. These conditions will

continue to exist unless and until we create a situation that will make eradicating such abuses worth the trouble.

**And we are not advocating any type of violence.**

*Missouri CURE* receives letters all the time from incarcerated persons asking us how they can help us in our work and what they can do.



Well, now is the time! Get on that phone, write a letter, have a

serious talk with your family members and loved ones while you're on a visit. Tell them they need to be at this conference. Spread the word to other prisoners to do the same.

We also ask you to have your loved ones to write or call Gov. Nixon and these other state officials and insist that they attend our conference. Gov. Nixon and Director Lombardi need to see what we at *Missouri CURE* have to see every time we hold a conference—the disappointment, frustration, pain and tears of people who have loved ones in prison and want to see them come home, or at least have them be treated humanely while they are there. For a form letter, send me a self-addressed stamped envelope at P.O. Box 270834, Kansas City MO 64127.

Missouri CURE understands that we are not by any means the only prison reform

### Summer 2014

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Note Our New  
St. Louis  
Address Above!

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## Missouri CURE

### Executive Board:

Chair: Hedy Harden  
 Vice-Chair: Keith Brown El  
 Secretary: Yolanda Gunn  
 Interim Secretary: Kathy Franklin

### Committee Coordinators:

Justine Edwards: Legislation  
 Angelika Mueller-Rowry: Prisoner Health  
 Maria Rubin: Finance

### Advisory Board:

|                     |                     |
|---------------------|---------------------|
| Ruby Atkins         | Michelle Dodson     |
| Kevin Hammerschmidt | Damon Johnson       |
| Allen X McCarter    | Dolores Owen        |
| Patricia Prewitt    | Roosevelt Price Jr. |
| Jon Marc Taylor     |                     |

### Special Liaisons:

- Mary Hutchison, MASW Criminal Justice Task Force
- Curtis Johnson, Kansas City CJTF
- Bev Livingston, Mothers of Incarcerated Sons and Daughters (MISD)

## Mission Statement

CURE believes that prisons should be only for those who **MUST** be incarcerated and that prisoners should have all the resources needed to turn their lives around. We also believe that human rights documents provide a sound basis for ensuring that criminal justice systems meet these goals. CURE is a membership organization. We work hard to provide our members with the information and tools necessary to help them understand the criminal justice system and to advocate for positive change.

***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 at Vandalia Shine on Stage

**O**n June 19 women at WERDCC performed *The Dayroom Club*, an award-winning play written by Patricia

Prewitt about prison life. When praised for her creation, Patty said it came from stories told to her by the other women.

The brilliant performance by the Vandalia Women's Theatre depicted their own lives and was thoroughly enjoyed by all. Rob Silvestri, who attended the play, commented that he could see it being performed at the Fox Theatre in St. Louis with the same cast.

Combining comedy and pathos,

dance and song, it was a stellar presentation by a cast of 20 with roles like Gossip Girl, Late Girl, Smoker, Hungry Girl, and Phone Girl.

The production was sponsored by Prison Performing Arts (PPA). Actors earn three hours of college credit for their work. Three of the woman also performed poetry during the Spoken Words portion of the program.



**T**he *Dayroom Club* received a 2014 Tacenda Literary Award for Best Play. The awards are sponsored by Bleakhouse Publishing, which is devoted to creative writing on social justice issues. ❖

## Update "85"

**E**fforts to reform the 85% law are continuing. While no bill was passed during the last legislative session, we are gaining ground toward getting one passed in the 2015 session. A number of legislators, both Democrat and Republican, have expressed growing support for reducing the 85% mandatory minimum sentences, especially for first time offenders. This does not mean that the battle is won, however. Our job is to keep this issue on the front burner of the legislators' minds.

I have been working closely with other organizations to move this struggle forward. Lisa Counts has done an excellent job at getting information out on the Facebook page **Show-Me No 85**.

In June Carolyn McGinness and I were invited to speak at a forum in Springfield MO sponsored by the Missouri Association for Social Welfare. I represented Missouri CURE. We networked with MASW and NAACP members who have expressed interest in correlating efforts in this fight. Recently members of the Criminal Justice Ministry have also expressed interest. In July I participated in a conference call hosted by Christine Woody of MASW's Criminal Justice Task Force. On that call we gained support for the cause and developed contacts that will support us when legislation is introduced.

To get a bill passed, it is important that as many people as possible contact

## by Justine Edwards

their legislators. Even though the legislature is not currently in session, letters and emails can still be sent to their offices. Most Representatives and Senators run summer office hours, so your voices will still be heard.

At some prisons, inmates have been told that the 85% bill has been signed into law. This is not true. Some people have confused the 85% bill with the Criminal Code Reform bill that was passed this year—those are two completely separate things. Others have simply been given bad information.

Don't put off helping to get rid of the 85% mandatory minimum because you think it has already been changed. We have developed a website devoted to making it easier for people to find the information and get involved.

Here's what you can do to help:

- 1) Visit the website [www.End85.com](http://www.End85.com).
- 2) Copy off the sample letters we provide.
- 3) Contact your legislators. We provide the addresses and phone numbers for all of the state representatives and senators on the website.
- 4) 4) Talk to your friends and family members to get them involved in the process too.

Progress is being made. As more and more people and organizations become involved, our voices are having a greater impact.

*Show-Me No 85!*

## Mike Anderson and the 85% Issue *by Carolyn McGinness*

As we fight to reform the mandatory minimum sentencing laws in Missouri, we need to consider what Mike Anderson's case and the 85% issue have in common. When the state legislators return for the next legislative session, they need to take time to think about what the court in Mississippi County, Missouri recently decided.

By now, most of us know the story of Mike Anderson. It made national news. He was a St. Louis area man who was convicted of first degree robbery and sentenced to prison in 2000. He didn't go to prison, though. Instead, for whatever excuse that the "clerical error" occurred, Mike Anderson never spent a day in prison. That is, until last July, when it was time for him to be released. It was then that the Missouri Department of Corrections realized that he had never been incarcerated. He was then apprehended and placed in the Southeast Correction Center in Charleston, Missouri.

Especially following the CBS Morning News story highlighting his situation, many people across the country learned of what had transpired in Anderson's life in the years following his conviction. Had this first time offender become a habitual criminal? Had he brought harm and destruction to his community? No. What he had done was live a quiet and productive life. He owned a

business, married, had children, built a home, and coached children's sports. That sounds like the kind of man we all want living in our communities. He paid taxes, voted, and never tried to hide his identity. In plain sight, he led a model life.

When appealing his belated incarceration, his attorney argued that it would be "cruel and unusual punishment" to imprison a man who obviously had done well for himself, his family, and his community. The judge agreed. He released Anderson, and he counted the days between his conviction and the present as time served. He cited that Anderson had shown that he was "a good man."

Those were the judge's words. It was obvious that he had rehabilitated himself. In fact, his lawyer contended that he did a better job rehabilitating himself on the outside than he would have had he gone to prison.

Is Mike Anderson some sort of oddity in the world? Is he somehow unique in being able to become a model citizen in the wake of making a mistake? He isn't. He is a regular man who did nothing more than learn from his mistakes and then proceed to live a regular life.

There are hundreds, if not more, of Mike Andersons being warehoused in Missouri prisons. Wasted productivity. Ruined futures. Bereft

families. Destroyed lives. All for what? Is it cruel and unusual punishment for Mike Anderson to be warehoused, but not so for other men and women? I don't think you can answer that truthfully with a "yes."

Missouri has had its fair share of negative press this year regarding our prisons and court systems. Ryan Ferguson brought a spotlight to the unfairness of keeping a man imprisoned for a crime he had not committed. So did Robert Nelson, after 30 years of wrongful incarceration.

Mike Anderson has brought awareness to the ability of men and women to be productive members of society as first time offenders. Now we have the opportunity to encourage and educate our legislators to do something positive. We need to use the awareness that has been drawn by these cases to reform our sentencing laws. Particularly first time

offenders should have the ability to earn release at 50% through good behavior. If Mike Anderson can do it through an error on the state's part and through media attention, then other inmates deserve the opportunity to earn their freedom through showing a pattern of good behavior.

I invite you to contact us at [www.End85.com](http://www.End85.com) for more information on how you can help bring about change. Don't leave it up to someone else to fight the good fight. Change begins with you. ❖



Anderson family



## Nonviolent Offenders *by Gary Sonnenberg, SECC*

Former Chief Justice of the Missouri Supreme Court William Ray Price Jr., said in his State of the Judiciary address that we need to "Rethink our strategies dealing with nonviolent crime, including drug and alcohol abuse."

Justice Price stated that tough Sentencing laws have cost the State of Missouri billions of dollars, and "We have just as much crime now as we did when we started."

He called the over-incarceration of nonviolent offenders the "biggest

waste of resources in all of State Government." (This includes the mishandling of Drug and Alcohol offenders.) He also stated that the State has been "cramming inmates into prisons and not providing the type of Drug Treatment and Job Training that is necessary to break their cycle of crime."

He called for diverting some

offenders from prison and removing others more quickly. Price advocates investing more money in Drug Courts. "At one-fourth to one-fifth the cost of incarceration, more than one-half of Drug Court participants graduate, and recidivism is only in the 10% range."

Why don't state legislators listen? Would you please take the time to write your State Representative today? Thank you for reading this, and hopefully you will pass it on. ❖



## CURE Meets in Kansas City

**E**ighteen people met at the Waldo Library in Kansas City on June 9. The primary focus of the meeting was to plan our annual conference, which will be held in Kansas City September 27.

The theme of the conference is: "Is this what they call rehabilitation?" We will be addressing issues of concern felt by prisoners and families throughout the state penal system. We discussed potential speakers and panelists.

Obtaining food for the conference was discussed, along with preparation and serving, and cleaning up afterwards. Members also agreed to serve on legislative and publicity committees.



L-R: Yolanda Gunn, Levi Jackson, Kathy Franklin, Clara Fuller, Ashley Parker, Jeff Humfeld, Justine Edwards, Brianna Burton, Carl Greer, Gene Dudley, Kim Curry, Linda Taylor, Darren Brown, Audra McLeod, and Hedy Harden. Not pictured: Keith Brown El, Audrey Jackson, and KC Pointer. (Photos by Keith Brown El)

## MISD Honors Women of Courage

**A**t St. Monica Catholic Church in KCMO on June 7, Mothers of Incarcerated Sons and Daughters (MISD) honored 12 women for their "service in blazing new trails, touching lives, or simply being amazing." Each woman spoke briefly when presented with her award.

CURE's Hedy Harden was among the honorees, also selected because of her efforts to enhance the quality of life for families affected by incarceration.

For the first time, MISD also honored two men for courageous service to the community.

Jeff Humfeld and CURE's Vice Chairman Keith Brown El were awarded a stunning trophy for their work in hosting the Jaws of Justice show on KKFI Community Radio in Kansas City.

The Women of Courage awardees also received beautiful trophies as well as a proclamation from Rep. Brandon Ellington on behalf of the Missouri Legislature. Bev Livingston, founder and leader of MISD, was also honored for her tireless efforts. ❖



## CURE Conducts Seminar at WERDCC

**O**n July 26, Hedy Harden led a seminar at the women's prison in Vandalia on behalf of Missouri CURE.

Sponsored by the NAACP prison branch, the focus was legislation and how to get family members involved. Participation was lively with lots of questions and information exchanged. Hedy explained the workings of the legislative system and CURE's efforts and hopefully dispelled some rumors.

NAACP officers Michelle Smith and Judy Pickens were extremely knowledgeable about laws and policies.

IAC Angelica Beaver was a gracious host. Although air-conditioning was out in the gym, fans made the atmosphere tolerable.

Hedy produced handouts that described how a bill becomes a law, facts for lawmakers, what families can do, a sample letter to legislators, and a copy of the food stamp bill which was just signed into law. The CURE brochure was distributed as well as copies of the Spring 2014 Missouri CURE newsletter.

## New Report on Juvenile LWOP

from the Sentencing Project

Two years ago, on June 25, 2012, the Supreme Court struck down laws in 28 states that mandated life without parole (LWOP) for some juveniles. The report [Slow to Act: State Responses to the 2012 Supreme Court Mandate on Life without Parole](#) details what has happened since.

In the wake of *Miller v. Alabama*, a majority of these states

have not passed new laws to address fair sentencing; others have replaced LWOP with mandatory decades-long sentences that dodge the intent of the decision. This report updates how legislatures and courts in those 28 states and

elsewhere have responded.

◆ While the Court struck down laws in 28 states, only 13 of those states have passed new sentencing laws.

◆ Some statutes passed since *Miller* set the minimum sentence

for youth convicted of homicide for as much as 40 years.

◆ Of the 13 states that have passed new legislation only four allow for the *Miller* decision to be applied retroactively. Six state Supreme Courts have ruled in favor of applying the decision retroactively, as well.

◆ Only twelve states and the District of Columbia ban juvenile life without parole. No other country sentences people to die in prison for crimes committed as youth. ❖



### Juvenile Justice in Missouri

FORJ (Families and Friends Organizing for Reform of Juvenile Justice), led by Tracy McClard, fights for juvenile justice. Tracy's son Jonathan at age 17 committed suicide after being placed in an adult prison. FORJ got legislation passed (Jonathan's Law) in 2013 creating a Juvenile Justice Task Force, which is now conducting hearings on the following issues:

- ◆ Raising the age from 17 to 18 for adult jurisdiction
- ◆ Raising the age from 12 to 16 for children eligible to stand trial as adults
- ◆ Removing youth from adult jails pre-trial

Contact: forjmo@gmail.com; phone 573-837-7346; web [www.forj-mo.org](http://www.forj-mo.org).

## Re-entry Resource Help in Missouri Dependent on Feds?

*Kevin Hammerschmidt, a member of Missouri CURE's advisory board, has made us aware of an important issue regarding re-entry. The previously published Regional Resource Guide provided information for parolees to receive One Stop Job Training Services, Clothing, Housing, AA/NA Meeting Locations, Medical Care and GED classes, among other items. Following is a letter Kevin wrote in March. He has yet to receive a reply:*

March 24, 2014

Matt Sturm, Director,  
Div. of Offender Rehabilitation Services  
2729 Plaza Drive  
Jefferson City MO 65102

Re: Resource Guides

Dear Mr. Sturm:

I contacted your office on December 4, 2013 concerning the Regional Resource Guides you publish. You referred me to the re-entry program at this institution. However, I have been informed that your office no longer publishes these guides because federal money was cut from your budget.

The Resource Guides states, "The mission of the Missouri Department of Corrections is to keep the public safe." That means it is your responsibility to

promote crime prevention and public safety. Please explain to me where Federal money or the lack thereof plays a part in that responsibility? Is it your office's position to base its priorities of crime prevention and public safety solely on the amount of federal dollars you receive?

Offenders are faced with a great challenge when they re-enter society and these guides are very valuable tools in assisting them upon release as well as in promoting crime prevention and public safety.

What do you think the public would say if they knew your office compromised public safety and crime prevention efforts merely for a lack of Federal money? No price is too high if it prevents a crime or saves a person.

It is my hope that the resource guide program will be reinstated in the near future. The inmate canteen fund is

utilized for many programs that benefit offenders. Why not utilize the inmate canteen fund where the offender and the public both benefit from it?

Concerned,

**Kevin Hammerschmidt #518739**



## Welcome Justine!

**J**ustine Edwards has been a Registered Nurse with an ADN from Penn Valley since 2008. She has been a member of Missouri CURE and politically active since 2013. She now coordinates our Legislative Committee. Justine knows that all things happens for a reason and that through dedication, hard work and a comprehensive plan, change is possible. ❖



### Family United Transportation Service

facilitates family visits to incarcerated loved ones in Missouri prisons.

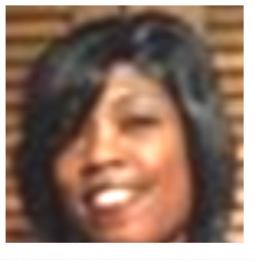
In Kansas City call (816) 533-5622 or email [familyuuts@gmail.com](mailto:familyuuts@gmail.com).

In St. Louis call (314) 472-5257 or email [familyuuts.st.louis@gmail.com](mailto:familyuuts.st.louis@gmail.com).



## Planning our Conference!

**A**udra McLeod, founder of Family United Transportation Service, also leads Missouri CURE's publicity committee that is helping to organize our 11th Annual Conference to be held in Kansas City September 27. ❖



**U**pcoming CURE meetings in Kansas City will be held at the Lucille Bluford Library, 3050 Prospect, at 6 PM on the following dates:

- ◆ Wednesday, July 30
- ◆ Tuesday, August 12
- ◆ Tuesday, September 9

All are welcome to attend!

## Meet Angie

**A**ngelika (Angie) Mueller-Rowry became a member of Missouri CURE in 2014 after her incarcerated husband died of cancer at age 59, nine days after denial of medical parole, alone and shackled and chained to a hospital bed. Robert and Angie were married at ERDCC in 2005, but had been soul mates since 1974 when Angie first came to St. Louis to volunteer in a Community Center on St. Louis' North Side.

In her husband's family Angie witnesses first-hand the impact that the *New Jim Crow's* Drug War had on the destruction of the African-American community, considering herself as "collateral damage."

Of her in-laws, currently two cousins, a nephew and her stepson-in-law serve time in state prisons. Two nephews await trial in county jails and another cousin died of cancer shortly after his release in 2013 at age 61. Her stepson, a man of admirable character, served 15 years in prison for a crime committed as a juvenile, then spent 7 years on parole but still struggles to find decent employment and is disenfranchised for life. This equals more than one hundred years of prison time in one family.

Angie received her Master's in Social Work as well as degrees in Social Therapy and Mediation in Germany, where for many years she worked with homeless men, both as youth educator for Red Cross Society and in a federal pilot project for the integration of German migrants returning from Russia. Since her student years in the mid-seventies Angie has been an activist for international solidarity, social and environmental

justice, and peace.

In 1980 she co-founded the German Green Party, chaired their local chapter for many years, and was

elected to the City Council of Mainz, from 1990 to 1992 in charge of city development, immigration issues and intercultural understanding. She has been a union member since 1980. Angie has traveled all over Europe as well as to Turkey and Iran in 1975, Kenya

in 1976, Zambia and Zimbabwe in 1980, Tanzania in 1986, and Israel and Palestine in 1996.

**B**ack in St. Louis since 1999, Angie has conducted two study trips for German professionals to better understand the plight of inner city youth (2001/2002). She has been an active member of the Gateway Green Alliance since 2003 and serves on the Green Party National Central Committee since 2013. Since 2007 she works as community support specialist in the mental health field. Angie is involved with the Coalition to Abolish the Prison Industrial Complex (C.A.P.I.C.) and the St. Louis Committee for Prisoner Rights.

Recently Angie took on the function of Coordinator of CURE's newly established Prisoner Health Committee, using her traumatic experiences with the prison's outsourced medical system during her husband's ordeal to assist inmates who are similarly exposed to arbitrary medical neglect and abuse.

Angie's husband Robert Rowry (also known as "Oilcan" or "Wolf") was a warrior until the end.

In this spirit Angie continues his legacy.



**Missouri CURE has received its 501(c)(3) status as a nonprofit organization, making us exempt from Federal income tax. All contributions, gifts and grants are now tax deductible. Thanks to Attorney Keith Kehrer of the Bryan Cave law firm for his invaluable help in this endeavor.**

## WAR Fights Crimes Against Registrants

by Hedy Harden

**W**omen Against Registry (WAR) met in St. Louis on June 25. A production crew was also in town to record footage for a documentary about the issue called "End of Love."

Family members and former sex offenders told of the trauma caused by the ever-increasing punitive laws targeting those accused of sex crimes. An older couple told of their daughter, a teacher, who was falsely accused by a student who had been spurned when making sexual advances.

Another woman's child had fallen in love with a younger teen. Some registrants

were entrapped in child porn stings.

Some of the offenses dated back 25 years, yet those who have paid their debt to society are forever haunted by the myriad laws restricting their lives and by people in society seeking vigilante revenge against anyone on the public registry.

One couple is prohibited from tak-

ing their child to school events or even to a playground. Innocent children of those on the registry are themselves harassed, ridiculed, physically attacked, and often suffer from anxiety, depression, fear, and suicidal tendencies.

Sex offenders are ostracized, seen as monsters, and treated as pariahs, regardless of the severity of the offense. Few are serial rapists and

sexual predators, although all seem to be painted by the same brush in society's rush to condemn. Some of

these people lived normal and law-abiding lives for years before new laws required them to be placed on the registry. Now they

fear for their lives.

People on the registry are severely restricted in housing and jobs. Many are threatened, harassed, assaulted, injured and suffer property damage as a direct result of the registry.

Congressman Bobby Scott said in a congressional hearing, "Once a person is placed upon the national sex offender

registry, basically their life is over."

Recidivism rates for sex offenders are actually lower than for other crimes. A composite of 27 studies from 24 states and countries involving 69,307 sex offenders released from prison and followed for an average of 4.2 years show that only 3.68% were convicted for a new sex offense. ♦



**"Once a person is placed upon the national sex offender registry, basically their life is over."**  
—Congressman Bobby Scott

You may contact WAR at P.O. Box 501, Westfield IN 46074 or their website [www.womenagainstregistry.com](http://www.womenagainstregistry.com). The administrator is Vicki Henry.

WAR has a registrants and families support hotline at 800-773-4319; email is [hotline@thesupporthotline.org](mailto:hotline@thesupporthotline.org). The former Missouri Citizens for Reform (MCR) is now combined with WAR.

National CURE has an issue chapter called Sex Offenders Restored through Treatment (SORT), P.O. Box 1022, Norman OK 73070. Leader is Wayne Bowers. Phone: 405-639-7262; Email: [info@cure-sort.org](mailto:info@cure-sort.org). Website is: [www.cure-sort.org](http://www.cure-sort.org).

## Governor Signs Food Stamp Bill, Slashes Re-entry Funds

**M**issouri Gov. Jay Nixon has signed House Bill 680, repealing a prohibition on providing food stamps to people convicted of drug felonies. The bill could allow people

with three or fewer drug felonies to receive aid through the Supplemental Nutrition Assistance Program (SNAP). The new law is to take effect August 28. However, enactment is likely to be delayed, as the DOC must submit rules & regulations for administering the new law to the Secretary of State, whose office will put them on the Department of Social Services website for public comments.



Thanks to everyone who joined in the fight to change the felony food stamp ban. Missouri's efforts have inspired federal legislation in this area as well.

Now the bad news...

**U**sing a line-item veto to balance the budget, the Governor on June 24 vetoed funding for all community re-entry grants.

This is a collective blow of \$2,000,000 to Missouri re-entry efforts! The Center for Women in Transition was a recipient of nearly \$100,000 in grants which have suddenly disappeared.

These funds were used to cover basic, extremely essential services for their clients: bus passes, food vouchers, medical co-pays, counseling, rental assistance for women moving into

permanent housing, etc. CWIT asks your help now to inform the legislature of the importance of this re-entry funding. Please contact your state senator and representative and urge them to override the Governor's line-item veto of HB 2009, section 9.250, for "local sentencing initiatives."

This is a public safety issue as well. Without re-entry resources, many parolees will find no alternative to a return to crime.

Intervention fees of \$30.00 per month charged to all parolees are supposed to be used for re-entry purposes. Yet these funds were initially used to purchase laptop computers for parole officers. It has been recently reported that intervention fees have been slated to be used to purchase electronic trackers for sex offenders released on parole. This misuse of re-entry funds need to be investigated. ♦

**Voices—from page 1**

group or human rights organization in this state. We are more than willing to work with other groups and do whatever we can.

We are calling on all prison reform groups, human rights organizations, community activists and agents for change in Missouri to join in this struggle. The problems we are dealing with are very serious and will not be solved by going off somewhere alone and doing one's own thing. There comes a

time when we all have to unite our voices, stand shoulder to shoulder and do what has to be done.

We recognize the following groups and specifically ask them to join us in our endeavors and in attending our confer-

ence: *90.1 FM Community Radio, KKFI, 89.3 FM KCUR, ACLU of MO, Action Mailing Corporation, All Souls Unitarian Universalist Church, Beyond the Conviction, Center for Women in Transition,*

*Kansas City Criminal Justice Task Force, Kansas CURE, KCTV Channel 5 News, KMBC Channel 9 News, KSHB Channel 41 News, Let's Start, Midwest Innocence Project, Missouri Associations for Social Welfare (MASW), Missourians for Alternatives to the Death Penalty, Moorish Science Temple of America, More<sup>2</sup> (More Square), Mothers of Incarcerated Sons and Daughters (MISD), Nation of Islam (N.O.I), NAACP, Occupy KC2014, Project COPE, Public Interest Litigation Clinic, Regeneration Courage to Change, Second Chance, The Pitch Weekly, The Kansas City Star, The Call newspaper, WDAF Channel 4 Fox News, and Women Against Registry (WAR).*



*Communities Creating Opportunity (CCO), Consolidated Social Worker Services Inc., Criminal Justice Ministries, Dress for Success, Family United Transportation Service, Industrial Workers of the World (IWW), Journey to New Life,*

**T**hank you to everyone for believing in what we do. Join us and be a part of the solution. ♦

For more information or directions to St. Mark's, family members should call 816-377-CURE(2873). Those interested in carpooling from St. Louis may call toll free 877-525-CURE (2873).

**Criminal Code Changes**

*by Hedy Harden*

**D**uring a conference call meeting of the MASW Criminal Justice Task Force on July 16, Attorney Dan Viets spoke on the Criminal Code bill, which was signed into law but will not take effect until January 2017. Viets was on the Missouri Bar group that drafted the bill, which comprises some 700 pages.

Some substantive changes were made with the general effect of reducing punishment for lower level offenses. The Criminal Code bill contains several reductions of percentages, but none are retroactive, meaning they will not affect anyone already in prison.



I asked him if anything was included in the bill that would have a negative effect for prisoners, and he said *nothing in the bill is retroactive*. There is a Summary on the House of Representatives webpage.

Some improvements were made regarding marijuana laws as follows:

- ♦ Eliminating jail time for under 10

grams for first-offenses, which covers most misdemeanor cases.

- ♦ Reducing by 1/3 the upper level of punishment for growing (went from 15 years to 10 years); same with sales.

- ♦ Under current law, the sentence for “prior and persistent” drug offenders is 10-30 years without the possibility of probation or parole. “Prior and persistent” means those with 2 or more prior felony drug offenses. This includes any amount of a drug other than marijuana—even a single Valium pill. **This will be repealed when the new law takes effect.** He mentioned Chris Mizanskey of Sedalia is now serving LWOP in Missouri for a small amount of marijuana. He’s already been in prison for more than 20 years.

**V**iets said that on Monday, July 14 Nixon enacted a law allowing small amounts of a marijuana extract to be used for certain serious medical conditions, such as intractable epilepsy. HB 2238 had unanimous support in the House and Senate. Again, none of these changes are retroactive. ♦

**Parole Reform Needed in Missouri**

**N**icole Porter, Director of Advocacy for the Sentencing Project (a national organization based in Washington DC) will be working with the Missouri Association for Social Welfare (MASW) to create a narrative document for Missouri to include recommendations to the parole board and for legislation to reform parole policies.

Parole reform is badly needed in Missouri, she said, with a very low rate of parole being granted for long-term prisoners and many Missouri prisoners serving time beyond their parole eligibility. Her efforts to communicate with the parole board have had little success.

Missouri is notorious, Porter said, in its secrecy in parole matters. Missouri statute provides a great deal of authority on what the Board can limit and not release to the public and to prisoners and their families.

The Sentencing Project will provide technical assistance in this reform effort.

## MADP Annual Meeting Held in KC

Missourians for Alternatives to the Death Penalty held its annual meeting in Kansas City on June 14. Longtime death penalty attorney Sean O'Brien was the keynote speaker. An Associate Professor of Law at UMKC, O'Brien has headed up the Missouri Capital Punishment Resource Center since 1989. The Center, now known as the Public Interest Litigation Clinic, represents clients in capital trial, appeal and post-conviction cases. O'Brien is also a director of the Midwest Innocence Project.

His speech focused on cases he'd been involved in and personal relationships developed with death-sentenced prisoners. In 1996, Doyle Williams had phoned Sean just hours before his execution. Sean hesitated before accepting the call, fearing Doyle would ask for help in staying alive, knowing it was beyond his power to give. When Sean finally took the call, Doyle did ask for a favor. He asked Sean to intercede in obtaining a wheelchair for an elderly disabled death-sentenced prisoner, Zahn Isa, who was unable to leave his cell for meals. Sean realized that Doyle, at that moment, was a better man than himself.



This year lawmakers introduced eleven measures that advocated for repeal of the death penalty, reform of criminal procedures, scrutinizing the state's execution process or comparing costs of capital punishment with alternative sentences. Committees conducted public hearings on five of those advocated by MADP, more than any other year.

By the session's end on May 16, however, none of the measures were passed by either the House or Senate, much less enacted. Both chambers are heavily conservative.

Missouri executed John Middleton on July 16 at ERDCC in Bonne Terre, despite evidence of possible innocence. Middleton was the sixth execution in Missouri this year. Only Florida and Texas, with seven each, have performed more executions.

Before being injected with a fatal dose of pentobarbital, Middleton said, "You are killing an innocent man."

In keeping with its record of an execution per month in 2014, the state has scheduled August 6 for killing Michael Worthington. Only one man, Russell Bucklew has been spared so far this year.

## CA Death Penalty Unconstitutional

A federal judge declared California's death penalty unconstitutional on July 16, saying delays of 25 years or more in deciding appeals and carrying out occasional executions have created an arbitrary and irrational system that serves no legitimate purpose. The ruling by U.S. District Judge Cormac Carney, a conservative Bush appointee known for harsh sentences, was limited to a single case and had no immediate impact on executions statewide, which have been halted by federal courts since 2006 because of multiple problems in lethal injection procedures.

Carney said the delays in California are caused by the "dysfunctional administration of California's death penalty system." Inmates sentenced to death must wait three to five years for a court-appointed lawyer and nearly 14 years for the California Supreme Court to make an initial ruling on their case, with further delays in additional appeals to the state and federal courts, Carney said.

If upheld on appeal, the decision would end California's capital punishment system. In 2012 an initiative to abolish the death penalty lost by only four percentage points. The state has the nation's largest Death Row, with 748 inmates, and its lowest execution rate, with 13 inmates put to death since 1992. More than 40 percent of the current inmates have been on Death Row for more than 19 years. ❖

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*Please be sure to let us know if you are released or transferred, so you won't miss receiving your newsletters and other correspondence.*

## Shorts

- ◆ If you have written to CURE and have not received an answer, please know that we are addressing your concerns as we are able. We are unable at this point to answer each individual letter that we receive.
- ◆ Any further requests for the DNA motion should be sent to IWW, P.O. Box 414304, Kansas City MO 64141. Please send a self-addressed, stamped envelope with your request, if possible.
- ◆ The JCCC Innocence Committee has provided us with a 2-page study guide. Unfortunately space does not permit us to include it in this newsletter. However, you may obtain a copy by writing to IWW at the address shown above. Ask for the Innocence Study Guide.
- ◆ Missouri CURE is still collecting reports of medical abuse and neglect. Send to our mailing address or email.
- ◆ On July 8 Securus began a policy of not allowing prisoners to make collect calls. Prisoners must either have the funds to purchase phone minutes or the party being called must set up an account with Securus and pay for calls. If you are being prevented from having necessary contact with your attorney due to this policy, you may file a complaint with the ACLU of Missouri, 454 Whittier Street, St. Louis, MO 63108. ❖



**Missouri CURE**  
P.O. Box 28931  
St. Louis MO 63132



## *Together We Stand — Together We CURE!*

**Save the Date! Missouri CURE's Annual Conference will be held September 27 at St. Mark's Union Church, 1101 Euclid in Kansas City MO from 10 am to 4 pm. Admission is free—all are welcome. Lunch will be provided.**

### *Muchas Gracias!*

The following individuals have made donations to Missouri CURE since our last newsletter: Ronnie Fleck, Debra Forehand, Kathy Franklin, Larry Holland, Joshua Holman, James Keown, Darrel Kind-Summers, Nicole Manning, David Orr, Larry Phillips, Theodore Sansoucie, Brian Smith, Rick Strain and Steven Watts. Thanks so much for your help!

**Special thanks:** In January of this year, Action Mailing Corporation of Liberty MO began printing Turning Point, graciously donating the cost of printing and preparation for mailing. This will be the third issue they have printed, We are extremely grateful to them for this generous gift, which saves us \$250.00-\$300.00 per issue and helps us to stay solvent. ♦

### **Compensation—Finally!—for Central Park 5**



Nearly 25 years after five men—Antron McCray, Kevin Richardson, Yusef Salaam, Raymond Santana and Korey Wise—were wrongfully convicted of raping and assaulting a female jogger in New York City's Central Park, they have agreed to a settlement of about \$40 million from the city, which could finally bring an end to the decade-long civil rights battle. ♦

### **Join Missouri CURE!**

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