

Turning Point: The Newsletter of



Citizens United for
Rehabilitation of Errants

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

Phone 877-525-CURE (2873)
Email: missouricure@yahoo.com

Web: www.missouricure.org

From the Chair

by Hedy Harden

“Take Back the Vote” is our Rallying Cry!

Throughout Missouri CURE’s 25 years of existence, never has an issue been so important. Never has a goal been so worthy—and so possible to achieve. But as we all know, nothing comes easy. Nothing that is so necessary and so vital to fighting mass incarceration comes without numerous and weighty obstacles.

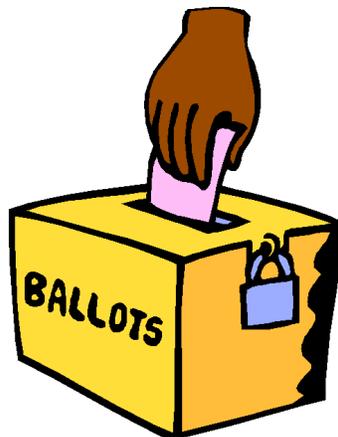
We live in a so-called democracy, but there are countless hurdles that must be overcome on a daily basis for the masses of working and poor people to achieve true equality and freedom. For people of color, the stumbling blocks are much more invasive, the challenges much harder to overcome. And for prisoners, who are legal slaves of the state, fighting for justice and fair treatment is an agonizing uphill climb against almost insurmountable odds.

John J. Knowledge, a prisoner, and his wife began the battle more than 3 years ago to get an Initiative Petition approved by Missouri’s Secretary of State. In March of this year the approval was finally granted, and the battle moved on to the next stage. Some 170,000 signatures of registered Missouri voters must now be collected within six counties by April 1, 2016 to get the measure on the ballot. If approved by voters, all Missouri citizens would become able to vote. More than 100,000 people in Missouri currently cannot vote due to imprisonment or being on probation or parole. Prisoners pay taxes but have no voice.

The NAACP branch at JCCC sent informational packets out to hundreds of churches and other organizations throughout the State of Missouri and beyond. The men enlisted the support of various forces, including Missouri CURE.

At first I was leery that such an ambitious plan could possibly succeed, but

Knowledge made a believer out of me. Every question in my mind was something he’d already thought of and taken into consideration. He simply could not and would not conceive of defeat. I began working with his wife in this worthy effort. John J. Knowledge wrote a lengthy article for Turning Point, detailing the history of disenfranchisement in this country. Now it’s up to us out here to carry the ball. We need support from many individuals and organizations to make this a reality. Critical will be the participation of college students. If you or your church or organization is willing to assist in this effort,



please contact Takebackthevote2016@gmail.com, or write Take Back the Vote, P.O. Box 150299, St. Louis MO 63115. You may also contact Missouri CURE, P.O. Box 28931, St. Louis MO 63132 or email me at hedyharden995@gmail.com for more information.

Signatures may only be collected on the official Petition Forms, by persons 18 years of age or older who do not have any forgery or forgery-related convictions. The petition signature sheet must be reproduced EXACTLY as is on 8½ x 14 (legal-sized) paper. All signature petitions must be notarized in the county in which they were collected and returned by April 1, 2016 to: Take Back the Vote, P.O. Box 150299, St. Louis MO 63115. A pamphlet, “Missouri Voter Disenfranchisement Reform Initiative,” contains much additional information on this subject.

Together we can make history!
Help us make universal voting a reality in Missouri! ♦

Summer 2015

Inside this issue:

Youth & the Parole Board	2
Re-entry Resources in STL	2
MADP Hosts IL Gov. Ryan	3
Black & Green Forum	4
A Sensible Approach	4
Abolition Interview	5
Mizanskey LWOP Commuted	6
Empower MO joins lawsuit	6
CURE: End Gerrymandering	6
Stats from CAPIC	6
CURE Activities	7
Freedom v. Incarceration	8
Money is Not Justice	10
Pell Grant Restoration	10
Supreme Court ruling	10
Parole Bds: Secret Society?	11
Welcome Home, Michelle!	11
Asante (Thank You)	12

Missouri CURE’s Prisoner Health Committee continues to collect and document evidence of medical neglect/ malpractice/civil rights violations for future use in a broader context.

Missouri CURE

Executive Board:

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

Committee Coordinators:

Maria Rubin: Finance
 Alton Bey: Outreach
 Angelika Mueller-Rowry: Prisoner Health
 Ruthann Dunn: Special Communications

Advisory Board:

Ruby Atkins	Michelle Dodson
Kevin Hammerschmidt	Damon Johnson
Dolores Owen	Patricia Prewitt
Roosevelt Price Jr.	Michelle Smith
Jon Marc Taylor	David Ware

Special Liaisons:

- Mary Hutchison, Empower Missouri CJTF
- Curtis Johnson, Kansas City CJTF
- Bev Livingston, Mothers of Incarcerated Sons and Daughters (MISD)

Youth and the Parole Board from Professor Mae Quinn

The Juvenile Law and Justice Clinic (JLJC) at Washington University School of Law may be able to accept a very small number of youthful offender parole review cases for representation during the 2015-16 school year. The Clinic will consider applications for representation under the following circumstances:

1. *The alleged crime occurred in St. Louis City or St. Louis County;*
2. *The alleged offender was under 17 at the time of the alleged crime;*
3. *The parole hearing is scheduled for some time in 2015-16 (please send documentation to confirm); and*
4. *You are not currently represented.*

For your own benefit and protection, please do not include lots of facts about the alleged incident, your trial, etc., when writing to ask us to consider representing you before the parole board. That is the kind of information we would seek later - if we take a case. Instead, please answer only the above questions AND provide this additional information:

1. *Charges/crimes of conviction; and*
2. *Sentence being served.*

Requests for representation must be made directly by the impacted inmate in order for us to possibly take action and sent by US Mail to:

*Professor Mae C. Quinn
 Director, Juvenile Law and Justice Clinic
 Washington University School of Law
 One Brookings Drive, Box 1120
 Saint Louis, MO 63130*

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.

Re-Entry Resources in St. Louis

Project Reconnect is a program for returning men and women who have **maxed out**. This is a collaboration between the Center for Women in Transition, Provident, Criminal Justice Ministry and the Employment Connection, funded by the City of St. Louis.

You must be a St. Louis City resident and have within 12 months been released to the City from custody and/or supervision of the Missouri DOC. If incarcerated you must have been a City resident immediately prior to incarceration or are being released to the City.

Each participant will be matched with a collaborating agency and case manager. The case manager will provide guidance and encouragement, and will assist participants with connections to resources, such as housing, utility assistance, transportation, substance abuse treatment, medical services, and clothing. The case manager will also work directly with Employment Connection, which will offer its World of Work program to all participants not already employed or receiving income through other sources, including financial literacy education through a partner, and connection to a Career Specialist. All four partners will work collaboratively to provide multiple supports to promote each program participant to self-sufficiency.

Start Here is a comprehensive Re-Entry Resource Guide for the St. Louis area published annually by a Buddhist group called Inside Dharma. For a free copy write to: Inside Dharma, P.O. Box 220721, St. Louis MO 63122; phone is 314-726-2092; email: startherestlouis@gmail.com.

Gov. George Ryan Speaks at MADP Event *by Hedy Harden*

Missourians for Alternatives to the Death Penalty held its Annual Event in St. Louis on June 13 at Favazza's Restaurant on the Hill.

Our keynote speaker, former Gov. George Ryan of Illinois, received a standing ovation for his courage and statesmanship. Ryan commuted the sentences of all those on death row in 2003 after finding the death penalty process in Illinois irretrievably broken.

Gov. Ryan talked about the events that led to his opposition to the death penalty in Illinois. At first he believed in the death penalty and saw no reason to question it. However, around the time he took office it was revealed that Chicago cop John Burge had been torturing capital punishment suspects to get confessions, using electrical devices, burning them with cigarettes, and using partial suffocation.

Eventually 9 Illinois death row prisoners were exonerated. One he particularly remembers was Anthony Porter, a mentally challenged black man, who was finally freed after spending 15-16 years on death row. This occurred one month after Ryan became Governor.

It was discovered that one judge was accepting bribes as well as issuing extra heavy sentences to those who didn't try to bribe him.

The first time Ryan himself was asked to sign execution warrant, it was for a man who was part of a cult that was torturing and killing women. He signed the warrant, still not questioning the death penalty at that time.

However, gaping flaws were soon revealed in an expose' by the Chicago Tribune: Of those on death row in IL, 33 had been represented by attorneys who were later disbarred; 46 were convicted by the testimony of jailhouse snitches; and 10 had been tortured by Officer John



Former Illinois Governor George Ryan

Burge into confessing.

The Tribune concluded that the Illinois death penalty system was so riddled with bias that it was simply not credible.

In January 2000, out of 25 about to die, 13 had been exonerated. At this time Ryan declared a moratorium, which had never been done before by a Governor in the U.S. He established a commission and instituted a panel to study the death penalty system in Illinois. At that time there were 167 men with clemency requested.

Soon the number of exonerations reached 18, with 14 of them having been convicted due to snitches.

The father of Ryan's next-door neighbor was a former Illinois Governor who had been kidnapped and buried alive. When Ryan decided to clear death row, his stance permanently severed the relationship between him and his neighbor.

When the Governor's commission released its report, it described the promises made to snitches for false testimony. It described the lengths gone to in order to extract false confessions; for example, a 16-year-old kid named Gary had been interrogated for hours without food, etc.

The Commission established 85 rules and regulations to change the death penalty laws, but only one of these eventually became law—one that requires confessions be recorded in order to be presented as evidence at trial.

The question before Ryan at that time was whether to pick certain cases or to commute them all. He determined that the system was hopelessly broken and a piecemeal approach would not work.

In January 2003, 4 days before leaving office, Gov. Ryan granted four outright pardons to those who had been tortured in the 1980s into giving false confessions, calling their cases "perfect examples of what is so terribly broken about our system."

In addition, he commuted to life without parole the sentences of all the rest of those either on or waiting to be sent to Illinois death row. ♦



MADP board members. Seated (L-R) are Rita Linhardt, Hedy Harden and Rev. Paul Jones. Standing (L-R) are Margaret Phillips, Rob Schaeffer, Wiley Miller, Cathleen Burnett, Jeff Stack (lobbyist), Rev. Cassandra Gould, Donna Walmsley, Laird Okie, Denise Carpenter, Edward (Bob) Ronan and Sr. Ellen Orf. Not pictured: Mustafa Abdullah, Rev. Susan McCann and Zenobia Thompson.

The annual event included a board meeting prior to a delicious lunch, which was followed by Gov. Ryan's speech. Spotlight awards were presented to Gov. Ryan "for his tremendous leadership in emptying Illinois' death row" and to Luke Barber who "has displayed remarkable courage and determination in opposing the death penalty. His persistence in reaching out to the Governor of Missouri acts as an inspiration to us all."

The program ended with election of board members.

25 years of CURE in Missouri
Celebrate!



Scenes from July 1 Black & Green forum in St. Louis.



Rev. Elston McCowan



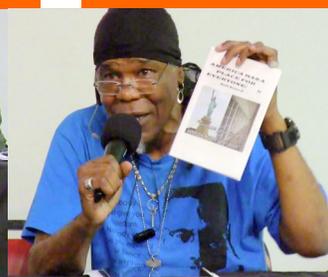
Angie Mueller-Rowry



Caroline McGinness



Atty. Randall Cahill



Keith Brown El

A Sensible Approach to Criminal Justice Reform

by Caroline McGinness, Co-founder www.End85.com

During the 2015 legislative session, House Bill 657 aimed to revise the mandatory minimum sentences of first time offenders of first degree robbery and first degree assault from 85% to 50%. The bill made it all the way to debate on the floor of the Missouri House of Representatives. Why didn't it include other crimes? Why didn't it make it any farther? I am going to tell you.

I have spent days at the Missouri Capitol Building talking with legislators. The reality is, we live in a very conservative state. This past election cycle gave conservatives an even tighter hold on the power in our state government. Legislators tend to be cautious, especially when it is a hot-button topic that involves public safety. In the past, the mandatory minimum reform bills that were sponsored made it an "all or nothing" proposition that included every dangerous felony. Lawmakers, when faced with that choice will always answer "then nothing." If reform, meaningful, worthwhile reform, is going to happen, it cannot be approached in the same old way.

At End 85%, we listened to what the lawmakers' concerns were. From those conversations, it is clear there are some crimes they are not yet prepared to consider for reform. Lawmakers are willing to look at reform for first time offenders of robbery and assault. We are, after all, the Show Me State. Legislators want to see that reform is safe for the public – and safe politically for the legislators. Fair or not, it is the system we are dealing with.

Why didn't House Bill 657 make it off the House floor? There was confusion in the minds of legislators that this was another one of the same bills from the past. Legislators loudly and vigorously expressed fear and concern over certain crimes being included in the bill, and they would not even listen to what HB 657 actually dealt with. We feel that with added clarity in the mission of this effort, a new sponsor, and growing education, we can get a bill like 657 passed this coming session.



I know many of you reading this are not covered by this legislation. That does not mean you have been forgotten. However, it is not right to have the 1,850 individuals who would qualify for review for parole at 50% to remain in prison any longer than they have to simply because the bill doesn't cover everyone. Success with this reform will lead to consideration of other reform efforts.

At End 85% we welcome your support.

Working together we can raise public awareness and bring criminal justice reform to our state. It won't happen all at once, but revising the 85% mandatory minimum law is a solid step in the right direction.

Have your family members and friends join our registry at www.End85.com so we can contact legislators on their behalf. We also have an active Facebook page called End 85%. Together we can bring about needed change to the system. ❖

Abolition and Private Prisons

Keith Brown El's Interview with Mr. Max Parthis July 22, 2015

This is Keith Brown El from KKFI 90.1 FM Kansas City community radio, also vice-chairman of Missouri CURE. I'm on the phone with Mr. Max Parthis from New Abolitionists radio in South Carolina, talking about the 13th Amendment exception to the United States Constitution and how it relates to private prison industrial complexes that are rapidly spreading all over America.

Max Parthis: I am the co-host of New Abolitionists Radio on Black Talk Radio Network. It's a black voice for black issues. The program that I am on, we talk about modern day slavery and human trafficking, which exploits the 13th amendment of the United States Constitution by using an exception clause to abolishing slavery resulting in the largest prison population in the history of the world. It's worth somewhere around 2 trillion dollars if you add in the drug war.

Our main purpose is to educate, agitate and enlighten people. I do a lot of research to find facts about what's going on so we don't have to give people what we think or what we assume; we tell them what it is.

Keith: What has been the response to your initiatives?

Max: Well, one example would be the President speaking about what's happening in the prisons and being the first President to

ever visit a prison—when he's been President for two terms now and he's never said much of anything about it before. We have helped to bring the voice of the people to the forefront regarding this issue and now they demand that their leaders speak up on it. So without that voice he would have never said anything. The same thing applies to many of the other people in political power who are now coming out and talking about it, not just the prison system itself but the history of slavery as well. And for us that's a good thing because it can only lead to a full awareness of where we are right now.

This beast we call modern-day slavery and human trafficking has to die by a death of a 1000 cuts, meaning people have to play their part no matter where they're at, whether it be politics or in the streets. Several organizations which we

are allied with like Columbia Divest have had major victories. Columbia University pays tens of millions of dollars into the construction of private prisons, and this is a center for education which should not have any money involved in how many of their students go to jail. And these kids—they took 18 months fighting against it and finally got Columbia University to start divesting in private prisons.

We did the same thing working with the teachers union which is now trying to divest from private prisons. The teachers union has collectively almost 100 million dollars invested in the construction of private prisons and the teachers didn't even know it because it's in their 401(k) plans and their retirement plans. They don't check where their money is going through investments with companies like the Vanguard group, but we did. Now, because of that, the prison industries have started to lose considerable amounts of money.

Keith: Well, the last time I checked nearly every major corporation in the United States has some type of investment in private prison enterprises.

Max: You are absolutely right. And many

international companies use prison slave labor services and goods as part of their daily practices and sales. Companies like McDonald's, Burger King, Starbucks, Walmart and even Verizon, which has call centers built into prisons. In 2013, thirty-seven states passed legislation that allowed private industry to use their labor forces within the prisons. And in California they have 70 factories right inside different prisons.

One of the biggest events that has occurred is a meeting I had in Columbia SC with the Quakers. As you know the Quakers were historically allies of abolitionists when it came to ending slavery. And once again we join forces and we are working on that right now. I think the most reasonable goal that we can accomplish in this whole process is to take the leg they stand on out from

underneath them, and that would be the 13th amendment exception clause. So we are working on that as well as working on either removing the same exception clause from individual state constitutions or inserting anti-slavery language which would make it illegal for these private

prisons to operate within the national borders, and then we can ban private prisons from the United States period. I think we could even go further than that if we could not only ban them, but hold them accountable for the crimes which they have committed: seize assets, lands and all their moneys and take that and use it to restore communities that were destroyed by these prisons, and then we will work on the federal prisons

themselves after that.

Keith: Let's talk about the 13th amendment.

Max: The 13th amendment is supposedly the linchpin that freed us and abolished slavery. But it was a betrayal by Abraham Lincoln, where he and Congress—in particular South Carolina congressmen at that time—inserted the exception clause for prisoners. **Immediately after that period, they transferred the ownership of human beings from the individual private owner to state hands via the prison industry.** And rather than call them slaves they simply started calling black people criminals and they criminalized everything they did. I'm sure you are familiar with the black codes? Well that type of environment has continued on all the way up until 2015, where we steal or criminalize people who are being oppressed and then put them in cages for profit and make them work.

So it's not the 13th amendment itself but the exception clause, which is kind of like if you were to get married and you say until death do us part, except on Tuesdays. What if you promise somebody that you would even be in a monogamous relationship except for Tuesdays, or you say I never lie, except right now. See, there should be no exception in anything regarding abolition. Abolition means it's done; it's not coming back; it's over.

See Abolition—page 9



Nearly every major corporation in the United States has some type of investment in private prison enterprises.

Mizanskey's LWOP for Marijuana Reversed

On May 22, Gov. Jay Nixon commuted the sentence of Jeff Mizanskey, who was convicted in 1993 for marijuana and sentenced to life without parole.

Mizanskey was one of Missouri CURE's "Ten Most Wanted" (to be released) at our annual conference in September 2014. He is eligible for an immediate parole hearing as a result of the commutation.

Reached while on vacation in Florida,



Jeff's brother, Michael Mizanskey said: "I'm very emotional. I'm overjoyed he has a chance."

"In almost 22 years he had two write-ups, one for putting mail in the wrong slot and one for a messy floor. Tell me that's not a model prisoner. No fights, no nothing. Tell me that's not a model prisoner."

Gov. Nixon also announced that he has granted pardons to three men and two women who were convicted of relatively minor non-violent offenses.

Those given pardons were convicted of misdemeanors dating back to 57 years ago. They are Bill Holt (1958) for non-support; Earl Wolf (1961) for burglary/larceny; Doris Atchison (1970) for stealing; Michael Derrington (1979) for marijuana possession; and Nicole Lowe (2000) for stealing items valued at \$1.46.

Missouri DOC spokesman David Owen says Mizanskey's parole hearing date will be "sometime this summer." ❖

Empower Missouri joins in lawsuit

by Christine Woody

July 10, 2015. Out of concern that a potentially illegal process is being used to supply drugs for executions in Missouri, leaders from Empower Missouri (formerly MASW) have joined a lawsuit in Cole County Circuit Court challenging Missouri's lethal injection protocol. Signing on as plaintiffs are our Executive Director Jeanette Mott Oxford

and Mary Ann McGivern of our Criminal Justice Task Force. Additional plaintiffs presently include former State Senator Joan Bray and Rev. Elston McCowan of the NAACP.

Empower Missouri's Criminal Justice task force has been working to abolish, put a moratorium on, and study the

death penalty for many years. Being a part of this lawsuit, which addresses the lethal injection protocol for the death penalty in Missouri, is something Empower Missouri leaders feel is a necessary step in the death penalty advocacy process. For more information contact Jeanette Mott Oxford. ❖



Stats from Coalition to Abolish the Prison Industrial Complex (CAPIC):

- ♦ Missouri's crime rate is 17% higher than the national average (2013).
- ♦ Missouri's incarceration rate is 32% higher than the national average (2013).
- ♦ U.S. Census 2010: Number incarcerated per 100,000 in Missouri--Black: 2337, Native American: 687, Latino: 654; White: 495 (Calculated by the Prison Policy Initiative from U.S. Census 2010. Incarcerated populations are all types of correctional facilities in a state including federal and state prisons, local jails, halfway houses, etc.)

See their website at <http://www.capicstl.org>

CURE Requests End to Prisoner Gerrymandering

Charles Sullivan, President of International CURE, on July 9 filed a comment with the U.S. Census Bureau, on behalf of CURE and its U.S. State and Issue chapters, in response to the Census Bureau's federal register notice regarding the Residence Rule and Residence Situations, 80 FR 28950 (May 20, 2015).

International CURE urged the Census Bureau to count incarcerated people at their home address, rather than at the particular facility at which they happen to be located on Census day.

Addressed to Karen Humes, Chief of the Census Population Division, Charlie wrote (in part): "We are concerned about the U.S. Census Bureau's role, however

unintentional it might be, in tilting the US electoral system in favor of those who support mass incarceration and against those who seek a just criminal justice system."

"By counting incarcerated people as if a prison cell were their residence, the Census Bureau counts incarcerated people, who are disproportionately male, urban, and African-American or Latino, in the wrong place. When this data is used for redistricting, prisons inflate the political power of those people who live near them and dilute the votes of everyone else."

"Because International CURE believes in a population count that accurately

represents all communities, we urge you to count incarcerated people as residents of their home address in the decennial census."

Such a change would give a boost to impoverished communities whose citizens are incarcerated, rather than artificially inflating the power and resources of prison communities. Many of these small town populations are largely composed of prisoners who have no vote (yet pay taxes in Missouri) and receive no benefits as citizens, yet their numbers are counted when determining voting power and distribution of resources. ❖

A Busy Season of Struggle for Missouri CURE

May 6: Attended Black & Green forum and potluck sponsored by the United African Peoples Organization (UAPO) and the Gateway Green Alliance.

May 9: Angelika Mueller-Rowry (Angie) and Hedy met with Professor Denise Ward-Brown regarding Missouri CURE cooperation with production of Video-Documentary "Slavery 2.0".

May 16: Participated in International CURE Conference Call.

May 17: Collected signatures for the Initiative Petition at Lane Tabernacle Church in St. Louis.

May 29: Hedy (in KC May 28-June 3) met with several KC CURE members including former chair Dolores Owen.

May 30 and 31st: Keith and Hedy met with Brianna Peril and the Ida B. Wells Coalition, IWW, Occupy KC and Letters to Prisoners groups. They will make copies of the petition and collect signatures.

May 31: Met with Susan Lackamp, a community activist with Neighbors Helping Neighbors. She will collect signatures as well.

June 1: Keith and Hedy met with Rev. Dr. Vernon Howard, the new pastor at St. Mark's Union Church. Dr. Howard, who is also President of the Southern Christian Leadership Conference, was enthusiastic and agreed to collect signatures on the petition.



Scene from July 2 KC CURE meeting (LR: Shirley Paschal, Maureen Flynn, Tommie Powell, Clara Fuller and Ilea Lauber).

June 2: The regular monthly CURE meeting was held at the Bluford Library in KC. Bev

Livingston, head of Mothers of Incarcerated Sons & Daughters (MISD) announced that MISD would join in coalition with CURE. Rosilyn Temple, head of the group Mothers in Charge, was gearing up for a peace and justice rally in Washington DC. Keith and Hedy introduced the initiative petition, and several people agreed to collect signatures. Additional information was emailed to attendees along with minutes of the meeting. Missouri CURE's annual conference is slated to be held in St. Louis early in October. Our keynote speaker will be Jamala Rogers. Maureen Flynn and Shirley Paschal, who played huge roles in last year's conference, were in attendance as well as Keith, Hedy, Kathy Franklin, Clara Fuller, Kim Curry, Stephanie Charles, Jeff Humfeld, Al Bey, Ogeal Hill, Tommy Powell, Carl Greer, Ilea Lauber—and Brianna Peril, who brought extra copies of the petition.

June 5: Back in St. Louis, Hedy met with members of the Gateway Greens at a gathering at the home of Angie.

June 6: Attended the Coalition to Abolish the Prison Industrial Complex (CAPIC) conference at UMSL. Hedy announced the petition drive and got signatures. CURE member Rita Mauchenheimer took a copy of the petition with instructions and said she would get signatures at her church.

June 7: Attended a stage performance of "Black & Blue" at Greater St. Mark's Church in Ferguson. We were welcomed there by State Rep. Tommie Pearson, pastor of St. Mark's.

June 10: Attended special Gateway Greens meeting at home of Don Fitz, collecting signatures on petition.

June 13: Attended the MADP Annual Event at Favazza's Restaurant on the Hill and heard from keynote speaker former Illinois Governor George Ryan. Hedy spoke with Montague Simmons, director of OBS, about the Initiative Petition, and he said that OBS will support it.

June 15: Keith was interviewed on KKFI radio's Jaws of Justice in Kansas City.

June 22: Joined KC Freedom Project at Jackson County courthouse protesting wrongful convictions.

June 29: KC CURE Meeting at Bluford Library 6-8 PM

July 1: Keith (in St. Louis July 1-7) spoke and gave video presentation at Black & Green forum in St. Louis on 21st Century torture (see photos).

July 4: Keith & Hedy met with Angie.

July 18: Hedy & Angie took part in NAACP Resource and Legal Forum at WERDCC. We were welcomed by NAACP President Judy Pickens. Other guests included Barbara Baker and Stefanie Moore of the Center for Women in Transition (CWIT); Rev. Madeline Coburn; Blake Lawrence, Chief Counsel for Sen. Jamilah Nasheed; and Shantel Fisher of Soul Fisher Ministries, who spoke for Sen. Nasheed. Much good information was disseminated.

July 27: KC CURE Meeting at Bluford Library 6-8 PM

August 1: Attended CAPIC meeting in St. Louis.

Upcoming: August 7 STL CURE Meeting (Take Back the Vote) at U. City Library; August 31 KC CURE meets at Bluford Library 6-8 PM, 3050 Prospect; October 3 Missouri CURE conference—see page 12.

Freedom & the Exception: Mass Incarceration

by Joseph Williams, President, SCCC NAACP

It doesn't take a genius to see that the U.S. Criminal Justice System is broken. Even as the Justice Department and President Barak Obama express growing interest in "Smart on Crime" reform policies, there seems to be a steady trend towards finding an easy fix to a problem that goes back for decades. This problem is the over-criminalization of poor and minority communities.

The U.S. has the world's highest rates of incarceration. Reports show that the omnibus crime bill and mandatory minimum sentencing policies of the 1990s were politically driven and have proven to be ineffective at reducing crime or increasing public safety. In fact, tough on crime sentencing policies have done more to further decimate these already disadvantaged communities than they have done to help them. This is largely due to the fact that prisons around the country have become profit-driven enterprises rather than institutions of rehabilitation and redemption. By continuing to support the over-criminalization of poor minority communities for the enrichment of individuals and communities largely unaffected by crime, the U.S. in fact supports slavery and mass incarceration.

On the other hand, we now have the opportunity to explore and revisit the strategies that were once used to change some of the ugliest policies and laws in this nation's history.

The more things change, the more they remain the same.

Volumes of text have been produced in recent years that expose the abysmal failure of the criminal justice system. In her groundbreaking book, *The New Jim Crow*, Michelle Alexander reveals: "As recently as the mid-1970s, the most well respected criminologists were predicting that the prison system would soon fade away. Prison did not deter crime significantly, many experts concluded." She also observed that, "Those who had meaningful economic and social opportunities were unlikely to commit crimes regardless of the penalty, while those who went to prison were far more likely

to commit crimes again in the future." Thus, prison itself has been shown to cause or increase crime.

Indeed, recent reports by the Sentencing Project: "A Tale of Three States," explains that prisons themselves may produce criminological effects. That is, longer stays in prison may lead to higher rates of recidivism, in part due to the challenges of maintaining ties with family and community. In addition to this, a 1999 analysis of prisoner studies over four decades found that "longer sentences were associated with a modest increase in recidivism."

It is important to note that current massive incarceration rates are not a result of increase in crime, but rather a reflection of policy decisions by lawmakers in the 1990s.

The following are clear examples of policies that have created the current mass incarceration trend in the U.S.:

- ◆ Longer prison sentences resulting from mandatory minimums such as 85%, mandatory life without parole (LWOP) for certain crimes, and other enhancements;
- ◆ The removal of prisoner access to meaningful education programs, such as through the abolishment of Pell Grants for prisoners;
- ◆ Higher standards of appeal resulting from the Anti-Terrorism and Effective Death Penalty Act (ATEDP) of 1996.

These punitive policies are now costing taxpayers \$80 billion (in 2012) and Missouri taxpayers \$620 million (in 2014).

A closer look at the history of some of these policy decisions provides an even more compelling argument for criminal justice reform as it relates to

public safety and crime prevention.

In the late 1960s the Federal Government was forced to address the reality of racial disparities in education, employment opportunities and fair housing. Central to this admission was the rise of the Civil Rights movement throughout

the country. One of the most important components of this admission was the decision to provide Government funding to address poverty and structural inequality in minority communities. Much of this funding took the form of social programs designed to train and to educate those underserved communities.

This change in policy gave the African American community a sense of accomplishment that enabled them to feel as if they had gained some footing in the struggle for Civil and Human Rights.

But by the 1980s President Ronald Reagan would implement drug war policies which in turn would redirect the above-mentioned funding away from the inner city social programs and into law enforcement agencies.

Keep in mind that at the start of the drug war there really wasn't a drug problem in America. There was, however, a rising rate of unemployment within inner city areas. With these two components firmly in place, the media began the campaign of portraying African Americans as welfare queens, drug addicts and drug dealers. This provided a catalyst for the criminalization and systemic incarceration of millions of low-level offenders across the nation. As jail and prison capacities expanded, lawmakers bolstered the "tough on crime" rhetoric. In 1994, during the Clinton administration, mandatory minimum sentencing policies expanded America's prison enterprise beyond anything the world had ever seen. Two decades later this nation held more than 2,000,000 of its citizens in prisons across the country. State budgets are strained as corrections spending has



Abolition—from page 5

Keith: Are private prisons the only thing you're targeting at this time or is it your goal to try and eventually abolish all prisons and if that is the case what would we replace these prisons with?

Max: Well we consider private prisons the weak link because of their pure unadulterated greed. A lot of these private prisons are being sued left and right now under RICO charges as well as for constitutional violations. So we think that is the domino effect we can work on.

Now as for abolishing all prisons is concerned, no I don't personally believe that all prisons need to be abolished. I think that based on our research somewhere around 18 to 22% of prisoners are actually people who should be separated from society. But that is a small portion of prisoners when compared to the entire prison population. So we are functioning right now in California with 33 prisons, for instance, when we should only have two.

Keith: I've been concerned, and I'm quite sure there is great concern by many people across the country that are being affected by the rash of police killings of black people.

Max: Well, I try to keep it simple. I'm a simple man and I don't try to get too convoluted with how I understand things. I see the system as slavery and hence I expect for the slave catchers to have a slave catcher mentality, where they would do things to people, like they did to Sandra Bland recently that should not be done at all. Where if you dare to question their authority, like saying "Why do I have to put my cigarette out when I'm in my own car?" then they feel they need to humble you at that moment, which is what slave catchers would do, that they need to "teach you your place" and then start acting violently towards you if you dare to question their authority. So we see police departments of today as slave catchers, we see the prison guards and probation officers, so on and so forth, as overseers. It's an easy comparison to make once you accept the fact that slavery never ended.

As for as a rash of killings of black people by law-enforcement agencies, I don't think it's a rash; I think what we have instead is a rash of awareness, but not a rash of criminality. They've been killing us ever since we got

here off the first boat; it's nothing new. It's just that we have this technology now where everybody and his brother can capture it on video. And the more the technology expands and the more easily it's available to everyone, the more cases of these brutal moments you're going to catch.

Keith: What role do you feel like judges and prosecutors play?

Max: Well, let's just talk about the prosecutors for starters. Recently a report came out that shows 90% of all prosecutors are white and 79% of them are white males. So here we have this huge majority of white males consistently throwing people of African or Hispanic or indigenous descent into these prison systems. And the contrast to the 90 and 79 percent would be the number of people who are in jail right now waiting on trials. Ninety percent of them are black or Hispanic.

So you got this majority of white prosecutors sending a majority of black and brown people to these prisons. And the way that they do that is through these plea-bargains. Ninety-seven percent of all federal felony cases and 94% of all state felony cases end in plea bargains, so the prosecutors get these black and brown people before them, and they stack felony charges against them. They threaten them with lifetimes of imprisonment and they make them admit guilt to things that they had never done in order to get a lighter sentence, and this is happening over and over and over again. So those prosecutors are a huge problem right now with these plea bargains. And when you think about those percentages, it clearly shows that the constitutional right to a fair and speedy trial does not exist.

And as far as judges are concerned, we've done our own research, particularly on magistrates across the United States who act as judges, and we found that they are not even required to have any legal background whatsoever, no legal education. In many cases they don't have any education. We've seen cases where they didn't even have high school education. One was a former rat-catcher, and when asked about how he handles his cases, which were handled in his living room, he

said "What I do is I just do what's right. I don't think much about the law." And, see, if we have these type of magistrates all over the country who are not educated enough nor have enough integrity to be judges of others...and here they're working out of places like garages, fish shacks. Here where I live, right down the street is our courthouse; it looks like a fish shack, quite literally. And every Thursday it's filled up with people that this magistrate just shuffled through like an assembly line. So the judges have a big problem amongst themselves when it comes to these magistrates across America. I think all judges and magistrates should be required to have some type of a legal background so that they understand the rules that they are supposedly representing.

Keith: Well, it's obvious, sir, that you have a lot of valuable insight into some of these problems we are facing. I'm probably going to have to let you go, because I know it's getting

close to the time for you to go on the air and do your own program, but I have immensely enjoyed talking with you and I do thank you very much!

Max: Okay, well, thank you brother. And I'll look forward to conversing with you more.

Keith: Oh, I will be in touch with you again, because we've got some of the same struggles and battles that you're fighting right now. We got it going on up here, and we try to network with other people who have the same interest in the causes we are trying to fight for.

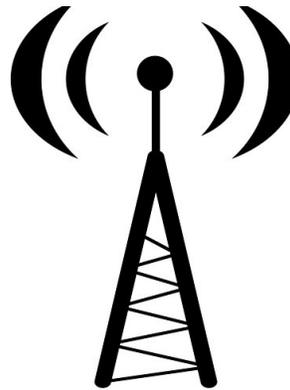
Max: You're talking about Missouri CURE?

Keith: Missouri CURE, Ida B. Wells coalition, MISD, KKFI radio—we've got a lot of groups that we are trying to pull into this thing.

Max: Absolutely. We've been sharing about Missouri CURE's efforts in trying to get signatures there (on the initiative petition).

Keith: Well, we certainly appreciate it.

Editor: This article was edited for length. The complete interview can be viewed on our website. ❖



Money is Not Justice

“Don’t congratulate us,” said Eric Garner’s mother, Gwen Carr, after New York City awarded the family \$5.9 million on July 13 following the chokehold murder of her son. “This is not a victory. The victory will come when we get justice.”

On Sunday, July 19, protesters observed the one-year anniversary of Garner’s death by renewing the call for federal civil rights charges to be filed against Officer Daniel Pantaleo, who put Mr. Garner in the illegal chokehold that led to his death. Police had accosted Garner on the street for selling

cigarettes. In December a Staten Island grand jury failed to indict Pantaleo.

A yearlong struggle for police accountability had culminated in three days of anniversary protests and memorials for Mr. Garner.

“I can’t breathe...”

Friday night’s protest march in Manhattan resulted in the arrest of about two dozen people, mostly charged with disorderly conduct. Speakers on Saturday, many from labor unions, also called for the renaming of General Lee Avenue

at Fort Hamilton in Brooklyn, New York City’s only Army base. This call was built on recent demands across the country to remove the names of Confederate leaders from streets and public buildings.



Hundreds of people joined the anniversary protest rally Sunday on the lawn of the federal courthouse in Brooklyn.

Sunday’s rally was sponsored by the Rev. Al Sharpton’s National Action Network. Sharpton credited the widespread protests with hastening the removal of the Confederate flag in South Carolina, where a white man was charged in the massacre of nine members of a historic black church.

E saw Garner, Mr. Garner’s widow, approached the microphone on a stage, sighed and said, “I can’t

breathe,” the same words her husband gasped 11 times while being restrained on a sidewalk.

Garner’s 23-year-old daughter Emerald told the crowd that events like this one were a fitting way to remember an outgoing family man. “My father always loved a big gathering, or a big family function,” she said. “That’s all we remember as children.”

The federal courthouse, the site of the rally, is immersed in the city’s history of police brutality. During a 1999 trial there over the torture of Haitian immigrant Abner Louima in a police precinct house, officers broke a longstanding code of silence and testified against Officer

Justin Volpe. Volpe was later sentenced to 30 years in prison for forcing the end of a broomstick into the rectum of Mr. Louima.

Gwen Carr, Mr. Garner’s mother, arrived at the July rally alongside the mothers of several other slain black men, including Lesley McSpadden, the mother of Michael Brown, who was shot dead by an officer in Ferguson, Mo. Ms. Carr asked the crowd to repeat after her, “No more members.” She added, “This club is full. It’s closed.”

Source: *New York Times* ❖

Obama to restore some Prisoner Pell Grants

President Obama plans to restore some federal Pell grants to prisoners in a plan to be announced on Friday, July 31 as part of a broader push to overhaul the criminal justice system. Pell grants cover up to \$5,775 a year per student in tuition, fees, books and other education-related expenses. They were taken away from prisoners in 1994 as part of the comprehensive “get tough on crime” laws enacted at that time. In 1993 prisoners received \$34 million in Pell grants, which is a miniscule percentage of the grants awarded nationally.

Missouri’s own Jon Marc Taylor, a member of our advisory board, fought relentlessly to get the grants restored for many years. Called by some “the most rehabilitated prisoner in America,” Jon has numerous college degrees earned in prison, including a doctorate. He was

active in many progressive causes while working on a second doctorate prior to suffering a major stroke last year, from which he is still recovering.

While some Congress Democrats have proposed legislation to lift the ban, Obama plans to use a provision of the Higher Education Act granting him authority to temporarily waive rules, such as the ban, as part of an experiment to study the effectiveness of the change.

Details of the new program are as yet unclear, such as which prisons and what classifications of prisoners would be allowed to participate, but it is expected to last 3-5 years to yield data on recidivism rates. Research shows unquestionably that prisoners pursuing such education are more successful when released and have greatly lowered rates of recidivism.

Hedy Harden ❖



Supreme Court

The Supreme Court has struck down part of a federal law that was intended to keep people convicted of repeated violent crimes in prison longer. The justices ruled that a catchall phrase in the Armed Career Criminal Act defining what crimes make a defendant eligible for a longer prison term is too vague. That law lists burglary, arson, extortion and the use of explosive as specific categories of previous crimes that can lead to a longer sentence. But then it also says a violent felony is a crime that “otherwise involves conduct that presents a serious potential risk of physical injury to another.”

Six justices agreed that the catchall phrase in the law is unconstitutional. Two others agreed only on the outcome of the particular case involved. *June 26, 2015 AP* ❖

Parole Boards: A Secret Society?

by Kathy Franklin

I was asked to summarize an article written by Beth Schwartzapfel for *The Marshall Project* that was published July 11 in the Washington Post.

I thought it was going to be easy, but as I read the nine pages of printed material, I realized there is so much I didn't know. It has me realizing that there are people on the parole boards all over the United States who are controlling people's lives—and they just don't care.

People are confined in prisons who have been sentenced by a judge or jury and who remain incarcerated even after their sentence is over, because parole boards are in charge and they don't have to answer to anyone. In 44 states the board is appointed solely by the governor, and the pay received is well worth the effort of just being on the board. There are a lot of politicians on these boards.



Keith Drone, a prisoner in Missouri, was denied parole 5 times. Following his parole hearing in January 2013, he was given an out date of June 2014, despite continuing victim opposition. Later the Board rescinded Drone's release date without any explanation and rescheduled him for another hearing in 2015. He had no prior criminal history, and when assessed, scored almost perfect: 9 out of 11. But still he was refused parole. He has finally been rescheduled for release in 2017.

Another Missouri inmate, Roosevelt Price, convicted of second-degree murder, was told by a parole board member, "I think you've been involved in other murders..." and was denied parole for something someone thought, with no evidence to back up this theory. Mr. Price had never been arrested for or convicted of any other murders. He has been a model prisoner.

Janet Barton worked as operations manager of the Missouri Board for 30 years. She became increasingly dismayed by how difficult it was for people with violent convictions to win parole, even after decades in prison.

She has since left that position. Barton was in charge of filling out the forms that give the board's decision—always a stock answer such as, "Release at this time would depreciate the seriousness of the present offense." But. She said, that was "not always the truth. Sometimes I'd make that crap up. The real reason," Barton said, was "we don't believe in parole for people like you."

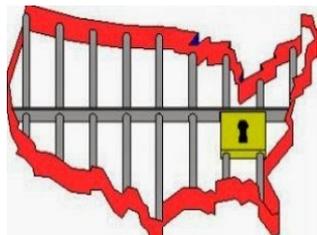
Members of the Missouri parole board declined requests for comments. Is the public losing confidence in the parole system? Read the article at: www.washingtonpost.com and search "parole boards." You can scroll down and find the article entitled: "How parole boards keep prisoners in the dark and behind bars." ❖

Freedom—from page 8

continued to consume funding, which only serves to perpetuate the cycles of violence and crime that prisons were supposed to be preventing.

How Mass Incarceration affects Children: the School-to-Prison Pipeline

According to recent reports, there are 2.7 million children in this country with incarcerated parents. The overwhelming majority of these youths come from poor communities ravished by violence,



lacking meaningful educational opportunities and programs. The effects of all the above statistics greatly increase a child's chances of becoming incarcerated within his or her lifetime. Although state spending on corrections has been on a steady increase since the 1960s, state spending on education has decreased. With all things

considered both economically and socially, we shall reap what we have sown—if we fail to rally for serious policy change in areas of criminal justice.

It falls to those most affected by crime and mass incarceration to lead the charge that will bring an end to this great injustice. Community leaders, organizers, members of the Faith Community, rally behind our call for an end to mass incarceration and mandatory minimum sentencing. It is your neighborhood, your youth, your community that is most impacted by these policies. It is in your name that lawmakers continue to unnecessarily incarcerate thousands of men and women who have been rehabilitated. It is in your name

that they continue to do nothing to improve your community while spending your hard-earned tax dollars on law enforcement instead of creating jobs and educational opportunities.

Join your efforts with those of other people affected by these policies. Help to bring about the change you seek: Criminal Justice Reform! ❖

Welcome Home!

Hello, my name is Michelle Smith, and I am in the process of reacclimation into society following my recent release after 3½ years of incarceration at the women's prison in Vandalia. That experience taught me so much about myself, the law, and what I came to know as the criminal "injustice" system. Through my first-hand experience, I gained a unique and valuable perspective into our broken system.



My goal is to use that hard-won knowledge to advocate for actual justice—including in criminal legislation, the return of and enforcement of civil rights, inmate treatment/prison conditions, and finally the unjust, unequal and outright prejudicial treatment of defendants within the court system. I look forward to providing my time, skills and dedication to the CURE organization in working towards accomplishing these goals.

(Michelle is a member of CURE's Advisory Board who has been active in the NAACP at WERDCC.) ❖

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



Celebrate 25 years of CURE in Missouri! Missouri CURE's Annual Conference will be held Saturday, October 3 at First Presbyterian Church, 7200 Delmar in U. City (St. Louis County) from 10 AM to 4 PM. Admission is free and lunch will be provided. For more details, follow us on Facebook or check our website.

Help Stop Mass Incarceration—and CURE the Madness!

MISD Meeting Notice

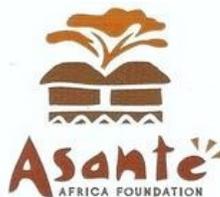
MISD (Mothers of Incarcerated Sons & Daughters) monthly Meeting **Saturday 9/12-Noon** till 1:30pm at Waldo Library, 201 E. 75th St. KCMO: Jackson County Family Court introduces the Community Accountability Board Opportunity. **ALL are INVITED** to MISD meetings, the 2nd **Saturday** of each month.

“For the first time in half a century there appears to be bipartisan support for changes in police practices, drug decriminalization, sentencing, and the use of solitary confinement.” July 17, 2015 New York Times

Thanks so much to the following people who donated to Missouri CURE:

Randall Barker, Jose Crespo, Maureen Flynn, Curtis Johnson, John R. Jones, Joami Ray Kindall, Mitchell Martin, Anthony Norwood, Jackie Tate, Mona Williams and Morris Williams El.

Special thanks to the NECC NAACP for its gift of \$100.00, to the SCCC NAACP for its gift of \$200.00, and to Action Mailing Corp. for generously contributing the printing of this newsletter. We couldn't make it without you!



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 \$ _____

New Member Renewal

Make checks payable to Missouri CURE.

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