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A Publication of The Pennsylvania Prison Society

GRATERFRIENDS

The mission of the Pennsylvania Prison Society is to advocate for humane prisons and a rational approach to criminal justice.

Medical Copays are Harmful

The COVID-19 pandemic has shattered the illusion that what goes on inside prisons has no consequences for the world outside. When outbreaks of the coronavirus raged behind bars, they fueled the spread of the virus in the surrounding community as corrections officers and people being released from custody brought the infection home with them. The pandemic proved once again that prisons are not hermetically sealed off from our communities, but rather are a deeply interconnected part of them.

That's why eliminating medical copays for incarcerated people is a public health issue.

The Prison Society calls upon state and county officials to abolish medical copays in prisons and jails. The pandemic has sent a loud and clear message that eliminating barriers to health care in prisons is not just about supporting the wellbeing of incarcerated people, their loved ones, and prison staff--it's also better for the health of the whole community.

The pandemic shows how the health of prisons and their communities are intertwined

Over two weeks in January, the number of coronavirus cases in rural Forest County, Pennsylvania, more than tripled. In a county with fewer than 8,000 residents, over 800 more people became infected, making this woodsy swath of northwestern Pennsylvania for a time the most heavily infected county per capita in the United States. Despite its sparse population, the county is home to the third largest state prison, SCI Forest, where a massive outbreak was driving the spike in infections.

The county's emergency services director worried the outbreak would spread into the county's largest town through prison employees, who "stop in the stores here in town on the way to work and the way home." Two dozen SCI Forest staffers had already tested positive.

We can't say exactly how many more infections in Forest County occurred as a result of the massive prison outbreak. But studies have tried to estimate how many extra cases of COVID-19 were generated by correctional facilities, which, because they concentrate large numbers of people in an environment vulnerable to outbreaks of infectious diseases, can serve as incubators that accelerate the spread of a virus. A statistical analysis by the Prison Policy Initiative estimated that prisons and jails in the United States were responsible for 500,000 cases of COVID-19 occurring both inside and outside their walls during the summer of 2020 alone. In Pennsylvania, they contributed over 20,000 new cases, according to the researchers.

Another recent study looked at how this dynamic played out in a single city--Chicago, Illinois--last year. Harvard University researchers found that 13 percent of the COVID-19 cases the city had had up until August 2020 could be linked to people cycling through Cook County Jail during the first month of the pandemic. They also zoomed in on the impact in specific neighborhoods. For each person from a given zip code who was arrested and jailed, there were five additional cases of COVID-19 in that community that could be attributed to the jail. Moreover, the jail's role in disseminating the virus contributed to racial disparities in susceptibility to COVID-19, accounting for 21% of the disparities seen in Chicago.

These studies offer proof of what prison and public health officials already know to be true: infectious disease outbreaks can easily travel back and forth across prison walls. As one of the authors of the Chicago jail study has written, the pandemic "is making the fact that carceral conditions are inseparable from community health... clearer than ever."

Copays undermine efforts to control outbreaks

Public officials also know that barriers to accessing health care in prison, including copay charges, can make outbreaks worse. Early in the pandemic, a paper written by a group of correctional physicians in the American Journal of Preventive Medicine cited "medical copays that demand a substantial portion of a prisoner's income" as a factor that could "prevent the timely identification, isolation, treatment, and referral of cases." State prison systems appeared to share this concern. The Prison Policy Initiative reported that among the 38 states that charge a medical copay in state prisons, 11 states decided to suspend the copay for all medical visits during the pandemic. But most of the others, including Pennsylvania, only waived copays for "respiratory, flu-related, or COVID-19 symptoms."

Your experiences as reported to us in our COVID-19 survey suggest that this temporary policy change didn't entirely eliminate the barrier these fees impose. One person who responded to a Prison Society survey last winter said that people who ultimately tested negative for COVID-19

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From the Social Services Director

Dear Friends of the Society,

July 1 marks the beginning of the Prison Society's Fiscal Year 2022, and with that, also the beginning of a new Board term.

The Society is welcoming four new board members with tremendous expertise: Ashley Biden, Bradley Bridge, Rep. Joanna McClinton and Su Ming Yeh.

Ashley Biden has worked as a social worker for the Delaware Department of Services for Children, Youth and Their Families for 15 years, where she implemented programs for those in the juvenile justice, foster care, and mental-health systems.

Bradley S. Bridge is an Assistant Defender for the Defender Association of Philadelphia, where he has worked for over three decades to represent indigent defendants throughout various levels of the judicial system.

Representative Joanna McClinton has demonstrated a strong dedication to public service even before being elected into the Pennsylvania House of Representatives in 2015 and as the House Democratic Leader in 2020.

Su Ming Yeh is the Executive Director of the Pennsylvania Institutional Law Project, an organization dedicated to advocating for and ensuring the rights of incarcerated people across the state.

These four individuals will join our existing board members in guiding the Prison Society's strategic mission. Our board members work in service to you, and we are excited about what we will be able to accomplish together.

Additionally, as of July 12th, 17 SCIs have either reopened for family visits or are scheduled to in the coming weeks. The amount of isolation you have faced over the last year has been enormous, and I am sure unbearable at times. With the slow resumption of visiting, I hope many of you are reconnecting with loved ones, and we are looking forward to seeing many of you in person again soon. As always, please know we are here for you and you are in our thoughts.

With gratitude,
Kirstin

Graterfriends

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We reserve the right to edit submissions. Original submissions will not be returned. Allegations of misconduct must be documented and statistics should be supported by sources. All submissions should be no more than 500 words, or two double-spaced pages. Letters more than 200 words, or one double-spaced page, will not be published in their entirety and may be shortened for clarity and space.

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were still being charged the copay, regardless of the symptoms they came in with. "This makes inmates uneasy about reporting symptoms and causes them to 'hide' when sick," he wrote. After the Prison Society shared this feedback with the Department of Corrections, it expanded its copay waiver to include all medical visits. When Corrections Secretary John Wetzel extended the copay suspension indefinitely in May, he noted that the fees had discouraged some incarcerated people possibly suffering from COVID-19 from reporting their symptoms.

If the possibility of being charged a copay led incarcerated people to delay or avoid a visit to healthcare staff, it allowed undetected cases of COVID-19 more time and opportunities to spread than if they had been quarantined more quickly. We don't know many infections and deaths might have been prevented had the copay been eliminated completely. But we do know that any policy that deters people from seeking medical care undermines efforts to control outbreaks of infectious disease, whether it's COVID-19, the flu, or an antibiotic-resistant strain of bacteria. And because prisons are inextricably linked with the world outside, controlling these outbreaks is a grave concern for public health.

The Prison Society has repeatedly called upon all state and county officials to permanently eliminate all medical copays in prisons and jails. At the state level, we call on elected representatives to pass legislation ending the $5 copay in state prisons.

Sentencing Courts Cannot Delegate Communication of the Conditions of Supervision

Nicole Sloane

In Commonwealth v. Koger, 2021 Pa. Super 115 (Pa. Super. Ct. 2021) the Pennsylvania Superior Court held that because the sentencing court did not advise Koger of the conditions of his probation and parole at the time of his initial sentencing, the court could not find that he violated supervision conditions.

The procedural history begins when Koger pled guilty to two offenses in Washington County Pennsylvania. He was sentenced to a county sentence on one of the offenses with a consecutive three years of probation imposed for the second offense. At the time that Koger was sentenced, the trial court did not advise Koger of the general conditions of his probation and parole. Instead, the conditions were explained to Koger after sentencing by an adult probation officer in keeping with the custom in Washington County when a criminal defendant is sentenced to a county sentence or probation.

A year after Koger's plea, he was alleged to be in violation of the conditions of his supervision. A revocation hearing was held and Koger's probation/parole officer testified. After the testimony, the court found Koger was a technical violator of his supervision and revoked his parole and probation.

Koger appealed arguing that the Court could not revoke him for violating conditions of supervision that the court had not imposed but were instead part of a probation and parole contract communicated by the probation department.

The Pennsylvania Superior Court held that the trial court erred when it failed to specifically advise Koger of the conditions of his probation and parole at the time of his initial sentencing. The Superior Court found that because the trial court failed to impose any specific probation or parole conditions, it did not have the authority to find Koger violated the conditions. In its opinion, the Superior Court reminds us that a sentencing court cannot delegate its statutorily prescribed duties to probation and parole officers. Rather, the sentencing court is required to communicate any conditions of probation or parole as a prerequisite to deciding whether an individual serving a period of supervision violated conditions. However, after the trial court imposes conditions of supervision, probation and parole may impose additional supervision conditions that are in furtherance of the trial court's communicated conditions.

Because the trial court had not imposed conditions of supervision during Koger's initial sentencing, the Superior Court reversed Koger's revocation and vacated his judgment of sentence. Disagreeing with this decision, the Commonwealth filed an application for reargument with the Superior Court on June 18, 2021. Before relying on the Pennsylvania Superior Court decision in Koger by filing a post-sentence motion, appeal or PCRA, check the procedural history for later decisions.

The Pennsylvania Innocence Project: Expanding Assistance for Spanish and other Non-English Speakers

The Pennsylvania Innocence Project

In English

As you may know, the Pennsylvania Innocence Project works to exonerate those convicted of crimes they did not commit. The Project is eager to assist non-English speakers and especially Spanish speaking individuals. We are now able to communicate with incarcerated individuals directly in Spanish and other languages. Our website is offered in Spanish, and we have interpreters and translators on call so that we can more effectively communicate to better serve non-English speaking individuals.

The Project reviews cases of people in prison who are actually innocent. The Project only takes cases from individuals convicted in Pennsylvania state or federal court, where the convicted individual is innocent and had no role in the incident that led to the conviction. Further, the individual must have completed the appeal of their conviction and have at least 10 years of their sentence, probation, or parole remaining.

If you would like the Project to consider reviewing your case, please send us a short letter in the language you are the most comfortable with that explains the following:

1. What you were convicted of – what the charges were;
2. Whether there was a trial or whether you plead guilty/no contest (accepting plea deals is included in this);
3. Why you say you are innocent; and
4. Where you are in your appeals process.

Please send your letter to:

Pennsylvania Innocence Project
1515 Market Street, Suite 300
Philadelphia, PA 19102.

The letter must come from you, not a family member or friend.

We look forward to hearing from you. Our website address is painnocence.org.

En Español

Como tal vez sepa, el Pennsylvania Innocence Project (Proyecto Inocencia de Pensilvania) trabaja para absolver a personas condenadas por delitos que no cometieron. El Proyecto está entusiasmado con ayudar a personas que no hablan inglés, especialmente hispanohablantes. Ahora podemos comunicarnos con personas encarceladas directamente en español y en otros idiomas. Tenemos una versión en español de nuestro sitio web, y también tenemos intérpretes y traductores de guardia para poder comunicarnos de una manera más eficaz y servir mejor a las personas que no hablan inglés.
El Proyecto revisa los casos de personas encarceladas que en realidad son inocentes. Solo puede tomar casos de personas condenadas en el estado de Pensilvania o la corte federal que sean inocentes y que no tengan participación en el incidente que originó la condena. Además, estas personas deben haber terminado el proceso de apelación de su condena y deben quedarle al menos 10 años de condena, libertad condicional a prueba o libertad bajo palabra.
Si desea que el Proyecto revise su caso, envíenos una breve carta en el idioma en el que sienta mejor expresándose y en donde explique lo siguiente:

1. Por qué delito fue condenado, cuáles fueron los cargos;
2. Si hubo un juicio o si se declaró culpable/no impugnó (se aceptan los acuerdos para declararse culpable);
3. Por qué afirma que es inocente; y
4. En qué fase está su proceso de apelación.

Envíe su carta a:

Pennsylvania Innocence Project
1515 Market Street, Suite 300
Philadelphia, PA 19102.
Debemos recibir la carta de usted, no de un familiar o amigo. Esperamos tener noticias suyas pronto. La dirección de nuestro sitio web es painnocence.org.

Are Self-Defense Laws Sexist?

Dr. Jill McCorkel and Julia Nema
Villanova University Philadelphia
Justice Project for Women & Girls

Remember George Zimmerman? In 2012, he shot and killed a Florida teenager, Trayvon Martin, and subsequently claimed to have done so in self defense. Although Zimmerman's account of the encounter was highly suspect, he managed to avoid arrest for six weeks by asserting that he shot Martin in self defense. In the end, Zimmerman was subsequently acquitted of all charges related to the murder of Trayvon Martin.

You may be less familiar with Marissa Alexander's case. Although she, like Zimmerman, claimed to have fired her gun to defend herself, things did not turn out quite the same way for her in court. It took a jury just 12 minutes to find Alexander, a mother of two, guilty of aggravated assault. In 2012--the same year Zimmerman shot and killed Trayvon Martin--a Florida court sentenced Marissa Alexander to a minimum term of 20 years in prison.

How can this be?

In Alexander's case, no one was hurt during the encounter. She fired a single warning shot into the ceiling after her estranged husband blocked her from leaving the house and threatened to kill her. Extensive documentation established that Alexander was a victim of domestic violence who had suffered years of violence and abuse at the hands of her spouse. What's more, her husband--the guy she fired the warning shot at--confirmed her version of the events that lead up to the shooting. He even confessed to having previously attacked her and other women.

Estimates suggest that 1 in 4 women (22.3%) have been the victims of severe physical violence by a male intimate partner. In some of these cases, violence and abuse escalates until it ends in murder.

Like Marissa Alexander, some victims of domestic violence--fearing for their lives and the lives of their children--take matters into their own hands. However, women are rarely successful in raising self defense claims in court. This is particularly the case for African American and Latina women. Even the most robust self defense laws, like Florida's Stand Your Ground, prohibit the use of defensive force against a cohabitant or family member. If Alexander had been attacked in her home by a stranger, she might have prevailed in her self defense claim. However, Alexander, like most women, was attacked by a male partner. Self defense doctrine provides no cover for women in this situation. Instead, survivors of domestic violence become targets for police and prosecutors. Many end up serving life and near-life sentences.

Legislative developments in several states offer a glimmer of hope to incarcerated survivors:

In 2012, California passed two "Sin by Silence" laws. The first allows incarcerated survivors to challenge their sentence if evidence of domestic violence was not introduced at trial. The second requires the parole board to consider all evidence of abuse during parole hearings.

In 2016, Illinois passed a law allowing incarcerated survivors to petition for resentencing.

In 2019, New York passed the Domestic Violence Survivors Justice Act (DVSJA) which grants judges greater flexibility when sentencing survivors, allowing for shorter terms or alternative-to-prison options. Currently incarcerated survivors are eligible for re-sentencing consideration.

Unfortunately, Pennsylvania is one of seven states that continue to criminalize survivors. A survivor who kills her abuser can be sentenced to life without possibility of parole with no option for sentencing reconsideration.

Book Recommendations

Recommended by John Adams at Morgan County Jail and Clifford Karolski at SCI Camp Hill

Ithaca College Books Thru Bars
Ithaca College Library
P.O. Box 113
Brooktondale, NY 14817

Prison Book Program
Lucy Parsons Bookstore
1306 Hancock Street, Suite 100
Quincy, MA 02169

Providence Books Through Bars
42 Lenox Avenue
Providence, RI 02907-1910

Books Behind Bars
Prison Mindfulness Institute
P.O. Box 206
South Deerfield, MA 01373

Book 'Em
The Big Idea bookstore
5129 Penn Avenue
Pittsburgh, PA 15224

Books to Prisoners Left Bank Books
92 Pike Street, Box Seattle, WA 98101
The Country Bookshop
Vermont Books to Prisoners
P.O. Box 234
Plainfield, VT 05667

Antioch College Books to Prisoners Project
One Morgan Place
Yellow Springs, OHIO 45387

Appalachian Prison Book Project
PO Box 601
Morgantown WV 26507

Ashville Prison Books Project
Downtown Books and News
67 N. Lexington Ave.
Ashville, NC 28801

Helpful Tips for Requesting Books
- Limit your selection list to no more than six.
- Always specify if your facility allows used and hardcover books.
- Do not request books from the same donor for a minimum of 90 days (three months).
- Avoid messy hand-writing.
- Always include your address at the bottom of your letter.
- Always allow at least 90 days for delivery.

Sample Letter:
Wednesday, March 27 2019
Hello,
I am writing to respectfully request any softback books you can provide on the following True Crime, Fantasy, Poetry, Westerns, and Self-Help.

Thank you so much for your time and efforts.

Respectfully Submitted,
John Adams #123456
Po Box 2000
Wartburg. TN 37887

Reminder: Donations like books are expensive, and often not tax write offs. If it's within your ability to send a donation please do! Even if it's only one stamp. Anything helps.
Proverbs 3:27 - Do not withhold good from those whom it is due when it is in your power to do it.

Education in the DOC

Shawn Younker, SCI Greene

It is time to broach the topic of education in the DOC. Is there any question that this department is woefully lacking? When a branch of government boasts the word "corrections" in their title, one naturally presumes there are rehabilitative measures available, as well as courses geared towards academia.

So, where are all the academic possibilities? We have prisons in PA that are designated for specific purposes such as medical (Laurel Highlands), classification (Camp Hill), programming, discipline, etc. But why is it so incomprehensible to also delegate education and college programs to a certain prison? In this day and age where computer literacy is an essential requirement, the education system here in the PA DOC has seriously dropped the ball.

As most of us know, companies now exist who hire felons and receive some type of incentive for this. It would be beneficial if we were made aware of these companies as well as received some type of training. If the DOC is really all about "correcting," then they should also give credence to education. Cookie-cutter homework packets in no way will prepare us for career choices.

Personal Plan of Action

Timothy Milton Vales, SCI Mercer's Veterans Service Unit

PRIMARY OBJECTIVE

It remains a paramount objective for me to follow and successfully accomplish a plethora of attainable goals and reasonable expectations to better my entire life.

PERSONAL GOALS

-To live a totally crime-free and law-abiding lifestyle.
-To reconnect with VA and non-VA programs for outpatient mental health services.
-To restore strong communication with family, friends, and established networks.
-To improve my health, eat healthy, and to act healthier and more responsibly.
-To complete and publish my book.
-To be unapologetically me.

HOUSING PREFERENCES

-To reestablish community connection with Soldier On for emergency housing.
-To apply for the VA'S HUD-VASH national rental voucher program.
-To relocate to the Maryland-Virginia-Washington, DC area within 12 months.
-To purchase and finance a home through the VA's Home Loan Program.

EMPLOYMENT OPPORTUNITIES

-To seek employment through either AARP or VA's Community Work Therapy program.
-To work for a local nonprofit within the social or community services sector.

EDUCATIONAL ASPIRATIONS

-To re-apply for educational benefits through the VA and Pennsylvania's OVR program.
-To earn a Masters and Juris Doctor degree through online study methods.

CAREER ENDEAVORS

-To advertise, offer, and expand a variety of professional services.
-To establish a 501(c)(3) organization to assist veterans and mentor disadvantaged adults.

FINANCIAL COMMITMENTS

-To fully satisfy all outstanding court-imposed restitution obligations.
-To create a monthly budget before spending my monthly income.
-To pay all outstanding personal credit card bills and past due accounts.
-To invest 5% of my monthly earnings into my credit union account.
-To save 5% of my monthly income in an emergency resource account.
-To establish and make monthly $75.00 contributions into a TIAA mutual fund account.
-To closely monitor all credit reports and maintain good credit ratings.

VOLUNTEER OPPORTUNITIES

-To contribute three to four hours per month for veterans, youth, and senior group events.

AFFIRMATION

I, Timothy Milton Vales, do attest and affirm that I will utilize all skills, knowledge, and information acquired to complete all goals as stated herein in order to honor and fulfill this Personal Plan of Action.

Abolish Death Penalty to Protect Innocent

Larry Stephenson, SCI Phoenix

Because of the courageous and valiant stance taken by Governor Tom Wolf to place a moratorium on the death penalty in Pennsylvania, there is renewed interest in state-sponsored executions and the death penalty generally. Despite the conventional perception that everyone who is charged and sentenced with a capital crime is guilty, there are more innocent people in prison than most could even imagine.

Below you will find a partial list of cases where the convicted came within hours or minutes of being killed, only to be found innocent when others confessed or as evidence surfaced. Tragically, some on the list had already been executed when it was learned that they had not committed the crime. What is more unconscionable than taking the life of an innocent person? This is the very argument that prosecutors use on juries when relaying the defendant's alleged behavior.

Please note that this list does not include the nearly 200 people who have been exonerated of all charges related to the wrongful convictions that had put them on death row since 1973. This fact alone should force authorities to conclude that more innocent

people have been executed with testimony and evidence that didn't really point to the condemned but to juries goaded and inflamed by prosecutors hell-bent on getting a conviction rather than truth-finding.

The list is reason enough for why there should be a moratorium on the death penalty in Pennsylvania and the rest of the nation:

WILL PURVIS (MS, 1893): Sentenced to death for murder on the basis of eyewitness testimony. Survived hanging because the knot slipped. Pardoned in 1898 and cleared in 1917 by a death-bed confession of the true killer.
J.B. BROWN (FL, 1901): Sentenced to death for murder. His hanging was averted at the gallows because the execution warrant listed the jury foreman's name. Sentence commuted; released after another person confessed in 1913.
MEAD SHUMWAY (NE, 1907): Hanged for murder in 1909. Three years later, the victim's husband confessed to the crime.
"DAGO FRANK" (Frank Cirofici) (NY, 1912): Executed for murder in 1915. "Accomplices" later admitted that Frank was not even present at the scene of the crime.
CHARLES STIELOW (NY, 1915): Sentenced to death for murder. Received a stay forty minutes before scheduled execution. Released three years later in 1918 when the culprit confessed.
MAURICE MAYS (TN, 1919): Executed for murder in 1922. In 1926, the true killer confessed.
ANASTACIO VARGAS (TX, 1926): Sentenced to death. His head had been shaved for execution when a lookalike confessed. Released in 1930 and later pardoned.
GUS COLIN LANGLEY (NC, 1932): Sentenced to death for robbery/murder. Was twenty-five minutes from execution when a technicality saved his life. Released and pardoned after witnesses proved he was 400 miles away from the scene of the crime.
RALPH LOBAUGH (IN, 1947): Sentenced to death for three rapes/murders. Within three years, another man had been convicted of one of the crimes and a third man had confessed to the other two. Lobaugh's sentence was commuted to life; finally released in 1977.
EDGAR LABAT and CLINTON PORET (LA, 1953): Two Black men sentenced to death for raping a white woman. After a dozen stays of execution and sixteen years on death row, they were released as the prosecution witnesses' testimony unraveled, alibi witnesses came forward, and evidence showed that one defendant had been beaten into confessing.
LLOYD ELDON MILLER (IL, 1956): Sentenced to death for murder. Received a stay only hours before scheduled execution. Evidence surfaced that prosecution misrepresented paint smears on defendant's clothes as blood. Conviction set aside. Miller was released after eleven years in prison.
FREDDIE PITTS and WILBERT LEE (FL, 1963): Convicted in 1963 and again in 1972 for murder. Served twelve years, mostly on death row. Released in 1975 after executive pardon. Another convict had confessed to the crime in 1966.

In the Money with Double Jeopardy

Evan D. Smith, SCI Forest

I received 30-60 years for a crime I did not commit. I took my case to trial, and lost because:

1. I did not have a paid attorney.
2. I am a middle-aged white male.
3. I did not accept the bonds for value.
4. I did not separate myself from the strawman.

The Courts of Common Pleas and the State Correctional Institutions love money; they don't know if they are a Commonwealth or State. As long as they can swindle and get money, they will.

Education plans are a joke: they tell you "You need to do this to get paroled." I have graciously declined to take classes due to the fact that I am working on my case, which is a right we have in the constitution. However, according to some Unit Managers and Block Counselors, we don't have that right; oftentimes, if we fight our case we are punished. They take our jobs away from us and take us from Custody Level 2 (minimal restrictions) to Level 3 (medium restrictions) because we are refusing programming.

Because of not doing my "programming," I was kicked off the SNU (Special Needs Unit). I have PTSD, depression, and anxiety, and I feel vulnerable. According to 13.8.1 ACCESS TO MENTAL HEALTH PROCEDURES MANUAL Section 13 Part B, if you have physical or mental illness or other relevant risk factors or vulnerabilities, you qualify for the Special Needs Unit.

People who need the SNU should be kept there rather than other inmates who simply need protective custody, like informants.

So I ask you, who are the real criminals here?

Commutation Elusive for Delaware Inmates

Robert Saunders, James T. Vaughn Correctional Center

Everyone would agree that many factors should be considered before commuting a life sentence including the severity of the crime, the person's role in the crime, family and community support, prison misconduct history, educational achievements, involvement in prison programming, employability upon release, empathy and remorse, etc. Most people also think incarcerated individuals should earn freedom and those who transform themselves the most should be released. In Delaware (DE) however, the commutation of a Lifer is contingent upon who you know. Many Lifers in the DE prison system have never taken anyone's life. Some of those Lifers have earned college degrees, gone decades without a misconduct, maintain family and community support, and possess employable skills. Yet, the same Lifers remain incarcerated while principal perpetrators with less education and worse prison misconduct histories get their sentences commuted. Why?

At least 16 states and the District of Columbia have introduced legislation authorizing retroactive sentencing remedies for people sentenced to life imprisonment. The Sentencing Project's Director of Advocacy Nicole D. Porter joined more than 100 New York advocates to testify in support of an older parole bill and a presumptive parole reform bill. The Elder Parole Bill would allow people aged 55 and older who have served 25 consecutive years in prison a consideration of parole regardless of crime or sentence, including those sentenced to life without parole. The Presumptive Parole Reform Bill would change the standard of

parole release and create a presumption of release for all parole applicants, including those with a life sentence without the benefit of parole.

To eliminate the disparities and inequalities in the commutation system, Delaware needs to create an independent Lifers section for the parole board to ensure impartiality, endowing the section authority to parole the most transformed Lifers. A commutation should be based on merit, not on who you know.

No Excuse
Edwin Puglia, SCI Greene

This is to all of the people that are in prison now, including myself:

When we sit back and look at the mistakes that we have made, we would do things over again if we could. But some things we thought about and did anyway, even knowing that the outcome would be bad. We still did them. Because some of us work so hard to do things. We try the best we can. We go to church, and we work hard. We instill our values in our children. We teach them respect. But we have to understand that no matter what we do or which corner we turn, there is always someone watching.

We are already in bad situations in which we face discrimination because of the time, the place, or the color of our skin. We get picked up on crimes that we did not commit, and since we do not have an alibi or a good lawyer, we become guilty. And a public defender will not try their best. Because in all reality, they are controlled by the courts.

The way they have these video courts, it should be easy for your lawyer to communicate with you, and yet they make it seem so hard. How hard is a video court? It's very easy. No gas wasted, no long travel, no two guards being paid to transport you. No time going to the courthouse or staying in a cell waiting to go to court and then being transferred back. This procedure can be four to eight hours of wasting time and money. By the time just one prisoner is being escorted, eight to ten video courts could have been finished. There is no reason to postpone, since no contact is made; so why is there a communication problem?

They should have video chat in the public defender's office. How can a lawyer not talk to you for four or five months? Then, when you get to court, you might get one or two years knowing you could have beat the charge. They give you time served because you got 14 months in. Ain't that something? Just to give a conviction, instead of throwing the case out.

Plus, we have been convicted of things when we are innocent. But we cannot get our witnesses to court or they do not even look for them. People get charged for murder with no motive and sometimes no weapon just because of the police officer's statement.

If we were in the situation that Derek Chauvin was is in, but with no video as proof, no witnesses watching, or even with witnesses saying we didn't do it, we would still have a first-degree murder charge. So, how are they not seeking the death penalty or first- or second-degree conspiracy to commit murder when he is on video with witnesses and people telling him to stop? There was no reason for deadly force. This is a bad example of when a renegade police officer, who is trained to know when to stop, did not do so. And any police officer who did not stop him is also guilty. When we are in jail, if someone does something, we all pay no matter what. If the officers did not stop him, they should still be held accountable for second-degree murder, manslaughter, or conspiracy and locked up with the same people they locked up — no special privileges, no protective custody.

For most people in jail for murder, it was probably a burglary gone bad; they didn't expect someone to have a gun and it was an accident, self-defense, or they just snapped. But there was no video, no one telling them to stop, no pedestrians warning that they had gone too far. I am sorry to say that this police officer has no excuse.

Juvenile Lifers/All Lifers
Robert Pezzeca, SCI Forest

In a disgraceful decision on April 22, 2021, the United States Supreme Court, in a 6-3 ruling, made it easier for sentencing courts to give juveniles a Life Without Parole (LWOP) sentence.

Based on Jones v. Mississippi, juveniles can now be given LWOP without a judge concluding that they are "permanently incorrigible," or incapable of reform as long as their age is considered as a mitigating factor in sentencing. This ruling, led by Trump appointees Brett Kavanaugh and Amy Coney Barrett, limits the scope of Miller v. Alabama (2012) and Montgomery v. Louisiana (2016), which prohibited mandatory LWOP sentences for juveniles.

This decision has shown us that SCOTUS has taken up the belief that LWOP sentences are 100% legal.

With a Republican-led legislature, unless PA Lifers work together, we have no hope. Once LG Fetterman leaves office, and AG Josh Shapiro most likely becomes our next Democratic Governor, commutation will most likely go back on lockdown.

We all must work together for change, or we have no dog in this fight. There is power in numbers.
Unity = freedom.

Religious Burdens
Fernando Nunez, SCI Mahanoy

Are prison rules and policies placing a substantial burden on your ability to practice your religion?

After decades of complaints by prisoners that corrections officials frequently denied them the right to practice their religion, Congress took action and passed the Religious Land Use Institutionalized Persons Act (RLUIPA), codified at 42 U.S.C. §§ 2000cc. RLUIPA is a civil rights law that protects the religious freedom of persons confined to prisons, jails, and certain other institutions in which the government exerts a degree of control far greater than that which is found in civilian society. Congress enacted RLUIPA in order to provide very broad protection for religious liberty. See

Holt v. Hobbs, 135 S.Ct. 853, 859 (2015).

Accordingly, where a correctional institution's regulations impose a substantial burden on a prisoner's religious exercise, the regulation violates RLUIPA unless the institution demonstrates both: (1) that a compelling governmental interest necessitates the imposition of the burden, and (2) that the regulation is the least restrictive means to further that interest.

An inquiry into what is or is not central to a particular religion has no place in a RLUIPA analysis. Rather, it should be based on the "individual's sincerely held personal religious beliefs." Prior to RLUIPA, prisons often relied on the name of "institutional security" to prevent or deny a prisoner's religious practice. Not anymore! I encourage all of you to read the Holt case. Knowledge is power. Use RLUIPA to fight back.

Follow the Science

Kerry McNeil, SCI Phoenix

We are living in a dark age of the horrific "Corona Virus Pandemic" raging around the world! In America, scientists emphasize the need for every American citizen to just follow the science. Governors in every state were urged to invoke their executive emergency power to impose mask mandates, stay-at-home orders, and social distancing requirements. But, moreover, the closing of bars, restaurants, and non-essential businesses was also imposed!

If scientists are trained to be objective, then why is there a "double standard" and a "resistance" to scientific analysis as it applies to the "brain development" of the incarcerated young adult?

We thought this question was resolved in Miller v. Alabama 132 S.Ct. 2455 (2012), where the United States Supreme Court held that "mandatory life imprisonment without parole for those under the age of 18 at the time of the crime violated the Eighth Amendment's prohibition on cruel and unusual punishment."

The Justices in Miller relied on the scientific findings that the biological brain development and maturation process is not complete until a man or woman reaches their mid-20s and even into their 30s.

Yet Pennsylvania legislators and the courts have deemed it necessary to cut off the brain's development stages at the age of 17. What scientific standards did the state use to reach this decision? In Eddings v. Oklahoma, 455 U.S. 104, 110-112 (1982), the U.S. Supreme Court observed that "youth is more than a chronological fact," an analysis that should elevate the present-day limitations of Miller's mandate of age 18 minus one day and younger to 24.

Many prisoners today were incarcerated when they were in their late teens and early 20s, and this practice has been in place as far back as the 1950s—Pennsylvania recently released a man based on Miller who was arrested in 1953 and served a total of 68 years in prison!

America's democratic stance around the world centers on the promotion of science and the "rule of law." America's supercomputers and its advanced science combined to send multiple rovers to Mars, so why are scientists not being heard on their studies regarding brain development as a means of applying equal and fair justice, thereby protecting the health and well-being of the geriatric prisons whose brains—based upon Miller's findings—were not fully developed at the time their crimes were committed?

If we simply follow the accepted science, as the Miller Court did, we could ease the burden on taxpayers, reduce mass incarceration, and lower the risk of spreading COVID-19 with the release of the most vulnerable elderly inmates who deserve justice and fairness.

Stimulus Checks

Heather Lavelle, SCI Muncy

On September 24, 2020 a federal judge ordered the IRS to stop denying stimulus payments to people solely because they are incarcerated. The message to me was loud and clear. I may be incarcerated, but I am still a citizen and I do matter. It was an emotional moment.

Most of the women I know who are serving time for murder at SCI Muncy have no prior criminal history and found themselves in situations where they acted in ways not expressive of their true character. In addition to the women convicted of murder, there are 1,000 women here serving time for all sorts of violent and non-violent offenses. There is a reason we are all getting the stimulus checks.

Most people don't know about the excessive financial burden having an incarcerated loved one places on families. Prisons simply don't supply everything we need in order to survive. We buy all of our own personal hygiene items, shoes, paper, pens, you name it. We buy prepaid phone cards and email credits to keep in contact with our families and friends. We can purchase televisions and tablets at exorbitant prices due to the special manufacturing process required to meet the security demands of the prison. If an incarcerated person doesn't have financial support from someone on the outside, they will have to save money for years to purchase these items since the pay rate for work ranges from $0.19 to $1 per hour. Some women will not accept help from people on the outside. Mothers want any extra money to go to their children. A lot of women will send their stimulus money home to help their families.

Another burden is the cost of health care. Each visit to medical comes with a copay and a charge for every medication prescribed. It's easy to fall into debt to the medical department so that each dollar earned simply goes back into the DOC. Eventually women stop going to medical when they are sick, which can cause serious issues in the closed community of a prison. The stimulus checks will help women pay off these outrageous debts and will likely encourage them to seek help when they are ill.

This money will pay off court costs and fines, benefiting counties all across the Commonwealth. It will pay back child support, debts to the IRS, and money owed to Victims' Services. These

payments will help the incarcerated leave prison in a better financial position by eliminating some of their crippling debt and creating more opportunity for them to succeed on the outside. The biggest benefit is having the opportunity to walk out of the prison with a few dollars in our pockets. Studies have shown that simply having a bank account reduces the risk of recidivism. Having some money to put in that bank account will bring us one step closer to the life we all envision for ourselves, free of prison and moving toward a financially secure future.

Chronicles of Frustration

Cory Lambing, SCI Forest

Please allow me to present a question and answer session with Pennsylvania state inmate Keith Nieves who is like so many others:

Me: How long have you been incarcerated on this sentence?
Nieves: Going on 11 years
Me: What was your original sentence?
Nieves: 6 ½ to 20 years
Me: Was it a violent crime?
Nieves: Yes. Assault.
Me: Have you seen parole?
Nieves: Yes, five times.
Me: And you were denied each time?
Nieves: Yes, I received a 1 year hit each time.
Me: Have you completed all recommended programming?
Nieves: Oh, yeah and then some. I've done all my programs, T.C. I've received my CD, done correspondence courses, received my OSHA certification, taken the construction trade courses, received no misconducts, had the lowest security level of 2, lived on the honor unit, kept my institutional job, trained service dogs in the P.A.W.S. program, trained a dog for a retired state trooper, and I have a home plan and a truck driving job waiting for me.
Me: Wait, and you are still getting denied parole?
Nieves: Yup.
Me: But it seems to me that you've done everything that they want you to do—and then some. What is their rationale for denial?
Nieves: The same copy and paste templates that they give everyone…
—Failure to demonstrate motivation for success
—Minimization of crime
—Failure to receive positive institutional recommendation
Me: Wait! What? You did not get the jail's recommendation even though you did all that and remained misconduct free?
Nieves: No, I did get it! I even wrote a request to make sure and sent it to my institutional parole agent.
Me: And, what did they say?
Nieves: That it does not matter; I can only apply for administrative relief by contacting the board directly within 30 days of my denial.
Me: Did you appeal to the board?
Nieves: Yup. They told me that any denial is with full discretion of the board and you can't appeal it.
Me: That is crazy. Their determination was based on a false rationale! Did you contact the administrative body or the Commonwealth Court?
Nieves: Yes, both. Same answers. Parole is not a right in PA and the denial is within the full discretion of the interviewing members of the board.
Me: Wow! That is insane, when do you see them again?
Nieves: October 2021.
Me: Well, good luck, I guess…
Nieves: Thank you.

This is a conversation I had with my cellmate the first time I met him. Truth be told, this circumstance is far too often a reality here in Pennsylvania state prisons, even during a pandemic. Something has got to be done with parole in PA. What is the point of a minimum if it is nearly impossible to get released on it in most institutions?

Mail Policy Proposal

Terry Kerstetter, SCI Mercer

My letter is a future business model to support crime free privileges receiving mail.
Here's a DOC model plan:

The individual (family, friend, etc) applies to the DOC for approval with an application and processing fee.

The individual signs a waiver accepting terms of agreement designed by the DOC in which the individual accepts legal responsibility for the mail contents.

A registered barcode is attached to envelopes produced by the DOC for purchase by the eligible individual.

There is a one-time processing fee and a purchase of prerecorded, barcoded envelopes with or without stamps through a DOC vendor.

The inmate must have that individual as an approved visitor and their phone must be added to his/her phone list.

The DOC could use the inmate's custody level to determine how much privileged mail they can receive.

Possible barcode stickers are available for purchase and are registered to individual, receiving inmates.
NOTE: The preset barcode never changes and becomes the identity of those parties approved.

The business model for the DOC is the continual purchase of approved barcode stamps up until the inmate is paroled or deceased.

Once the application is approved, the individual purchases the ideal barcode stamps in which a price is applied upon each purchase of the approved barcodes once per month.

This model makes public families legally responsible for their actions.

This approach for privileged mail is larger than the act of receiving; by all accounts, the families and other support become reliable resources to the public, the parole plan, and the trustwor-

thiness of the offender.

Bring back the funding to the DOC and support Pennsylvania purchasing practices. When you begin to phase out smart communications, the funding goes directly to PA DOC resources for future goals.

A Travesty of Justice
Donald Johnson, SCI Dallas

The very essence of this correspondence is to bring to light certain facts that I feel are interesting regarding the disparity of treatment of certain types of citizen prisoners, mainly the mentally disabled men and women who are incarcerated today in these man-made houses of justice. There are so many mentally unhealthy people who are just languishing away, physically and mentally. They're suffering, and yet most don't know it. They suffer under a dark cloud, and this cloud is none other than the Pennsylvania Parole Board, who cares about no one.

The men and women inside are really suffering from mental illnesses; they have surrendered to the evil and dark ways of the Parole Board. The darkness has blinded their sense of freedom and hope. They're lost without the help of the people — mainly, YOU.

When people have disabilities, especially mental illness, they don't and can't understand the questions that parole agents are asking them. They don't know what to say or how to answer the questions and this makes the board very angry. They don't know how to work with the mentally ill.

So many men and women, young and old, have passed by their parole dates many times. Some know this and some don't. Some have no idea when or if they will ever go home. Then, there are those who max out and the prison puts them out in the street and the Parole Board doesn't have to work with them. The Board is not understanding. They don't care; after all, they're not their family.

The Parole Board needs to be kept in check. Parole is a privilege, not a right, and because of this, the Board doesn't have to do as anyone says. The Board doesn't listen to the courts, the governor, the DA or the lawyers.

There is justice reform headed in our direction someday soon, I do hope, but justice reform without parole reform is only getting half of the job done. We really need a new and better Parole Board, or we will remain in the very hands of someone else's man-made justice, and mainly, in the evil hands of today's Parole Board.

Here's a very good idea. How about one of these three things:
Terminate the Parole Board.
Make parole a right.
Give the Department of Corrections the authority to grant or deny parole.

We say that change comes to those who wait, but haven't we waited long enough? Change will only come when we come together as one people, one voice, and stand up to them. So come on, let us put our heads and hearts together and bring about this change for the good of those who need our help and for the help we need as well.

May God bless us all and may we come together in His name.

RIP Donald Massey
Clark Huff, SCI Benner Township

I am writing to you about a good friend of mine. He was an inmate on my block at SCI Benner. His name is Donald Massey. He passed away on April 26, 2021 from a heart attack. He was 66 years old. He was my workout partner. We motivated each other to do our best. Donald was a very humble man. He was an honest and sincere individual. He was very wise. He cared about others more than himself. I am going to miss you, Donald. "Rest in Peace."

Opinion/Quotes from PA Lifer Dying Awaiting Governor's Approval for Commutation
Robert Eak, SCI Somerset

I am responding to Graterfriends' Jan/Feb cover story on page one, whereby the PA Board of Pardons voted unanimously to recommend Bruce Noris's release and all that remained was for Governor Wolf to sign off on his clemency application. Others continue to wait for the governor to act on life sentences that were recommended by the PA Board of Pardons, but these Lifers remain in prison amid raging coronavirus outbreaks waiting for the governor's approval for several or dozens of months at a time, and many of them have died.

The governor's office said it doesn't have the resources to keep pace with its own review of clemency applications made by the Board, which have increased during the pandemic. Lt. Governor John Fetterman encourages everyone to apply for commutation. Governor Wolf's own Secretary of Corrections, John Wetzel, continues to emphasize the need to release more people from prison as Governor Wolf's inaction is putting lives in needless jeopardy and Secretary Wetzel quotes, "Let me be very clear: we need further population reduction".

"It is unthinkable to keep people who have been given such a rare glimmer of hope in limbo, especially during a deadly pandemic that is overwhelming our correctional facilities" wrote Celeste Trusty, Pennsylvania State Policy Director for FAMM, in a recent letter to Governor Wolf. The review furnishes the governor with everything he needs to know about a case to make a decision. But, the administration's apparent inflexible approach to reviewing these recommendations represents an indifference to the deadly threat of COVID-19 faced by people whom the board have deemed deserving of release. It also represents another failure by the governor to use his executive power to reduce the number of people in prison and mitigate the coronavirus epidemic in prisons.

This concerns me as well. I too agree with all three — Secretary Wetzel, FAMM, and the Prison Society — as it aches me considerably and I find it quite disturbing as I am scheduled for Merit Review this summer. Pending any positive recommendation to the governor, I do not anticipate any prolonged, unreasonable

wait in prison from, perhaps, a lack of discretion. With the many dying and applications simply sitting on a desk, I ask the question, "What resources are further needed so that there can be none for his review — a one man's review —to sign off on the work of the Board of Pardons that has already been done?"

Parole
Candis Bradshaw, SCI Muncy

The parole process is intense. When I first came here, the counselor chided me for showing too much emotion. So I learned to shut the emotional response down. But the Parole Board wants you to show remorse for the crime. It's a double-edged sword in a way.

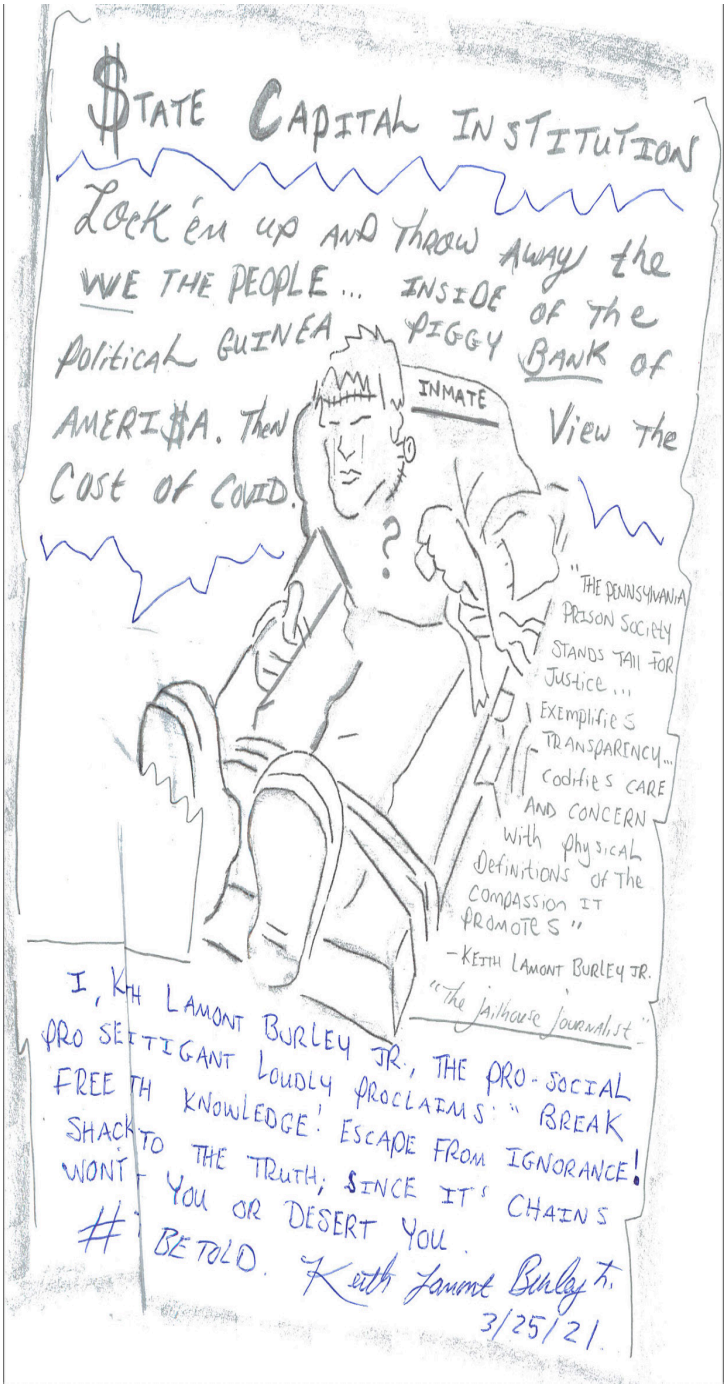
You meet with your parole agent approximately five months before your minimum date. (The case file starts to be prepared eight months prior to the minimum date.) Approximately four months before the minimum date, the Board members and Hearing Examiner review your file and reentry plan, and then you are interviewed by the Board, either in person or by videoconference. In my interview, Ms. H. was in person, and another Board member appeared via video conference.

The questions are very valid, and it is an intense process. As I said, they want the offender to take responsibility for the crime and demonstrate what they have done to improve themselves. If you believe you are innocent, you need to pursue relief through the court appeals process. The Board must accept your conviction as fact and base its decision on what you have done to rehabilitate yourself so that you will not re-offend in the future. Any claim of innocence could be viewed as a denial of responsibility and a lack of remorse.

In Pennsylvania, parole is a privilege and not a right, so the interview and the process leading up to the interview is critical. Certified Peer Support Specialists (CPS) are there to help you, as is your parole agent.

Fortunately for me, the Board members interviewing me were very kind. I was frank. I did not want to break down and I did not. They were not allowed to touch my certificate because of an incident that happened at another jail, where employees handling mail became sick because the paper was tainted with drugs.

I was disappointed that Craig, my criminal defense attorney who has stood by me so steadfastly, was not allowed in the interview.



Art
Keith Burley Jr., SCI Forest

Deadline For Creative Issue Submissions

An update on our 2021 creative issue:

In order to get the creative issue out to our readers sooner this year (hopefully in time for the holidays), we are asking for all creative submissions to be mailed to us by September 10th, 2021!

We have already received some fantastic submissions, but are definitely looking for more (especially visual art). You can write about anything, but we are particularly focused on topics related to the criminal justice experience.

You can still send in creative pieces after the deadline, but they will be put for consideration for the 2022 issue.

Resources

FAMM

FAMM, a DC-based sentencing reform organization, is working to fight mandatory minimums in Pennsylvania, but needs case examples to help convince lawmakers to support fair sentencing. If you are serving a long mandatory sentence for a drug or gun offense, please send 1) your name, 2) you contact information, 3) contact information for an outside friend of family member, 4) a brief description of your offense, and 5) your sentence, to:

FAMM
Attn: Pennsylvania Stories
1100 H Street, NW, Suite 1000
Washington, DC 20005

Note: FAMM does not offer direct legal assistance, but the organization will contact you by mail if they'd like to learn more about your case.

DREAMCORPS

Through our partnership with Morehouse School of Medicine's National Covid-19 Resiliency Network, Dream Corps JUSTICE is working to ensure that justice impacted individuals and their families have access to new COVID 19 related resources to help reduce the negative impact of the pandemic on their communities. Some of these
resources include: a symptom checker, COVID-19 test locator, vaccine finder, factsheets, and more.The National COVID-19 Resiliency Network provides awareness of culturally appropriate health education information and linkage to care, helping organizations and families recover from pandemic difficulties.

If you are a justice impacted individual, or you have a loved one currently or formerly incarcerated, go to www.msm.edu/ncrn for more information.

PARSOL

The PA Association for Rational Sexual Offense Laws (PARSOL) was founded in 2017 in response to the growing realization that sex offender registries were becoming unwieldy, unnecessarily punitive, and ineffective at their stated goal of keeping people safe from sexual harm. We are the state affiliate of the National Association for Rational Sexual Offense Laws (NARSOL).
Our mission is to advocate for sex offense public safety measures that work for all Pennsylvanians: policy based on prevention, laws that respect our Constitution, and the dignity of all people. This includes an end to sex offense registries.
The PARSOL Legal Committee tracks in-state, out-of-state, and federal court rulings that affect sex offense registration laws. We work with legal professionals to submit additional support arguments to pending cases. Currently we are following Commonwealth v. George Torsilieri. The case was remanded back to the Chester County Common Pleas Court by the PA Supreme Court for an evidentiary hearing on SORNA II's irrebuttable presumption challenge that those who are on the registry are at a high risk of sexually re-offending. PARSOL does not give legal advice. Our legislative efforts are currently aimed at tracking proposed changes to the laws around sex offenses and the registry as well as educating lawmakers. We visit the Capitol in Harrisburg and we also organize virtual meetings online.

If you would like to get involved or if you need support, please reach out to us at:
info@parsol.org
717 820 2237 , or
PARSOL
P.O. Box 399
New Freedom, PA 17349

POLICE TRANSPARENCY PROJECT

Mission Statement:
The Police Transparency Project's mission is to compile information on unconstitutional interrogation patterns and practices used by Philadelphia Homicide detectives over the last three decades, which have resulted in countless wrongful convictions of actually innocent defendants. The Police Transparency Project seeks to gather information and documentation about specific homicide detectives' and supervisors' participation in these abuses and to make that information readily accessible to attorneys, defendants and the general public. It is hoped that this will help promote lasting systemic changes and facilitate an environment of transparency and trust between the police and the community.

The need for transparency

Without transparency there can be no trust between Philadelphians and the police. Practices inside the Homicide Unit are largely hidden from the public. While some evidence of detective misconduct has been, and currently is, the subject of Philadelphia Police Internal Affairs investigations, those investigations are not made public. Information about those investigations cannot be generally accessed by defendants and/or their counsel much less the general public. Moreover, after a defendant is convicted, he no longer has a 'right' to discovery and cannot subpoena these records absent court approval.

Goal of the PTP
The database will be a critical resource for use in criminal trials, appeals and civil actions. Evidence that detectives investigating a particular homicide case had a history of utilizing this unconstitutional pattern and practice could, under the right factual circumstances, be used during trial to impeach the detectives trial testimony and/or as a basis on appeal to grant relief to wrongly convicted defendants.

In addition, information compiled on the database will provide the statistical basis to identify the need for police training, policy changes and legislative initiatives. It is hoped that information gleaned from this database will help promote lasting systemic changes and facilitate an environment where Philadelphians can trust the reliability and constitutionality of homicide convictions in their city.

Contact Information
Office@thepolicetransparncyproject.com
1400 Spring Garden St. #911
Philadelphia, PA 19130
Thepolicetransparencyproject.com
(484) 686-3279

Support your Fellow Incarcerated Authors

Check out the following works written by some of our fellow Graterfriends contributors!
Please note, the Prison Society does not endorse any of the opinions in these books.
We also cannot guarantee all books will be approved by the DOC.

REGINALD LEWIS
Leving Death Row
Inside my Head
Where I'm Writing from: Essays from Pennsylvania Death Row
*All of Mr. Lewis's works are available on Amazon

JOSEPH MANDER
Mr. Mander has multiple songs available to listen for free on SoundCloud
www.soundcloud.com/SSJoeyBishop

OMAR ASKIA ALI
The Truth and Nothing but the Truth
Askia Ali gives you just that: the "TRUTH" from every direction-he even talks about a boxing club in prison. During the 60's & 70's Omar Askia Ali, a.k.a., Edward Sistrunk was active in the Nation of Islam; he and others endeavored to curb the drug trade in Philadelphia. Omar maintains his innocence and gives it all, from his work with the N.O.I., corrupt police, all white jury, and FBI cover up.

Books can be purchased for $20 sent as a check to:
Boxing Assoc. of America Inc. PO Box 42702 Philadelphia, PA 19101-2702

MARVIN RUNNING RIVER BANKS
Our Ancestors are Proud
My wishes are that the readers research the vast history of this land and understand that, if they were born here, you too are indigenous to this land, and this land had a name, a culture, and an identity way before it was labeled America. And it still does.

Books can be purchased for $8 on Amazon

MARK BOWMAN
My Daddy Went to Jail and I'm Sad
My Daddy Went to Jail and I Am Sad is about unfortunate real-life instances that are hard to talk about with our children. Sometimes, we as parents are embarrassed to talk to our family and friends and especially our children when a parent makes a mistake in life and ends up in the judicial system. We need to be open with our children about these things and talk about things that are hard. This book is one of those ways to help in talking to our children. Proverbs 28:13 says, He who covers his sins will not prosper. But whoever confesses and forsakes them will have mercy

Books can be purchased for $14 on Amazon

JAMEL STEVENS
House of Brittle Bones
House of Brittle Bones is a collection of stories which all have an unexpected twist at the end of each. If you like shows like Twilight Zone, you will love these beautifully crafted tales. The house is the book, and the bones (stories) are my very DNA. The stories are brittle because nothing is ever as you expect it to be or turn out. A story will crumble before your very eyes, thus revealing an entirely different dimension.

Books can be purchased on Amazon and Barnes and Noble

DO YOU HAVE PUBLISHED WORK?
Feel free to send us a list and description of any of your work, and we will advertise it in Graterfriends.

Pennsylvania Prison Society is partnering with FAMM, ACLU of PA, Americans for Prosperity, the Commonwealth Foundation and others
to support positive reforms. In January, representatives from all five of these organizations spent a day at the State Capitol sharing their priorities with lawmakers and expressing their bipartisan support for criminal justice reform. The following are new legislative criminal justice innitiaves introduced since August. For information on other currently pending criminal justice reform legislation, see previous issue. [Note: SJC = Senate Judiciary Committee, HJC = House Judiciary Committee.]

FAMM Legislative Update: July 2021

The state legislature is on its summer break and will not be back in Harrisburg voting on bills until mid-September. Remember that it is a long road for a bill to become law: it must be approved by committees, the House of Representatives, and the Senate and then signed by Governor Wolf.

Mandatory minimum sentences for gun offenses

The state Supreme Court struck down mandatory minimum sentences for gun and drug offenses in 2015. Now, several lawmakers are trying to pass bills that would create mandatory sentences for people who possess guns. FAMM and the Prison Society oppose the use of mandatory minimum sentencing.

HB 1587 (Rep. Amen Brown): This bill would create two-, five-, or 10-year mandatory minimum sentences for people who possess guns and have a felony record, depending on the kind and number of prior convictions the person has. The bill passed through the House Judiciary Committee but is now on hold at request of the sponsor, after facing criticism from the community.

HB 1590 (Rep. Todd Stephens): This bill would require courts to impose the lesser of 5 years or the minimum sentence required by the state's sentencing guidelines if the person is convicted of a crime of violence, an armed drug offense, or possessing a gun with a felony record. This bill passed the House Judiciary Committee and is now in the House Rules Committee.

FAMM and the Prison Society will also encourage Governor Wolf to keep his promise that he would veto any bill containing a mandatory minimum sentence.

Probation Reform -- SB 5 (Sen. Bartolotta)

SB 5 would, if passed, make numerous reforms to probation sentences in Pennsylvania, including (1) banning the use of consecutive probation sentences; (2) capping probation sentences at 5 years for felonies and 3 years for misdemeanors; (3) banning courts from extending probation sentences because a person cannot pay fines and fees; (4) limiting when people can have their probation revoked and be sent to prison for probation violations; (5) capping the length of time people can be sent back to prison for probation violations, and makes these caps retroactive for people who meet certain criteria; and (6) requiring probation to be terminated after a person has served 18 months of probation with no violations. The bill has not yet received any votes or review by committees.

Life Without Parole Reform -- SB 135 (Sen. Street)

SB 135 would, if passed, provide parole eligibility after 20, 25, 30, or 35 years in prison to adults and juveniles convicted of first and second degree murder, depending on their age at the time of the commission of the offense, and who the victim was. The bill has not yet received any votes or review by committees.

Clemency reform – SB 694 (Sen. Bartolotta)

The state constitution currently says that the governor may not grant clemency to a person unless the Pennsylvania Board of Pardons first recommends the person for clemency by a unanimous vote of 5-0. Senator Bartolotta has introduced a bill that, if passed, would propose changing the constitution so that the governor can grant clemency whenever the Board of Pardons recommends a person for clemency by a vote of 4-1. This would enable more people to be considered for clemency by the governor. The bill has not yet received any votes or review by committees.

Expedited Medical and Elderly Release for COVID-19 -- SB 549 (Sen. Williams)

Sen. Williams has introduced a bill that would create a 90-day "Temporary Disaster Emergency Inmate Transfer Program" that would allow the Department of Corrections to transfer prisoners vulnerable to serious cases of COVID-19 to a community corrections center or facility or home confinement. The bill has not yet received any votes or review by committees.

Reader Survey

We welcome comments and suggestions from all readers. Please complete this form and mail it to Pennsylvania Prison Society.

We hope you enjoyed our literary issue that we released at the end of 2020!
In 2021, we are looking to model a traditional literary magazine and have one common theme for the creative piece. We want your input!

What themes would you like to suggest for our 2021 creative issue?

We are also looking for visual art pieces throughout the year to use in our bimonthly issues. If you enjoy creating visual art- paintings, drawings, etc, please send them for use in upcoming issues!

In-Cell Meal Service Survey

The PA DOC has announced that they plan to continue the delivery of meals to housing units after the pandemic, ending the use of dining halls. The Department states that eliminating dining halls will benefit people in custody. We want to know about your experience and opinion. We will share the anonymous results from this survey with the Department of Corrections leadership. The more survey results we receive, the louder your collective opinion will be heard.

Please fill out this survey and mail it back to us at:
230 South Broad Street, Suite 605, Philadelphia, PA 19102

1. Do you prefer food served in the dining hall, or food delivered to your cell or housing unit?

Strongly prefer food delivered Prefer food delivered Indifferent
Prefer the dining hall Strongly prefer the dining hall

2a. If you prefer having food brought to your cell or housing unit, please let us know why. Check all that apply

The dining hall can be hectic or chaotic
You don't get enough time to eat at the dining hall
I have been told we will get more rec time if we continue to have food brought to us
Other (please explain)_____
_____
_____

2b If you prefer going to the dining hall, please let us know why. Check all that apply

I like the social component of going to the dining hall
I like the movement of getting to the dining hall several times a day. It breaks up my day.
If something is wrong with the food, you can get new food at the dining hall
There is more hot food when food is served in the dining hall
I oppose eliminating the dining hall because I see it as part of a bigger plan for the DOC to take away people's privileges
Other (please explain)_____
_____
_____

3. How does the quality of food now compare to food served in the dining hall before the pandemic?

Food is better now than before Food is as good now as before Food is worse now than before

4. How does the variety of food served now compare to food served in the dining hall before the pandemic?

Food is more varied now than before Food is as varied now as before Food is less varied now than before

5. How do portion sizes compare to food served in the dining hall before the pandemic?

Portion sizes are larger Portion sizes are the same Portion sizes are smaller

6. How does the number of fruits and vegetables you receive now compare to before the pandemic?

I receive more fruits and vegetables I receive the same amount I receive fewer fruits and vegetables

7. Have you been served rotten fruits, vegetables or other food in the last month? Y N

If yes, what was the food that was rotten_____

8. Do you buy more or less food from the commissary than you did before the pandemic?

Yes, I buy more food now I buy about as much food No, I buy less food

9. How much money do you estimate you spend at the commissary on food each month? $_____

10. What is your age? ____
11. What is your current SCI? _____
12. Is there any additional information you'd like to share about the DOC plan to eliminate dining halls?

Date: _____
Name/#PPN: _____
Have you taken this survey before? Y N

Prison Re-opening Survey

Governor Wolf has ordered Pennsylvania to ease COVID restrictions starting on May 31, 2021. This survey will help the Prison Society confirm if restrictions are being eased at the different SCIs and help us identify what COVID-related issues remain. We will share the anonymous results from this survey with the Department of Corrections leadership. The more survey results we receive, the louder your collective opinion will be heard.

Many of you have answered these questions before. Answering them again allows us to show to the DOC what has changed over time and what remains the same.

Please fill out this survey and mail it back to us at:
230 South Broad Street, Suite 605, Philadelphia, PA 19102

1. Do you feel safe? Yes No
2. Did you try to access medical care during the COVID-19 pandemic? Yes No
2a If you answered yes to question 2 , how satisfied are you with the accessibility of medical care during the COVID-19 pandemic?
Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

3. Since the start of the COVID-19 lockdown, have you spoken with anyone from psychological services?

No, have not tried to No, have not been able to Yes
4. In the last week, how much time outside of the cell (not including yard time) do you get per day?

None Fewer than 30 min 30-60 min 60-90 min 90-120 min 120+ minutes
5. In the last week, how many times did you go to the yard last week?

I did not go to the yard (did not want to) I did not go to the yard (not allowed)

1-2 times 3-4 times 5 or more times
6. How many free phone calls did you make in the past week?

None 1 More than 1

7. In the past week, did you send at least one free email?

No, did not try to No, was not able to Yes

8. Did you get a free video visit in the last week?

No Yes, but bad service Yes, & it worked Does not apply to me

9. How satisfied are you with the way your facility has responded to COVID-19?

Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

11. If you'd like to add to your answers above: What are your concerns about how the prison is managing the coronavirus outbreak?

12. What, if anything, has the prison shared with you about plans to ease restrictions and reopen?

13. FOR PEOPLE WHO HAVE NOT BEEN VACCINATED FOR COVID-19 ONLY: if you were offered the COVID-19 vaccine today, would you take it?

Definitely not Probably not Probably would Definitely would

13a. If you answered anything other than " "Definitely would" to question 5a, please circle all that apply.

I am concerned about possible side effects I don't know if the vaccine will work I don't trust the DOC
I don't trust the COVID-19 vaccine It is against my religious beliefs
Other: _____
_____

14. What is your current SCI? _____
15. Are you in the RHU? Yes No
16. What is your housing unit? _____
17. What date did you fill out this survey? _____
18. Have you taken a version of this survey earlier? Yes No
OPTIONAL (your name will not be used in reporting our results)
Name: _____

PPN number: _____
Thank you for your feedback. We are here during these uncertain times.
PLEASE NOTE if you have other concerns, not related to the questions above, please write to us on a separate piece of paper. If you provide additional information on this survey, it may get lost.

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July & August 2021

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