

Turning Point: The Newsletter of



Citizens United for
Rehabilitation of Errants

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From the Chair:

by Hedy Harden

Update on CURE Activities

This has been a busy year so far. Here's a review of some of our activities:

January 7: We initiated an online petition for reduction of mandatory 85% minimum sentences. It can be accessed through the MO CURE website or by going directly to <http://www.thepetitionsite.com/380/789/550/missouri-85-law-support-the-reduction-of-mandatory-mini/>.

There are now 374 signatures on the current petition and nearly 700 on the petition we posted last year, which we hope to combine.

January 26: Missouri CURE had a productive membership meeting in St. Louis. Twenty-one people were in attendance, along with a reporter and cameraman from the St. Louis American newspaper.

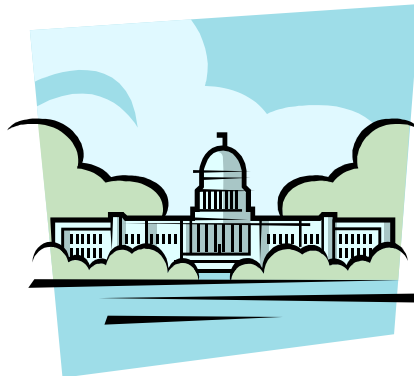
Several former prisoners were present.

We welcomed members, old and new, discussed issues, and formed two committees. Paula Skillicorn and Alesha Scherffius will coordinate leadership of a committee dealing with health and food issues in Missouri prisons. Hedy leads "Committee 85," which works on mandatory sentencing, in particular the 85 percent law.

February 9: Six members of *Committee 85* met. We discussed House Bill 419, originating from the Kansas City Criminal Justice Task Force (KCCJTF) and sponsored by Rep. Penny Hubbard. HB 419 seeks to provide parole consideration for those serving extremely long sentences or life without parole (LWOP). Although our committee's main focus is on overturning the 85% law, we will also support HB 419 by emailing sponsors of the bill, expressing our support, and by

asking our individual State Representatives to support the bill.

NOTE: This is the 7th year that the KCCJTF has submitted a bill of this type, with mixed results. Last year's bill was House Bill 1067. MO CURE lobbied sponsors of HB 1067 to get an amendment to the bill specifically targeting the 85% law. The bill itself was referred to a committee and had a successful open hearing, with supporters from KCCJTF and CURE testifying either in person or by written statements. The 85% amendment was reflected in a House Journal, but the bill itself never made it out of committee to be heard by the full House.



Kevin Hammerschmidt of the JCCC NAACP has drafted a one-page

proposal to reduce the 85% mandatory minimum. We agreed to contact State Representative Rory Ellinger and ask for a meeting to discuss his sponsorship of such a bill.

We discussed the "Taxpayer Sense" brochure, also authored by Hammerschmidt. It talks about taxpayer money being wasted by incarcerating rehabilitated prisoners longer than necessary due to the 85% law. We will distribute the pamphlet to legislators and others, while continuing to perfect it.

We discussed ways to raise public awareness about the need for reform of the 85% law and prison reform in general.

February 14: Two CURE members traveled to WERDCC in Vandalia to attend a performance sponsored by Prison Performing Arts. The women presented *Metamorphoses 2*, following the first production July 20 of last year.

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Winter 2012-2013

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Stacy Russell

from Hedy Harden

Stacy Russell died February 26, 2013 in an ambulance just outside the gates of JCCC. Two days earlier, His loving wife, Sharon, had taken off work for a special birthday visit. They had a wonderful day, talking and laughing. Stacy would turn 50 on Feb 27.

He didn't quite make it.

Stacy worked in the Braille Department at JCCC. Roosevelt Price's office was right across from that of Stacy, his best friend. They'd been talking just 15 minutes before Stacy collapsed in a corridor outside the offices.

Apparently healthy, Stacy took no medications. A loving father of 3, he

was eligible for release in a few years, and was expecting to move to a lower level prison later this year.

Nobody knows exactly what caused Stacy's death. By the time the ambulance got through security and carried him out, he was gone.

Stacy's funeral was held in St. Louis on March 6. Flowers were sent on behalf of CURE. As my son Rob and I entered the church, we saw Sharon standing in front of the casket. As she rocked back and forth, quietly weeping, I heard her whisper, "My best friend..."



I met Sharon last year at a CURE meeting. Stacy, a CURE member for several years, was an officer of the NAACP. I'd met him at a banquet and saw him whenever I visited for NAACP events. He seemed to be always smiling.

As he laid in the casket, dressed in a dark suit instead of prison grays, Stacy's face again wore a smile. Surrounded by a grieving family and friends, he seemed to be trying to cheer them up.

Rest in Peace, Stacy. You will live on in the minds and hearts of those whose lives you touched. ❖

CURE Activities—*from page 1*

The audience sat spellbound as the actors brought to life the works written by Ovid in the year 8 A.D.

Much of the play itself was written by the woman prisoners themselves. Afterwards we mingled. Several of the women planned to join CURE. Some of them will be released this year and hope to work with us in the St. Louis area.

February 15: We met with Chris Cline and Lisa Jones of the MoDOC at PCC in Potosi. We discussed a variety of issues such as the classification system and overrides, reporting of deaths in prison, quality and quantity of food, the grievance procedure, and prisoners being locked up for investigations.

February 16: We met with State Rep. Rory Ellinger about 85%. Rory agreed to introduce this legislation. He gave us some good advice on lobbying strategy.

February 20: KOMU TV in Columbia aired a story about guard abuse at the women's prison in Vandalia. Hedy spoke in an interview on behalf of Missouri CURE.

February 25: A public hearing was held at the Capitol for HB 419 (regarding long-term sentencing and LWOP).

February 26: State Senator Kiki Curls introduced SB 389, the Senate version of HB 419.



February 28: Rep. Rory Ellinger introduced HB 752 and 753:

HB 752 provides that for first-time dangerous felons without previous prison commitments, the minimum mandatory sentence would be 50%, except for those over age 70, for which it would be 40%.

HB 753 provides that first-time dangerous felons with a previous prison commitment would be evaluated by the parole board after serving 60% of their sentence, and with continued good behavior and rehabilitative efforts would be released after serving 66%; again, for those over age 70, the minimum mandatory sentence would be 40%.

March 3: Members of Committee 85 met to strategize for participation in

Criminal Justice Lobby Day March 13. Press releases were sent out and communications sent to email and phone contacts. Appointments were made with State Representatives.

March 13: Fourteen people from St. Louis, Salem, Troy and Jefferson City lobbied at the State Capitol on behalf of CURE and HB 752 and HB 753.

We divided into 6 teams with lists that included all 163 state reps. We spoke to many of the reps; for those not available we spoke to their legislative assistants and left copies of the bills, our Taxpayer Sense brochure, a business card and a flyer.

For most, it was their first time lobbying. All felt it was a positive experience and that progress was made. ❖

We need your help

The next step is to get the bills assigned to a committee for a hearing. Please contact House Speaker Tim Jones and urge him to assign HB 752 and HB 753 to a committee. You can email him at Timothy.Jones@house.mo.gov; his capitol office phone is 573-751-0562. Ask your own state representative to support the bills as well.



**Missouri CURE
Support HB 752 & 753**

No More 85%

Women File Marriage Lawsuit

by Paula Skillicorn

Marriages at JCCC are stalled pending the outcome of a class action lawsuit filed in federal court.

Gena Fuller, Jymie Jo Essick, Mary Pierce, Doloris LaRose, and Roena Redmond filed the lawsuit against JCCC Warden Jeff Norman, JCCC Deputy Warden Kelly Morris and Cole County Recorder of Deeds Larry Rademan. The civil suit claims the defendants, through policies and practices, are infringing on the women's fundamental right to marry by preventing them from marrying inmates currently incarcerated at JCCC.

Fuller is engaged to marry Donnie Fuller, her former husband and the father of her two children. Essick is engaged to marry Stevie G. Jimerson; Pierce is engaged to marry Reginald Groves; LaRose is engaged to marry Jason Parson; and Redmond is engaged to marry Billy Ray.

However, the refusal by Rademan to enter the prison for the men to sign the necessary paperwork has put these marriages on hold.

The lawsuit requests punitive and compensatory damages, as well as payment of legal fees by the defendants.

According to court documents, the Missouri DOC policy allows marriages at JCCC only two times a year. The women planned to marry their fiancés September 24, 2012, after receiving approval from the institution. Missouri law does not recognize any marriage that lacks a marriage license. Both applicants must sign the marriage license application "in the presence of the recorder of deeds or their deputy," according to court documents.

Each plaintiff went to Cole County to sign their respective licenses and paid the \$51 fee. Over the past 17 years, Rademan has traveled to the prison so fiancés could sign their paperwork.

This time, however, Rademan was told he needed to complete an application for facility access that requested personal information including his Social Security number. When Rademan refused to provide that number, Morris denied him access to the prison.

In the lawsuit, plaintiffs allege that requiring Rademan to provide a Social Security number to JCCC violates the federal Privacy Act. They also claim that the same day Rademan was denied access to JCCC, he was allowed access to perform the same duty at nearby Algoa Correctional Center. He was not required to provide his Social Security number there.



Rademan notified the plaintiffs and four other women in the same situation that he could not complete their marriage licenses because of the new policy and returned their license fees.

The civil suit alleges that the conduct of the defendants "constitutes unreasonable and unconstitutional interference with and infringement upon each Plaintiff's exercise of rights guaranteed by the United States Constitution." Plaintiffs said that because they were denied the right to marry, they each suffered significant emotional distress, the loss of the benefits of marriage, and other damages.

Because the case is in litigation, Department of Corrections Spokesman Chris Cline could not comment on the situation.

In an interview with Missouri CURE, Rademan said, "Treatment of the county recorder by staff in JCCC has worsened in recent years."

Because he had been going to the prison for years without having to provide his Social Security number, and because as a general policy he protects his number, Rademan refused to provide it.

"On Aug. 15 at 9 a.m., I called the prison chaplain to let him know all the paperwork for the inmates was ready and I was on my way over to the prison," Rademan said. "I was told not to come."

Rademan said the association of county recorders told him that the prison should bring the inmates to Rademan, and that the only reason recorders have gone to the prison in the past was to make it easier for the state to meet the legal requirements for marriage licenses to be issued. Rademan said he was told to insist that the state "follow the law and bring the inmates to his office."

In court documents, plaintiffs

presented alternatives that include "allowing Rademan to enter without providing his social security number; transporting inmate-fiancés to Rademan's office to execute marriage license applications; deputizing MODOC staff to complete the marriage license applications in JCCC; and Rademan providing his social security number." ❖

No one is free when others are oppressed.

CURE-Women Incarcerated

This issue chapter was designed to target the needs of incarcerated women, their families and loved ones. For more information, contact **Rebecca Swope**, MSW, Director, CURE-Women Incarcerated, PO Box 287, Fort Loudon PA 17224.

www.womenincarcerated.org;
www.facebook.com/CUREWomenInc;
<https://twitter.com/curewomen>

Introducing AAIMI-CURE

We are very excited to introduce CURE National's newest special issue chapter, AAIMI (Advocates for Alternatives to Incarcerating the Mentally Ill)-CURE. AAIMI is pronounced AMY, just like the girl's name. As the name states we will be working with the hundreds of thousands of men and women that become ensnared in the criminal justice system. We will be working on blocking the road to incarceration if possible and assisting in finding re-entry programs for those who do end up incarcerated as they transition out, as well as helping to resolve all the day-to-day tragedies that befall the mentally ill in our state prisons nationwide.

AAIMI-CURE Co-Directors:
Deborah Elizabeth Forbes,
NC CURE
Barb Stephenson,
Colorado-CURE & CURE LifeLong

Elder Abuse

A Missouri prisoner writes: Two weeks ago, a 72-year-old prisoner in this wing was assaulted and robbed by a younger coward, who rushed into his cell, knocked him down and stole most, if not all of his property, then threatened to kill him if he said anything.



When the elderly prisoner reported the matter and asked for help, he was punished by being placed in ad seg, which cost him the loss of all his privileges. This is done specifically to deter elderly prisoners, or anyone else, from reporting such assaults.

Another classic example happened over in the hospital here. An elderly prisoner had

just gotten back from an outside hospital after having a heart bypass operation. He was assaulted in his hospital ward room by a younger coward. Hospital staff saw the assault. They gave both prisoners violations for fighting, even though the elderly prisoner was not even capable of defending himself.

He was found guilty and sentenced to ad seg time, which he served in the hospital. He then lost his honor status and was moved out of the honor house.

Elderly prisoners are assaulted on a regular basis and nothing is ever done about it. ❖

Jonathan's Law passes Senate

SB36 (Jonathan's Law) was introduced in the Senate by Senator Wallingford. Initiated by FORJ-MO led by Tracy McClard, this bill would make it easier for judges to sentence youth to juvenile facilities and suspend imposition of an adult sentence, even if the juvenile has been certified as an adult. It was perfected and passed by the Senate on March 6. This is a real victory.

Jonathan's Law was also introduced in the House by Representative Ron Hicks as **HB 541** and has been assigned to the Judiciary committee. ❖

Let us know if you Move

Even though Turning Point is mailed first class, it appears that ERDCC, at least, does not return the newsletters when prisoners are transferred. With the change in classification, many moves have been happening in the last few weeks and will continue. Please drop us a line with your change of address so you don't miss a newsletter. This is our only way to keep up with you.

MCR Legislative Update

Submitted by Donna Conlin

This year, the House of Representatives has two proposed bills regarding sex offender registration and notification laws in Missouri (HB 462 and HB 589). The Crime Prevention committee had public hearings for both of these bills.

House Bill 462 (Phillips) would change the Missouri Sex Offender Registry by adopting an offense-based tier system, in line with the requirements set

forth by the federal Adam Walsh Act. This bill would create three tiers based on the seriousness of the offense. Tier I offenders could petition the court to have their names removed from the registry after 10 years, Tier II could petition after 25 years, and Tier III offenders would have to register for life. Juvenile offenders adjudicated delinquent of a Tier III offense and who were at least 14 years of age at the time would have to register for

a minimum of 25 years, but they would not be placed on the public registry.

HB 589 (Hinson) would use a risk assessment approach to determine tier level. Tier I offenders would be eligible to petition the court to have their name removed from the registry after 5 years, Tier II after ten years and Tier III after 25 years. MCR supports HB 589 as it has empirical evidential support that it would increase public safety if adopted. ❖

Obamacare for Prisoners

Many people in correctional institutions have faced barriers obtaining needed physical and behavioral health care services. This is largely due to high rates of unemployment and narrow Medicaid eligibility criteria. As documented in our new report, federal health care reform legislation could change this in three key ways:

- Expanded Health Care Coverage -- The Affordable Care Act gives states the option of expanding Medicaid eligibility and makes prevention, early intervention, and treatment of mental health problems

and substance use essential health benefits. In states that opt to expand Medicaid coverage, the Federal government will cover 100% of expenditures for the newly eligible population from 2014 to 2016, with the amount of federal funds decreasing yearly to 90% by 2020 and thereafter.

- Reducing Recidivism -- Because of the role mental health and substance abuse problems play in behaviors that lead to incarceration and recidivism, the Affordable Care Act could help states reduce the



from Marc Mauer

number of people cycling through the criminal justice system.

- Addressing Racial Disparities – The new legislation may contribute to reducing racial disparities in incarceration that arise from disparate access to treatment.

The Affordable Care Act: Implications for Public Safety and Corrections Populations, by Dr. Susan Phillips, introduces key provisions of the Affordable Care Act as they relate to correctional populations, and includes links to organizations that are closely following the implementation of the act. ❖

Criminal Code Update

by Alesha Scherffius

On November 10, 2012, The Interim Committee on the Missouri Criminal Code published its recommendations from the testimony given over a 6-week period. The Interim Committee held four committee meetings to hear testimony from members of the panel, all attorneys, who drew up with the proposed changes. The last two committee meeting were open to the public, allowing members from different organizations like Missouri Association for Social Welfare (MASW), and Missouri Citizens for Reform (MCR), plus victims and their families and also families of offenders to come in and make their recommendations to the committee.

On day 1, September 11, 2012, the committee heard from three attorneys, Eric Wilson, Jason Lamb, and Gwenda Renee Robson. Mr. Lamb stated that the goal in the writing of the proposal was not to create new crimes but “to make the code more user friendly” for practitioners and to “establish modern approaches to criminal activity that reflect social values and mores”.

Mr. Lamb said that prior and persistent drug related crimes are at the moment being treated more harshly then other crimes with prior and persistent provisions. He spoke about how the new criminal code seeks to merge the two types of prior and persistent offenses

together, with the hope of ending the disparity between the two. This would create more equality in sentencing and a more standard way of sentencing felons across the board.

On the second day of testimony, September 18, 2012, the committee again heard from Jason Lamb as well as Dunklin County Prosecuting Attorney Stephen Sokoloff. The discussions centered around consolidation of the different forms of assault; and the changes to the minimum value of property that makes the difference between a misdemeanor and a felony in cases involving stealing and property damage, kidnapping, stalking, bad checks, and weapons charges.

Mr. Sokoloff testified about the creation of a fourth degree classification for assault cases. He stated that this would close the gap between the sentencing of a first degree assault and a third degree assault. The new fourth degree assault would take the place of the old third degree assault and the new third degree assault would now include actions of knowingly causing physical injury. Under the current law, recklessly causing physical injury is covered under the third degree assault and is

classified as a misdemeanor.

On September 25, 2012, Missouri Public Defender Ellen Flottman and Assistant Prosecuting Attorney for St. Louis County Kathi Alizadeh testified regarding sexual offenses, prostitution, offenses against the family, and pornography. The discussion was opened with the various changes in language and the proposal of the addition of a definition to the term “aggravated sexual offense”. This definition would then include the subject of serious injury, the use of a dangerous weapon, the commission of a sex crime by two or more offenders, or an offense committed by a convicted sex offender.

On October, 2, 2013, the committee heard about the following: Drug regulations, public safety offenses, gambling, offenses against public order, offenses against the administration of justice, offenses against the government, miscellaneous offenses, and all offenses outside of the criminal code.

On October 9, 2012 and October 16, 2012 the committee heard testimony from organizations.

If you have questions or want to read a more thorough summary covering additional subjects, please write Missouri CURE and request a copy Also, the entire summary will soon be available on our website. ❖



Death Penalty Bills

SB 61 Keaveny would direct the state Auditor to conduct a targeted cost analysis of the death penalty and alternative sentences. Voted Do Pass, but with an amendment that would require private sources to provide the money.

SB 162 Keaveny would make reforms recommended by ABA study, reducing the likelihood of imposing the death penalty unjustly.

SB 247 Gina Walsh would make LWOP the maximum sentence in Missouri and repeal the death penalty.

SB 377 Dixon repeals the mandatory life sentence found to be unconstitutional in Miller v. Alabama and requires that youth under 18 at time of first degree murder be sentenced to LWOP or LWOP for 50 years.

SB 409 Keaveny increases access to DNA testing, modifies the list of aggravating factors to be considered in sentencing, and decreases mandatory sentencing, reforms inspired by a 2012 American Bar Association (ABA) study.

HB 575 Higdon proposes reforms similar to SB 162.

HB 584 Ellinger establishes the Commission on the Death Penalty, places a moratorium on all executions, and creates the Cold Case Investigation Revolving Fund.

HB 619 Ellinger would advance other ABA-inspired reforms.

HB 644 Wieland would repeal the Death Penalty in Missouri.

Missouri Legislation

Editor's Note: This is by no means a complete list of criminal justice bills filed this session. We've tried to include those that appear most relevant to Missouri prisoners. In some cases we have noted whether Missouri CURE **supports** or **opposes** certain legislation. In other cases, not enough is known about the ramifications, or it is unclear which position is preferable. For example, three bills propose Veterans courts. It is unclear how these bills differ and which is preferable.

If you wish more information about a bill, you may write the bill's sponsor at MO State Capitol, 201 West Capitol Avenue, Jefferson City MO 65101. The website is <http://www.house.mo.gov/>.

2013 Senate Bills

Bill	Sponsor	Description
36	Wallingford, Wayne	Jonathan's Law: Modifies provisions related to juvenile offenders certified as adults and found guilty in a court of general jurisdiction (Passed Senate 3/6). SUPPORT
61	Keaveny	Requires State Auditor to compare the costs of the death penalty cases and first-degree murder cases in which the death penalty is not sought (Do Pass 2/13 as amended).
118	Kraus, Will	Authorizes the creation of veterans treatment courts (hearing 2/11).
152	Curls, Shalonn	Allows judges to suspend the imposition of an adult criminal sentence for juvenile offenders (Judiciary 1/31). SUPPORT
162	Keaveny	Modifies provisions relating to criminal procedures (hearing 2/25).
188	Romine	Requires local prosecutor to receive copy of petition for conditional release of sexually violent predators (Judiciary: Do Pass 3/14).
243	Brown, Dan	Makes second degree sexual misconduct a class D felony for incarcerated offenders (Judiciary 2/14)
247	Walsh	Abolishes the death penalty and provides that any person sentenced to death before August 28, 2013 must be sentenced to LWOP (Judiciary 2/14). SUPPORT
253	Justus, Jolie	Modifies provisions relating to criminal law Identical to HB210 regarding the modification of the criminal code (Judiciary 2/20).
310	Nasheed	Creates petition Process for the expungement of records relating to certain criminal offenses (2/28 Judiciary). SUPPORT
327	Dixon, Bob	Allows certain criminal defendants to be released on electronic monitoring if the county commission agrees to pay the cost of the monitoring (Judiciary Do Pass 3/4).
338	Romine	Modifies provisions relating to correctional treatment programs for offenders under age 18 (Judiciary 2/28). SUPPORT
346	Curls, Shalonn	Modifies eligibility requirements for food stamp assistance (hearing 3/6). SUPPORT
347	Nasheed	Makes the offense of nonsupport an infraction rather than a class A misdemeanor or class D felony (Progress 2/28). SUPPORT
377	Dixon, Bob	Modifies penalties for first degree murder for persons under 18 at the time of committing the offense (hearing 3/11). Punitive: OPPOSE
389	Curls	Provides process for Parole Board to review case history & prison record of offenders w/no prior felony convictions serving sentence of over 15 years, have served at least 15 years and exhausted all state and federal appeals (Judiciary 2/28). SUPPORT

2013 Missouri House Bills

Bill	Sponsor/s	Description
69	Kelley/Davis	Specifies gross negligence as standard of proof in a court action against a jail or a correctional or detention facility as a result of a death by suicide of any inmate (hearing
73	Barnes	Changes who may be accepted by a drug court and allows a circuit court to establish a
167	Hubbard/ Walton Gray	Repeals provisions allowing the use of the death penalty and specifies that certain persons sentenced to death must be sentenced to LWOP. SUPPORT
210	Cox/Kelly	Changes the laws regarding the criminal code (hearing continued 2/13).
214	Cox/Higdon	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 (Do Pass 2/27)
218	Cox, Stanley	Changes laws regarding sale and possession of controlled substances (concerns methamphetamine and its precursors) (Rules 3/13)
220	May/Ellington	Changes the laws regarding arrearages and the expungement of certain records related to criminal nonsupport. SUPPORT
238	Ellington/Mims	Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor or non-violent drug violation. SUPPORT
239	Ellington/Mims	Specifies that no person applying for state employment, public assistance, or state housing assistance can be required to disclose any prior nonviolent felony plea or conviction with certain exceptions. SUPPORT
241	Ellington/Mims	Removes provision allowing the Parole Board to charge an intervention fee as a condition of parole. Special Standing Corrections 3/7) SUPPORT
247	Ellington	Removes statute of limitations for certain actions to recover damages regarding child abuse and sexual offense committed against a child and allows prosecution for child abuse to be commenced at any time (Do Pass 2/25).
270	Walton Gray	Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits. SUPPORT
309	Solon/Kelly	Establishes a Court Program to provide treatment and intervention to veterans (hearing 2/12).
326	Fitzwalter	Changes penalty for the crime of sexual misconduct to a class D felony for incarcerated offenders (Rules 3/7).
419	Hubbard/ Ellington	Requires the board of Probation and Parole to review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole (hearing 2/25). SUPPORT
443	Hubbard/ Ellington	Establishes a pilot program to increase the visitation rights of children with incarcerated parents (Do Pass 2/28). SUPPORT
462	Phillips/ Rowland	Changes the requirements for the state sex offender registry (Highway Patrol) (hearing 2/25). Committee Voted Do Pass. Offense-based: OPPOSE
463	Black/ Hodges	Creates criminal penalties for acts of violence committed by a sexually violent predator while in a secure facility operated by the department of mental health (hearing 3/6).
511	Ellinger/LaFaver	Authorizes the expungement for specified offenses and increases the surcharge on petitions for expungement from \$100 to \$500 (Judiciary 3/7).
512	Ellinger/Pace	Revises penalty provisions for possession of less than 35 grams of marijuana and possession of marijuana drug paraphernalia. SUPPORT



2013 Missouri House Bills		
Bill	Sponsor/s	Description
529	Mims/Berry	Allows certain felons to be eligible for food stamp program benefits. SUPPORT
541	Hicks/LaFaver	Jonathan’s Law: Changes requirements for juvenile offenders certified as adults and found guilty in a court of general jurisdiction (Judiciary 2/20). SUPPORT
560	Molendorp	Proposes to prohibit smoking or using tobacco products in any area or on the grounds of a state correctional facility.
575	Higdon/Ellinger	Revises criminal procedure laws regarding obtaining and using eyewitness identification testimony, in-custody informant testimony, and in identification, collection and preservation of biological evidence (Crime 2/20). SUPPORT
584	Roorda/Ellinger	Establishes the Commission on the Death Penalty, places moratorium on all executions until January 1, 2016, and creates the Cold Case Investigation Revolving Fund. SUPPORT
589	Hinson	Changes the laws regarding sex offender registration (Crime 2/28). Based on risk assessment: SUPPORT
619	Ellinger	Revises laws concerning first degree murder. SUPPORT
624	Ellinger/English	Changes the laws regarding sex offender registration.
644	Wieland	Proposes to repeal the death penalty in Missouri. SUPPORT
742	Ellington	Requires DOC to get eligible inmates certified prior to release, to get all inmates bonded, and to issue worker certificates. SUPPORT
752	Ellinger	Changes minimum sentencing requirements for first-time dangerous felons with no previous prison commitments. SUPPORT
753	Ellinger	Changes the requirements for minimum sentencing of felons who have previous prison commitments for any felony offense and who are first-time dangerous felons. SUPPORT
HJR 16	McCaherty/Swan	Proposes a constitutional amendment to make prior criminal evidence admissible in prosecutions for sex crimes involving a victim under eighteen years of age (Rules: Do Pass 2/25)

George Allen Update

George Allen was released in November after 30 years of unjust imprisonment for a rape and murder he did not commit.

On December 26 a Missouri appeals court refused Attorney General Koster’s bid to overturn Judge Green’s order to release Allen.

Finally on January 17 St. Louis Prosecuting

Attorney Jennifer Joyce officially dismissed the case against George Allen for the murder of Mary Bell. In her blog Joyce wrote:

“People often ask me to identify the most memorable case I’ve ever prosecuted. Until recently, it has been

hard to identify one particular case in the tens of thousands of cases handled by this office during my tenure as a prosecutor. As of today, however, I

have a case that easily stands out in my mind, but for all of the wrong reasons.

“There can be no doubt,” she said, “that the justice system has completely failed both Mary Bell and George Allen.”



On January 26 George Allen and his mother, Lonzetta Taylor, joined Missouri CURE at a general membership meeting.

Accompanying them was Tom Block, who fought for many years to free Allen. ❖

A/C Survey

A Missouri CURE member at NECC wrote: “I was in segregation (the hole) for 21 days during the hottest days of July and we received no more ice than any other month, which was the usual 1 cup 3x a day. No fan was offered either. I and my cellie lay on the concrete floor in our boxers to absorb the cooler sweat coming up. It was so miserable I wanted to die.”

How did YOU survive the heat without air-conditioning last summer?

We have received a good response to our survey about lack of air conditioning and continue to receive surveys. If you haven’t sent yours in, you still have time to do so. We want to hear from you. Look for the results in our next issue. ❖



PLN Phone Victory ATT Settles for \$45 Million

In 1996 while I was in prison I began investigating the issue of prison phone rates. I was unable to find a law firm in the State of Washington to take the case until Siriani and Youtz took the case in 2000, representing my then wife, mom and a friend, and filed a class action suit challenging the nondisclosure of the prison phone call rates in WA. The case settled for \$45 million on Friday (March 15), which is the first time the telecoms have paid a penny in a consumer class action.

The Seattle times just ran this blog:

<http://blogs.seattletimes.com/opinionnw/2013/02/03/att-to-pay-washington-prisoners-families-45-million-in-telephone-class-action-settlement/>

As an FYI, PLN is also organizing the Campaign for Prison Phone Justice—<http://www.phonejustice.org>—which seeks to get the FCC to cap the cost of prison phone calls.

If you received a phone call from a WA prisoner between 1996 and 2000, you are entitled to \$200 plus the cost of the service.

This is a historic event as it represents the first time the telecom industry has paid out any money to consumers as a result of court action. While not as much as we had hoped (at one point the case was valued at \$750 million) this is still significant.



Paul Wright, Editor
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