

Turning Point: The Newsletter of



Citizens United for
Rehabilitation of Errants

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From the Chair:

by Hedy Harden

A Second Chance, A Better Way

The many problems in the criminal justice system are evident. Despite plunging crime rates, imprisonment rates have skyrocketed. Between 1990 and 2005 Missouri's prison population doubled. The more than 30,700 prisoners now cost the state over \$615 million every year.

We have too many people in prison for too many years, with too little hope. For parolees, there are too few jobs on the outside, and release is to the same sad streets full of poverty, racism and drugs.

In a recent public forum, DOC Director George Lombardi said that he has seen Missouri prisons become a *de facto* mental health system. Thousands of mentally ill people who had no help or treatment on the outside make prisons often seem like madhouses.

There's a big attitude problem in society. Besides the "us vs. them" of the haves vs. the have-nots, there's the attitude of those on the outside vs. those inside. Crime itself is viewed with skewed lenses. By far, the most expensive crimes are committed by white collar criminals, especially the high rollers. Yet these high class criminals rarely go to prison. If they do, it's for shorter periods and in less restrictive venues.

For the underclass, powerlessness often leads to crime. Being born into poverty, with poor education, with no expectation of living the "American dream," and witnessing violence from a young age, too many precious young lives are lost. Children who grow up victims of drugs, gangs and violence too often spend their lives in cages isolated from society. The loss is tragic for these young people and their families. The loss to society is devastating. Instead of bright creative minds contributing to the progress of our

communities and our world, we pay big bucks to build more cages and pay more people to guard those inside.

Caged youngsters age and become more bitter when hope is withheld. Growth is inhibited – physically, mentally and emotionally. Instead of being challenged to perform and progress, they are confronted daily with high-level stress and trauma. Multitudes of minds and bodies are wasting away, while we on the outside pay for it—financially, morally, and as a society.



Exremely long sentences are unproductive. Those requiring 85 percent of the sentence be served before consideration for parole provide no incentive for prisoners to strive for improvement until they get close to that 85 percent mark.

Many other prisoners are being treated as if they were "85 percenters." Once the truth-in-sentencing legislation was passed in 2004, judges began issuing shorter sentences, knowing that virtually all of the time would be served. But many who were already imprisoned with longer sentences are now being held to the same standards by the parole board.

We applaud the governor's task force which seeks to revamp the criminal justice system. But so far all we have seen are attempts to reform laws for those already on probation and parole. This could be a starting point, but there doesn't appear to be a desire to go any further.

There is a desperate need for reform of parole policies themselves. People who have languished in prison for decades deserve another chance for a life on the outside.

See Second Chance—page 6

Winter 2011-2012

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Mickie Perry

(January 22, 1952 to October 4, 2008)

Mick was street-sharp, foul-mouthed,
Man-tall, model-pretty, stylish,
Big-hearted, and wired with raw emotion.

Loyal as a pitbull, she would draw fists for me,
Curse like a pissed-off pirate for me,
And even steal for me, if need be.

Her temper was hair-trigger, as huge as her love,
But anger was her most comfortable emotion;
A fierce self-described Captain Save-a-Ho,
Except when it came to saving herself.

Twenty years ago that city gal made fun of my honesty,
While this cowgirl was put off by her vulgarity,
But we grew as sisters bonded by love and respect,
Even when she called me a John Boy fuckin-Walton.

Mick taught me to use the f-word,
To embroider it creatively between syllables,
Adding color and texture:
Un-fuckin-believable,
Insta-fuckin-gator
Sancta-fuckin-monious

Her fragile childish innocence had been mutilated
By the men who should have protected her
This unhealed hurt was too painful to endure,
Even after 50 years—
Without mother's numbing little helper.

Heroin owned Mick;
He only released his death grip
When she was safely locked up with me.
Saturday Heroin killed her in Saint Louis
And discarded her body like garbage on the street.

But Heroin can't kill the spirit of Mickie;
She's woven into my soul and
Alive with me for-fuckin-ever.

Patricia Prewitt
October 6, 2008

A New Addiction

by Laurie McNail

I have been an addict since the age of 18. I am now 42. I'm here in the Vandalia Department of Corrections for the third time. I decided it was past time to make a change. I have always been an active person enjoying sports and exercise. So when the opportunity arose to study and become a certified aerobics instructor, I jumped at the chance.

With the help and knowledge of other certified instructors (also inmates), it took six intense and vigorous months, but I did it! I am teaching classes and loving every minute of it. I know in a year and a half when I go home, this will be my new addiction. So thank you to those who make a difference. ❖

Please welcome Patricia Prewitt, the newest member of Missouri CURE's advisory board.



Patricia writes software and eLearning modules, is an AFAA-certified fitness instructor and trainer, is a founding grandmother of the prison 4H club, writes for the prison newsletter, and is longtime cast member of Prison Performing Arts at WERDCC. She's 62 years old and has been incarcerated since 1986 serving Life With No Parole for 50 Years.



- ◆ Thanks to all those who sent information about developments and programs existing in Missouri prisons. We appreciate your input!
- ◆ Thanks also to all those prisoners who sent holiday cards to Missouri CURE – we appreciate your thoughtfulness!
- ◆ As an additional note, we have been sending Turning Point to all the prison librarians. Please let us know if your library does not have a copy. ❖

EBB Newsletter

To request to be put on the mailing for the free *Education Behind Bars* newsletter, prisoners may write:

Education Behind Bars Newsletter
P.O. Box 69
Berryville AR 72616

Online Petitions worth Signing

There are now three petitions that we're aware of seeking to change the 85% laws; here are the links:

- 1) www.thepetitionsite.com/204/support-the-reduction-of-mandatory-minimum-sentencing-in-the-state-of-missouri/
- 2) www.thepetitionsite.com/253/please-help-get-rid-the-85/
- 3) www.thepetitionsite.com/1/repeal-missouris-85/

Stellar Performance by Prisoners At NECC

by Hedy Harden

Debbie Herald and I joined a packed house February 2 at NECC in Bowling Green. Under the expert direction of Agnes Wilcox, prisoners of the Theatre Project put on a masterful performance of *One Flew Over the Cuckoo's Nest*.

After the show, the audience and the actors asked each other questions and mingled informally. Attendees who had witnessed many professional stage plays remarked that the men's performance ranked right up there with the best. The second act will be presented in June or July, and we look forward to attending.

The Story—Act I:
Free-wheeling Randall McMurphy played crazy to avoid a brief jail sentence and opted instead to do his time in a loony bin. Once there, he upset the smooth running of the head factory and got the other inmates to thinking about rebelling. They challenged anal Nurse Rached, who ran the place, and finally broke through her calm facade.

On January 23rd the Vandalia Women's Theatre (WERDCC) performed Shakespeare's *The Tempest*. CURE member and new advisory board member Patty Prewitt played the monster Caliban. Wilcox' goal is to expand Prison Performing Arts to all prisons in Missouri. ❖



is a 21-year-old arts program serving incarcerated adults and children at St. Louis City Juvenile Detention Center, Hogan Street Regional Youth Center, Northeastern Correctional Center (NECC) in Bowling Green MO and Women's Eastern Reception, Diagnostic and Correctional Center (WERDCC) in Vandalia MO.

Prison Performing Arts involves incarcerated youth and adults in the performing arts to inspire intellectual curiosity and personal development, nurturing the discipline, teamwork and communication skills necessary for successful re-entry into society. They encourage members of the larger community to connect personally with program participants and offer continuing programs for participants who have been released.

Agnes Wilcox of PPA



Brain Injury Rate in U.S. 7 Times Greater among Prisoners

According to the Scientific American, prisoners suffer disproportionately from past traumatic brain injury (TBI). Research showed that about 60% of prisoners have had at least one TBI. Such injuries can alter behavior, emotion and impulse control, keeping people in prison longer and upping the chances of recidivism. Treating this population can help them reintegrate into society and avoid re-incarceration.



Concussions are the most common type of brain injury. One hard knock, says Katherine Harmon in her February 6 article, can cause lingering symptoms. Each year some 1.7 million civilians will suffer an injury that disrupts the function of their brains, qualifying it as a TBI. Although about 85% recover within a year, others may have headaches or increased irritability that get in the way of everyday functioning.

Many of the behavioral issues that result from a TBI are due to the nature of the impact itself. In an accident or

altercation, the brunt of the blow is often borne by the front or top of the head—right around the frontal lobes where behavior is regulated.

Cognitive rehabilitation therapy is one important tool. It aims to help TBI sufferers make better-informed choices and to improve memory.

Brain injury also increases the likelihood that people will have other mental health troubles, including substance abuse. These habits can also cloud the memory of past brain injuries a person may have suffered. A TBI can also make traditional rehab programs less effective due to reduced mental processing speed and memory challenges.

TBI can lead to attentional and memory deficits as well as increased anger, impulsivity and irritability—all of which do not mix well with the world of prison.

Brain injuries can be difficult to diagnose. They may be occurring along with other mental health conditions—and no two brain injuries are alike.

“Two people can have the same injury and have a totally different set of impairments,” says Wayne Gordon,

professor of rehabilitation at Mount Sinai School of Medicine. “One can be fine, and one can be not so fine—but we don't know why that is yet.”

Differing response, he suggests, may be due to a combination of factors including skull thickness, the magnitude of g-forces involved in the impact, or past history of more minor, less than concussion injuries.

Many people are unaware of injuries that they might have sustained when they were babies or young children.

As with many other issues, early intervention is key. For those who have suffered TBI, the average age of the first such event was 14. Identifying and assisting individuals early can prevent behavioral issues and substance abuse altogether.

Efforts are being made to treat juvenile offenders with TBI cognitive therapy, teaching them to be in touch with their own sensations and activities, to stop and think before acting, to consciously make a choice and then evaluate whether it was the correct one. Youth treated by this program showed a fivefold reduction in recidivism. ❖

2012 Missouri Legislative Bills

Senate Bills:

SB 445: Establishes a Joint Committee on the Missouri Criminal Code to be composed of senators, house members and representatives from the Attorney General's office, the state Public Defender System, victims of crime, the Governor's office and the Missouri Supreme Court (Goodman). **SUPPORT**

SB 446: Adds drug courts to the list of purposes the county commission may fund with money from the county law enforcement restitution fund (Goodman). **SUPPORT**

SB 518: Allows the DOC to establish a 3-year pilot program in which judges in participating counties may send a criminal offender, upon a motion by a prosecutor, to the DOC for 120 days for mental health assessment and treatment. The victim must be given notice and an opportunity to be heard before the judge rules on the motion (Engler). **OPPOSE** (hearing conducted 2/20/12)

SB 556 Allows suspended imposition of adult sentence for juveniles who have pled guilty or been convicted as adults (Curls). **SUPPORT**

SB 559: Allows petitions for expungement of certain criminal records (Curls). **SUPPORT**

SB 699: Modifies laws relating to criminal offenders under the supervision of the DOC (Goodman). **SUPPORT**

SB 732 Makes punishment for trafficking cocaine the same whether the substance is powder or crack (Curls) **SUPPORT**

SB 786 Death Penalty Comparative Cost Study (Keaveny) **SUPPORT**

SB 823 Allows the Board of Probation and Parole to conduct hearings by videotape (Munzlinger). **OPPOSE**

House Bills:

HB 1057: This bill requires any inmate receiving an on-site medical examination or treatment from the correctional facility's medical staff to be assessed \$1.50 per visit (Brattin). **OPPOSE**

HB 1067: Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole (McGhee). **SUPPORT** (Assigned to Crime Prevention Committee)

HB 1136: Prohibits any person from smoking or using tobacco products in any area or on the grounds of a state correctional facility beginning July 1, 2013 (Molendorp). **OPPOSE**

HB 1142: Changes the requirements for the use of private probation services (Gatschenberger). **OPPOSE**

HB 1175: Requires certain offenders 60 years of age or older serving a sentence of life without parole for a minimum of 50 years to receive a parole hearing (Lair, Fisher). **SUPPORT** (Public hearing completed 2/15/12)

HB 1185: Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry (Parkinson, Kelley). **OPPOSE**

HB 1220: Requires the Department of Corrections to establish a two-year pilot project to increase the access that children have to their incarcerated mothers (Hubbard, Nasheed). **SUPPORT** (Rules Committee reported Do Pass)

HB 1223 Proposes Chain Gangs, Hard Labor

House Bill 1223 is a particularly malicious bill that may easily go unnoticed. The summary merely says, "Changes the laws regarding certain policies and practices in correctional facilities." Sponsored by Rep. **Rick Brattin**, the bill proposes, among other things:

1. No smoking on the grounds of prisons.
2. Prisoners to be subjected to **hard labor** to include **chain gangs**, which shall not be considered inhumane.
3. Items prohibited include **TV** in cell, cable or satellite TV, **exercise and weight equipment** and rooms. Again, the bill states that none of this is to be considered inhumane.
4. Money can be taken from prisoners' accounts for crime victims' compensation fund (CVCF).
5. Payment will be made only for work approved by the head of the correction facility; earnings from any other work go directly to the CVCF.
6. A prisoner can have no more than \$100.00 in his/her account.

We need to make our voices heard in opposition to this bill. Even though some of the provisions may seem ridiculous and unlikely to pass, lack of opposition can make the forces of oppression stronger and more likely to succeed in the future.

Please write or call your legislators in favor of the good bills that have been filed. And let them know that you are strongly opposed to the provisions of **HB 1223**.

Hedy Harden





HB 1223: Changes the laws regarding certain policies and practices at correctional facilities (Brattin). **OPPOSE** — See article insert.

HB 1253: This bill requires any person who pleads guilty to or is found guilty of a misdemeanor or felony offense other than a traffic violation or any person who has his or her probation or parole revoked to be liable for the costs of specified personnel involved in the investigation and prosecution of his or her case (Ruzicka). **OPPOSE** (Public hearing completed 1/25/12)

HB 1260: This bill specifies that a man whose consent to adoption is not required under Sections 453.030 or 453.040, RSMo, waives his right to intervene in an action for termination of parental rights or for adoption or to file a paternity action for a child after a petition for adoption or termination of parental rights has been filed unless he can establish that he has previously developed a consistent and substantial relationship with the child, including by providing, unless actively thwarted from doing so by the mother of the child (Kelly). **OPPOSE** (Reported Do Pass by Consent)

HB 1272: This bill specifies that gross negligence will be the standard of proof in an action for damages brought against a public or private jail, correctional center, detention center, or any other type of correctional facility as a result of a death by suicide of any inmate (Kelley, Davis). **OPPOSE**

HB 1344: Authorizes a person to apply to a court for the expungement of certain criminal records (Nasheed, Hubbard). **SUPPORT**

HB 1365: Prohibits a felon from qualifying as a candidate for elected office in cities of the fourth classification (Lasater, Timothy Jones). **OPPOSE** (Public hearing completed)

HB 1382: Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account (Cox, Ruzicka). **OPPOSE** (Voted Do Pass)



HB 1410: Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits (Walton Gray). **SUPPORT**

HB 1420: Establishes a commission on the death penalty and places a moratorium on all executions until January 1, 2015 (Colona) **SUPPORT**

HB 1474: Prohibits the Department of Corrections from charging an intervention fee to an inmate when he or she leaves prison (Hubbard, Carter). **SUPPORT** (Public hearing completed 2/15/12)

HB 1496: Prohibits the imposition of the death penalty, halts pending executions, provides for resentencing of offenders sentenced to death, and changes the laws regarding the death penalty (Hubbard). **SUPPORT**

HB 1520: Repeals the provisions which allow for the use of the death penalty and specifies that certain persons sentenced to death must be sentenced to life without eligibility for parole (McGhee). **SUPPORT** (Public hearing completed 2/15/12)

HB 1525: Establishes the Justice Reinvestment Act and changes the laws regarding criminal offenders under the supervision of the Department of Corrections (Fuhr, Ellinger). **SUPPORT**

HB 1599: Changes the criteria for determining that the sentence for first degree murder will be life imprisonment without eligibility for parole instead of the death penalty (Webber). **SUPPORT**

HB 1624: Changes the laws regarding clemency in death penalty cases (Ellinger, Pace). **SUPPORT**

HB 1625: Prohibits any state agent from seeking the death penalty on the basis of race and permits the use of statistical evidence in certain criminal and post-conviction relief proceedings in death penalty case (Ellinger). **SUPPORT**

HB 1700 Requires classification of sexual offenders (Schad). **SUPPORT**

HB 1721 Allows offenders who were less than 18 years of age when their offense was committed and who received a life without parole or a minimum 50 year sentence to be eligible for parole after 15 years (Colona). **SUPPORT**

HB 1799: Requires recording of custodial interrogations (Colona). **SUPPORT** ❖

House Bill 1700 – Reform of Sex Offender Registry

by Becky Williams

Missouri Citizens for Reform (MCR) has been working hard for reform of the registry here in Missouri. The House Interim Committee on Criminal Justice and the Crime Prevention and Public Safety Committee have heard from numerous people last fall who testified on the need to reform sex offender laws. These recommendations have resulted in House Bill 1700. This bill is sponsored by Representative Rodney Schad and co-sponsored by the Speaker of the House, Representative Steven Tilley.

Each offender would be assessed individually to determine their current risk level and then placed in a tier level (I-IV) based on risk, with the lowest being a level I. Levels I and II would not be on the public registry, just a law enforcement registry. After completion of probation/parole and required therapy, a level I can petition to be removed completely from the registry after 5 years, a level II after 10 years, level III after 15 years, and level IV after 20 years. With this bill, the public registry will only contain those deemed high risk.

MCR has a campaign right now to contact representatives across the state, then the senate, and finally the governor. If your family or friend can help, please have them contact Becky at Missouri CURE or MCR at the following:

Missouri Citizens for Reform

P.O. Box 265, St. Peters MO 63376

www.missouricitizensforreform.com ❖

Parole Board Reform in NY

A judge has ordered the New York state parole board to retroactively apply a new provision requiring it to consider the rehabilitation of a prisoner and not base a denial of release on an offense that may have occurred decades in the past.

The board must now “incorporate risk and needs principles to measure the rehabilitation of persons appearing before the board and the likelihood of success of such persons upon release.”

This decision could entitle scores of prisoners to new parole interviews.

Second Chance—from page 1

Recidivism rates are fed by those with short sentences, often for drugs or petty crimes, who keep returning.

On the other hand, a person who may have committed violent acts as a teenager is not the same person after 20 or more years in prison. With few exceptions, keeping them locked up longer will itself contribute to the problem, because when hope dies we lose a piece of our humanity.

We’ve all heard the horror stories of people who suffer post-traumatic stress disorder after serving time in combat. Living in prison, especially maximum security, is like a combat zone, yet the stress and trauma never end. Day after day, night after night, prisoners are treated as less than human. Thrown together in a maelstrom of suffering and hopelessness, amid people with schizophrenia, psychoses and other forms of mental disease, how do you think you would survive? What would become of your mental processing, your physical stamina, and your emotional reserves?

What can be done to improve this situation? Two things are absolutely necessary.

First, society must get over the concept that “violent criminals” must be banished from society forever. If you stole something as a child, does that forever label you a thief? Violence is something that happens, not a state of mind. If someone gets in a fight, does

that mean s/he is forever a violent person? A person convicted of a violent crime is still a human being, one who is serving time as punishment for that act. Decades later s/he is a different person, not a “violent criminal” because of what happened in his/her youth. The parole

board needs to start using its intelligence to do its job rather than kowtowing to this phony societal labeling.

Too many long-term prisoners are being turned down for parole with no reason given but “the seriousness of the crime.” The crime is *over*, long done, and time – lots of time – has been served to pay for it.



Those who have done their time honorably and whose mind-sets have changed should be given a second chance.

Parole costs taxpayers a small fraction of what it costs to imprison. Some of that savings should be used to invest in jobs for parolees and more and better programs to help ex-offenders adjust to society.

Secondly, it is time to reverse the trend of sending the mentally ill to prison. Mentally ill persons can and should be treated on the outside, not in cages that exacerbate their problems. Community treatment, along with mental health courts, could save millions every year.

Common sense solutions can save us money, restore human beings, and bring Missouri to a higher moral ground. ❖

Justice for Reggie Clemons Campaign

Reggie’s March 5 hearing date has been canceled—the new date is September 17. While this is disappointing news, rescheduled court dates often happen in cases such as this. Reggie remains steadfast and determined and has asked us to continue the fight as we all prepare for that important day in court, whenever it occurs.

Many of the events planned as momentum-builders to the hearing will go on; others will be spread out over the summer.

Jamala Rogers and Vera Thomas recently toured Missouri. They spoke at several events in Jefferson City and

Columbia and lobbied at the capitol regarding repeal legislation. Vera put a human face on the issue of wrongful convictions as she spoke to legislators of her son who is under a death sentence. The pair also spoke with students, faculty and community people at Lincoln University and Mizzou before heading for Springfield.

Supporters continue to tell Reggie's story and to collect signatures on the petition. The campaign thanks supporters for their efforts in lifting up Reggie's case as one of travesty.



from Jeff Stack, MADP

Repeal Bill Gets Committee Hearing

Moving testimony highlighted the public hearing on a bill to repeal the death penalty in Missouri. HB 1520, sponsored by Rep. Mike McGhee and an additional 43 co-sponsors, was heard before the House Corrections Committee on February 15. McGhee, a powerful Republican

legislator, offered introductory comments, explaining that the death penalty costs much more to pursue than alternative sentences for murder.

Cathleen Burnett, Professor of Criminal Justice at UMKC, continued that theme, stating, "Only one in every three capital trials may result in a death

sentence, so the real cost of that one death sentence is \$3 million. After appeals, only one in ten of the death sentences handed down may result in an execution. Therefore, the cost to the state to reach that one execution is about \$30 million."

Paula Skillicorn eloquently shared reflections from the tortuous journey she and her husband Dennis experienced for years while he lived under a death sentence, then was ultimately executed in 2009. He had worked in many restorative justice projects while in prison. Some guards, impressed with Dennis' sincerity and life-saving peacemaking in prison, had unsuccessfully urged the governor to halt his execution.

She noted that 140 people who were sentenced to death have now been exonerated, a reminder that fallibility exists in any human-run endeavor.

Skillicorn had been a crime reporter with the Kansas City Star. Her position as a death penalty supporter began to waver as she covered trials, including the one during which Dennis was sentenced to death. "I believed in the system," she said, but now realizes "It's a failed system."

Reps. Michael Brown and Penny Hubbard also spoke in favor of the legislation. No one spoke in opposition. ❖

CURE in Missouri Capitol

Debby and Hedy were elated after a successful excursion to the Missouri Capitol on March 1, meeting with legislators and sitting in on a session, where Rep. Mike McGhee introduced us to the chamber.

We also attended a press conference where the ABA presented its findings following a two-year study of the death penalty in Missouri.

Fruitful meetings were held with Representatives McGhee, Rory Ellinger and Bradley Ellington. Our main purpose was to propose legislation that would amend the law requiring many offenders to serve at least 85% of their sentences. Instead they would serve from 50-60% before parole eligibility. All three lawmakers were receptive to the idea.

While it is late in the 2012 session for introducing new bills, Rep. McGhee will work with us to incorporate the language of the 85% proposal into **HB 1067**, which requires the Board of Probation and Parole to periodically



review the case history of certain convicted offenders serving sentences of more than 15 years, up to and including life without parole.

Rep. Ellinger will research the proposal for possible preparation of a bill. Rep. Ellington is also very interested and will study the proposal.

We were scheduled to meet with Reps. Penny Hubbard and Linda Black, but were unable to connect with them. We spoke to their aides and will follow up via phone conference. ❖

From the Kansas City Criminal Justice Task Force:

Join us at the Capitol March 21 for Lobby Day!



10 AM in Meeting Room #6, State Capitol Bldg., 201 W. Capitol, Jefferson City MO

HB 1067 regarding long-term sentences – would allow the possibility of parole hearings for those serving long sentences, including life without parole.

We will hold a mini-meeting with handouts to guide you on what to do, then split into small groups, pairing new people with others, and lobby for the rest of the day.

This is a great opportunity if you never lobbied before. It is very important for citizens to get involved in the legislative process in order to help create new laws or change existing ones, especially if you have a friend or a family member incarcerated. We have a voice, and it needs to be heard by our State Legislators.

Contact **Robin Johnson** 816-468-7894 redrob2655@yahoo.com;
Debbie Reuscher 816-889-2098 ext. 223; or **Sara Boyd** 816-453-2499.
www.kansascitycriminaljusticetaskforce.org email: kccjtf@gmail.com

From the Board

by Deborah Herald

NAACP Branch 4097 Welcomes Missouri CURE

On February 22, Hedy Harden and I hit the highway and headed to Jefferson City for a meeting of NAACP Branch 4097 at Jefferson City Correctional Center. It was a most productive gathering. First and foremost, CURE would like to thank the men for their enduring dedication to CURE and for helping us to continue our mission of advocating for prisoners and their families.

CURE has been working in conjunction with the gentlemen of this branch to promote a bill to reduce the mandatory 85% minimums.

We are happy to report that our online petition regarding this bill has 555 signatures at this writing. We have scheduled meetings with legislators at the capitol to advance this proposal. On March 1 we will meet with State Representatives Mike McGhee, Brandon Ellington, Rory Ellinger, Linda Black and Penny Hubbard.

The men were elated with this news. They had much to share with us as well. One question they asked was what obstacles we on the outside see in getting this legislation passed.

Many efforts currently focus on reform for non-violent offenders. This proposal focuses on offenders convicted of violent crimes. The word “violent” is hard for the public to overlook.

Despite the nature of one’s crime, Missouri calls its prisons Correctional Facilities. The DOC offers voluntary programs for offenders to rehabilitate themselves. Many offenders previously classified as violent choose to spend a significant amount of time in these programs. Many have already served a decades in prison and have displayed exemplary behavior, often with no write-ups for many years.

There is much talk about recidivism. The general public and lawmakers seem to feel that it is the violent criminals who will recidivate—commit another crime—once released from prison. However,

statistics show that the more time spent in prison, the less likely one is to return. It is often those with shorter sentences who keep coming back.

Another hindrance to this bill is media propaganda. Television shows such as “Lockup” and “Locked Down” do not show the reality of prison, at least in



Missouri. They dramatize prisoners who are not abiding by the rules, who are choosing not to do what is right and necessary to change their lives. The proposed bill does not apply to people like this. The men of NAACP chapter 4097 would like the public to know that their proposal is not a floodgate to open up the doors and let

everyone out. It would not give the bad actors like those you see on TV an automatic “get out of jail free” card. Instead it focuses on those who have chosen to use their time wisely. Offenders would still spend at least 50-60% of their sentences before parole consideration.

This proposed bill would give the parole board power to assess each individual. In prison you make a choice, either to become a smarter criminal or to change your life for the better. This bill applies to those who make the latter choice.

You may wonder how someone who has never been in prison can know if a true and honest effort has been made. Although one may be able to fake it for a while, it is extremely difficult to fake it for a great length of time, especially under the stressful environment of a prison.

The parole board would be able to assess the behavior and efforts of offenders during their time in prison. The men who have drafted this proposed legislation have already served decades. Many have received no conduct violations for many years. They are following DOC rules. They have not spent time in segregation and often are mentors for younger inmates. The parole board would have to see an honest effort to change in order to consider prisoners for earlier

release.

Many prisoners have taken part in classes and programs such as ITC (Institutional Treatment Centers), GED classes, Anger Management, Alcoholics Anonymous, and ICVC (Impact of Crime on Victims). These are intense courses lasting many weeks, months, even up to a year. They are designed to make offenders think about their criminal thinking and behavior and learn how to avoid offending in the future. Not only have these prisoners passed these courses; often they return to facilitate classes and mentor others who come into the program.

This legislation is not about trying to shirk responsibility or make light of what victims have suffered. The problem is that the circumstances of the crime they committed will never change, yet the person who committed the crime has the potential to do so. Accountability and remorse do not have a set time to begin. These things will not suddenly kick in at 85%. If they do, these may be the people who are “faking it”.

Because of the current law, an offender may take the perspective of “Oh well, what I do doesn’t matter; I’m here for a determined length of time anyway.” Do we really want to continue to endorse a law that encourages this attitude?

Another important issue addressed was the amount of money being spent to house inmates. Currently Missouri is in a financial crisis due to the number of people incarcerated. There simply is not enough money to continue to house the thousands of prisoners we have incarcerated. Taxpayers claim that they do not want to continue to house inmates, so let’s make a change and focus our efforts on releasing those who have made the effort to change and who show a desire to become law-abiding, taxpaying citizens.

Consider how much taxpayer money goes to house one offender for one year. For each offender released who is doing the right thing and who has shown positive change, the state could educate three children in public school. Recently it was reported that enrollment for the University of Missouri was down due to

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the higher cost of tuition. Are we really more interested in keeping rehabilitated offenders in prison than we are in educating our youth? And what about providing health care to families? The money that is being overspent on housing such offenders in prisons is both reducing quality education for our children and preventing families from receiving proper healthcare.

Approaching JCCC, one sees many state signs in which the DOC states its goal of turning offenders into productive citizens. How can this be done if they refuse to acknowledge offender efforts?

How can offenders become productive citizens when, despite their efforts to change, we continue to hold them in maximum security, not even giving them a chance until they have served 85% of their sentence?

The NAACP group spoke of how the DOC holds long-term offenders in level 5 prisons for the majority of their sentence. They are told that this is due to behavior issues at the lower level camps. A plausible solution would be to begin moving the long-termers to lower levels to help stabilize younger offenders. The older prisoners could teach the lessons learned during their incarceration and exhibit behaviors that the DOC would

like to see. Once offenders show that they can still maintain their good behavior at lower levels, why not continue to move them through the system and begin to parole them?

Let's think about parole for a moment. If someone serves 85% and then is paroled, the parole period will be relatively short. People who have served long sentences may need assistance for a longer period of time in getting a job, finding a home, reconnecting with family, and readjusting to society. With short-term offenders it is more likely that family and friends have stuck by them through the shorter time they were away.

We as a people say that life is important. We must remember that these are human beings living behind the walls

and razor-wire of prisons. Many of these men and women have struggled to understand the

impact of their crimes on their victims. Some have written their victims and apologized for their crimes. Whether this was met with anger or kindness, the strength and courage it took shows their willingness to be accountable for their actions.

We've often heard it said that convicts show no remorse for their crimes. While this may be true for some, it has not been our experience in CURE. Many prisoners have worked hard to change their lives. Under this proposed

legislation, they could be afforded a second chance.

Prisoners need hope that one day they will find forgiveness, not just from their victims but from society as a whole, which has been all too quick to lock them up and throw away the key.

You might say, "It could never happen to me!" Let me remind you that no one is perfect. With one mistake, one quick angry judgment, due to any number of mitigating factors, it certainly could happen to you or someone you love. And if it does, you will want someone to be able to recognize the accomplishments you have made to change your life—not 20 or 30 years after the fact, but at the time you are doing them.

Prisoners make a choice of whether to sit in their cells and vegetate, or to do everything they can to change their lives. When they are free, some may become role models for those of the younger generation who are out there killing and robbing people over shoes or cars – or just beating the hell out of people because they think it is fun.

These ex-offenders can teach our youth that prison isn't what it's cracked up to be, and that crime is not worth the price they will have to pay.

And they would know.

They are serving their time for the crimes they committed. They have rehabilitated themselves. They deserve a chance at the freedom for which they work so hard. ❖

Prisoners need hope that one day they will find forgiveness from society.

Missouri CURE Activities

- January 5** Dolores Owen attended Kansas City Criminal Justice Task Force meeting featuring DOC Director George Lombardi. About 100 people attended.
- January 19** Hedy attended a St. Louis event, *The State of Incarceration in Missouri*, with DOC Director Lombardi and others, sponsored by State Rep. Rory Ellinger. They discussed the Governor's task force assisted by the Pew Center grant. Again, more than 100 people were in attendance.
- February 2** Debbie and Hedy attended a play, "One Flew over the Cuckoo's Nest," performed by prisoners at NECC.
- February 15** Paula Skillicorn testified at House Corrections hearing in favor of HB 1520 to repeal the death penalty.
- February 20** Hedy attended a speech at UMSL by Juan Melendez, Florida death row exoneree.
- February 22** Hedy and Debbie attended NAACP meeting at JCCC.
- March 1** Debbie and Hedy lobbied at Capitol in Jefferson City, met with Reps. McGhee, Ellinger and Ellington, and attended ABA press conference ❖

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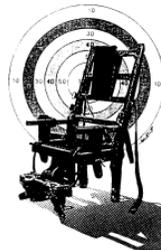
314-566-3216

Civil Commitment News

The CURE Civil Commitment Newsletter has just published its inaugural issue. The newsletter will be published quarterly – January, April, July and October – and is available free of charge to anyone wishing to receive it. If you would like to receive the newsletter, send your contact information to CURE Civil Commitment Newsletter, P.O. Box 2310, Washington DC 20013. If you wish to donate to offset the costs of this project, please send a check to the same address. We are also happy to receive any original works for possible publication. ❖

Juan Melendez Speaks in St. Louis

On February 20 at UM-St. Louis, Florida death row survivor Juan Melendez told his story. Melendez spent 17 years, 8 months and one day on death row for a crime he did not commit. He was the 99th person in the US to be exonerated before execution. The total now stands at 140.



A powerful speaker, Melendez told of being convicted without a shred of physical evidence and sentenced to die in the electric chair.

“We could always tell the moment when they were killing someone,” said Melendez. “The lights would blink off and on.” He spoke of others condemned to death and even executed who were innocent. “The death penalty was made by humans,” he said, “who can make mistakes. You can free innocent people from prison, but you can’t free anyone from the grave.” ❖

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* Stamps from prisoners are welcome

CURE is NOT a service organization. We are an all-volunteer non-profit criminal justice advocacy organization. CURE has NO legal services. We advocate for criminal justice reform, but cannot take on individual cases.

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Together We Stand — Together We CURE!