

THE MOVEMENT

Human Rights Coalition
Dedicated to Protecting the
HUMAN RIGHTS of All!

Spring Issue #50

The Official News Magazine of the
Human Rights Coalition for the union of Prisoners'
Families

INPRISONED MOTHERS' PAIN

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CADBI Retreat March 25, 2023

All Photos by Mike Lyon

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Bottom photo: Etta from CADBI-West

Left photo from L-R: CADBI members Martha, Jay, and Rikeyah



Cover Art By Bitt

The Editor Speaks

Hello My People,



Every day I keep asking myself "how do I editorialize what's happening in our world?" Through differences, debates, changes, oppression and our losses, and I'm not so sure that what's coming to mind sufficiently answers the question. Without a doubt, we're all in agreement that the topics of crime, healthcare, finances, and those that govern

this country leave us perplexed, wondering what it'll take to turn things around.

We need government, law, and order. No argument there. At what cost?

We cannot, however, blindly believe all the press releases, breaking news stories, or clips and reports from these long, drawn out committee hearings. We clearly need some new approaches to solving age-old problems, and that must come soon. Our elderly is struggling in ways they don't deserve to and never should have to. Our babies are acting as adults before they get to adolescence. Our college aged youth don't want the 20-year payback plan a college degree will saddle them with, and find themselves trapped by jobs that don't challenge them to reach their potential. Most egregious of all is how many parents are burying their children as a result of police misconduct and violence, street justice and social discord and unrest. Featured in this issue are some insightful writings by Mothers who've lost their child(ren) to incarceration, one way or another. I want you to read their words and be reminded that many who are considered lost, aren't. They have thoughts and feelings that need acknowledgement. They have dreams not yet realized. Most significant is that they have so much more to contribute.

THINK ABOUT THIS: The law of deposit requires unwavering trust. With all of America making deposits in communities, banks, and politics, can we confidently say that the Trustees of our offerings are upholding their duties? As a whole, are we feeling any type of security about our business, either socially, financially or personally?

These trustee duties require a higher standard than the law, and I believe that's where things are falling way short. AND that's where mothers, returning citizens, members of your neighborhood and community will come back together to redefine and reinvest in our tomorrows.

In coming issues, I hope to explore some social stigmas that, if properly presented and then well received, will bridge gaps that incarceration decidedly widen. We're here for the work and the reward. Be blessed!

Peace and Hope,

Terri

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THE MOVEMENT MAGAZINE

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Task Force on Long Sentences Releases Comprehensive Roadmap to Strengthen Public Safety and Advance Justice

Based on a year-long analysis, recommendations outline steps to focus resources on violence prevention and victim restoration

March 21, 2023

Contact: Jenifer Warren
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WASHINGTON, D.C. – As cities across the nation grapple with effective responses to increases in violent crime, a task force co-chaired by former U.S. Deputy Attorney General Sally Yates and former U.S. Rep. Trey Gowdy today released a report outlining a comprehensive approach for the use of lengthy prison sentences in the United States.

The report, *How Long is Long Enough?*, presents 14 recommendations to enhance judicial discretion in sentencing, promote individual and system accountability, reduce racial and ethnic disparities, better serve victims of crime, and increase public safety. Defining long sentences as prison terms of 10 years or longer, the panel’s proposals include:

- Shifting savings from reductions in the use of long prison sentences to programs that prevent violence and address the trauma it causes individuals, families, and communities (Recommendation 1).
- Allowing judges to consider all relevant facts and circumstances when imposing a long sentence, and requiring that sentencing enhancements based on criminal history are driven by individualized assessments of risk and other factors (Recommendations 6 and 8)
- Providing selective “second look” sentence review opportunities and expanding access to sentence-reduction credits (Recommendations 11 and 12)
- Focusing penalties in drug cases on a person’s role in a trafficking organization, rather than the amount of drug involved, (Recommendation 7)

- Reducing recidivism by providing behavioral health services and other rehabilitative living conditions and opportunities in prison (Recommendations 3 and 13)
- Strengthening services for all crime victims and survivors by enforcing victims’ rights, removing barriers to services, and creating restorative justice opportunities (Recommendations 2, 4, and 9)

“Some may wonder, why would we even discuss the nation’s use of long prison sentences now, amid a rise in homicide rates and legitimate public concern about public safety? Because this is exactly the time to examine what will actually make our communities safer and our system more just,” Yates and Gowdy said in a joint statement accompanying the report. “When crime rates increase, so do calls for stiffer sentencing, often without regard to the effectiveness or fairness of those sentences. Criminal justice policy should be based on facts and evidence, not rhetoric and emotion, and we should be laser-focused on strategies that make the most effective use of our limited resources.”

The report is the product of a year-long analysis by the nonpartisan Council on Criminal Justice (CCJ) Task Force on Long Sentences, which includes 16 members representing a broad range of experience and perspectives, from crime victims and survivors to formerly incarcerated people, prosecutors, defense attorneys, law enforcement, courts, and corrections. The panel examined the effects of long sentences on the criminal justice system and the populations it serves, including victims as well as people in prison, their families, and correctional staff.

Drawing on sentencing data and research, including a series of reports prepared for the Task Force, the sweeping recommendations offer a comprehensive blueprint for action on a complex and polarizing topic. According to an updated analysis by CCJ, 63% of people in state prison in 2020 were serving a sentence of 10 or more years, up from 46% in 2005, a shift due largely to a decline in people serving shorter terms. During the same period, the gap between Black and White people receiving long terms widened, from half a percentage point to 4 percentage points. Though murder defendants were the most likely to receive a long sentence, drug offenses accounted for the largest share (20%) of those admitted to prison to serve 10 or more years.

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“Our nation’s reliance on long sentences as a response to violence requires us to wrestle with highly challenging questions about the relationship between crime, punishment, and public safety,” Task Force Director John Maki said. “Through their painstaking deliberations, our members rose to the challenge and produced a set of recommendations that recognize our need to advance public safety while respecting the humanity of those most affected by long prison terms.”

To view the recommendations, as well as research briefs, meeting summaries, and additional perspectives shared by members, please visit the Task Force website. Participants on CCJ task forces are asked to join a consensus signifying that they endorse the general policy thrust and judgments reached by the group, though not necessarily every finding and recommendation.

Key Research Findings

To inform its deliberations, the Task Force commissioned and reviewed research on a wide range of topics, including:

- The public safety impact of shortening lengthy prison sentences. Based on first-of-their-kind calculations, this research estimated that reducing long terms in Illinois (the state providing the data) would result in a very small increase in arrests of any kind, and almost none for violent or weapons offenses.
- The impacts of long sentences on public safety. Summarizing the existing research on deterrence and incapacitation, the analysis finds that there are crime-reducing effects but that they are limited and vary by offense.
- International comparisons. Researchers conducted original calculations to show that the U.S. remains a global outlier in its use of long prison sentences, even after accounting for the much higher homicide rate in the U.S., compared to Europe, and for actual prison time served (vs. sentence length).
- Trends in the use of long prison sentences. Serving as a foundation for the Task Force’s work, this analysis shows how state prison admissions, the standing prison population, and releases changed from 2005 to 2019 and breaks down the trends by offense type, race, age, and sex.

- Factors affecting time served in prison. Researchers examined how parole and other “back end” discretion decisions influence how long people actually serve behind bars.
- Perspectives of crime victims, formerly incarcerated individuals, and their families. Through a series of interviews, victims and survivors offered their views on the role of long sentences in achieving accountability and justice.

To read more see original article at: *Task Force on Long Sentences Releases Comprehensive Roadmap to Strengthen Public Safety and Advance Justice* - Council on Criminal Justice (counciloncj.org)

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THE MOVEMENT

www.hrcoalition.org

Journalists play a crucial role in the fight for prison and police abolition

It is our responsibility to resist industry-typical copaganda and instead produce reporting that focuses on transformative and reparative practices and informs readers how to keep their communities whole, safe, and accountable

by Tina Vásquez March 2023



PHILADELPHIA, PA - APRIL 13: A placard states "ABOLISH POLICE" during a march to protest the death of Daunte Wright on April 13, 2021, in Philadelphia. (Photo by Mark Makela/Getty Images)

My father is a Mexican immigrant who spent nearly two decades in the U.S. undocumented. I also come from a larger mixed-status family and a community in Southeast Los Angeles that's home to countless immigrant and first-generation families. As a child, I couldn't have explained who or what *la migra* was—but in my bones, I knew they were something to be feared; something that sowed sadness in communities like ours.

Now I know all about *la migra*. I've covered the immigration system for well over a decade, and, unlike the gut feeling I had as a kid, my instincts are now guided by facts. Like any honest immigration reporter, I can easily produce rigorous, evidence-based reporting outlining why Immigration and Customs Enforcement (ICE) is a bloated and dangerous agency that should be abolished. But I haven't always felt comfortable publicly sharing these insights.

Journalism used to be inhabited by reporters who, like me, lacked formal education and came from poor, working-class backgrounds. But a majority of those reporters were

white men, and that is not the industry that women of my generation inherited. A Latina without a college degree who is a full-time, salaried reporter is an anomaly. Many outlets already treat the work of BIPOC reporters covering injustice as questionable. Editors assume we have unspoken agendas or that we're merely "activists" posing as reporters. I wanted to be taken seriously, and I didn't want to lose out on opportunities to tell important stories.

But if you stay in journalism long enough, it becomes clear that objectivity is a total myth. Those who claim to adhere to this objectivity only contribute to reporting that lacks meaning, context, and understanding of the consequences faced by communities that cannot afford to remain neutral.

Since the latest rash of public executions by police—including the killing of Tyre Nichols—I've spent a lot of time thinking about my trepidation as a journalist to publicly embrace abolition. The conclusion I've reached is that I'm afraid of having an imperfect analysis as I grapple with new ideas and new ways of thinking and being. I also came to journalism deeply steeped in my familial role as the fixer, the information gatherer, the advocate—the person who can help make sense of the complicated, bureaucratic bullshit that impedes loved ones from getting things they need to survive. As a student of abolition, I fear being unable to provide all the answers about the *exact* ways our country will operate without police.

When I close my eyes and envision a world without police, I feel anxiety creeping up my chest. This fear stems from spending the entirety of our lives conditioned to believe that the police are necessary for our safety, though we have little evidence of this. My own industry is largely responsible for this conditioning because the copaganda churned out by colleagues in my field has been very effective—even when it flies in the face of hard evidence and anecdotal experience.

Statements from law enforcement agencies have been proven to be unreliable. A 2021 review of California cases found that law enforcement "frequently publish highly misleading information about people they've killed." An examination this year of seven prominent cases found that the initial statements made by authorities turned out to be lies. Publishing self-reports from police without first performing due diligence to confirm basic facts is deeply irresponsible—*especially* when it involves the death of a community member. When Nichols was murdered,

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the [original statement](#) from the Memphis Police Department described two confrontations followed by the claim that Nichols “complained of having a shortness of breath.” Notice there was no mention that officers pepper-sprayed and beat the young man to death.

I would certainly not characterize any of my interactions with the police as good or helpful. When my girlfriend and I were teenagers, a cop pulled us over just to sexually harass us. When I called 911 to report that my mom had died unexpectedly in our home, one of the officers who showed up alongside the ambulance banged on my bathroom door—where I had gone to fall to pieces privately—and demanded I come out and remain in his “field of vision.” My father, brothers, and best friend have all been held at gunpoint by the police. My brothers and I have all gone to school with someone who was murdered by the police. One of the first stories I reported on closely as a cub reporter was the killing of Michael Nida, who was out with his wife when officer Steven Gilley claimed to have mistaken Nida for a suspect wanted in an armed robbery. An innocent, scared, and unarmed Nida allegedly fled from police three times before Gilley shot Nida in the back with a submachine gun.

Cops do not keep us safe. This is an experience many communities across the U.S. share and one that data easily supports. Still, envisioning an alternative world that is fundamentally different from the only one our current generations have ever known can feel scary and overwhelming. But we can’t let fear continue to keep us in line. As journalists, we have an important role to play in abolition—as imperfect and bumpy as it will likely be. A fundamental part of our job is to respond to the public’s needs and make deeply complicated information and ideas accessible while not removing any of the necessary and critical nuances. Therefore, it is also our job to address the questions and concerns readers may have about abolition and how to keep their communities whole, safe, and accountable without prison and police. Another world *is* possible, and we have plenty of sources to draw from to guide the way.

As cliché as it sounds, knowledge *is* power. I am actively working to fill in the information gaps I have so that I can fully envision and fight for a world without police and confidently be the abolitionist journalist I want to be. I am reading interviews with abolitionist organizers and activists. I’m diving into the work of Mariame Kaba, Andrea Ritchie, and Victoria Law. I’m reveling in the efforts of the abolitionist journalist Lewis Raven Wallace, who

is providing resources to help reporters veer away from copaganda and instead produce reporting that focuses on transformative and reparative practices to shift the narrative around policing and criminalization. Soon, I will also work with incarcerated writers.

I understand there is a large segment of the American public who wants to funnel more resources to the police, and there are many journalists who parrot police talking points as part of their daily work, likely not even realizing they are on the fearmongering beat. This piece is not for them. This is for journalists who, like me, reject the police in theory and are eager to learn how to reject them in practice.

I am lucky I am employed by an outlet that has made it its mission to disrupt harmful narratives. I get to work alongside colleagues like Tamar Sarai, whose focus on crime, reform, and abolition is changing the way journalists report on crime. I understand most reporters are deeply constrained by their newsrooms’ social media policies and so-called ethics. Most newsrooms will never embrace abolition because their existence is interwoven within oppressive power structures, but every newsroom should grapple with the role that they allow police to play in coverage.

There are ways in which I’m ashamed that it’s taken me so long to publicly embrace abolition and to truly internalize the chant I’ve heard in migrant justice organizing spaces for years: *La migra, la policía, la misma porquería*. Ultimately, the path we take to get to abolition journalism matters less than the work we can do together: to correct the public record on the police and report the world we want into existence.

Tina Vásquez is the editor-at-large at Prism. She covers gender justice, workers’ rights, and immigration.

From: <https://prismreports.org>



Tina Vásquez

SMH: The rapid & unregulated growth of e-messaging in prisons

A technology that, until recently, was new in prisons and jails has exploded in popularity in recent years. Our review found that, despite its potential to keep incarcerated people and their families connected, e-messaging has quickly become just another way for companies to profit at their expense.

by Mike Wessler

Over the last twenty years, advocates and regulators have successfully lowered the prices of prison and jail phone rates. While these victories garnered headlines and attention, the companies behind these services quietly regrouped and refocused their efforts. Seeking different ways to protect their profits, they entered less-regulated industries and offered new products to people behind bars. One new service in particular — text-based electronic messaging or “e-messaging” — has experienced explosive and unregulated growth. As a result, rather than living up to its potential as a way to maintain connections between people in prison and the outside world — something that benefits all of us — high costs and shoddy technology have made e-messaging little more than the latest way these companies drain money from incarcerated people and their loved ones.

In 2016, we released a groundbreaking report that took a first look at e-messaging, sometimes — but incorrectly — called “email.” At that time, the technology was experimental, untested, and viewed skeptically by many correctional administrators. Since then, though, it has become common inside prison walls.

To better understand this explosive growth in e-messaging, we examined all 50 state prison systems, as well as the Federal Bureau of Prisons (BOP), to see how common this technology has become, how much it costs, and what, if anything, is being done to protect incarcerated people and their families from exploitation. We found an industry that is in flux, expanding quickly, and has yet to face the legislative and regulatory oversight it desperately needs.

The explosive growth of e-messaging in prisons

When we looked at e-messaging in 2016, the technology was relatively new, having breached the walls of only a handful of prisons and jails nationwide. Today, we’ve

found that at least 43 state prison systems and the BOP offer some electronic messaging option.

Like most prison communications services, e-messaging is dominated by just a few corporations. One company has established a particularly firm grasp on this market: Securus, under its “JPay” brand. The company serves half of the prison systems that offer e-messaging, holding contracts in 22 states. The other dominant company in the space, Global Tel*Link (GTL), which recently rebranded to ViaPath, provides e-messaging for fifteen prison systems. These two companies dominate more than 81% of the prison e-messaging market. The third most common e-messaging provider is CorrLinks, developed and owned by Advanced Technologies Group, LLC (part of the private-equity-owned Keefe Group family of correctional vendors).

Tablets are the new “it thing.”

In the early days of the technology, incarcerated users often had to wait in line to use a shared computer (or “kiosk”) to read or send electronic messages. Now messaging is commonly part of a computer tablet package, where each incarcerated user is either assigned their own tablet or checks one out for a set period of time. In terms of usability, this is good news (no one should have to write a letter home with a line of impatient people waiting behind them). But serious questions about the economics of tablet programs remain. These tablets are often touted as “free” but, in reality, are rife with hidden costs. The Covid-19 pandemic has been an economic boon for the companies that operate these programs, yet as tablets become more common, the companies providing them continue their relentless push to monetize every aspect of incarcerated peoples’ communications, reading, listening to music, and formal education. There are also grave privacy concerns when one company controls all communications channels to which incarcerated people have access.

Prices are down...sort of

The per-message price of sending an electronic message appears to have inched down since 2016. Unfortunately, some companies have found new ways to maximize their profits while hiding the actual cost of the service.

In our 2016 survey, the typical cost of sending a message was roughly the cost of a first-class postage stamp (at the

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time, a stamp was 49¢). We've previously explained that the price of a stamp has nothing to do with the cost of providing electronic messaging services, so there is little justification for tying the two products together. The costs to the company when an incarcerated person sends a message should be nearly nothing considering it requires no paper or staff labor, and the many other ways the companies already make up the cost of providing their so-called "free" tablets. Fortunately, linking the price of an e-message to the cost of a stamp has become less prevalent.

Today, our rate survey found the cost to send an e-message ranges from being free in Connecticut to a high of 50¢ in Alaska and Arkansas, with prices most often between 27¢ to 30¢. This wide range suggests that prices are not tied to the actual costs companies incur to transmit a message but rather set at the point that will maximize profits.

Bulk-pricing schemes are common, confusing, and harm the poorest people

A frequent tactic used by companies is "bulk-pricing." About half of the states that offer electronic messaging include bulk-pricing schemes, where customers pay a higher cost unless they prepay for larger blocks of messages. This method has two primary problems: First, it often results in people buying large packages of messages they may never use, ultimately wasting their money. Second, it charges the poorest people in prison — people who can only afford a small number of messages at a given time — the most money.

For example, in Alaska, if someone has the money to purchase 40 messages at once, they'll pay \$14 or 35¢ per message. However, if they can only afford one message at a time, they'll pay 50¢ per message — a roughly 43% price increase.

Bulk-pricing schemes are effectively a fee paid only by the poorest people.

Bulk pricing structures like these are common outside of prison and often are an effective way for businesses to sell their products and for consumers to get discounts. But, inside the prison walls, where most people are already economically disadvantaged and have little means to earn money, bulk-pricing schemes are effectively a fee paid only by the poorest people.

These schemes invite the question: Why don't these companies charge the lowest price possible for every message?

The hidden costs of per-minute pricing

Per-messaging pricing only tells a part of the story, however. Some states use a more complex pricing structure that can dramatically increase the amount people pay, and companies earn from a single message. In these states, people sending a message to a loved one in prison are charged a simple per-message price. However, people in prisons are charged per minute to use the tablet computer to read and respond to messages. For example, in Delaware, GTL/ViaPath charges people on the outside 25¢ to send a message. However, it costs 5¢ center per minute for incarcerated people to read or respond to the message.

This pricing structure is troubling for many reasons. First, research has shown that people in prison often have lower literacy levels, meaning it likely takes them longer to send and read e-messages. Per-minute pricing acts as a literacy tax, making it far more expensive for people who struggle to read and respond to messages. This pricing structure also makes it nearly impossible to assess what incarcerated people are charged for e-messaging and means companies are profiting twice off of the same message — once when someone sends a message to their loved one in prison and again when that loved one reads it. It is hard to determine how many prisons use this model, but it seems to be most frequently used in prisons that contract with GTL/ViaPath. This complex pricing structure is one of the many problems with "bundled contracts," which give one company control over multiple services in a prison, allowing them to evade oversight and develop new hidden ways to sap money from incarcerated people.

Waiving commissions, unsurprisingly, leads to lower prices

Through years of abusive practices by prison and jail phone companies, many correctional systems developed an unhealthy reliance on "site commissions," or kickbacks, to make money off incarcerated people and their families. These commissions have, unfortunately, spilled over into other services, like electronic messaging.

It may be distasteful, but it is not surprising that companies like Securus and GTL seek to profit off of incarcerated people and their families — like it or not, it is the type of behavior we've come to expect from corporations

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and why strong regulatory oversight is needed in this space. Our expectations of government are different, however. Governments should be in the business of serving people, not profiting off of their suffering. This is why these kickbacks are such a problem. They unnecessarily drain money from incarcerated people and their families without providing any added benefit.

Any price that includes kickbacks for the government is higher than it needs to be. Unsurprisingly, among states that charge incarcerated people to send e-messages, prison systems that say they do not receive site-commission revenue have some of the lowest prices. For example, the Illinois Department of Corrections only charges 15¢ per message, and the New York Department of Corrections & Community Supervision charges 15¢-20¢, depending on volume.

As state and federal officials debate how much people in prisons and their loved ones are charged for sending e-messages, they should remember that any price that includes kickbacks for the government is higher than it needs to be.

Little is known about how companies use the data they collect

The quantity and sensitivity of information captured in e-messaging systems — from people on both sides of the prison walls — is staggering. They hold two main types of data, personal information — such as names, addresses, and payment card information — and the contents of the messages. However, the technology providers have done little to explain how users' data is stored, protected, and used. For example, JPay states in its privacy policy that users' data may be shared “with law enforcement personnel and/or correctional facilities and certain third parties for use in connection with and in support of law enforcement activities.” This vague language gives wide latitude to the companies but few answers to users. By using the product, customers (whether they're the person in prison or the person on the outside) are handing over their data without knowing who can see it, how they can use it, or what protections are in place to ensure it isn't improperly accessed.

Other providers, though, are not simply vague about how they handle data. They make data harvesting part of their sales pitch. GTL/ViaPath, the second-largest provider of e-messaging services, advertises to correctional facilities by bragging about its “Data IQ” product, a data-mining tech-

nology that the company claims “was designed to handle large volumes of data coming from multiple, disparate sources” to “enable correctional facilities to easily review and analyze the networks, relationships, and connections associated with their inmate population.” The company makes clear it is pumping e-messaging data into its analytics system and using it as yet another surveillance tool that targets people based on nothing more than their contact with an incarcerated person.

While incarcerated people may not have the same privacy rights as those outside the prison walls, they — and the people they exchange messages with — still have a right to know how their data will be handled, and they are entitled to more robust privacy protections than they currently receive. There should be clear guidelines, procedures, disclosure requirements, and protections whenever e-messaging data is accessed by anyone other than an employee of the correctional facility that issued the governing contract.

Making electronic messaging work for incarcerated people, their families, and even prisons

E-messaging can help incarcerated people and their loved ones maintain stronger connections, despite long distances and metal bars. Thus far, though, companies have prioritized profits over functionality.

The service doesn't have to be expensive, cumbersome, and lacking essential features. There are five things correctional administrators, legislators, and regulators can do to realize its full benefits:

Make the service free

Electronic messaging has the potential to benefit correctional facilities, incarcerated people, and family members. But to be a win-win-win, the service must be free for end-users. And because correctional facilities stand to reap cost-savings from e-messaging, they should foot the bill.

Traditional physical mail should always remain an accessible option for people to send and receive messages, cards, and other correspondence to and from loved ones on the outside. Unfortunately, citing the costs associated with mail processing, some prisons have waged a virtual war on physical mail by scanning or photocopying incoming mail and distributing digital images or reprints to the recipient (while destroying the original handwritten card or letter). This eliminates the essential human connection of cards and letters and dramatically increases the time between

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when someone on the outside sends a letter and when their incarcerated loved one receives it. Predictably and for good reason, this has been met with fierce resistance from people on both sides of prison walls.

E-messaging offers a better path that protects physical mail, promotes communication between incarcerated people and the outside world, and addresses the concerns of prison officials about the challenges of processing mail without using harmful scanning technology. By making the service free, incarcerated people and their families will be more likely to use e-messaging for their daily written communications while preserving physical mail as an option. This will likely reduce the amount of mail a facility has to process and deliver considerable cost savings.

Provide better and more useful features

Traditional email is far from perfect, but it offers a model for what e-messaging can be. Prisons should demand that e-messaging providers add features that:

1. Allow users on the inside to send traditional emails to anyone with an email address.
2. Support documents, government forms, copies of news stories, and other attachments. Highly sensitive computer systems (like those run by courts and tax agencies) have figured out safe ways to do this. E-messaging companies should get on board and allow users to create, attach, send, and receive simple files like PDFs, website screenshots, and word-processing documents.
3. Eliminate character limits; they're restrictive, arbitrary, and technologically unnecessary.
4. Give users clear ownership over the content of their messages and a simple and free way to export their data to another program, like Outlook.
5. Allow non-English characters

Eliminate site commissions

Even if a prison system doesn't offer e-messaging for free, at the very least, it should eliminate site commissions on the service. This will lower the per-message cost to users and likely produce savings for the prison. Regardless of whether facilities receive commission revenue from other communications services, they should categorically forgo commissions on electronic messaging.

Allow competition

Any correctional facility that deploys e-messaging on personal tablets has the technical capability to allow compet-

ing providers to add their apps to the tablet. If people have a choice between two or more providers, market forces are likely to drive prices down and improve functionality. The tablet vendor will undoubtedly complain, but facilities have the upper hand. Allowing other apps onto tablets should become a standard requirement of procurement requests.

Define users' privacy rights

At a minimum, all correctional facilities should require that e-messaging providers' privacy policies tell users information is stored, how long it is stored, how it is protected, who has access to it, and what happens if that data is inappropriately breached.

For more information, including state-by-state pricing data, an explanation of seven ways e-messaging is worse than email, detailed footnotes, and more, see the full version of this report on our website: ([Prison Policy Initiative](#))

From PRISON POLICY INITIATIVE, March 28, 2023

***You may contact HRC-Philly at
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THE MOST DANGEROUS EVIDENCE KNOWN TO LAW

By Craig Saunders, FS1694, SCI Greene

"Positive identification testimony is the most dangerous evidence known to law."

United States v. Greene, 704 F.3d 298, 306 (4th Cir. 2013)

It is beyond belief that eyewitness identification evidence is unreliable and inaccurate. This has been known by courts and social scientists for over 100 years. Today, it is acknowledged to be responsible for causing the convictions of more innocent people than all other causes combined. Over the last 40 years, there have been over 2,000 studies on how unreliable and inaccurate eyewitness identification evidence is, the variables effecting it reliability, and recommendations as to how to make it more reliable.

Speaking to this body of research and the 2,000+ studies, Justice Sotomayor noted that the research "represents the gold standard in terms of the applicability of social science research to law." **Perry v. New Hampshire**, 565 U.S. 228, 132 S.Ct. 716, 738 (2012) (J. Sotomayor, dissenting). And, this research is accepted throughout the "Criminal Justice System." Nevertheless, "the law has not caught up to the science." **Dennis v. Sec'y, Pennsylvania Dep't of Corr.**, 834 F.3d 263, 314 (3d Cir. 2016) (en banc) (C.J. McKee, concurring).

In September 2003, the National Institute of Justice (part of the U.S. Department of Justice) published a "Special Report" entitled EYEWITNESSES EVIDENCE: A TRAINER'S MANUAL FOR LAW ENFORCEMENT, which highlighted best practices and recommendations on how to make eyewitness identification procedures more reliable or at least, how to avoid making them more unreliable. In September 2011, the Pennsylvania General Assembly published the REPORT OF THE ADVISORY COMMITTEE ON WRONGFUL CONVICTIONS. In 2014, the National Research Council of the National Academies of Sciences published IDENTIFYING THE CULPRIT: ASSESSING COURT OF APPEALS FOR THE THIRD CIRCUIT TASK FORCE ON EYEWITNESS IDENTIFICATIONS was published in Temple Law Review, Vol. 92, No. 1. Each of these reports ex-

plained how significant a role mistaken eyewitness identifications play in wrongful convictions, the factors effecting the reliability of eyewitness identifications, and best practices for conducting eyewitness identification procedures. And, they provide a lot of references, or citations, on many of the studies on eyewitness identifications.

Despite the quality, and the volume of the research, the overwhelming agreement among the researchers, and the light shed on the problem in the media; courts still find ways to avoid granting relief to people whose convictions were based solely or primarily on eyewitness identification evidence. The Supreme Court of the U.S. has had the same standards in place for evaluating eyewitness identification evidence since 1967—in other words, it has ignored the research. In 2014, the Pennsylvania Supreme Court finally rules that expert testimony was admissible in cases based on eyewitness identification evidence. At the time of the decision, Pennsylvania was only 1 of 4 states that still did not allow such testimony (the decision was not made retroactive to benefit all the people that did not have the option of presenting expert testimony at trial). Quite a few other state courts, and legislatures, have made more substantial changes to stay in line with the science than Pennsylvania.

But, "The Law" is still far from catching up to the science. You see, when Chief Judge McKee made the statement that "the law has not caught up to the science [.]" he said it as if "The Law" was a thing, an object, or some animal that needs to be trained. In reality, the law is people—judges, prosecutors, defense attorneys, police, legislators, etc. The Task Force that was responsible for the REPORT OF THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT TASK FORCE ON EYEWITNESS IDENTIFICATIONS was started by Chief Judge McKee, in September 2016. The Report was issued with a "Disclaimer" that it "creates no rights of any kind and it is not binding on any court or law enforcement and imposes no particular practices. Rather, the Report is solely intended to generally inform and educate law enforcement, advocates and courts about issues surrounding eyewitness identification. Moreover, the Task Force does not intend this Report to be viewed, for example, as facts cannot be reasonably questioned for the purposes of judicial notice or be regarded as a learned treatise."

(Continued on page 13)

In short, the “disclaimer” makes sure that no one that has actually been incarcerated as a result of a mistaken identification can use the report in support of a claim for relief. Stated another way, after three years of work (2016-2019), the “disclaimer” essentially insures that “The Law” does not catch up to the science.

Meanwhile, police and detectives remained focused on making arrests and are not concerned if their tactics are leading to mistaken identifications. With the limited publicity, most jurors still believe that eyewitness identification evidence is reliable and accurate. Prosecutors take advantage of it arguing for convictions based on eyewitness identifications, because they want convictions. Defense attorneys seem like they do not want to “rock the boat,” or upset the status quo, by forcing courts to deal with the issue. And, far too often, we (the defendants fighting the cases and suffering the consequences) are also ignorant and unaware of the vast body of research. I, myself did not know much about it, or where to find it, until an article was published in the Philadelphia Daily News a little over a year after I was convicted and sentenced.

While there has been a lot of publicity given to the corrupt practices of homicide detectives and many have been granted relief (and rightfully so), these cases represent a small fraction of the innocent people in prison. Often those “corrupt practices” were fabricating an identification of a suspect. But, mistaken identifications go far beyond that small segment of cases. Eyewitness identifications can effect robbery, burglary, kidnapping, rape, assault, attempted murder, and many murder cases. There are likely hundreds, if not thousands, of people in Pennsylvania prisons alone based on unreliable and inaccurate eyewitness identification evidence. “The empirical evidence demonstrates that eyewitness misidentification is the single greatest cause of wrongful convictions in this country.” **Perry v. New Hampshire**, 565 U.S. 228, 132 S.Ct. 716, 738 (2012) (J. Sotomayor, dissenting). Yet, the issue gets little attention from the media. There have been two articles in Philadelphia newspapers that I am aware of, in the last 20 years (July 28, 2005 Philadelphia Daily News; April 7, 2018 The Philadelphia Inquirer). This helps courts, prosecutors, defense attorneys, and police continue in practices that keep the law from catching up to the science.

As is often the case, the ones suffering the consequences of injustice have to take the initiative. With that in mind, we are making an effort to get an idea of how just how many people in Pennsylvania prisons with con-

victions were the only evidence of guilt was eyewitness identification, where the eyewitness was not familiar with or did not know the person they identified. That means:

- no fingerprints
- no confessions
- no statements by codefendants
- no DNA
- no cellphone/GPS data
- no possession of evidence of the crime at the time of arrest

The ultimate goals will be to get some publicity to heighten awareness of the magnitude of the problem, make a concerted effort to present the scientific research to the courts and eventually force the law to catch up to the science.

“No class of testimony is more uncertain and less to be relied upon than that as to identity, and where great doubt is cast upon it by the witness themselves, there is a double reason for submitting it with great caution... There are a few more difficult subjects with which the administration of justice has to deal. The carelessness or superficiality of observers, the variety of powers of graphic description and the different force with which the peculiarity of form or color or expression strikes different persons, make recognition or identification one of the least reliable facts testified to by actual witnesses who have seen the parties in questions.”

Commonwealth v. House, 223 Pa. 487, 72 A. 804, 806 (Pa. 1909)

Any available information, insight, ideas or questions can be sent to:

ATTN: EYEWITNESS ID
C/O: THE JUST-US PROJECT
701 E. Cathedral Road, Suite 45, Box 60
Philadelphia, PA 19128

Or

Craig Saunders, FS1694, SCI Greene
Smart Communications/PA DOC
P.O. Box 33028
St. Petersburg, FL 33733

Smart Communications/PA DOC
Darren Gentilquore, GX1572, SCI-Greene
PO Box 33028
St Petersburg, FL 33733

Honorable Governor
Mr. Joshua Shapiro
508 Main Capitol Building
Harrisburg, PA 17120

Tuesday, February 21, 2023

Dear Mr. Shapiro,

I wrote your office and your predecessor, Thomas W. Wolf, imploring you NOT to hire a new Secretary of Corrections from within the ranks. The department as a whole is in desperate need of a complete overhaul. The central office misconduct and grievance departments would be a great start as I have stated in previous communication.

I read in a press release, by your office, that you plan to make numerous changes within the department. These changes won't occur with your choice to run the department. Dr. Laurel R. Harry permitted many abuses to continue during her ten year reign at SCI Camp Hill. Dr. Harry received several letters from me when she was Acting Deputy Secretary of the Western Region. I reported NUMEROUS human rights violations and abuse. Both mental and physical. Nothing changed. Dr. Harry failed to address or rectify any of the matters.

The mind set by department personnel is the key to initiating change. Staff are trained at the academy that all inmates are the lowest form of existence. We are all liars and can not be trusted. Where that may be true for some, that is not true for the vast majority. When I complete and file an official DC-804, Part 1, the words I convey are factual and the true. Even with a plethora of evidence the department personnel deny the grievance. Or, we are threatened under duress to withdraw the grievance.

Over the years I have attempted to remedy issues through correspondence to facility and central office administration. I have filed grievances and civil actions. I wrote the prison advocates seeking assistance. What all of this hard work earned me was threats and physical assaults by inmates. The inmates were told by staff, watch out for that guy (me). He is a rat and child molester; neither are true. Look me up in the Law Library; I shot TWO intruders Pre Act 10 (Castle Doctrine). Looking me up shall also reveal my attempts to resolve matters through litigation. I was attacked by an inmate who was paid with drugs to do so. He even had a weapon and only did forty five days in the L.S. RHU.

I shall *never* be deterred in my fight for humane treatment. I shall fight until my death. I shall fight for humane treatment even when I regain my freedom. I shall do so through the internet. I have many accounts of maltreatment and abuse. That shall shock the minds of tax payers. The monetary waste alone, would shock tax payers.

You were the Attorney General of the Commonwealth of Pennsylvania. It was your responsibility to defend the Department of Corrections in the many civil suits brought against it. With the first hand knowledge of the goings on, you still appointed a new secretary from within. This tells me you have NO interest in change. It is going to be a continuation of the same old thing.

I implore you to reconsider your appointment of Dr. Laurel R. Harry as Secretary of Corrections. I also urge all Inmates and their family to contact you voicing their concerns over Dr. Harry and your alleged plan to make changes.

Respectfully submitted,

Darren R. Gentilquore AKA Esquire GX-1572

The HomeFront: Serving Our Community!

AGING IN PRISON

By Richie Marra

March 1, 2023 the men of SCI Chester put on an Aging In Prison Workshop for thirteen medical and nursing students from Temple, Widener, and University of Penn, along with some faculty. Also, in attendance were about thirty of our seniors.

Since 2019 the Lifers at Chester hosted four events with legislators, DOC officials, advocate organizations like FAMM and CADBI. Most events included about thirty guests and twenty residents of Chester. At each event, we've presented videos showing the men of Chester living their daily lives, having discussions about family, aging, and other topics. We would then invite our guests to ask questions and have open discussions.

The goal in doing these events is to dispel the myths about the men and women serving decades behind the walls of Pennsylvania prisons, and to educate our legislators about PA laws and the effects that go beyond just those individuals incarcerated. Yes, educate! You'd be surprised to learn that some legislators know little about our sentencing and parole laws, our prisons, and how they impact ALL citizens. They humbly told us as much, and they were eager to learn.

What people rarely get to see is the guilt and remorse that the men and women develop as they mature over decades of incarceration. Some talk about it; but most don't. However, you can see their remorse in what they do.

Holding people accountable is probably the most important aspect to serving victims and the citizens of PA. But after someone is arrested, convicted, and sent to prison, then what? How does our criminal justice system continue to serve its citizens - particularly victims? Our legal system is set up to be adversarial: the prosecution versus the defense. To attain the greatest degree of guilt, prosecutors often emphasize the most horrific details of the crime, providing surviving victims with tapes of trauma that play over in their heads. At the same time, with the defense attorney's attempt to diminish the culpability of the offender, victims never learn why. This lack of healing justice is compounded after the trial because the system doesn't allow for victims and offenders to know anything about each other - making healing much more difficult.

So how are citizens of PA being served by continuing to use retribution and fear to justify keeping people locked up forever? Retribution makes some people feel like they are doing this for the victims, but how does that lead to healing? Fear is used to tell the public that releasing "murderers" will make them unsafe, but we know that's not true.

During the November 2022 election cycle with John Fetterman running for U.S. Senate against Dr. Oz, we saw a deluge of commercials about Fetterman's votes on the Board of Pardons to release "murderers." The commercials depicted young, menacing men - implying that these dangerous men were being released and that the public should be fearful. Nothing could be further from the truth. FACT: The average age of ALL the men and women whose sentences were commuted was 63 years old - the same average age as those who were denied. And they served an average of 36 years. Few people know that. But we do.

So how do we compete with million dollar ads to get the facts right? Short answer: One person at a time. What we can do is meet with people who have their own networks, and show them who we are and what we do. We already have college students and faculty coming into the prisons via inside/out college classes. These are students who will go on to be judges, prosecutors, attorneys, and possibly hold many administrative level positions in government.

Let's talk about how our event went with the college students and faculty.

We began by asking all our guests to fill out a questionnaire about what they knew about our aging prison population, and lifers in particular.

Michael Rinaldi (64 years old, 41 years inside) introduced a video of eight of our elder lifers talking about life, family, and growing old behind bars. The video was recorded in 2019. Five of those eight have since passed away. Of the remaining three, one had a stroke and is incapable of caring for himself. Another is 87 years old, can't hear, and he is so fragile that he lives in the infirmary. And the third is 75 years old and was denied commutation in 2020.

We broke up into smaller groups to discuss the video.

I then did a PowerPoint presentation about 1) what a life sentence is in Pennsylvania, 2) a history of men & women serving life sentences, and 3) new milestones never seen before, concerning lifers and virtual lifers in PA. The first

(Continued on page 16)

(Continued from page 15)

and last slides showed a collage of our grandmothers and grandfathers behind bars as I emphasized: "AT NO TIME IN HISTORY HAS SO MANY OF OUR RESIDENTS LOOKED LIKE THIS!!"

At this point, I turned around a big white board filled with intake pictures of some of the seniors in the room - pictures of them when they were 18, 19, and 20-somethings as they were just starting their sentences - all to make the point that the large number of seniors in our prisons are not the result of seniors committing crimes, but of youngsters growing old behind bars.

There was some time for Q&A

Ezra Bozeman (67 years old, 47 years inside) then introduced the "Men of Chester" video to show our guests what it is that we do with our time, and to dispel some of the myths about the men and women who fill our prisons. The video depicts the residents engaged with each other - working, putting on plays, mentoring, doing fundraisers, going to school and much more. Finding meaning and purpose is to be human. It is often the only way to cope with the grief for what we've done to others and to our own lives.

Finally, Major Tillery (71 years old, 39 years inside) introduced a video, which includes the making of the senior lounge and S.L.E.P. (Senior Life Enhancement Program) - the first in the state. The fact that we even need a senior program is a testament to the state of affairs we are in when it comes to extreme sentencing.

We concluded by having the guests answer another questionnaire with almost the same questions that they answered in the beginning - along with a few feedback questions.

The most remarkable responses to the questionnaire at the BEGINNING of the workshop were:

- To the question: "In non-death penalty murder cases in PA, who decides if a convicted defendant receives a life sentence?" 11 of 13 respondents circled "judge" or "jury" (judge-9, jury-2). Only 2 circled "mandatory."
- To the question: "In PA is a life sentence the same as life without parole (LWOP)?" Of 13 respondents, 8 circled "two different sentence" and 3 circled "don't know."
- To the question: "How many years did a person spend in prison who was serving a life sentence back in the 1970s?" 11 of 13 respondents circled 20, 25 & 30

years. Two circled "until death." (Actually, the avg years served was 17 years.)

- To the question: "Do you think a LWOP sentence is a deterrent to commit murder?" 8 answered "NO"; 5 answered "DON'T KNOW."
- To the question: "Are people today more likely to be a victim of homicide than they were 30 years ago?" 9=Yes, 4=No

The feedback responses were:

- "I had no idea about the challenges of persons aging in prison."
- "Every time I enter SCI Chester, I learn something new from the passion of all the men. The workshop opened my eyes to an issue I believe more people need to be aware of. I would love to keep learning and assist in any way I can to support the seniors. I will continue to do my part to advocate for this population."
- "It was eye-opening, sad, inspiring...there were so many emotions that went through me. I hope these gentlemen know they were seen and heard."
- "I was blown away by what all the men are doing while navigating the challenges of being incarcerated as well as aging in prison."
- "It was very interesting to learn how you (seniors) support each other on a daily basis."
- "I appreciate the small group discussions and learning more about these men."
- "I did not expect this. I had no idea what to expect. This was truly eye-opening, something I will use in my practice."
- "How can I help. This really does shatter the stigma about who is incarcerated. Seeing and hearing these men was an experience I will take with me when I am working in the hospital."

The last question of the final questionnaire asked for suggestions for future workshops. Here are a few responses:

- Dealing with the holidays while incarcerated
- How do you come to terms with how you arrived in prison? Do you go through stages of denial, anger, etc.?

(Continued on page 17)

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The men of SCI Chester are no different from the men and women in the SCI's around the state. We know because we've been in other prisons. As far as the women's prisons go, we had the opportunity to meet formerly incarcerated women who came into SCI Chester. We watched the TEDx at Muncy. And we've had the privilege to read Daughters Magazine and Let's Get Free. We all share the same plight.

I've heard it said, "THE WALLS DON'T JUST KEEP PRISONERS IN. THEY KEEP THE PUBLIC OUT." But they don't have to. I think it is important that all our SCI's try to educate the public about who we are by reaching as many of our inside/out students (and others) that we can. By doing so, we can help dispel the myths about prisoners and convince the masses that we DON'T NEED TO keep grandmothers and grandfathers locked up for the remainder of their lives.

As former Secretary of Correction John Wetzel said, "WE ARE NOT EQUIPPED TO RUN NURSING HOMES." He understood the wisdom of releasing men and women who age out of crime, no longer pose a public safety risk, and only waste correctional resources.

FINAL NOTE: We owe a special thanks to Dr. Brenda Kucirka for her dedication to serving seniors on the inside. We also extend our gratitude to Chester Superintendent Gina Clark for her support of the men of S.L.E.P. and making this event possible.



SMART COMMUNICATIONS/PADOC
Richard Marra, AS0160, SCI-Chester
PO Box 33028
St Petersburg, FL 33733

Please Don't Judge Me

Please don't judge me for the past decisions I made as a young African American kid that was raised in an undesirable place,

Who's mediocre dreams were preposterous, thinking I could get rich and live a lavish life, all off crime. Ha!

I just have to laugh at this but deep down the only joke played was how my life was lived,

All a tenacious unethical waste of time that I wish to rewind and start over, especially now with the knowledge I have,

Extraordinary thoughts and exhilarating images of the things that I could have done instead of a long exhausting penitentiary bid,

In the preparation of my life who would've thought my nightmares and hallucinations of being incarcerated would be so right,

Night after night my concentration was slipping away and the only thing I was able to see was frustration and anxiety,

Antagonized by unfamiliar adults who judged me by the way that I look, and threatened by failure from authority figures, like teachers and cops,

Under scrutiny, because I was raised by a great mom with good intentions and given unconditional love by a big family,

Nobody will ever understand me or how I could just flip a switch on my life and turn to crime so instantaneously,

Ravished by a false sense of life, and consistently unable to grasp the knowledge of why I became this way,

Why didn't I recognize the complications of segregation, not realizing that every time I was put on punishment it as a inclination that my life would be this way,

Through the life in my eyes I'm not disguised as a impersonator, I was just made this way because I'm a "project of my environment."

So before you take time out of your day and give your own perception of how I am, I just ask first that you "please don't judge me."

By Jameir "Lil Ugly Meir" Hines

THE MOVEMENT

www.hrcoalition.org

The HomeFront: Serving Our Community!

Me, Reconstruction, and You



The purpose of this communication is to share briefly with you a piece of my personal story and to summarize the journey I have had with many of you within the past 30 years. I hope that you get a sense of how I got here with Reconstruction, what's happening now and the next chapter.

I was born in 1949 a few miles outside of Selma, Alabama. I was convicted twice of violent offenses during the Jim Crow era, and I have also been dishonorably discharged from the Army. The circumstances in which I was born did not successfully inject me into the control of a family structure, religious authority, the public education system or the public health care industrial complex. During my childhood, my mom, dad and others near me paid me no mind, which left me to manage my own perceptions, maintain good mental hygiene, and to trust my organic intelligence.

My first time in Philadelphia was in 1988 after serving four years in Central America with the Peace Corps. In Honduras I was a youth developer and in Guatemala I worked with women in transition. This is when I first heard about the 1985 MOVE bombing which killed eleven, including five children, and was the driving force in my decision to come and live in Philadelphia. I was registering at the Community College of Philadelphia when I noticed on the bulletin board an announcement regarding a three-day event memorializing the MOVE victims. This event was sponsored by the American Friends Service Committee (AFSC). Father Paul Washington presided over that second day which was a Saturday. It took place on 4th and Arch Street at the Quaker Meeting House. Hundreds of people were there of whom I knew none. Father Washington asked, "How do we prevent such a tragedy

from happening again?" The spirit moved me to stand and challenge any organization to meet me halfway to design a program that would address the rage of black men.

Barbara Moffett who at that time was the director of the Community Relations Division of AFSC reached out to me to discuss my challenge. As a result, the AFSC Mid-Atlantic Meeting Executive Committee agreed to finance a 12-month feasibility study. During this period, we formed an advisory council, a board of directors, decided that the name would be Reconstruction and we secured the 501c3 tax exempt status in 1991. In addition, we had formal and incredible support from the African American Studies Department at Temple University, the University of Pennsylvania Hypertension Clinic, Philadelphia Department of Social Services, the Pennsylvania Department of Adult Probation and Parole, Philadelphia Public Defenders Association and the State Correctional Institute at Graterford. The strategies, processes and decisions that went into program development criteria, the selection of participants, and the development of resources, were decided upon and facilitated by an external advisory committee. That committee consisted of faith-based communities, academics, civic leaders and other concerned folks. The internal advisory committee consisted primarily of men who were serving life without the possibility of parole, administrators and some long timers.

I believe that no one is born with rage, nor is anyone immune from it. It is our circumstances that have nourished all behaviors. I think that rage is a compilation of unexpressed feelings. Though MOVE lives their lives based on shared principles, they expressed their rage with profanity and mirrored it back to the community, for which they were bombed. Spiritually and politically, I unite with MOVE's expression of that rage. When I defended myself because of fear and with my own version of rage in two separate incidents I was indicted and convicted of a violent offense on both occasions. These are some of the seeds from which Reconstruction's work evolves.

The consensus of all the groups and people whom I've mentioned so far was that Reconstruction would facilitate a three-stage Afrocentric program at SCI Graterford. According to the program's basic criteria, all those included were men who had been convicted twice of violent offenses. The 1st stage was 12 to 18 months and took place inside SCI Graterford. The 2nd stage was in the Reconstruction residential facility for one year; the Spirit led Ms. Emma

(Continued on page 19)

THE MOVEMENT

www.hrcoalition.org

(Continued from page 18)

Ward to grant Reconstruction this facility, a 6-unit apartment building, for a donation of \$1. The 3rd stage was two-years of after care and checking in. The curriculum, which was developed for the first cohort, has grown into the Reconstruction Community Capacity Building Curriculum (CCBC).

Reconstruction has adopted the philosophy that we are changing ourselves to change the world by uniting the many to defeat the few. We work to practice good mental hygiene and perception management while attempting to build capacity in this age of technological alienation/ community. The CCBC continues to evolve as it unearths and addresses this tension. This curriculum also asks us to investigate our tendencies to indict and/or seek to help others without recognizing our own role in maintaining these larger paradigms of supremacy, especially when these paradigms conflict with "changing ourselves to change the world." The aim of the CCBC is to build *collective* processes where we can all transcend any form of supremacy (whether that be white, Black, gender, class or any other form of dominance). The CCBC has been taught in universities in various locales and is now being developed into a mobile app.

In 1993, the leadership of the Lifers Association at Graterford invited me to participate in a meeting hosted by them, some of their family members and other concerned people. The original intent was to create a fund that would assist them to get access back into the court with their various cases. We discovered this would be a major undertaking. So, after many meetings and much deliberation, we united behind politicizing the lifer's plight by incorporating and taking the name Fight for Lifers (FFL). We agreed to prioritize three focuses: Juvenile Life Without Parole, the contradictions within the commutation process, and the Post Conviction Relief Act (PCRA). I volunteered to be at the center of FFL's work in the spirit of reciprocity, and Reconstruction adopted FFL as its political domain in 2003.

Fight for Lifers has been one of five domains through which Reconstruction has operated as a 501c3 organization with each domain's leadership coming from within domain membership. This has allowed Reconstruction to pursue its mission with a multi-faceted approach while remaining united in purpose with organizational support. These five domains are:

1) Fight For Lifers (FFL), whose mission is to abolish the life sentence and/or add a number to it. It is also Reconstruction's political arm.

2) The Alumni Ex-offenders Association (AEA) which has a mission to politicize returning citizens.

3) Leadership, Education, Advocacy and Development (LEAD) is designed for youth to develop leadership and to make sense of the world they've inherited.

4) Reconstruction II is organized to be a think tank that does academic research and publication that supports the movement of abolition democracy.

5) Noble Pillars is an incubator where Reconstruction sponsors various community initiatives. In the past we have sponsored groups like: Youth Art and Self-Empowerment Project (YASP), the Human Rights Coalition (HRC), Let's Get Free (LGF), the Coalition to Abolish Death By Incarceration (CADBI), DeCarcerate PA and the MOVE organization.

Very recently, these 5 domains have been unable to sustain a critical mass of membership and the work of maintaining the domains has grown beyond the capacity of current Reconstruction, Inc. leadership. Efforts have been made over the last several years to reconstruct Reconstruction, Inc., including two different attempts at new board leadership formations. But each was overwhelmed due to current personal, familiar and political issues within Reconstruction, Inc.. For this reason, the decision has been made to stop managing our 501c3 structure. Reconstruction's nonprofit status will be allowed to expire in July 2024. Our ongoing program is and will continue to be our membership. And our objective is to engage each other using the CCBC to realize our philosophy on personal, familial and communal levels.

As one of the many founders of FFL, it is my strongest belief that family members MUST be at the center and give leadership to this work. Family members were at the center of the change that occurred within Juvenile Life Without Parole (JLWOP); and Campaign for Fair Sentencing of Youth (CFSY). Since the objective is to support the lifers by supporting their families, it has become and remains to be the primary challenge in this work. The recent dramatic drop in letters coming to FFL and the lack of attendance at meetings by loved ones suggests FFL is not currently seen as a vital organization. On the other hand, FFL has a well-known, respected and appreciated history and large presence in the movement against LWOP. We have been blessed to receive many generous donations from inside individuals and organizations and their families. The reciprocity alive in our common struggle cannot be overstated.

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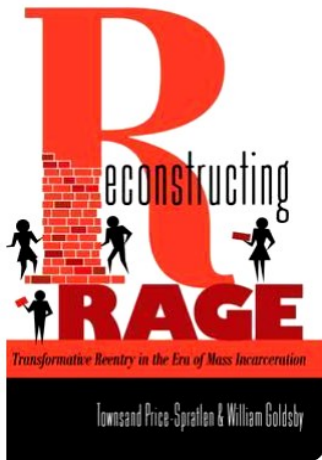
Know that each of you are deeply appreciated for the contributions you have made in helping Fight for Lifers and Reconstruction realize its mission to date. We look forward to remaining in fellowship towards our collective liberation. As we lean into our personal, social and economic spiritual capital and brilliance to get more clarity, we will attempt to keep you informed. Feel free to reach out with questions. ONA MOVE!

William Goldsby, Founder
Reconstruction Incorporated
www.reconstructioninc.org

Editor's Note: It is impossible to capture on only two pages the over 30 years of Reconstruction's community, political, educational, and prison work; therefore you are invited to forward your questions and inquiries to:

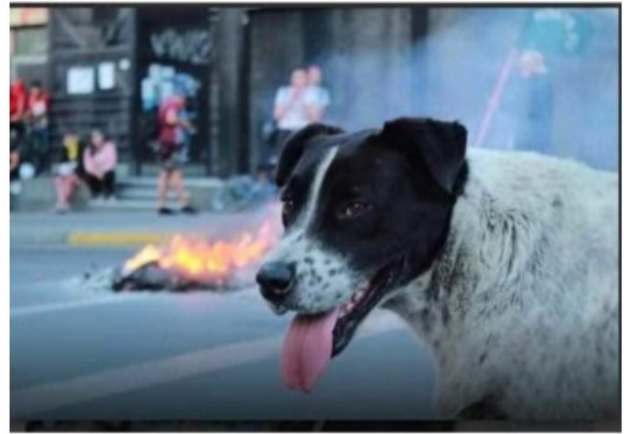
Human Rights Coalition
Attention: THE MOVEMENT
PO Box 34580
Philadelphia, PA 19101

Learn more by reading: **'Reconstructing Rage'**



Co-Authors: William Goldsby and
Dr. Towns and Price-Spratlen

Purchase at [Amazon.com](https://www.amazon.com)



workingclasshistory On this day, 2 January 2020, residents of Antofagasta, Chile, held a fake protest for a stray dog named El Vaquita in order to trick him to visiting a veterinarian.

El Vaquita ("little male cow") is one of several famous street dogs in the country, who frequently join demonstrations and protests, and instinctively side with them during confrontations with the police. During one clash, El Vaquita was shot by police with a riot shotgun and injured by a pellet. He would not allow himself to be captured, and had repeatedly refused to be adopted, so no one could take him to the vet.

So instead, local people organised a fake demonstration, which he then joined, which led him voluntarily to the vets where his injuries were treated. In 2019, in a poll by the local newspaper El Diario, he was voted "character of the year", surpassing all of the humans.

Source: @workingclasshistory

Solutions :

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1	2	3	5	4	6
4	6	5	2	1	3
2	3	1	4	6	5
6	5	4	1	3	2

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n° 8386 - Level Hard

1	5	4	6	3	2
2	6	3	5	1	4
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4	3	1	2	5	6
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THE MOVEMENT

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The HomeFront: Serving Our Community!

Interview with Christopher Blackwell: “The pen became my sword and a way to stand up for myself.”

FEBRUARY 2023

Written by FAMOUS WRITING ROUTINES

Christopher Blackwell is a Washington-based award-winning journalist currently incarcerated at the Washington Corrections Center where he is serving a 45-year prison sentence for taking another human's life during a drug robbery.

Raised in the Hilltop Area of Tacoma, Washington, Christopher experienced firsthand the effects of gang violence, drugs, and over-policing in his community. At the age of 12, he experienced his first time being incarcerated, and by 14, he had dropped out of school and became a drug dealer. Christopher spent most of his teenage years in and out of juvenile detention centers before receiving his current prison sentence at the age of 22.

Christopher's work has been published in many mainstream publications, including The New York Times, The Washington Post, The Boston Globe, The Appeal, and many more. He has also partnered with Empowerment Ave, a nonprofit organization that empowers incarcerated writers and helps them publish in mainstream media outlets.

Hi Christopher, welcome to Famous Writing Routines, thank you for being with us today. Can you talk about your background growing up in Hilltop and your experience with the criminal legal system from a young age?

The best way to look at it is like you're growing up in an abandoned community. These are communities that are overrun by drugs and gangs. We had plexiglass windows on the first floor of our house because there were so many drive-bys in my community. And I think that when people are growing up in these communities, instead of trying to thrive or be in a place where you can better yourself and grow and develop in the normal pathways children do, you're kind of living to survive.

A lot of the people as I was growing up in the early 90s, were feeling the repercussions of the crack epidemic. A lot of my friends and I — we were raised by single parents, were raised by our grandparents because a lot of our parents and the key role models who would have played a role in our life were in prison serving time for selling crack. And then me and my friends entered the juvenile system — I entered the system first at 12 years old and never escaped it. I was in the system for getting caught with a simple possession charge for marijuana. And from that point forward, I had been in the carceral system until today. This was the case with the majority of the people in my community.

Can you speak about your experience in solitary confinement and how it has shaped your advocacy work?

My first experience in solitary came at a young age. I was 12 when I first experienced that feeling of being locked in that cold concrete cell, stripped of everything: human dignity, social interactions, and at times my sanity.

Sitting in places like that really expose us to some scary things. And those experiences were and continue to be a big part of the reason I do advocacy work. We have to change how we treat people. And when you sit in those environments, and experience that treatment, or see that treatment against others, it really makes it hard not to want to do advocacy work.

If we want to have safer communities, we cannot treat people like we do inside our prisons — especially places like solitary confinement. As long as there are people being abused and mistreated in prisons in places like solitary, I will be fighting next to my comrades to end that. If we want people to act like humans, we have to treat people like such.

Your work has been featured in several notable media outlets, including The New York Times and The Washington Post. What inspired you to become a journalist and share the experiences of those impacted by the criminal legal system?

I just fell into the role of being a journalist. If you were to ask me five years ago if this would be my profession, I would have said you were crazy and laughed. It just happened. I wanted to write one story about a friend of mine I had grown up with and when I got into prison and saw him, he was covered in white supremacist tattoos and

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swastikas. And it just disgusted me that he would succumb to such a crazy environment.

But then when I came to learn about prison more, I realized that he did that for survival in a dangerous prison. And then it led me to want to educate people that this happens. People don't just come in here and join a gang because they necessarily want to — sometimes people are forced into that for their own survival in these environments. That led me to just want to share that with the world. And then that story, obviously, has spawned all the stories that have followed.

But seeing the change that happens when you have the ability to educate people around the harms of things like solitary confinement, mass incarceration, and the traumas that come through those, it feeds a fire that burns so hot inside of me, I had no choice but to become a writer and continue forward. The pen became my sword and a way to stand up for myself and the many around me who didn't have a voice loud enough to reach to the outside world.

Deep in my heart, I knew that we, as a society, cannot change this broken system. We just need to help people understand just how poorly it functions and the harm that's taking place within it. And my role is to share my and others' experiences within it.

Can you discuss your collaboration with Empowerment Ave and how it has helped you mentor other incarcerated writers?

My collaboration with Empowerment Avenue began when Emily Nonko reached out in 2020 to help support getting my voice published. Her and Rahsaan Thomas gave me an exceptional amount of support to continue sharing my experiences from prison.

Of course, without my wife, Chelsea, EA would have never come into my life. She was the one who encouraged me to start writing and publishing in the first place. She got my first dozen pieces published and was the one that did all the legwork of connecting with publishers and pitching. That's how EA noticed me — through a piece in the Marshall Project.

As Emily and I continued to work together, I was given an incredible support team through Empowerment Avenue: Jamie Beth Cohen, Jessica Schulberg and Rachel Zarrow. They were the reason I was able to get where I am. They put countless hours of their time investing in me and working to get me in bigger publications. Because of

them, I was able to develop the program that now mentors and develops other writers in prison.

In 2022, Emily Nonko, Deborah's Zalesne, and Ella Jaffe, founded the writers development program with me. I looked for men that had potential to become journalists from prison and we started creating and publishing content. The program has been extremely successful. We've published dozens of pieces, while continuing to develop the mentorship program, which will be implemented through EA in prisons across the country. For me, it's been about getting as many people as we can to share their perspectives around prisons and what led us here. And EA works to offer me the chance to do that.

Your work has been instrumental in educating society about the injustices and traumas of the criminal legal system. How does it feel to be a voice for those who are often not able to speak for themselves?

All I can say is it's extremely humbling and an honor to have the ability to speak for my brothers and sisters behind these walls and fences — but it is only possible because they support me. So I'm only in a position because they want me to be in this position to speak for us. So it's not me, it's with them lifting me into that position where it's possible.

You are currently working on a book manuscript about solitary confinement. Can you tell us more about the book and what inspired you to write it?

A few years ago, I was placed in solitary because of an investigation for something that ended up not having anything to do with me. And I was sitting there for a couple of weeks, watching things play out. By this time, I've grown up, I'm almost 40. And I've completely changed my life. And I hadn't been to solitary since I've been in this frame of mind where I'm now educated and had received a college degree and taken all kinds of classes and started mentor programs.

So I'm sitting in there and watching how people's interactions are going and how the guards' interactions are with the individuals that are in there, the other prisoners. And it was just crazy to watch how the treatment was playing out. Most of all, I was focused on this young kid that was 19 years old and had been in solitary for a year. I was watching him constantly get extracted out of his cell, which means he was getting pepper sprayed and hogtied and taken to strip cells where they stripped them of all his clothing, and left him in there under a bright light for a day or two, and then they would bring him back in the

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unit. And then this process would just continue to go on and on and on.

And I was thinking, “how can this be the way that we treat people?” This kid is 19, he’s been in the hole for a year, and he’s on his way to society in 13 months. I was having conversations with him when he was sitting in there and all I could think was how much hate and damage he’s going to want to cause because of the built up tension and abuse that he suffered at the hands of the DOC while sitting in there. It’s going to be just horrible for society and for him in general.

I was like, “This isn’t what we should be doing. I’m going to take notes and I’m going to write about this whole experience, and what this kid is facing while sitting here. How he was treated — instead of addressing the issues that he had, they abused him. I wanted people to know that. I want people to know that it’s not just people making bad choices here.

A lot of times, it’s people coming into a broken system and not getting an opportunity to get the support they need — not having any kind of consistency or structure in their life. I wanted to show people that. I wanted to show people how we end up with people that go out and harm people from those kinds of spaces and how we can better stop that from happening and invest in those individuals. So they feel like they’re a part of society and not another.

If you could have a conversation with any author throughout history about their writing routine and creative process, who would that person be?

It would have to be Mariame Kaba. She is a true trailblazer in the field of healing and reshaping how we deal with the disenfranchisement of our communities. Over the years of doing this work myself with the community, I’ve come to see just how hard this work is. There is so much trauma and such a need for healing that collective work can often be extremely difficult to achieve.

I would like to learn from Mariame on how she approaches these struggles — allowing the work to be sustainable. Her strength and ability to do the work in the community is a gift. She reminds us that the work to heal ourselves and our communities can be accomplished in a way that leaves no one behind, in a way where our principles are not compromised, and where we can come to take care of each other as a society, not abuse one another. I want to see this world, and it’s individuals like Mariame that teach us how to get there.

I’d love to know about the books you’re reading at the moment. What have been some of your favorite reads?

Right now, I am reading *Becoming Abolitionist: Police, Protests, and the Pursuit of Freedom* by Derecka Purnell. Just trying to sharpen my skills around this and learn from others that are doing this work so I can do this work in a much better space. And then I’m also reading a book by Bell Hooks — *The Will to Change: Men Masculinity and Love*. Because I always want to reshape the way that I’ve been ingrained to think in this world as a male. How I hold space and the air I take out of a room when I’m in a room with individuals that are not males or don’t have the privilege that I’ve been afforded — and making sure that I’m using that privilege in the right way.

And then for fun, I am reading a fiction book that my friend wrote called *Liminal Summer* by Jamie Beth Cohen. It’s amazing reading her work because she’s been such an inspiration to me and a mentor and an editor in this space for me as I’ve grown and worked towards becoming a journalist.

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The HomeFront: Serving Our Community!

Full Day CADBI Retreat Summary - March 2023

The March 2023 strategy retreat was energetic! In the morning, we started off by grounding ourselves in CADBI's unifying principles, our favorite CADBI memories, the legislative landscape, and the activities of CADBI's membership committee. After lunch, we dove into a deeper discussion of strategy & tactics. Throughout the day, there were opportunities to enjoy each other's company and celebrate the presence of movement leaders who have recently come home, like Shakaboona Marshall, Felix Rosado, and Terrell Carter.

The starting point for our strategy & tactics discussion was a list of ideas generated by the retreat planning committee and numerous messages sent in from inside members. A few themes and next steps emerged:

- Frustration with compromises in the legislative process, and a desire for CADBI to hold a role within the wider movement of promoting our ideals and narratives, to shift the conversation in that direction. We talked about what this could look like, as well as why other movement organizations are taking different strategies.
- Still wanting to be active in legislative strategy and figuring out how we can work together with other movement organizations if we pursue different strategies. There was particular interest in supporting a bill aimed at people who were sentenced when they were 18-25, possibly in combination with geriatric and medical parole legislation. Legislative committee will carry this conversation forward.
- Wanting to hold more rallies and actions, in many places across the state, to increase our visibility and draw people in. Statewide organizing and outreach committee will carry this conversation forward.
- Recognizing that statewide organizing and legislative work are tied, we

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also came away with a commitment to hold a joint meeting between those two committees in the coming months.

· Our last action step was to help bring the fight against DBI to a global scale by signing on to the UN complaint brought by our movement family.

Don't forget to get your loved ones involved! All family members and supporters are welcome. Contact:

CADBI
C/O Decarcerate PA
PO Box 4064
Philadelphia, PA 19107

or

CADBI-West
C/O ALC
PO Box 8654
Pittsburgh, PA 15221



Pics

Page 22:

Top: Felix Rosado
Middle from L-R; Rev. Art and Attila
Bottom from L-R: Etta, Felix, Annie Re, Sam & friend.

Page 23:

Top from L-R: Sarah, Shakaboona, Hannah
Middle from L-R: Naomi, Marcie, Martha
Bottom from L-R: Sam, Mama Patt, Marthea, Kavita



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IN MEMORY OF OUR BELOVED SISTER

ALMA RITA WHITE

(By Melvin White, The Coalition to Abolish Death By Incarceration Family)

In times of bereavement, most reference the term lost, but out of respect to Alma, we reference the term passed on as part of God's unlimited plan. When you reference lost, it denotes an almost unbearable pain, where as God's plan always brings with it joy and happiness that mortals often fail to comprehend. Thus we say passed on instead because Alma's time and relationships are not lost but to the contrary, they continue on with us everyday, causing us to never forget life's purpose.

Many may not know that Alma had her own personal struggles after kidney failure many years ago. But she nevertheless willingly chose to exert her God given energies into helping bring attention to problems with the aim of finding solutions on common ground for solving mass incarceration with victims of crime and prisoners who, in their right, became victims as well while spending astronomical years of incarceration with their rehabilitation efforts to no avail due to flawed court and parole systems.

Personally, my Sister Alma passed on to me everything I need to get freed from the shackles of the justice system constraints and when passing, we began formulating a strategy together for implementation. So I'm left with the task she began that will not be lost in examples of teach-

ing, volunteering, sacrifice and much more, moving forward in her memory.

As for the rest of us, even with her own health struggles in play, my Big Sister Alma initiated heading a CADBI committee entitled "PRESSURE POINTS" that she told me was named by Kempis Ghani Songster. This committee designed and focused on freeing deserving elderly lifers and the need for second chances in Pennsylvania. Humans are never to be judged condemned by their worst act but instead, judged by a unwillingness to reform their ways i.e.: the entire bent of their lives. Most humans conform in time naturally as those who received life sentences from crimes committed between ages 18 through their mid twenties based on scientific evidence. Human development requires time to at least mature into adulthood which courts and its penalties fail to consider.

Nevertheless, Alma was one of those unique advocates who journeyed that extra mile, traveling in her case from New Jersey in the interest of citizens of Pennsylvania, constrained by a system of oppression, yet she developed a balanced respect for human life and the nature of imperfection.

To the continuation in this struggle, in memory of our Sister Alma, I proclaim aloud for all to hear that your legacy lives even beyond this present life that we shared and beyond these walls that we remain struggling to scale, in that we Thank God for giving you the strength to service us with your presence and legacy that we may carry on what you began as sure as God's plan always comes to fruition causing us not to miss you but assures that we always remember the name Alma Rita White.

As her younger but not youngest brother, I personally will carry that memory of her with honor and grace that will forever live in my mind and spirit by her impression and impact on this earth as God's calling you home happened to coincide near me and Son, Justin birthdays. So rest in a well deserved Peace Big Sister, Alma, as we carry your initiatives onwards for a better world.

Human Rights Coalition Report

The Pain of Incarcerated Mothers

By Terri Harper

In this time of abundant worldly turmoil, we are witnessing so much that is heart-wrenching and wrong, nonetheless I want to focus on a mother's pain and loss, and how her expression of that pain humanizes her in a totally different light - no light is more vastly different than that of the incarcerated mother.

Throughout time women have lost children every day, no matter her age, nationality, social standing, financial status, or lifestyle choice. Loss has come from lack of medical care, due to poverty, from complications, horrible accidents, and God's Plan. None of us can say how deeply this pain goes or for how long it will control one's life. So we can only ask that there's no judgement, but plenty of support instead.

For some, pain consumes them and it won't go away. Others throw themselves into work, education, nurturing other children, creating groups that bring attention to that which caused their pain, change their living habits and/or get politically and socially involved in order to get by.

Since Mothers are seen as the *beginning*, never expecting to outlive their children, planning to guide and protect their "babies" through it all, those facing the loss of a child is the cruelest *ending*.

Imagine being incarcerated and facing physical separation from your children for any period of time, let alone LIFE. The emptiness, guilt, and helplessness is unthinkable. Then imagine losing that child to police violence, street violence or something else tragic. How does one process that? How does one mourn and then regroup? How does a mother go on to thrive, to live, to continue to be that nurturing, warm, caring figure in her family and community?

The women inside are no different (NO DIFFERENT) than mothers in free society. Women inside often bounce back with professional help, but like in every community throughout the world, we lean on friends, peers, family, and those who can truly sympathize. We talk things out, journal our thoughts and feelings, and most of us rely on God or a Higher Power for healing.

In this issue of THE MOVEMENT, I wanted to give all of you a view into how the women at Muncy feel, how humanly we act and cope, how much more humanely we need to be seen and treated before, during, and after deal-

ing with loss on this level. There is no denying that our separations and loss were brought on by our actions and failures to act responsibly. We were tried and punished. We have redefined ourselves and the important parts of life through education, social interactions, programming, mental health support and service. We've learned and embraced our purpose in this environment, while remaining relevant to our home communities and families. Years and decades have gone by, and we're all working toward possible freedom. For that, we need understanding and forgiveness. For that we also need political bravery.

I asked as many Lifers and long termers as I could reach to take in the contents of one question and respond as sincerely as they could. This issue is a collection of those responses.

"We are here, and even as sisters all around us are freed and leave us behind, We Are Not Going Away!!!!"

The following are some of the responses, from women of various age groups and walks of life. Those that wanted to be identified are, while others wanted to protect their child(ren) from any possible backlash or ridicule. We respect that and appreciate them.

Question: Our world, full of unknowns, holds many emotions that we wish *no one* had to feel. At this particular time of heavy police violence, social unrest, and financial turmoil too many mothers are mourning.

As a mother how do you describe the pain of losing your child(ren) to your incarceration, their incarceration, death, or any tragedy?

If you can and/or are willing to share, briefly describe what your mother felt/feels about losing you to incarceration.

Before coming to prison, I spoke with my mother on the phone daily. Since my arrest, my mother has remained at my side. I was suicidal, and if it had not been for her love, I wouldn't be here today. My mother retired from her job and has taken up the cause to help end Death by Incarceration. I know the long rides to visit me (a 5 hour round trip), 15-minute phone calls and 45-minute virtual visits are extremely hard on her. I feel bad that instead of enjoying her retirement travelling around the world, she is

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speaking at forums and demonstrating at rallies. My life has changed and so has my mom's, yet her love for me has never waned.

Thank You, Ms. Yvonne Newkirk, for all your love and support.

-your daughter Stacey Newkirk

How my incarceration affected my son: From the time my son was 9 years old, until he turned 18, we had no communication. The words I'm sharing come directly from him in his first letter after 9 long years. "I was finally told that you were there for LIFE. I immediately started to cry. I never thought you would be in there forever. I want you out of that Hello Hole! Me writing this had me in tears. I HATE the Criminal Justice System. This is not right! There's people who done worse and get out! I need to hit the lottery so I can fight and get you out of there MOM! I miss you so much! I love you so much!"

-Tricia Muff

"When are you coming home mommy? When God says it's time son." That's been the dialogue I've had with my sons for the last 11 years, until this year when my son said to me, "you'll be home in 4 more years mom." When I asked him why he thought that, he replied, "I've been looking on the internet and Life is only 15 years." With a heavy heart and tears in my eyes, I had to explain to him in the last few minutes of our call why this did not apply to prisoners in Pennsylvania. His only response was, "Oh". In that one word, I could hear the heartache in his voice. Needless to say, I didn't sleep that night. I spent all night imagining what it would be like to hold them in my arms again.

Until that day comes, I will continue to pray and stay focused on the task at hand, which is being the best me I can possibly be in this moment.

-Nacola Franklin #OU4383

Letter from my Mom

Dear daughter,

Hello. Hope you are feeling better. Got your letter yesterday. I wasn't sure about how to reply. I try to understand how hard it is there for you, and I feel horrible that you are there. I often have to remind myself all the reasons

why you're there. A lot of times I just want to make it all better for you, like a Mom would. I honestly never thought you'd be gone for life, and that's so hard to accept. I can't imagine how hard it is for you. Stay Strong.

We love You.

Mom

Words could never express the pain in my eyes, the dagger in my heart, or the pull of my soul concerning the painful emotions of being away from my one and only child, whom I have loved from inception. The pain can oftentimes consume and overwhelm me. Why? Because my love for her has always been greater than the love I have for myself.

- Lucinda Andrews

Years of words could never express the pain and anguish I feel each and every day being away from my only child. I hold, so tight, to my last memory of us together. It hurts my eyes when I close them, trying to draw up the memory from deep within, because as the years pass I feel like the memory is fading. And it scares the hell out of me. The love I have for my child is greater than for myself. I try to keep the connection strong. Our bond tight. I try to be the best mother I can from within these walls. I try to connect with her children and be a wonderful grandmother to them. I feel the pain so deeply in my soul that it takes my breath away when she hurts and I am unable to do anything to help. In here I am powerless, and I only have words. My decisions and advice only go so far. I long for that smell, that touch, that feeling again of what active motherhood is. I feel it, but pray I never lose it. When my father died and I received the obituary, I read my daughter's name alongside mine, as a sibling, not as my child, not as a grandchild, and I almost drowned. Now I found my anchor in my grand babies.

I feel like a zombie walking, in the sense of being down 31 years and watching my daughters grow into women, becoming mothers to my six grandchildren. The hurt is like I'm just staying alive, fighting to get out!

-Karen Groom

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I felt like I had a whole heart until I left behind my daughter and two grandchildren. My daughter was pregnant with twins and the stress of my arrest and trial could've caused her to lose those babies. Years later when she told me that, she also knew how I felt when the judge sentenced me to life in prison. She went on in life steadily, and achieved both her Associate Degree and Bachelor Degree. And she is working on her Master's Degree in Social Work and Drug & Alcohol Counseling. Although she struggled and is a single parent to six children, I am so proud of her. She's moving on with her life and is a great mother and grandmother to her nine grands. She's had to deal with the losses of my two beloved brothers, a niece and a sister-in-law without my help, and still, she is always there for me! For 32 years, and counting, I'm praying to be reunited with her and my family again.

-Doris

When My Marlene, lost me to incarceration she was devastated, heartbroken to the core. When she heard the judge's gavel, and the judge said, "Life without the possibility of parole" she cried, yelled, and hit the floor on her knees. She was in so much emotional pain, it hurt me to see her, knowing I couldn't fix it nor change the outcome.

She went into a mental state of denial, then was angry and in shock. She'd never experienced that kind of pain before. To help alleviate the pain, she signed herself into a mental hospital, to get the help she needed. That day has left a scar deep into the heart of her soul that can never be healed. When we see each other, we put on a facade, so we are both trying to stay strong for the other. When we part ways, we are numb to the "new life normal" we have. It was the worst day of our lives.

MSB

When I was arrested, my 4-month old son was literally wrenched from my arms, and that is how leaving my children felt and still feels - as if my limb was violently removed from my body and I was left alone to bleed out slowly and die.

When my son was old enough to write, he wrote, "I love you. I am sad that you are in jail. Mom, I want you to come home. Mom, I love you. It's not easy for you to come home, Mom, I miss you. LOVE KEIFF." He was 4 years old then. He is now 31.

My daughter wrote: "You are the heat of my eye. You make my heart beat. I love you so much because you are my mommy. I want you to come home. Do you know how much I miss you." Keeva was 7 years old. She is now 34.

My mother said, "It still feels like someone ripped my heart out. By the way, I don't worry about you anymore, because God got you and you are coming home. God has been hearing my prayers and answering them, so I know it's going to work out for us. My heart aches to not have you here with us. I know it will be soon. I feel it. I pray for it daily. I will never love anyone or thing the way I love you. I miss you more every day."

- Sheena King #OC2312

I was and am devastated being incarcerated and away from my child. My daughter is all that I have! When I got arrested, I was told I would never see or hear from my child. I thought to myself, "Not only did I lose my life to prison, but I will also lose the very center of my whole world". I couldn't breathe, not knowing for sure that my child was safe, happy and alive. Without my child in my life at that time, I didn't want to live, so I'm extra blessed that after 28 years, my child is still in my life and the center of my world. If that changed, what would there be?

- Nicole Newell

My mother passed away at 19, however, as a mother myself, I didn't start honestly dealing with my demons until over fifteen years into my incarceration. I was a coward and loved to use the excuses of what everyone did to or against me to justify all my evil. There is such tranquility in letting go of the burden of guilt and shame. That's the first step.

My relationship with my grown children is strained as a result, but I've learned throughout twenty years of incarceration that when you've done all you can do, that's when it's time to lay your worries and concerns at the feet of Christ. The Lord has blessed my children. Although their lives have been far from easy, and this wicked world hasn't pushed them to early graves, I will never give up on us. I believe that one day the Creator will bless myself and my family with restoration. Holding onto all the bad things of the past will stop growth for our future, so may we all pray for the spirit of moving on.

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For two years after my husband was murdered, I took my daughter to therapy to help her cope, heal and grow beyond the grief of losing her father. One September morning during that second year, a knock came at the door I opened it fully expecting to see my neighbor that I was running errands for. Instead, there stood the detective involved in my husband's murder case. He said he was there to charge and arrest me as an accomplice in my husband's death. At the very same time, my daughter pulled into our driveway, ran up to the door and stood in disbelief as I was being handcuffed. The last words my daughter said to me as she became hysterical were, "I just lost daddy, I can't lose you too Mom" I still get nauseous when that moment plays over in my mind, and I see the excruciating, heart-breaking pain all over her face.

- Amy Gipe #OZ0117

The way to describe my pain of losing my children to my incarceration is pure agony, an agony that will never go away. This has been one of the hardest things that my sons and I have had to go through. It has changed them mentally, emotionally, and psychologically. I even lost my oldest son five years ago, because he didn't know how to deal with the pain of not having his mother by his side. Unfortunately, he started self-medicating and one day he overdosed, which resulted in him passing away.

How much pain do we have to go through? I made a horrible choice, however, that doesn't mean that the justice system needs to throw the book at me, sentencing me to 30-60 years away from my children.

Our kids need their mothers out there, the system is breaking up millions of homes and our kids are paying the price, often getting lost in the system themselves. The financial strain is unbelievable. Always making sure I have minutes on the phone to call my sons, parents and loved ones. Staying in touch can get extremely expensive and our grown children help foot that bill. I am not the only one doing this time. My family is doing it as well, and they remind me of that. My mother suffered two strokes stressing over me and the unknown of my future in being incarcerated. I do not know how much longer my parents will live, so my worst fear is losing them or another one of my sons while I am here. Through the trials and tribulations, however, I will remain the absolute best mother and daughter I can be. I will not break!

I have been through a lot while incarcerated. The worst of it is having left my sick mother out there alone. The pain my mother is feeling is something I cannot explain. She is sick without anyone to take care of her, which is what I did every day, when I was free. She has doctor appointments five out of the seven days each week. Normal moving around is hard for her. And I left her behind and that breaks me more every day. What gets me through being incarceration is prayer, my faith and getting on the telephone talking to my mother. Knowing when she has a good day, one day at a time, is the blessing that keeps she and I together and helps me fight for Freedom.

- Denise

"No puede ser!" I'll never forget those three words my mother said in the courtroom 24 years ago when I got sentenced. Immediately following, as I was handcuffed and shackled, my mother also said, "Yo nunca te voy a estamos Juntitos hasta el fin." (Tinita, I'll never abandon you, together until the end!). These words have never left my mind. Every single one of these 7,620 of many DBI sentence.

My mother's love has never wavered or changed, regardless of her own personal struggles, trial or tribulations. During the holidays and on birthdays it's harder for both of us, although hard isn't a topic we discuss. We just know that, "I love you and miss you" are mentioned more.

Just a few weeks ago, my mother went through a very difficult transition, and when I asked how she felt and she started crying, something she rarely does. She said, "Tinita, this life is hell out here, times are crazy and changing every day, but lately having you in there is getting tougher." Then she asked how I felt. I said, "mom, you're the toughest, strongest person I know, and every single day I pray for God to bless me with just a piece of your strength". There's no doubt that I did what I did, therefore, I'm here wasting away, but my mother's suffering is doubled, because she's carrying my burden and her own. When is enough enough?

This is about the impact of a child losing a parent to incarceration. It can change the trajectory of that child's life forever. I was blessed that my child was an adult in the legal sense. He was 18, so at least I had given him the skills and tools to live in this terrible world. The void of my physical presence has affected him monumentally. He has had to navigate his life as if he were an orphan. For

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many years, he chose to cut me out like a cancer. It was a wound that festers and will always be painful. It has taken an extensive amount of time to earn him back. As a mother you feel like you have failed your child in allowing circumstances to remove you from their life. A mother's job is to nurture and protect. That job is lifelong. Now with modern technology, I'm able to have some semblance of a parental role in my son's life, as well as to be able to build a relationship with my grandchildren. That will never equate to the physical presence of a warm hug from your mama, so I keep looking toward freedom.

- Janeske Vargas

The first call I was allowed to make didn't go to my mother, but to my father instead, because I was trying to formulate the words that I knew would break my mom's and Ms. Ellie's hearts. My dad said, "Pray. I got you!" I did then, and I've never stopped. I never prayed harder than after my first call to my mothers. The next day and the night I got turned down at my Public Hearing for commutation. I remember every word they've said to me in these 32 years and always wish I could hear Ms. Ellie's voice again. When my mom asks how I am, I know my answer carries the weight of the world. I am not always ready to answer, but I know that my show of faith, strength, and determination to keep my promises to Ms. Ellie and my baby sis, will continuously breathe life into my mother and me. I hurt them and then failed them trusting my lawyer with that naïveté of one never being in trouble. So, I spend every day doing work to keep this decades long, seemingly never-ending, separation a little less painful with my triumphs, my growth as a human, with my will to overcome, and with service. My mother deserves my absolute best, and the legacy of Ms. Ellie calls for excellence, and the love I have for my baby sis ("My Child") required that I let go of the unbridled pain of separation from her and become the one she still yearns to have home for her next birthday. God Got It. I won't give up!!!!

-Terri Harper

As told to me by Rose Dinkins:

The pain of my incarceration was extremely hard on my mother, whom I lost in 2018 while I was at SCI- Cambridge Springs. Her abundance of love for me never lessened and will never leave me, but my relationship with my

children has been strained. What I do is remind them that I am always available to them in whatever way they will allow me to be, and that my fight for freedom is wrapped in the hope of our togetherness as a family and in my relationships with each of them.

How does one summarize in words the pain of not being able to be there for their child? For me being sentenced to a DBI sentence and explaining why I am not coming home or why I can't be there for his first girlfriend, the breakup, the challenges of life and then to just sit and think of all the milestones that I missed and will miss, is a pain that cannot be put into words. Sure, I can still "parent" from prison, but the actual physical involvement has been stripped away. I can't receive a late-night phone call asking me for advice; hell, I can't receive a call at all. The touch of a mother and the hugs are such soothing comfort that one just can't explain.

Over the years I have learned to disconnect from the feelings of being an absent parent. I can do my best to give the best advice that I can or even to comfort when he is going through life's challenges, but nothing can ease the pain of not being physically there for my child. As he has grown into an adult, those tough conversations only continue. I often sit and recall the times when I first came to prison. I had to continuously fight to interact with my child, because I was labeled a threat to the community due to the murder charge; the thought process was that if I was this threat to a community, was I a threat to my child? I was baffled beyond disbelief. I never hurt my child and I didn't kill anyone. I remained strong and continue to. I have a wonderful bond with my son now, but the pain remains, because I cannot be THERE for him in the ways that I should be. So again, how can one actually put this pain into words?

- Jennifer Vinsek

A mother's pain of spending decades away from her child is a never ending, inconsolable pain. It is the type of pain, guilt and grief that has never been experienced before. The pivotal moments and milestones that I've missed weigh heavily on my mind and heart. I lie awake at night trying to imagine the unimaginable, the feelings of hurt, anger, disappointment, and loneliness that my child is experiencing due to my incarceration. I know there is nothing that I can say to take away his pain, especially not

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in a 15 minute phone call. I take on his pain, and it becomes intertwined with my own. In 2040, when I'm paroled, God willing, that pain will follow me out into the world, because even though I will be with him, neither one of us will get back what we lost.

- Krystal Mariani

Twenty-six hours of labor between my two children, and I thought that was painful. No! I take that back! Being incarcerated away from my children is true pain. I am stripped of all rights, and decisions are limited to phone conversations and visits. It's no easy way of being a mother behind prison walls. NO sweet hugs or kisses, just because. NO first days of school or back to school, nor dinners at the dining room table. The only means of support and love is giving, through advice and being a listening ear. Being taken away from my children means being taken from priceless moments. Moments that we are unable to get back. My pain from being absent is unbearable at times. As their mother, my pain will not subside until I'm home.

#AMANI & LEGEND 's mother

No words can possibly explain the gravity of the hurt my heart felt when I was ripped away from my children for months, hours, days. My mind ran in circles repeating the same thing, "What are my children going to do without their mother?" Some of the best things I've done to provide for my children ultimately led to my family being without me. I often contemplated just ending my pain. Their pain. Because at times after a visit, seeing my child cling to my leg, crying, and not wanting to let go, having to pry her hands off and handing her to my mother just breaks me every single visit. I almost gave up. But I must fight and push forward, if not for myself, then for my loved ones who sacrificed so much being by my side. I've learned what true strength is from my children, because through all of the lonely nights and dried up tears on my cheeks, they are loving me and fighting for the chance to one day have me back home with them. If for nothing else but them, I get up out of bed despite my heart being so heavy. This sentence imposed by the courts is supposed to eradicate my connection to love and my family, but we have built upon our support for one another, never allowing anyone to truly tear us apart, or else they'd win. I've been down for nine years this month, and I have had one

son graduate high school and is currently in his second year of college. Another son is in the U.S. Navy. They chose not to allow this struggle of mine to be in vain, and for that I have to fight for my freedom for my whole family and for myself.

Akeita

May 1, 2002. That was the day my son, Heath Gray, was arrested.

Two nights before, I asked him to come spend his birthday (May 3rd) with me, he would turn 23 years old. He said he had plans for that evening, but he'd be over for his birthday. He was also going to help me put up the yurt I'd bought. He did come over only to be taken away by state police and he wouldn't tell me why. I had to hear that on the news. He was young and thought he had everything under control. Well, he found out he didn't. Had he confided in me about what was going on I could have had a lawyer waiting for him at the police station. He didn't, until it was too late.

Those first five days were torture. I instantly could not complete a sentence or read anything. I couldn't eat, sleep, think clearly or function at all. That first night I was so exhausted I thought I would crash when I hit the bed. Did not happen. Instead, I closed my eyes and a vision appeared. I was an older woman in a rocking chair holding a young boy in her lap. While I'd never met Kalob - the boy that died when my son's codefendant lit the house on fire, that boy was that man's son, and he would have or did turn five years old at midnight and he died 10 minutes later from the fire - I knew it was him in my vision. The vision kept me awake and I couldn't sleep regardless of being totally exhausted. Three more days and nights I could not function, always feeling so exhausted that I would crash going to bed at night. And for each of those nights when I closed my eyes Kalob would appear to me alone. Then on the fifth night Kalob spoke to me. He said everything is perfect, whole, and complete, exactly as it is. All is in harmony. Then he disappeared. I have never seen him since. However, the next day I was able to eat a little bit. I was taken over by a feeling of peace and I began coming back to life.

After that Heath and I had many conversations, some good, some not so good. There were times he wouldn't come down to visit because he didn't want to argue with me. You see we - Heath, myself, his court appointed law-

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yers, and the DA - were called into a judge's chambers, the judge (not by the judge on his case) was trying to convince Heath to take a plea bargain for a minimum of 50 years. They talked to us about the ramifications of his situation which was to consider the felony murder rule; it states that anyone involved in a murder would get a 'Life Without Parole' sentence if found guilty. There's nothing the court could do but impose a sentence under the law. They also said the DA was going for the Death Sentence, and they all believed he would be found guilty. Heath refused to take to plea bargain. I see it as a way out one day, and not death. We argued over that and he wouldn't allow my visits. That was the hardest point of it all. I finally gave in and told him it was his life and I would drop it.

There was never was intention on anyone's part. But the father of Kalob plea bargained for a 'Life Without Parole' sentence and changed the story at least five times. In the end testified against Heath. Even though Heath did not start the fire his guilt is that he didn't stop him, nor did he turn him in. The man's current, at the time, girlfriend turned them in; she was never charged.

I learned about forgiveness through Sharon and Howard Adams. Sharon, I'd met through a yoga class that I taught. She was there [at class] that first night. The next day I was meditating, while taking a salt bath, and three figures appeared and said to call Sharon. I was like who's Sharon? They said it three times then disappeared. It took me a while to remember there was a Sharon in my yoga class. So, I asked a friend for her phone number and called her. I went to visit her and found out that her husband used to work with two of my brothers. He was a delivery man for bread company. One early morning Howard was delivering bread when he came upon a robbery in progress. The robber had a hatchet and beat Howard with it. Howard only lived by drops of blood. He has severe damage to his head and hands from trying to protect his head. Howard lost much of his memory, but he did remember my brothers. Howard and Sharon are very religious people and they found it in their hearts to forgive this man. Not only did they forgive him, but befriended him, and got permission to communicate with him via phone and letters. Howard showed this man to the Lord and when released from prison, he was invited to the Adams house for dinner. Then they baptized him in the local creek. My lesson from these people was that of "forgiveness". That has been my rock, the power of forgiveness. We all do things we need forgiveness. They helped me to understand the importance

of forgiveness which has been my catalyst for understanding that everything happens for a reason. We may not think that while experiencing situations, but I have found truth in it.

Heath, himself, also helped me to understand this the first time I got to see him after being transferred to SI-Greene. We had a very profound conversation. We were talking about my experience with the Adams and what I perceived my lesson was in our situation. And that he himself would have to figure out his lessons. His response was, yes mother I do believe everything happens for a reason. I know I was going down the wrong path and I needed a wake-up. I do believe this is how bad it had to be for me to wake up. If it had been anything less, it wouldn't have worked, it wouldn't have woke me up.

I thought that was very profound and the beginning of him maturing. His attitude since then has been amazing. He has grown and matured into a wonderful man. His heart is huge and he does his best to hold on to hope, perseverance, and learning. He's bettered himself in many ways. He keeps things in perspective and helps me do that too. He doesn't burden me with wants and needs, he fend for himself, for the most part. We discuss projects that I do, and he talks me through things I need help with. I moved across the state to be near him, which was good for him, me, and my husband. Being close to Heath and able to see him regularly really helps me cope, and him too.

I did get involved with some lifer groups which also helped. Doing that got me in touch with other lifers many of which have way more time than he does. I have been writing to these lifers for many years, 15 years. These people are my inspiration, my friends, and some have become brothers and sisters, and adopted sons too. I've learned much from these incarcerated individuals. I am very impressed by so many of them because of their perseverance, their tenacity, their determination, and what they have accomplished from behind those razor wire fences and sandstone walls. I am a better person for having to get to know those people. I pray for all of you to come home, those of you that deserve to. And I have been uplifted by so many of you. Thank you very much for consoling me and sending positive thoughts and prayers my way. Thank you for all that you give to make it possible for you all to come home. I wish all of you meritorious incarcerated individuals a chance to come home. Keep on keeping on, and I will too. May the light, life, love, and kindness of the Great Spirit that moves-through-all-things see that you all have a way home.

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Many blessings to those I know and those I don't. I will never give up hope, you give me that and I hope I can give some back.

I would also say that without having the support of my husband and all of you, I'd be a mess. Thank you.

Sincerely,

Brenda

For the mothers who 'lost' us to incarceration, I salute you and hold you in the highest regard. You all are the best examples of what forgiveness, acceptance, and familial connectedness looks like, and I'm grateful to my sisters in this struggle and I have you all.

I would be remiss if I didn't salute the surrogate mothers, especially since I am one to TWO GREAT DAUGHTERS.

When we say, "my child", we mean it, and there is nothing I wouldn't do to help and protect them. My baby sis, Cash, and I have our mother, a great mother, and I know she hurts every day that is added to the 32 years I've been incarcerated. Still, she ALWAYS has laughter, love, help and words of strength for me. I'm up today, blessed by the kindnesses of all 3 generations of mothers that raised me, and the only way I know how to honor and repay them is to STAND!

Thank you God for mothers, their joy and their pain.

I want to support the Human Rights Coalition by giving a Donation!

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A Glimpse into the History of Solitary in PA

The following is an interview between Valerie Kiebala and Jerome "Hoagie" Coffey about his twelve years in solitary confinement in the Pennsylvania

Department of Corrections as well as his knowledge of the history of the practice in the state.

[VK:] Good afternoon!

[JC:] Likewise.

[VK:] Thank you for participating in this interview and breaking down some of the history of solitary confinement in Pennsylvania.

[JC:] Sister Val thank you for inviting me to contribute and raise awareness to the systematic abuse in solitary confinement in correctional facilities throughout the U.S.

[VK:] How long were you in solitary confinement in the PADOC?

[JC:] Twelve years, from 2001 to 2013.

[VK:] There are all these acronyms that PADOC uses for solitary units: Special Management Unit (SMU), Long Term Segregation Unit (LTSU), the Intensive Management Unit (IMU), Security Threat Group Management Unit (STGMU), Restrictive Housing Unit (RHU), and the list goes on. Do you know how all these different units came to be?

[JC:] Historically, in 1970, twenty one brave politicized social prisoners at SCI Graterford, SCI Dallas, SCI Huntingdon, SCI Muncy, SCI Rockview, and SCI Pittsburgh submitted a civil rights complaint against Pennsylvania Department of Corrections [*Imprisoned Citizens Union v. Milton Shapp*, 451. Supp. 893 (June 7, 1978)]. One of the violations was the Graterford Behavior Adjustment Unit. Shortly after, on December 27, 1978, the Behavior Adjustment Unit changed its name to the Restrictive Housing Unit (RHU) and decades later, the PADOC established a policy number and named it 6.5.1. Administration of Security Level 5 Housing Units. In a nutshell, the SMU, LTSU, IMU are programs in 6.5.1, administration of security level 5 housing units. The letters may change, but all those euphemisms mean the same thing: solitary confinement.

[VK:] In the early 2000s, Pennsylvania's Correctional Secretary Jeffrey Beard designed the Restricted Release program. What is the Restricted Release List (RRL) Program?

[JC:] For years, PADOC always denied having a policy of indefinite lockdown. In fact, Joseph "Joe Joe" Bowen submitted a pro se civil rights complaint, challenging his twenty years in "administrative custody," a form of indefinite solitary confinement, as an "atypical and significant hardship" as well as "cruel and unusual punishment" [*Bowen v. Ryan*, 2006 U.S. Dist. Lexis 86850, No. 3:05 CV 1512, (November 29, 2006)]. When Pennsylvania's Correctional Secretary Jeffrey Beard designed the Restricted Release List program, it was nothing more than an indefinite sentence in solitary confinement, like Joe Joe stated in his complaint. However, to be placed on the Restricted Release list, the chain of command is—the Unit Management Team recommends it to the Superintendent, the Superintendent recommends it to the regional Deputy, and the regional Deputy recommends it to the Secretary of Corrections, who has the final authority to designate prisoners on the Restricted Release List.

[VK:] Who is Jeffrey Beard?

[JC:] Jeffrey Beard started his career in 1972 at State Correctional Institution Rockview as a psychologist and rose in rank as Deputy Superintendent for Treatment at Rockview from 1977 to 1986 and Superintendent at SCI Cresson from 1986 to 1990. After the Camp Hill uprising in 1989, he became the Superintendent at Camp Hill (1990 - 1994) Deputy Secretary (1994 - 1997) Executive Deputy Secretary (1997 - 2001) Secretary (2001 - 2010). In 2010, Secretary Jeffrey Beard resigned after he got caught having SCI Greene Security send members of Human Rights Coalition mail to Pennsylvania's Department of Homeland Security and falsely designating Human Rights Coalition grassroots organization on the watch list. Jeffrey Beard ended up as the Secretary of the California Department of Corrections from 2012 to 2016. He is now retired.

[VK:] I didn't know that Jeffrey Beard became the secretary of the California Department of Corrections and Rehabilitation (CDCR).

[JC:] Jeffrey Beard was vicious, vindictive, and diabolical. Jeffrey Beard was behind the invasion at State Correctional Institution Graterford in 1995, costing Pennsylvania taxpayers \$2 million, claiming prisoners have too much autonomy and placing false entries in dozens of Muslim prisoners' institutional security records [*Young v. Beard*, (Continued on page 36)]

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2007 U. S. Dist. Lexis 6950, Civil Action No. 04-2211 (January 31, 2007)].

Jeffrey Beard was behind closing the paraprofessional law clinic at SCI Graterford that was founded by politicized social prisoners in 1972. Former President Donald Trump's sister third circuit court Judge Maryanne Trump-Barry sided with Secretary Jeffrey Beard using the Prison Litigation Reform Act to close the paraprofessional law clinic [*The ParaProfessional Law Clinic at SCI Graterford v. Beard*, 334 F.d 301, No.02-2788 (July 1, 2003)]. Jeffrey Beard knew in the 1990's so-called "tough on crime" era, and the U.S. Supreme Court precedent cases allowed him to get away with things.

I did ten years in solitary confinement at State Correctional Institution Greene with no institutional infractions and I was in school and rehabilitative programs. All of a sudden, I was placed in solitary confinement after 9/11. Years later, I learned that Secretary Jeffrey Beard was behind me being placed in solitary confinement at Greene for assaulting a lieutenant when he was the superintendent at SCI Cresson on August 16, 1990.

[VK:] What is the Prison Litigation Reform Act? And what is its relationship to the case of *Sandin v. Conner*?

[JC:] President Bill Clinton signed the Prison Litigation Reform Act in 1996. It's a federal statute designed to reduce frivolous lawsuits by federal and state prisoners. In a nutshell, the Prison Litigation Reform Act allowed correctional administrators to conduct their own investigations on themselves and obstructed incarcerated people's court access for filing civil rights cases.

Sandin v. Conner (515 U. S. 472 (1995)) was a case ruled in the midst of the so-called tough on crime era. This case allowed correctional administrators to place people in solitary confinement indefinitely. A year later, the devastating Prison Litigation Reform Act was signed into law. In 2000, Russell "Maroon" Shoatz's case in the third circuit [*Shoatz v. Horn*, 213 F.3d 240 (3d Cir. 2000)] was a test case for *Sandin v. Conner* and the Prison Litigation Reform Act. Between the U.S. Supreme Court precedent cases and conservative lawmakers sponsoring so-called tough on crime legislation in 1990's, the PADOc policymakers drafted draconian policies stripping incarcerated people of their rights in the name of public safety.

[VK:] In 2019, the Vera Institute for Justice released a data sheet entitled *Incarceration Trends in Pennsylvania* that cited a 288 percent increase in the incarcerated population

in PA in a 32 year span. In 1983, Pennsylvania recorded 21,968 people incarcerated in its county jails and state prisons. That number jumped to 85,179 in 2015. Can you break down how the prison industrial complex ballooned across the state?

[JC:] Pennsylvania built thirty one state prisons in a 189-year span from 1829 to 2018. (1). Eastern State Penitentiary, 1829 (2). Western State Penitentiary, 1882 (3). Huntingdon, 1889 (4). Rockview, 1915 (5). Muncy, 1920 (6). Graterford, 1929 (7). Camp Hill, 1941 (8). Dallas, 1960 (9). Greensburg, 1969 (10). Mercy, 1978 (11). Waynesburg, 1984 (12). Frackville, 1986 (13). Cresson, 1987 (14). Retreat, 1988 (15). Smithfield, 1988 (16). Waymart, 1989 (17). Cambridge Springs, 1991 (18). Quehanna, 1992 (19). Albion, 1993 (20). Coal Township, 1993 (21). Greene, 1993 (22). Mahanoy, 1993 (23). Somerset, 1993 (24). Laurel Highlands, 1996 (25). Houtzdale, 1996 (26). Chester, 1998 (27). Pine Grove, 2001 (28). Fayette, 2003 (29). Forest, 2004 (30). Benner, 2013 (31). Phoenix, 2018. Now, the majority of these state prisons are located in economically depressed rural communities [Philadelphia Inquirer *Can the rural economy survive the era of decarceration?* by Samantha Melamed, June 7, 2018].

From 2013 to 2019, Secretary John Wetzel's administration closed five state prisons: Greensburg in 2013, Cresson in 2013, Western in 2016, Graterford in 2018, and Retreat in 2019. At the same time, Secretary John Wetzel built housing units on existing prisons for bed space (1). 250 new beds at Cambridge Springs in 2012 and 150 new beds at Cambridge Springs in 2013 (2). 128 new beds at Forest in 2012 (3). 150 new beds at Houtzdale in 2022 (4). 150 new beds at Rockview in 2011 and 150 more new beds at Rockview in 2012 (5). 2000 new beds at Benner in 2012 (6). 150 new beds at Mahanoy in 2012 (7). 150 new beds at Greensburg in 2012 (8). 150 new beds at Laurel Highlands in 2012 (9). 230 new beds at Pine Grove in 2011 and 150 new beds at Pine Grove in 2012 (10). 230 new beds at Coal Township in 2012 and (11). 4100 new beds at Phoenix in 2018.

[VK:] In 2016, the Department of Justice released a report *Restricted Housing in the U.S.: Issues, Challenges, and Future Directions* that estimated the number of people held in solitary confinement in prisons and jails across the U.S. totaled 90,000. That's an outrageously high number. Do you know many people are currently being held in solitary confinement in the PADOc?

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[JC:] I really don't know but I will probably estimate around 2,000 and most have mental illness. Furthermore, 133 years ago, the same court recognized the gravely damaging effects of solitary confinement on human beings. In response to James Medley's 1890 petition for habeas corpus, the U.S. Supreme Court said, "A considerable number of the prisoners fell, after even a short [solitary] confinement, into a semi-fatuous condition... and others became violently insane; others still, committed suicide" [33 LED 835, 134 U. S. 160, March 3, 1890].

Sister Val, even back then, the U.S. Supreme Court confirmed in this statement that solitary confinement causes such deep psychological damage and even suicide. And yet, correctional officers and prison administrators claim that they can't figure out another solution to keep people safe in prison.

[VK:] In the face of what can often feel like insurmountable challenges, how do you believe that we can end solitary confinement in reality, and not just in name?

[JC:] We've got to rally more people up. Address it through the legislative space and the courtrooms.

[VK:] Thank you for the interview, Hoagie.

[JC:] Sister Val thank you for your humanity and sincere advocacy. In addition, that was a beautiful article in the Movement you wrote on Big Hick.

As Gov. Newsom transforms San Quentin, he cannot ignore the problem of solitary confinement

This piece, written by Dolores Canales, was published as an op-ed on April 3, 2023 in the Orange County Register. Dolores Canales is co-founder of California Families Against Solitary Confinement and a member of the California Mandela Campaign.

They say good things come to those who wait. When you are in solitary confinement, all you have is time to wait and the hope that things can get better. I know this through my own experiences in isolation, and as an advocate to end the use of solitary confinement in our state and country. As Gov. Gavin Newsom announces a historic transformation of San Quentin and the pursuit of rehabilitation,

survivors of solitary confinement are waiting when the governor will decide to end this cruel practice and instead support humane alternatives.

I spent years in solitary confinement throughout my incarceration. Sometimes it was months and sometimes weeks. But even one day in isolation does not escape the immediate feeling of doom and despair. I was placed in solitary instead of receiving counseling, and support for my substance use problem. This was the darkest period of my life. I was alone and isolated when I needed community, support and guidance. I would often try to escape through my memories to a different place. I survived, but the experience hurt my soul.

Like the death row ward that Gov. Newsom is now shutting down, solitary confinement is an expensive and ineffective relic of mass incarceration. It is a practice that is designed to punish and humiliate, and perpetuates systematic violence. When I was held in solitary confinement the practice was accepted as normal, with an estimated 12,000 people being held in solitary in California, many for more than a decade.

Thankfully this practice was challenged through the brave advocacy and leadership of incarcerated people, starting in 2011 when a series of hunger strikes were launched in Pelican Bay State Prison Security Housing Unit (SHU), and quickly started a movement to limit the use of solitary confinement. The largest of these strikes, which took place in 2013, included the participation of 30,000 incarcerated people across the state of California, and received international attention.

In 2011, I co-founded California Families Against Solitary Confinement along with several families impacted by solitary confinement, not only because I was personally impacted by the issue, but because my son was in Pelican Bay and participated in the hunger strikes. I was invested not only as a solitary survivor, but as a mother concerned with the fate of her son.

The organizing and advocacy led to important gains for this movement, including legal settlements designed to ensure that California prisons did not overuse solitary. However the fight continued, as the California Department of Corrections and Rehabilitation (CDCR) continued to violate the legal settlement it agreed to.

In 2022 California introduced the Mandela Act, modeled after progressive legislation passed by other states, including New York, designed to limit the use of solitary con-

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finement to 15 days, and requiring facilities to provide safe alternatives to intense isolation. The Mandela Act received broad support from the legislature and would have made California the first state in the country to pass a bill that also included immigrants in private detention facilities.

Unfortunately the bill was vetoed by Gov. Gavin Newsom when it reached his desk. The veto was disappointing because the governor noted that the issue was “ripe for reform” before refusing to sign the bill, and instead directing CDCR to issue regulations.

What hurt the most was that the governor did not take the time to understand the history of this issue, to hear our stories of pain and isolation, or to truly understand what needed to be done to make progress. In the fall of 2022 solitary survivors penned an open letter to lawmakers and Governor Newsom reminding him of the rich history of our struggle, and our belief that change is possible. We received no response.

We are not asking for a lot. Our bill was modeled after standards set for by the United Nations, the so-called “Mandela Rules” and should be embraced and celebrated by the governor if he is truly interested in making California a leader.

The governor cannot have it both ways. He cannot claim to be a leader in criminal justice reform, and support efforts for reimagining institutions like San Quentin while ignoring the issue of solitary confinement.

The California Mandela Act was reintroduced in 2023 as Assembly Bill 280, and stands as an opportunity for redemption for Gov. Newsom and for our state. For those of us who have survived solitary confinement, the wait for something better has taken far too long.



Solitary Talks, By Val Kiebala

Instructions on How to be Caught in the Rain

By Andy McClay

When you're out and about, and a beautiful day takes a turn, shifting the blue sky to gray, take a moment.

When you're first struck by a tiny droplet from the heavens above, and you feel a powerful urge to find cover in a hurry, take a moment.

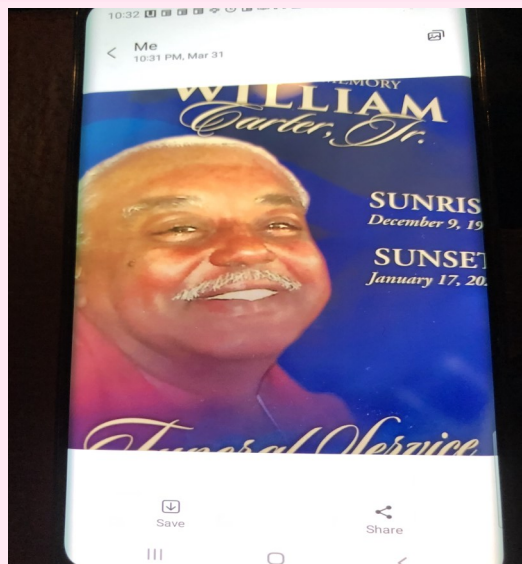
When the pace of the rainfall quickens, keeping time with the beating of your heart, and your instincts call for you to move along, take a moment.

When everyone else has gone, seeking shelter from the storm, and you are soaked to the bone with a chill running through you, take a moment.

When the water runs down your face, and drips off the tip of your nose, and your breath is a visible plume with every exhalation, take a moment.

When you know that you're alive, and are filled with immense gratitude for the fact, recognize the beauty in the experience of having truly taken a moment.

Love Knows No Bars



In memory of 'William (Slick Rick) Carter Jr.' He loved to dance, sing, and listen to music, along with having a profound sense of humor. Carter received his wings on January 17, 2023.

How can I receive a copy of THE MOVEMENT?

Simply send your contact info to:

Human Rights Coalition
P.O. Box 34580
Philadelphia, PA 19101
Attention: Newsletter!

Donations are always welcome, but
not required for your magazine.

Happy Birthday, Happy Anniversary, Happy Year! Sending you love, encouragement, and well wishes along with prayers and excellent health. Work together and realize our ancestors, our parents, and others were in the fight since 1619, please don't let them down. CADBI, HRC, and other organizations can not do it alone. Pull together and enjoy another day! Your family can join CADBI, HRC and other organizations for FREEEEEEEE !!!! We Need fighters!

February

Steven Williams	2-6	(Huntingdon)
Joseph Austin	2-7	(Houtzdale)
Doris Williamson	2-12	(Muncy)
Roberto Battle	2-15	(Frackville)
Bruce Cooper	2-24	(Dallas)
Stacey Newkirk	2-20	(Muncy)
Amy Muffley	2-28	(Muncy)
Desiree Hicks	2-29	(Cambridge Springs)

March

Steven Williams	3-2	(Coal Township)
Steven Williams	3-9	(Huntingdon)
Rebecca Olenchok	3-12	(Muncy)
Brenda Watkins	3-19	(Muncy)
Dannielle Hadley	3-24	(Muncy)
Maria Rodriguez	3-27	(Muncy)
Keith Campbell	3-28	(Camp Hill)
Malik Bey	3-31	(Laurel Highlands)

April

Tequilla Fields	4-1	(Muncy)
Jamal Ball	4-1	(Forest)
Kristen Edmundson	4-3	(Muncy)
Damien Mikell	4-9	(Forest)
Randall Chumley	4-10	(Huntingdon)
Debra Ward	4-14	(Muncy)
Kyra Clardy	4-15	(Muncy)
Aaron Rabold	4-23	(Waymart)
Enrifue, Sanabria	4-23	(Huntingdon)

Please fill out a DOC 108 form, you can obtain it from your counselor. You should be able to list two contacts in case of an emergency. If you like you can add Phyllis Taylor, she is the medical personnel from the PA. Prison Society, a Chaplain and a nurse. Keeping you informed.

Ms. Yvonne Newkirk

Your Legal Corner

WE ACCEPT LEGAL ARTICLES THAT EDUCATE AND EMPOWER FAMILIES OF PRISONERS THEIR CONSTITUTIONAL RIGHTS AND LAWS AND HOW TO DEAL WITH THE POLICE, LAWYERS AND THE COURTS ON BEHALF OF THEIR LOVED ONES.

DEAR PUBLIC AND ALL LEADERS OF THE LIFERS MOVEMENT.

Greetings from within the inside of the DOC! I want to first thank CADBI, and all supporters, family, wives, kids, siblings & friends who have struggled along this journey, for moving and lobbying forward to push parole eligibility for LWOP. The movement has been powerful and strong from inside and outside the prisons. This letter is meant to keep that movement going, while bringing awareness to the public as to factual things, which will help shape and mold further talks on the political landscape as well as current talks around the social media network.

As many of you should know, that in pursuant of lobbying to help pass SB942 & HB135, there is a deeper stand to take, in regards to, Speaking with all republicans, District Attorneys and Judges.

The state law statute Act 46 H.B. 1060, P.L. 213 of March 26, 1974 **does not state** within this bill ("without parole"). Therefore, the state law statute 18 Pa. C.S. § 1102(a) **does not** impose any 'legislative' mandate for a sentencing Judge at sentencing to impose a 'further' condition of (without parole). The law is clear, that in ascertaining the 'legislature intent', the plain words of its laws may not be ignored. A court may not alter, under the guise of interpretation, the express language and intent of the legislature. Thus it's clear that "when the words of a statute is clear and free from all ambiguity, the letter of the texts is not to be disregarded under the pretext of pursuing its spirit. 1 Pa. C.S. § 1921 (a) (b).

No sentencing statute, such as Act 46 H.B. 1060 P.L. 213 & 18 Pa. C.S. § 1102(a) what Pennsylvania Judges are using to impose (life imprisonment without parole) cannot leave unbridle discretion within the sentencing body, for a Judge to make his 'own' determination as to what the legislature intent was. If one was to look at the case in regards what occurred in Com V. McKenna, 383 A.2d 174 the defendant did not file any motion nor PCRA, etc., but the NAACP by Counsel Norris Gleman

Filed an (Amicus Curie brief) which means (Friend of the Court) and raised the question of whether the 'same' sentencing statute 18 Pa. C.S. § 1102(a) was unconstitutional, to impose, and that the statute left unbridle discretion within the sentencing body, and the state Supreme Court vacated a death sentence and imposed (life imprisonment) how that happen without no appeal being filed on behalf of the defendant?

As we expected, the SB942 & HB135 to get pushbacks, this is our new direction, to be strong in pushing back, as we need the same ground support, to become aware and ask the republicans and the State District Attorney's office and the Attorney General, (why are sitting court Judges imposing further upon life imprisonment, which is not within the actual sentencing statute nor H.B. 1060 & 18 Pa. C.S. § 1102(a)?

In this update, I'm praying we get enough info to everyone in state prisons and everyone on the outside about the statutes that come from Harrisburg Pa legislatures and we get on the same page. It's a need to pass SB942 & HB135, however, it's even better to go to the republicans with this argument about the 'now' current bill that has already been passed and being used and misinterpreted by Judges and the District attorney's office has allowed this injustice to go uncorrected for decades.

Criminal justice reform has major issues, but there are too many of us that has been incarcerated behind statutes, that are being misused. We'll definitely have to work to inform the public, and inform the legislatures about how Judges are misinterpreting state law statutes. We need all to know that in Com V. Smith, CP-51-CR-0503171-2000, I raised within a (writ of Habeas Corpus) the void for vagueness of state law statute. 1102(a), and the Superior Court waived the claim, by stating the claim should have been raised at sentencing or within a post-sentencing motion, see Superior Court Opinion 2018 Pa. Super 211, which through the (right to know law is public information that can be obtained, also, in Com V. Gey, Cp-51-Cr-0005679-2012, opinion February 6, 2018 filed by Philadelphia Judge Glen Bronson, he stated on pg. 6 (while section 1102(a) is silent about parole eligibility, a separate statute unambiguously pro-

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vides that the parole board is without power to parole anyone serving a sentence of life imprisonment). As here, this means that the judge at sentencing are 'merging', interacting, intertwining, combining statutes, (without) any (fair notice) to defendants nor the public, that because the sentencing statute itself does not state without parole, Judges will look to another statute, 'namely' a parole statute to impose sentence. Our movement needs to shift and be strategically, aimed at the Judges and Attorney General and District Attorney's office, and get them to focus exclusively on these 'now' state law statutes that are being using incorrectly by Judges at sentencing. I feel this is the alternative idea and aim and goal that is needed. Also, the Judges at trial are 'amending' the charging documents and charges, whereas defendants were charged based on the criminal complaint & information, in pursuant third degree murder & Judges are raising the degree at trial to first degree which is a procedural error.

"What's needed"?

All the supporters that CADBI have found, and other groups and chapters around Pennsylvania, it's a need for us all to be unified and have unity, and it's time for all chapters to get together and on the 'same' day all around Pennsylvania, to go protest with signs, in front of "all" Courts houses and district Attorney's offices, as to why are Judges imposing further conditions of (without parole) when the actual sentencing statute does not say the Judge has state legislative authority to impose? Next why are Judges 'amending' charging documents at trial, when defendant were 'prior' charged for third degree murder and the Judges are changing it to first degree murder? I have a pending (Writ of Habeas Corpus) Pending in the Philadelphia Lower Court, wherefore anyone can now support this petition by doing what Norris Gleman did 40 years ago and file and (Amicus Brief) and ask the court the same questions as to the charging statute of ("criminal Homicide") 18 .Pa. C.S. § 2501(a), what degree of murder does this statute arise to? The District attorney's office has sat by for years allowing this injustice to occur, while claiming they are seeking justice along the way. I have also filed a petition with the (CIU) Conviction Integrity Unit. Our movement needs to shift and we can change the direction and still fight for parole eligibility, but it may not

come to that, when the actual statute says to a term of life imprisonment, which means the Judges could have been adding numbers of years in front of the sentence, if we really look at 18. Pa. C.S. § 1102(a).

I thank all for reading, and hope we can come together on this grave matter, so lets us keep building, growing and fighting.

Respectfully submitted,

Keith Smith

Smart Communications/PA DOC
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SCI-Coal Township Mystery Policy

A volunteer of the Human Rights Coalition's (HRC) SolidarityNotSolitary committee sent me two JPays for \$50.00. Both were rejected by the security at SCI-Coal Township without informing me or the HRC's volunteer. Some months later, after being contacted by the volunteer asking me to confirm the JPays, we both learned of the rejections.

I sent security a written request inquiring as to why the JPays were rejected and was informed by security that the person who sent me the JPays were not "properly vetted by them, did not verify their relationship to me, and was not on my visiting list." I informed security that no such policy was a requirement of the DOC's Internal Policy Directives, DC-ADM 803 or DC-ADM 812. I then asked security to send me the policy number of the rule that states that policy.

Security responded informing me, "there was no policy number," this was their own local rule. I investigated to

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determine how many prisoners had JPays rejected because of this local rule. To my surprise, I found out it was mainly imposed on prisoners of color from inner cities and that such a rule was not in SCI-Coal Township's Inmate Rule Handbooks. I also discovered that such a rule was not imposed on prisoners in the DOC's other penal facilities.

I then filed grievance # 962910 arguing, the local security rule is a mystery because it has never been posted, it's not in the Inmate Handbook and it's in conflict with DC- Adm 803 and Pa. Code 37. I also argued, the rule is racist, oppressive, arbitrary and violates both the Due Process and Equal Protection Clauses of the U.S. Constitution. Security, the Superintendent, and Chief Grievance Examiner upheld this mystery rule and my request for a copy of the rule was denied by security and upheld also. Since the HRC SolidarityNotSolitary committee works for the abolition of RHU and long term units because of their deteriorating effect on both physical and mental health and send JPays to prisoners confined to RHU's and long term units and to prisoners recently released from those units to aid and assist them with needed prison canteen items, I felt the need to pay the court filing fee as opposed to filing In forma pauperis so that the Petition For Review filed in the Commonwealth Court would move more quickly. The case is Brooks v. Captain Scicchitano, et al., No. 294-MD-2022.

In my legal brief filed on March 20, 2023, I argued, even though under the Equal Protection Clause of the 14th Amendment, prisoners are not a protected class, Abdul-Akbar v. McKelvie, 239 F. 3d 307, 317 (3d Cir. 2001) (stating that prisoners are not a suspect class). I brought my claim under the Equal Protection Clause alleging facts showing I had been treated differently from similarly treated prisoners and that the defendants did so intentionally, and the difference in treatment bears no rational relations to any legitimate penological interest. Phillips v. City of Allegheny, 515 F.3d 224, 243 (3d Cir. 2008).

I further argued I had a legally cognizable life, liberty, or property right because the J pays sent was not deemed to be contraband and any security rationale advanced by defendants is exaggerated because their mystery rule is not applied uniformly but selectively and it's enforced against prisoners of color from inner cities. Neither I nor the volunteer from HRC was informed of

the JPay rejections, we both had a legitimate expectation that JPays sent would be received and used to purchase e-mail links, phone time, stamped envelopes, and writing stationary, So, I had a procedural due process claim because I was deprived of a protected interest in property without due process of law. Burns v. Pa. Dept. of Corrections, 544 F.3d 279, 285 (3d. Cir. 2008). I also alleged that my First Amendment Freedom of Speech and Association rights was violated and being discriminated against and subjected to racism further violated my 14th Amendment Rights under the U.S. Constitution.

I plead sufficient facts as to how prison staff caused me injury, and their personal involvement in the wrongs perpetrated against me. Person involvement is necessary for inclusion in a claim which could lead to the imposition of personal liability for tortious contact of another. Kaites v. Com. Department of Environmental Resources, 529 A. 2d 1148 (Pa. Commw. 1987). Every defendant against whom a civil rights suit is brought must be shown to have been involved in the complained conduct. Rizzo v. Good, 423 U.S. 362, 363 (1976). I am alleging that each prison staff was involved.

I expect a ruling by May of this year.

By George Rahsaan Brooks

Smart Communications/PA DOC

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What's The News!

Task Force on Long Sentences Releases Comprehensive Roadmap to Strengthen Public Safety and Advance Justice

Based on a year-long analysis, recommendations outline steps to focus resources on violence prevention and victim restoration

WASHINGTON, D.C. – As cities across the nation grapple with effective responses to increases in violent crime, a task force co-chaired by former U.S. Deputy Attorney General Sally Yates and former U.S. Rep. Trey Gowdy today released a report outlining a comprehensive approach for the use of lengthy prison sentences in the United States.

The report, *How Long is Long Enough?*, presents 14 recommendations to enhance judicial discretion in sentencing, promote individual and system accountability, reduce racial and ethnic disparities, better serve victims of crime, and increase public safety. Defining long sentences as prison terms of 10 years or longer, the panel's proposals include:

- Shifting savings from reductions in the use of long prison sentences to programs that prevent violence and address the trauma it causes individuals, families, and communities (Recommendation 1).
- Allowing judges to consider all relevant facts and circumstances when imposing a long sentence, and requiring that sentencing enhancements based on criminal history are driven

by individualized assessments of risk and other factors (Recommendations 6 and 8)

- Providing selective “second look” sentence review opportunities and expanding access to sentence-reduction credits (Recommendations 11 and 12)
- Focusing penalties in drug cases on a person's role in a trafficking organization, rather than the amount of drug involved, (Recommendation 7)

- Reducing recidivism by providing behavioral health services and other rehabilitative living conditions and opportunities in prison (Recommendations 3 and 13)

- Strengthening services for all crime victims and survivors by enforcing victims' rights, removing barriers to services, and creating restorative justice opportunities (Recommendations 2, 4, and 9)

“Some may wonder, why would we even discuss the nation's use of long prison sentences now, amid a rise in homicide rates and legitimate public concern about public safety? Because this is exactly the time to examine what will actually make our communities safer and our system more just,” Yates and Gowdy said in a joint statement accompanying the report. “When crime rates increase, so do calls for stiffer sentencing, often without regard to the effectiveness or fairness of those sentences. Criminal justice policy should be based on facts and evidence, not rhetoric and emotion, and we should be laser-focused on strategies that make the most effective use of our limited resources.”

The report is the product of a year-long analysis by the nonpartisan Council on Criminal Justice (CCJ) Task Force on Long Sentences, which includes 16 members representing a broad range of experience and per-

spectives, from crime victims and survivors to formerly incarcerated people, prosecutors, defense attorneys, law enforcement, courts, and corrections. The panel examined the effects of long sentences on the criminal justice system and the populations it serves, including victims as well as people in prison, their families, and correctional staff.

Drawing on sentencing data and research, including a series of reports prepared for the Task Force, the sweeping recommendations offer a comprehensive blueprint for action on a complex and polarizing topic. According to an updated analysis by CCJ, 63% of people in state prison in 2020 were serving a sentence of 10 or more years, up from 46% in 2005, a shift due largely to a decline in people serving shorter terms. During the same period, the gap between Black and White people receiving long terms widened, from half a percentage point to 4 percentage points. Though murder defendants were the most likely to receive a long sentence, drug offenses accounted for the largest share (20%) of those admitted to prison to serve 10 or more years.

“Our nation's reliance on long sentences as a response to violence requires us to wrestle with highly challenging questions about the relationship between crime, punishment, and public safety,” Task Force Director John Maki said. “Through their painstaking deliberations, our members rose to the challenge and produced a set of recommendations that recognize our need to advance public safety while respecting the humanity of those most affected by long prison terms.”

To view the recommendations, as well as research briefs, meeting summaries,

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What's The News!

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and additional perspectives shared by members, please visit the Task Force website. Participants on CCJ task forces are asked to join a consensus signifying that they endorse the general policy thrust and judgments reached by the group, though not necessarily every finding and recommendation.

Key Research Findings

To inform its deliberations, the Task Force commissioned and reviewed research on a wide range of topics, including:

- The public safety impact of shortening lengthy prison sentences. Based on first-of-their-kind calculations, this research estimated that reducing long terms in Illinois (the state providing the data) would result in a very small increase in arrests of any kind, and almost none for violent or weapons offenses.
- The impacts of long sentences on public safety. Summarizing the existing research on deterrence and incapacitation, the analysis finds that there are crime-reducing effects but that they are limited and vary by offense.
- International comparisons. Researchers conducted original calculations to show that the U.S. remains a global outlier in its use of long prison sentences, even after accounting for the much higher homicide rate in the U.S., compared to Europe, and for actual prison time served (vs. sentence length).
- Trends in the use of long prison sentences. Serving as a foundation for the Task Force's work, this analysis shows how state prison admissions, the standing prison population, and releases changed from 2005 to 2019

and breaks down the trends by offense type, race, age, and sex.

- Factors affecting time served in prison. Researchers examined how parole and other "back end" discretion decisions influence how long people actually serve behind bars.
- Perspectives of crime victims, formerly incarcerated individuals, and their families. Through a series of interviews, victims and survivors offered their views on the role of long sentences in achieving accountability and justice.

For full report and to learn more, visit: counciloncj.org.

FROM: Task Force on Long Sentences Releases Comprehensive Roadmap to Strengthen Public Safety and Advance Justice - Council on Criminal Justice (counciloncj.org)

DOC seeks \$2.9 billion from Pa.'s next state budget, up 5.8%

By Eric Scicchitano
Mar 30, 2023

HARRISBURG, Pa. – State legislators questioned corrections officials about mental health services available to state prison inmates and staff vacancies during a budget hearing Thursday in the Pennsylvania House.

The spending proposal for the Department of Corrections and the Board of Probation & Parole in Gov. Josh Shapiro's budget offer totals nearly \$2.9 billion from the state's general fund, a 5.8% increase.

The bulk of the proposed increase is for operations of Corrections' 24 state facilities, followed by inmate medical care and state field supervision.

Laurel Harry, acting secretary, testified that the department's current vacancy rate stands at 8.5% with an estimated 750 job openings.

A recruitment and retention effort sees a group of 15 lieutenants and a captain tasked to present at job fairs and school events and among military members. There's a focus on diversifying prison staff to better reflect the inmate population, she said.

"At one point, we were over (a vacancy rate of) 10%, so we're certainly trending in the right direction, but we have more work to do," Harry said.

However, recruiting nurses into the system has been challenging. She said there are 116 vacant nursing positions, and that a statewide recruitment effort led to just 11 positions filled.

State Rep. Jim Struzzi, R- Indiana, asked about \$148 million proposed for staff overtime, up from \$100 million.

Overtime, Harry said, is a "necessary evil." It's driven by vacancies, hospital transports and call-offs. Mandatory overtime had hit 22%, she said, and administrators understand it must be reduced. Filling vacancies would help.

State Rep. Clint Owlett, R-Tioga, asked for insights into projected declines in the state inmate population while certain crimes are rising. There were 38,243 state inmates as of March 1, which is predicted by Corrections to fall to 36,778 by the end of 2024. State police data shows increases from 2021 to 2022 in car thefts, larceny, robbery and manslaughter among others.

Harry suggested some county courts remain limited in processing cases due to issues surrounding COVID-19. There are about 5,300 vacant beds allotted for males and 584 for females, she said.

"We are seeing increases right now that might be attributable to what you're saying about crime," Harry said.

Harry told state Rep. Seth Grove, R-York, minority chair of the House Appropriations Committee, that there have been no internal discussions about closing any state prisons.

She said the facilities are rapidly aging and that utility malfunctions, for example, would necessitate the relocation of inmates to facilities with the capacity to hold them.

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THE MOVEMENT

www.hrcoalition.org

What's The News!

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State Rep. Regina Young, D-Philadelphia, asked about options for mental health treatments aside from medication. Dedicated units exist for inmates with severe mental health issues, Harry said, while there exist resources for individual counseling, group therapy and peer support.

Corrections is comfortable with its current level staffing of employees in psychological services, Harry told state Rep. Justin Fleming, D-Dauphin.

Improvements must be made in partnership with probation and parole staff to ensure inmates released from state prisons are connected with treatment options when they return to their communities.

That said, Harry said the state system shouldn't be the best provider of mental health services, a nod to the treatment system outside prison walls.

"Unfortunately, that's the situation we're in," Fleming said.

"I know the correctional system isn't built for that, but that's where we are."

State Rep. Manuel Guzman Jr., D-Berks, warned against the use of solitary confinement in jails, saying his brother suffered irreversible harm after experiencing 21/2 months in solitary at a county jail. He raised concerns about the mental health impact.

Harry said restricted housing currently allows inmates one hour daily, five days a week, outside their isolated holding cell. The state is considering a shift to three hours daily, seven days a week, which would require labor shifts and added cost, she said, an initiative Guzman was hardly satisfied with.

"It's certainly inhumane, in my opinion, borderline torture, quite frankly. It's happened to my family and I know it's happening to families all across the commonwealth," he said.

Harry discussed inmate contact with loved ones, one-on-one and digital, with state Rep. Emily Kinkead, D-Allegheny. The Corrections chief said video visitation instituted during the pandemic led to 790,000 digital visits on top of 76,000 in-person visits in 2022.

Kinkead expressed concern with the disappearance of funding that had been budgeted for the past 20 years which helped facilitate in-person visits for inmates. She cited a

report from the department, which used pre-pandemic data, showing inmates with regular in-person visits were 20% less likely to re-offend and return to the prison system.

"Virtual visits are not a replacement in any way, shape, or form for in-person visitation and we should not look at it as a one-to-one swap," Kinkead said.

April 3, 2023



The Sentencing Project released a report documenting over a 525% increase in the women's imprisonment in the United States between 1980 and 2021. The report, **Incarcerated Women and Girls**, is the latest in a series of publications highlighting the 50-year legacy of mass incarceration in the United States as part of The Sentencing Project's 50 Years and A Wake Up campaign.

While more men are imprisoned than women, the rate of growth for female incarceration is twice as high as that of men since 1980. In 2021, almost 976,000 women were under supervision of the criminal legal system. The report's additional highlights:

- In 2021, the imprisonment rate for Black women (62 per 100,000) was 1.6 times the rate of imprisonment for white women (38 per 100,000).
- Latinx women were imprisoned at 1.3 times the rate of white women (49 vs. 38 per 100,000).

- The rate of imprisonment for Black and Latinx women has declined since 2000, while the rate of imprisonment for white women has increased.

- Idaho has the highest rate of incarcerated women, while Massachusetts has the lowest.

- 58% of imprisoned women in state prisons have a child under the age of 18.

- Black and Native American girls are much more likely to be incarcerated than Asian, white, and Latinx girls.

- Over one-third of incarcerated girls are held for status offenses, such as truancy and curfew violations, or for violating the terms of their probation.

As this year marks fifty years since the United States began its dramatic increase in imprisonment, it is clearer than ever that this is not working. The continued overcriminalization of women and girls does nothing to improve public safety, but needlessly destroys lives, families and communities.

For Full Report and more info go to: Incarcerated Women and Girls – The Sentencing Project

THE MOVEMENT

www.hrcoalition.org

Black History

By Jeffrey A. Shockley, ES4796

It is that I wonder what of my life represents Black History? Merely being of unknown African descent does not make me Black when the life lived is contradictory to the essence of overcoming historical degradations.

Or does it?

The degeneration of the lessons the ancestors fought to teach through their blood spilled is sadly the norm today. Of which I am a part in by sitting in this external prison bound internally with my own bloodied hands.

How can it be shared with my own daughter and her daughter, the most important women in my life, of which I have been absent in theirs, a better and brighter history of blackness that is not this stereotypical vision depicted in our everyday reality?

What strong Black man have I represented to them other than the negative voices heard with

every question asked, "Where's your dad?" that revisits their situational trauma again and again like that sound of a whip cracking in the air upon naked Black flesh?

Black History.

This was not the trajectory of excellence expected when mother gave birth to the first of her five children, giving me a chance of a better life by my living with her mother at the age of three.

Much is the shame imposed upon the family name beyond the preexisting dysfunction which caused such hate of ourselves. Making it difficult to get along or love each other for the color of our skin. In the least consider the capacity of the brain to find peace within the collective body called family, building community.

What can I teach through the lies I've been told about being Black when sitting in the same space as those who do not trust me because my life was not unlike theirs, but not the same either? Yet here we are, together, under the same constraint of restraint and similar conditions in some modern day slavery.

Black History.

Isn't it funny how we can live back every day as Black men and women, yet reflect back on life as such only the second month of the year for a week, unless one is killed by cops?

I have said so often for so long that I want to live this life in honor of those whom I have been the cause for their pains and devastations. It would be easy to blame external things but my upbringing wasn't negatively impacted in the way others were.

As if I knew how theirs was.

Like our complexions, there are many different variations of a Black family. I lived my life trying to fill a void by stealing, drinking, then drugs and other unsavory lifestyle choices. I wanted attention that was not there. A family I had that was fully mine, but wasn't as I was raised on my own.

I sit in this prison at times asking, "Who am I?"

Who are we in this dynamic? Set aside, apart from the normalcy of society. Our lives have become so engrossed in our environment that we are very detached from anything to connect to as the real world continues to change and evolve while we exist in this closed environment for decades, warehoused.

Black History.

We may claim to know a little bit about everything but have never seen an electric car or the ever evolving technological advances changing how society lives beyond the walls we remain confined behind.

Trying to adjust for what matters within self. We know nothing about living save for the haunting of a surrendered freedom and missing our family. Rationalizing doing what needed to be done only to make it to that next day.

I had a community that stood on the peripherals of my life, but I had no guidance, but for the domestic stuff Grandmom instilled with the minor chores around the house. Yet, I did not know what it was to be responsible.

How can I love me past these bars, through those scars from a past that tore so many apart? How can I know what is possible when this time has no end but for the hope I have?

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say what ? . . . speak up! // writings of multiplicity

(Continued from page 46)

There once was love for years, now undone by the pains caused over too many times of "I'm sorry."

I remember you in happier times when your smile let me rest. Time no longer allows me to recognize the reflection in this distorted mirror life casts Black. Who are you in my head Black man?

Black History.

SMART COMMUNICATIONS/PADOC,
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Hello sisters and brothers in the struggle.

By Danielle Hadley, #008494

I would like to first say thank you for this magazine and the platform it provides for us to speak of our opinions and of our experiences.

My name is Danielle Hadley and I have been here in Muncy since 1988. I have completed all that was required of me, and I have accomplished so much more, and then some. I am currently living in a housing unit that's designated for problematic inmates, i.e., CPM.

In the beginning my misconduct history wasn't the best, but I've only received two misconducts in the past two decades, both were Class II's. And even with my history being as it was, I have never received any serious infractions or caused harm to staff or inmates, NO ASSAULTS; but when advocating for yourself you are stereotyped as a "problematic" inmate. Which is usually the opinion of one correctional officer (CO) or staff member. Which then leads to their peers having the same opinion based on one person's "*feelings*". In other words there is group retaliation based on one individual's real or imagined slights. This will affect your housing, your job, your level, your staffing, and the degree in which you will receive help, in

any matters, including your freedom. The same people move from position to position within the prison. And regardless of how much time you have in or the changes you have made or how much you have grown, you are still perceived from that one correctional officer's or staff member's perception long after they are gone.

I realized that things have changed drastically over the years, as far as inmate behaviors, and that Muncy is a Maximum Security prison. But for the most part you are safer here than in some neighborhoods. So, the CO's and staff don't have the same worries about their safety as they would in some other prisons. But since that worry is basically taken off the table they constantly reach for the petty Class II's that I mentioned earlier – that was for oversleeping during count. This type of thought process contradicts and conflicts with the part of their job which is the role of rehabilitation. Because how my behavior displaying profound change, but at the same time I am labeled a "problem?" This undermines a large part of the purpose of incarceration.

Either they are helping me learn how to help myself be a better person or they are not.

SMART COMMUNICATIONS/PADOC,
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PO Box 33028,
St Petersburg, FL 33733

I was issued misconduct report

charging me with: Disciplinary infraction #35 - Refusing To Obey An Order; #39 - Refusing To Work, Attend School, or Attend Mandatory Programs, or Encouraging Others To Do The Same.

The Staff Member's version states: "On the above date and approximate time, this officer approached I/M cell and gave I/M orders to work, because I/M is the approved IMU block worker. I/M refused all opportunities to work, stating, "I will work on my time, not yours." L-A Pod never got cleaned due to I/M's refusal to work."

This is the result of my refusal to be strip-searched multiple times per day. Every time I am asked to come out of my cell for ANY reason, I am forced to strip butt-naked, which is humiliating and degrading, and I refuse to contin-

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ue to participate in. I have asked PRC, Superintendent, Deputy and Unit Manager to either allow me to keep my boxer shorts on during the excessive strip-searches that I'm being subjected to multiple times per day, or to rescind my block worker job, so I am no longer forced to work a job I did not ask for, nor want. Both requests have been denied without any legitimate penological justification, so, I'm being forced to work under the threat of being failed out of the IMU program for noncompliance.

To add insult to injury, I am being paid pennies per hour, and must continue to expose my genitals multiple times per day, just to walk across the very same pod I live on to be shackled to a table for our weekly program sessions, or to be locked into a cage with the law library research computer in it, or to go to a locked shower stall that's 10 feet from my cell door! My refusal to continue to accept these degrading strip-searches has led to my being issued a retaliatory misconduct report, which will likely extend my time in this program, so this cycle of oppressive abuse can continue. When will it end? Please help in any way you can? This abuse must end!

Editor's Note. The decision was made not to include this person's name and prison number. I view this message as valuable testimony worthy of being printed and read, but I also want to protect this person from further retaliation. If you can help in anyway contact HRC, PO Box 34580, Philadelphia, PA 19101

I Write Because

**I write because
I am somewhat introverted
with a dose of alexithymia**

**I write because
it uncluttered my mind
purges the negativity
and replenishes peace
while holding my demons
at bay**

**I write because
of self discovery
and mental freedom**

**I write because
I am a testimony
to the power of the written word**

By Antonio Sanchez-Day

From: Captured Words/Free Thoughts, Volume 19,
Winter 2023

You are welcome to send your poems stories,
testimonials, or art to the:
Correspondence Editor, Benjamin Boyce
C/O the Department of Communications
CU Denver
1201 Larimer St.
Denver CO 80204

The Babylon System -

Bab.y.lon - noun, Etymology: Babylon, ancient city of Babylonia, 14th century, a city devoted to materialism and sensual pleasure, many liken Babylon to the United States, see Revelations 17-18.

If any prisoner, family member, or community activist would like to submit an article that is critical of the state and county prison systems, courts, D.A. offices, police, capitalist corporate America, and the government, just forward your article to the HRC's Newsletter Department for possible printing.

What Happens at Muncy (aka PA DOC)

I'm writing in response to an article written in your Winter publication (Issue #49) from a sister prisoner at SCI-Muncy, named Amanda Blair #OK4930 titled, 'What Happens at Muncy'. After reading the women's article I felt that I could have changed the title to 'What Happens at Fayette'.

At first, it was kind of a shock to see that the women are being subjected to the same abuse of systematic power that the men are. But to look at how I, myself, am being treated as well as the thousands of men around the state of Pennsylvania's DOC (Department of Corrections) who's only care is to sign checks, I AM NOT SURPRISED.

I am currently at SCI-Fayette in what they call the STGMU (Serious Threat Group Management Unit) or otherwise known as the Gang Unit. This is nothing more than an RHU (Restricted Housing Unit), like any other RHU in any other prison.

They keep opening and closing these so-called lockdown programs and moving them around from prison to prison, all so that they can receive a payout from whatever state or federal funding department that fills their budget.

We have multiple men here [in STGMU] with severe mental illness, and who have been considered to have mental health issues (labeled D-Code or C-Code), who should not be locked down this long. We have mad abusive staff who bend and violate the basic rules and regulations that the DOC sets forth to govern these prisons, prisoners and staff. Men are sent here for no other reason than they filed paperwork [grievances] or they won't be a rat or things like they were in a fight or caught with a weapon, that are all not serious threats or reasons to be confined to STGMU for years at a time.

Most of the men here have been through this program more than once. Out of the thousands of prisoners throughout the state of Pennsylvania, you mean to tell me I am one of the 40 people who is considered such a threat that I have been through this STGMU now my third time. And to call this a "program" is wildly overrated. We are basically on AC status [Administrative Custody that has

no end date]. We get five, one hour, yard recreations a week. We can shower and shave three times a week. There is no program, which means we don't learn or achieve anything. We go through what they call "phases", beginning at Phase 5 down to Phase 1.

Phase 1 is being in population. Phase 5 is like DC time (Disciplinary Custody) even though we're on AC status waiting to enter the program, sometimes for as long as a year. And we are told, "Oh this is a time out". If we complain and write grievances, we are retaliated against. If we file abuse charges, we are called rats or we're continued to be messed with; they'll move you from your current cell to another with a camera (they call these hard cells). These cells are cold, they have a shower built right in them, and they have a yard door at the back of the cell with a dog kennel yard attached - which they don't use.

SCI-Fayette is the worst prison in the state. Since coming back here in 2020, I have seen more than one young man end up with some type of cancer. Right now I know of two men in this unit who've just been told they have cancer. So, when I see women in places like SCI-Muncy writing articles like the one this sister has written, I start to see it more clearly. That this isn't just a Fayette issue! This whole DOC has become a system that is clearly functioning as a single unit and allowing all of its employees to do as they please. Look at SCI-Somerset and this new program they're calling the Kingpin Program where they're locking guys down who they think are bringing drugs into prisons. Let's be real we all know that 90% of the contraband that is found in any prison is brought in by a staff member. So, they lock a prisoner down that they want out of the way - because of whatever reason they can think of, and the same staff members who's been bringing in the stuff [drugs] keeps on doing it. Just like during the whole pandemic lockdown, the Holes [solitary confinement] stayed filled with hot urines!

Just as the lady said, when you being abused and no one will help or do anything, you yourself will try to escape this reality the best way you can. For the women it may be one way, but for the men it is either getting high or fighting. Then once in the hole their mental illness takes

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over and there's no one to help at all. A lot of these men start to go crazy and even end up hurting themselves. A lot of us try to explain it to our families. But how can you make a person who hasn't the faintest idea of what this is really like understand what you're truly going through? You can't! The best I can come up with is to tell them to imagine living in their bathrooms for months on end. I get that we're not all innocent and I understand that behavior has an outcome, but we are still human beings and should be treated with dignity not treated as a subhuman species.

I, myself, have been in prison going on 20 years for an attempted murder charge. I've done about (at least) ten years "Hole" time. I am 51 years old, and I have hated every single day of my incarceration. I have lost most of the people I love, either physically or emotionally. Over the years and have become somewhat lost myself. Now as I come close to my minimum date, it seems as though life starts to become harder and harder. I'm not a young man anymore. I don't know the outside world. I'm poor white trash from the worst area of Philadelphia. Most of my generation is either stuck in these places or dead. So, what do I do? I know I don't want to sit and die in one of these places, but how do I convince people who have systemati-

cally used me to pad their paperwork, in order to further their agenda along; basically to defraud the government so that these rural areas have an industry to employ the people who will vote for them.

See, prison is like quicksand. Once they label you, whether it be as a gang member or a leader of men or a problematic prisoner, then it never stops. The more you try to shake it lose the deeper you sink, even if you're not doing anything wrong.

Well I'm sorry for rambling on, but I feel this is such a miscarriage of justice. And the prisoners are being held prisoner by true criminals. Thank you.

By Patrick Martin, FZ6066, STGMU

SMART COMMUNICATIONS/PADOC,
Patrick Martin, FZ6066, SCI-Fayette
PO Box 33028
St Petersburg, FL 33733

I want to support the Human Rights Coalition by giving a Donation!

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Families, we rely on member support, any gift you make above \$25.00 helps us a great deal.

Please make checks payable to the Human Rights Coalition and mail donations to HRC,

PO Box 34580, Phila., PA 19101, ATTENTION: Charitable Donations.

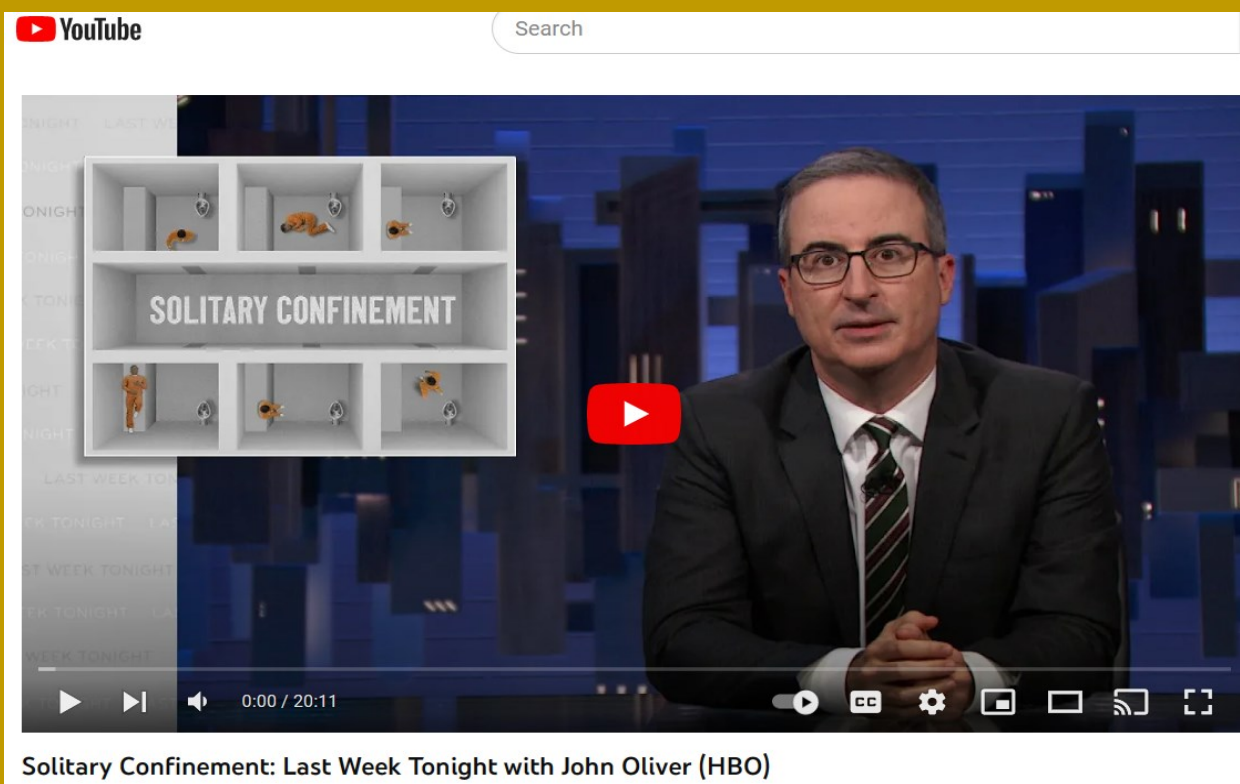
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**CADBI 2023
Retreat,
Photos by
Mike Lyons.**

Human Rights Coalition
P.O. Box 34580
Philadelphia, PA 19101



Watch: [Solitary Confinement: Last Week Tonight with John Oliver \(HBO\) - YouTube](#)

HRC strongly advise you to watch this YouTube video. It should be specifically watched by members of the Senate Judiciary Committee; members of the House Judiciary Committee; Juvenile Centers & Detention Centers; members of the House of Representatives; members of the Senate; people who manage the Immigration Detention Centers; Advocates for the Disabled; Advocates for the Mentally Ill; Child Advocates; people who manage the County Prisons on Philadelphia's State Road; **the new PA Secretary of DOC, Lauren Harry; the new Governor of PA, Joshua Shapiro;** people who vote and people who don't vote; and all the Nay Say'ers & Non Believers. We also ask you to share the above YouTube link. #SolidarityNotSolitary